

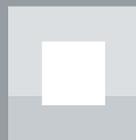


Good Practice in Housing Management: Guidelines for Local Authorities

Standards in the Private Rented Sector:
Strategic Planning, Effective Enforcement

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Housing Research

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Housing Research

Good Practice in Housing Management: Guidelines for Local Authorities

Standards in the Private Rented Sector: Strategic Planning, Effective Enforcement

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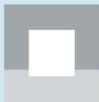
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2007



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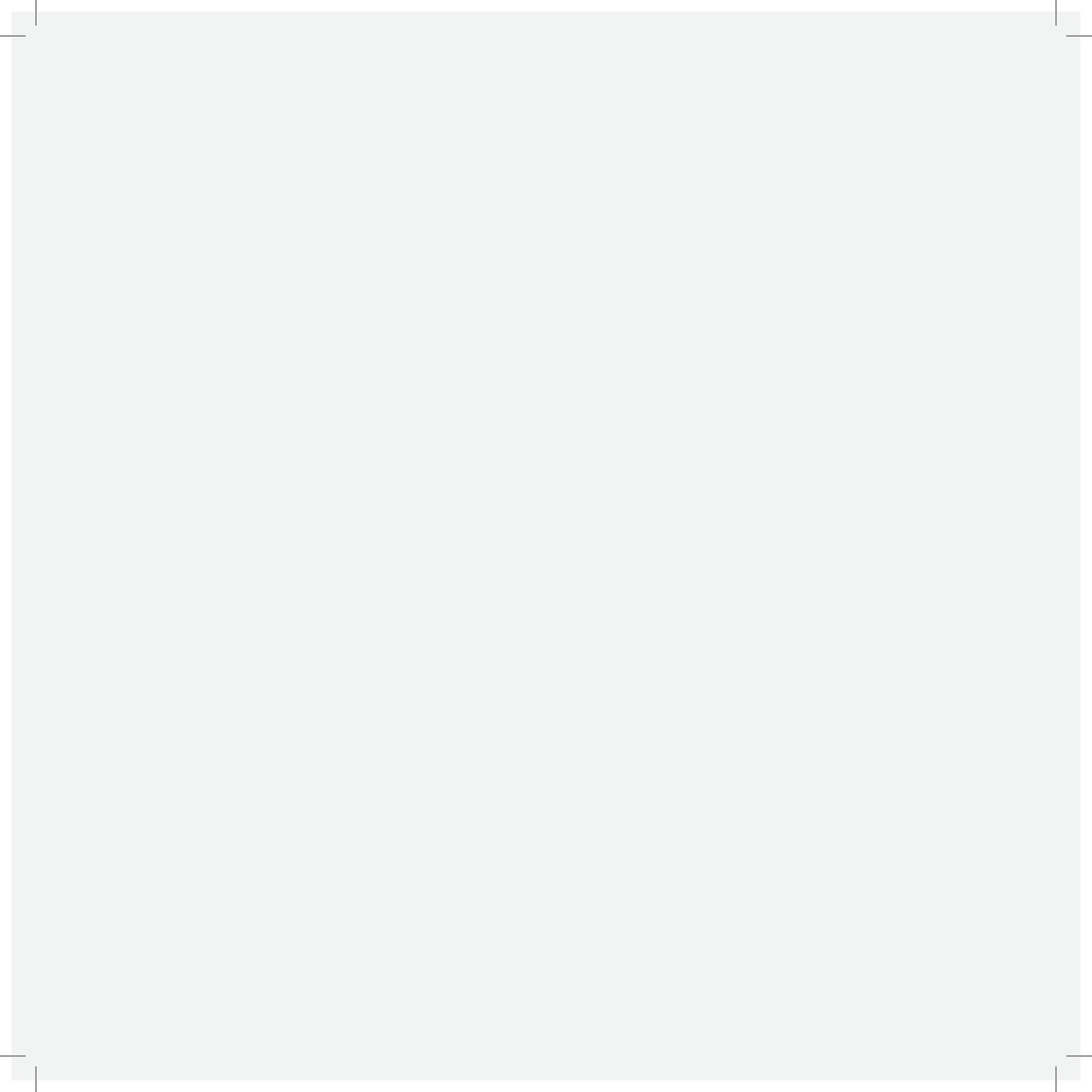


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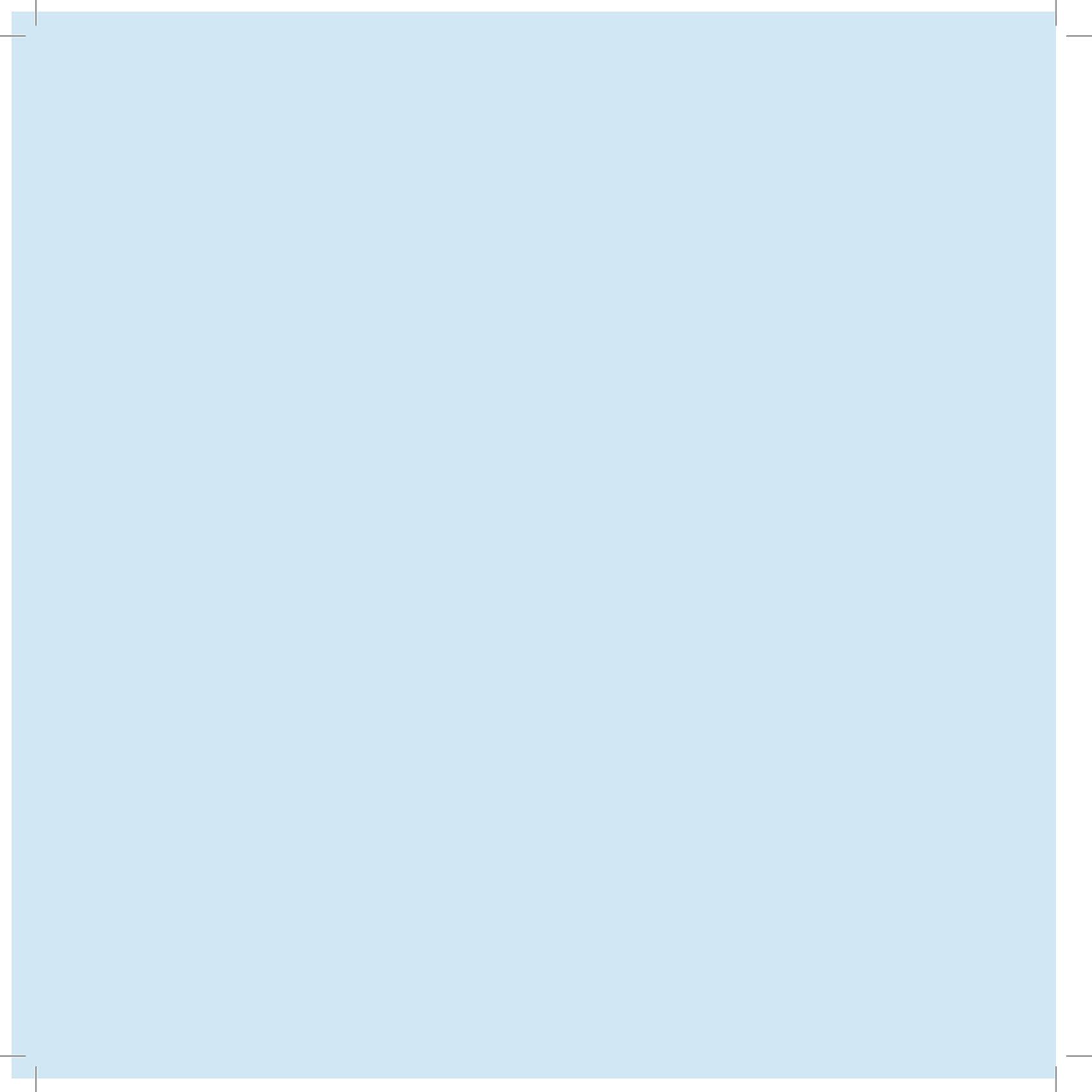
Dún Laoghaire-Rathdown County Council

Threshold National Housing Organisation

Irish Property Owners Association

ABBREVIATIONS

CWO	Community Welfare Officer
DOEHLG	Department of the Environment, Heritage and Local Government
DSFA	Department of Social and Family Affairs
EHI	Environmental Health Inspector
HSCL	Home School Community Liaison
HSE	Health Service Executive
ICT	Information and Communication Technology
JLO	Juvenile Liaison Officer
LANPAG	Local Authority National Advisory Partnership Group
NAPinclusion	National Action Plan for Social Inclusion
NDP	National Development Plan
PHN	Public Health Nurse
PRTB	Private Residential Tenancies Board
RAS	Rental Accommodation Scheme
SCP	School Completion Programme



Foreword

In September 2006 the Department of the Environment, Heritage and Local Government published *Action on Private Rented Accommodation Standards*. This provides a framework to achieve the commitments in the national social partnership agreement *Towards 2016* that minimum standard regulations in the private rented sector will be updated and effectively enforced. The main features of the Action Plan involve promotion, information, appropriate regulation and strategic enforcement.

As part of the Action Plan, the Department of the Environment, Heritage and Local Government requested the Centre for Housing Research to undertake a study of measures to promote improvement in private rented accommodation standards and develop good practice guidelines to assist housing authorities in their functions relating to the private rented sector with a view to achieving increased effectiveness, including more strategic and proactive approaches to enforcement.

In response to this request the Centre has produced these Good Practice Guidelines and a separate Policy Discussion Paper on *Promoting Improved Standards in the Private Rented Sector*.

These *Good Practice Guidelines on Standards in the Private Rented Sector: Strategic Planning, Effective Enforcement* are intended to be a practical tool for local authorities. As with all of the Centre's Good Practice Guidelines, it is for each local authority to decide on its own approach, having regard to relevant policy and taking into consideration its own situation. The Guidelines offer checklists, ideas, practical solutions and possible approaches.

I would like to thank those who have contributed to the production of these Guidelines, particularly its authors: Dermot Coates and Naomi Feely. Members of the Steering Group gave freely of their experience and expertise. I would also like to thank those who provided very helpful submissions to the authors or commented on earlier drafts of the Guidelines.

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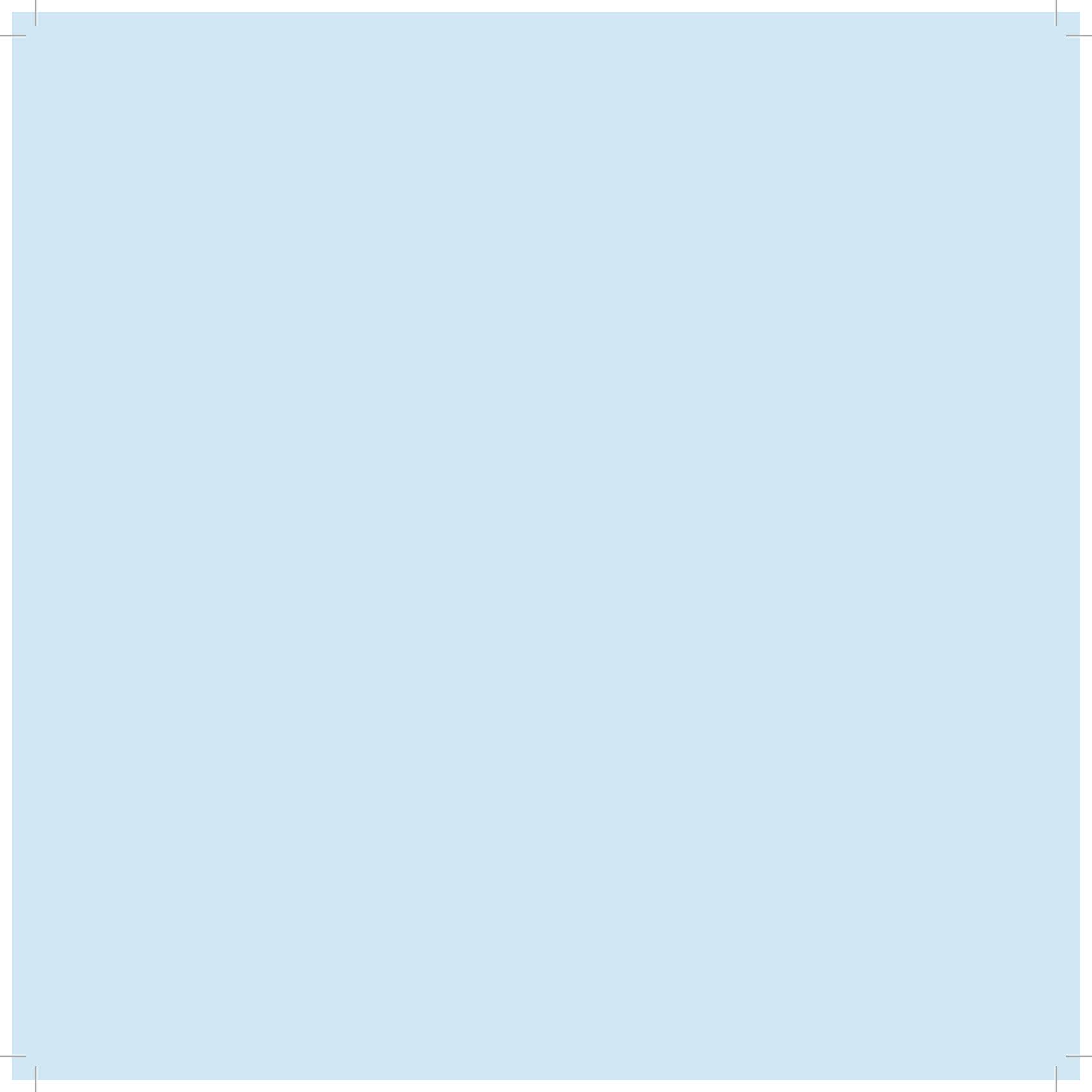
Summary: key issues to consider in achieving good practice

General Approach

Achieving good practice in statutory minimum standards in the private rented sector involves five key steps. These are: targeting, strategic planning, conduct, communication and evaluation. Implementing these steps involves a number of actions. These are summarised below and readers are directed to the sections of the guidelines where all of these issues are discussed in more depth.

STEP	ACTION	MORE INFORMATION
One: Targeting	Use a variety of information types and sources to identify type and location of properties available to rent requiring targeted inspection.	See Section 2
Two: Strategic Management and Planning	<p>Devise a strategic plan for the roll-out of inspections and review the impact of plan at regular intervals to determine effectiveness or otherwise.</p> <p>Plan should balance planned and response-based activity in order to target, in particular, at-risk properties.</p> <p>Identify funding available from the Private Residential Tenancies Board (PRTB), Rental Accommodation Scheme (RAS) units or units not being considered under RAS and other internal sources.</p> <p>Inspection activity to be undertaken should address the needs of stakeholders, including:</p> <ul style="list-style-type: none">• Private-rented sector tenants• Social housing tenants (and applicants) and• Tenants participating in the Rent Supplement and Rental Accommodation Schemes.	
Three: Conducting Effective Inspections	<p>Extend strategic thinking into management and delivery</p> <p>Establish framework for conducting robust inspections including:</p> <ul style="list-style-type: none">• Use of standardised reports and checklists, and• Development of procedures for repeat visits and, if necessary, enforcement <p>Establish working relationships with relevant sections within the local authority to maximise benefit of interventions to the tenant.</p>	See Section 3

STEP	ACTION	MORE INFORMATION
Four: Developing Inter-Agency Relationships	<p>Identify information requirements of all stakeholders and seek to fulfil these subject to the constraints of data protection legislation.</p> <p>Establish partnerships with other statutory and community agencies to ensure that available information is shared and used efficiently. Specifically, housing authorities should source information from – and make it available to – the Department of the Environment, Heritage and Local Government (DoEHLG), the Department of Social and Family Affairs (DSFA), Health Service Executive (HSE) Community Welfare Officers (CWOs), the PRTB and other relevant agencies.</p>	See Section 4
Five: Evaluation and Reporting	<p>Use a variety of information sources and types to measure the performance of the inspection plans on an ongoing basis.</p> <p>Identify useful performance indicators and use these to inform reviews of activity.</p> <p>Use reviews to identify obstacles and mainstream relevant solutions.</p> <p>Consider the outcome of each review and evaluation when formulating future plans.</p>	See Section 5



SECTION ONE

Context



1.1 Introduction

In the past two decades the role of the private rented sector expanded substantially and by 2006 this tenure accommodated approximately 10 to 12 per cent of all Irish households, compared to just 8 per cent in 1991. The Private Residential Tenancies Board (PRTB) had registered almost 133,000 tenancies by the end of 2006.

The expansion of this tenure has occurred for a number of reasons including:

- Increases in labour market mobility and inward migration
- Affordability difficulties encountered by potential owner-occupiers
- The demand for social housing out-stripping supply and
- An increase use of rent supplement to support low-income households in the private rented sector.

These changes, and, in particular, the expanded role of the market in meeting the needs of low-income households have indirectly contributed to growing concerns regarding the standard of accommodation provided in the private rented tenure. In response to such concerns, both the *Towards 2016* (Government of Ireland, 2006) social partnership agreement and the *Action Plan on the Private Rented Sector* (DoEHLG, 2006) have committed the State to addressing this issue.

The enforcement of minimum standards in the private rented sector is primarily a function of the housing authorities. They are funded by the Department of the Environment, Heritage and Local Government (DoEHLG) by means of allocating a proportion of the registration fees collected by the PRTB to undertake property

inspections. These standards – and the role of the housing authorities – are currently specified by the *Housing (Standards for Rented Houses) Regulations 1993*.

The DoEHLG has repeatedly emphasised the importance of the role of the housing authorities in this regard. The most recent circular on this issue states that *‘Housing authorities have been reminded of the need to respond promptly to complaints and to undertake pro-active routine enforcement’* (DoEHLG, 2006). To underscore this reminder, the then Minister of State commented that although the quality and choice of accommodation in the sector had improved in line with new investment, *‘there is a need for a concerted effort to tackle remaining deficiencies in standards’* (DoEHLG, 2006).

The private rented sector has been subject to major legislative and regulatory reform. There is now a significant body of legislation relating to landlord and tenant relationships. As part of these reforms, work is underway to update the minimum standards’ regulations in the sector and to provide for their effective enforcement. The Centre for Housing Research has produced a Policy Discussion Paper (see Coates and Feely, 2007), to assist the DoEHLG in this review process and to complement these Guidelines.

This document on good practice on standards in the private rented sector builds on the themes identified in previous guidelines. Although the recommendations are provided primarily for local authority housing staff, they may also be of interest to those working in the voluntary and co-operative housing sector.

The Guidelines are presented in five sections, as follows:

- Section One introduces the issue.
- Section Two examines good practice in the strategic management and planning of inspection activity.
- Section Three examines the strategies that can be used to ensure the effective conduct of inspections.
- Section Four examines the importance of effective co-ordination and information sharing between agencies.
- Section Five examines issues relating to developing and sustaining evaluative and reporting capacity.

1.2 The Importance of Good Practice in the Monitoring and Enforcement of Standards

Good practice is essential in delivering effective enforcement of minimum standards in the private rented sector. It is increasingly important that all local authorities fulfil their responsibilities to households in this tenure. There is significant evidence indicating that housing is a key influence on health and that the experience of poor housing is associated with a greater likelihood of ill-health (Blackburn, 1990; Marsh *et al*, 2000). Moreover, it is a reasonable observation that poor housing is frequently encountered in tandem with other indicators of social disadvantage. For many reasons, this tenure is an important source of accommodation for those with low-incomes. In particular, the lower end of the market accommodates many potentially vulnerable individuals and households including lone parents, older people, single people (especially males) and members of minority ethnic groups.

Conducting inspections plays an important role in underpinning the ability of the State to ensure the effective functioning of the private rented sector and the protection of tenants. Furthermore, inspections are a necessary element in the process of assessing social housing applications and allocating the limited supply of units. Since 2004, they also have become particularly important to the implementation of the new Rental Accommodation Scheme (RAS) with each local authority requiring assurance on the quality and suitability of units prior to entering into medium to long-term contractual arrangements.

The level of funding available to local authorities for the purpose of these inspections has risen significantly. It is expected that approximately €7m will be made available to local authorities in the period 2005–2007. Currently, the PRTB, collects and allocates tenancy registration fees in accordance with Ministerial direction. However, it is the stated intention of the DoEHLG to move away from allocating funds to local authorities on the basis of the distribution of tenancy registrations. From 2007, payment will be based on a methodology that takes account of actual enforcement performance.

In recent years, the DoEHLG has repeatedly advised local authorities to ensure that the regulation of minimum standards of accommodation in the private rented sector is achieved through proactive inspection and enforcement activity. Initially, activity levels were relatively low. For example between 2002–2005, an average of only 6,000 inspections per annum were conducted. By 2006, this had risen to approximately 9,800, implying a market penetration rate of less than 7 per cent (based upon the 145,000 households in this tenure in that year) (CSO, 2007) – although this figure could be lower.

There is some evidence from the DoEHLG's Annual Housing Statistics that increased inspection activity is wide-spread. In 2005, less than half of all City and County Councils reported any inspection activity, while in 2006 only three such authorities were in this position. In some cases activity had only marginally increased. In other cases the reported increase was substantial. Donegal County Council demonstrated this highest rate of increase. It reported no inspection in 2005 and reported over 1,000 inspections in 2006.

Increasingly, it is accepted that for inspection and enforcement activity to be effective, it needs to be done by local authorities working in collaboration and consultation with other statutory agencies. These Guidelines, therefore, build upon themes previously identified by the Centre for Housing Research that emphasise the importance of sharing information and partnership working.

1.3 Achieving Good Practice in the Monitoring and Enforcement of Standards: Issues for Consideration

Achieving good practice in the enforcement of minimum standards in the private-rented sector is a challenging task. Many policies and issues need to be considered when developing a programme of activity. Some of these are unique to the enforcement of minimum standards. Others apply to the wider local authority housing remit and indeed to the entire public service.

Any plans to improve practice in the enforcement of minimum standards in the private rented sector should take account of public service management reform programmes.

The Strategic Management Initiative (SMI) (see www.bettergov.ie) identifies a number of issues as key to public sector reform. These include:

- maximising the contribution of public bodies, including the local authorities, to social and economic development
- providing an excellent service to the public and
- ensuring the efficient use of resources.

Furthermore, under the terms of the SMI a range of priority actions to achieve these aims are identified. These include:

- delivering quality services to customers and clients
- reducing ‘red tape’
- delegating authority and accountability
- improving financial management and ensuring value for money
- enhancing the use of new technology and improving co-ordination between public agencies.

The SMI also identifies the establishment of systems of performance monitoring as the key to achieving good practice in public sector management. As such, the identification of a set of performance indicators as the basis for assessing the quality of the service and for informing strategic management decisions should be a central element of any proposed strategy to achieve good practice. Under *Delivering Value for People – Service Indicators in Local Authorities* (DoEHLG, 2004), five of the forty-two national service indicators laid down apply to housing management services and at the time of writing the inclusion of inspection of private rented dwellings among local authority service indicators was being considered.

Management information systems should be put in place to collate all of the information necessary for performance measurement. Ideally, management information systems relating to the inspection activity should be linked to those concerned with the other main elements of the housing service. The overall management information system should relate directly to relevant performance indicators; be easily collected, readily collated, clearly presented, and regularly reviewed. They should aid problem solving and decision-making; and assist in policy formation.

A range of recent developments that have impacted on the entire local authority housing service also have implications for the management of inspection activity. They include the following:

- The programme for the reform of the management of local authorities, particularly the establishment of Strategic Policy Committees (SPCs), to develop policy on each of the main functional areas within all local authorities. In most cases this process has included the establishment of an SPC that focuses on the housing area and is supported by a Director of Housing Services.
- The requirement on local authorities to deliver a number of actions under the National Action Plan for Social Inclusion (NAPinclusion) (Government of Ireland 2007a). In particular local authorities are required to establish Social Inclusion

Measures (SIM) Groups under the City and County Development Boards and to set up pilot Social Inclusion Units. This has obvious implications for housing management, since local authority tenants and those residing in the lower end of the private rented sector are more likely to be living in poverty than any other section of the population. Under the terms of the NAPinclusion, public agencies are required to carry out Poverty Impact Assessments (PIA) of their services.

- The provisions of the *Residential Tenancies Act, 2004*. This legislation transferred responsibility for the tenancy registration process from the local authorities to the new PRTB. Moreover, landlords have been prohibited from penalising tenants who make complaints and the PRTB is empowered to mediate in disputes relating to landlord or tenant obligations.
- The provisions of the *National Development Plan 2007-2013* (Government of Ireland, 2007b). Under the terms of the new plan, there is expected to be a significant expansion in the delivery of social and affordable housing, including Traveller-specific accommodation over a seven-year period. The projected levels of output under the RAS will also have implications for the interaction between the local authorities and the private rented sector.
- The most recent social partnership agreement, *Towards 2016* commits all parties in the local government sector to focus on continuous improvement in customer service, further enhancement of local democracy and the delivery of key infrastructure programmes. Local authorities, therefore, will seek to develop people capacity and organisational flexibility through the introduction of new ways of working; co-operation with civic and community groups and encouraging the development of workforce skills and capability. Moreover, all parties committed to addressing the findings of the Local Authority National Partnership Advisory Group (LANPAG) including a consideration of additional service indicators. New indicators are expected in 2007 and in this regard, the volume of inspections conducted could form the basis of a potential service indicator.

Finally, in developing programmes of good practice, local authorities should also take into account the following issues that are particularly relevant to the task of achieving successful inspection activity:

- Under *Towards 2016*, the DoEHLG will update the minimum standards regulations for the private rented sector and the local authorities will effectively enforce these. The parties to the agreement also endorsed the principles set out in the *Housing Policy Framework – Building Sustainable Communities* (DoEHLG, 2007) wherein the DoEHLG stated its intention to continue with measures to modernise the private rented sector.

- In order to provide a framework for achieving the above, the DoEHLG launched an Action Programme in late 2006. A key objective of this programme is to achieve a more effective approach to tackling sub-standard accommodation through a combination of improved resourcing, co-ordination, planning and prioritisation. As part of this more planned approach, local authorities have been instructed to set targets for the inspection of accommodation in 2007. Part of the 2006 funding was awarded based on inspection activity and from 2007 it is proposed to fund inspection activity on the basis of a methodology that places a greater emphasis on actual enforcement performance.
- Working in partnership with other State-sponsored bodies is key to a more effective approach to tackling sub-standard accommodation. This is most important in the relationship between the local authorities and the social welfare services. Under the terms of the *Social Welfare and Pensions Act 2007* the Department of Social and Family Affairs (DSFA) introduced an additional qualifying condition for Rent Supplement. This provision has been inserted into legislation by way of an amendment. It provides a legislative basis for the Health Service Executive (HSE) to refuse Rent Supplement where it has been advised by a local authority of non-compliance with standards (SWA Circular No. 09/06).
- Accurate and standardised record keeping is essential for assessing the scale and type of sub-standard accommodation in any locality and in devising appropriate responses. In addition, detailed records of all complaints, interviews and actions taken should always be maintained in case legal action is pursued.
- Traditionally, local authorities have not been proactive in dealing with complaints regarding private rented accommodation. Over time, this unresponsiveness has undermined tenant confidence in the inspection and enforcement processes. In the future, all complaints should be dealt with in an expeditious fashion and within a specified timeframe.
- Like all other aspects of housing management, effective management of human resources is the key to improving practice. Steps should be taken to ensure that all inspection staff are provided with the training and information necessary for them to conduct their duties effectively and to facilitate their professional development. The DoEHLG proposes to provide a complementary technical / operational manual to accompany the revised regulations.
- As has been noted in other good practice guidelines, tenants are often best placed to identify problems and the solutions to these problems. The use of targeted awareness campaigns can play a useful role in enhancing the understanding of tenants and landlords of the role of the local authorities in

the regulation of the private rented sector. This encourages tenants in sub-standard accommodation to come forward, thereby ensuring the more effective application of scarce inspection resources.

- In developing strategies for inspection, local authorities should take account of the type and age of the accommodation in their locality. By doing so, inspection resources can be targeted accordingly, rather than simply attempting to inspect all properties regardless of the risk profile. Moreover, it is important that this targeting is based upon 'good' data that enable the local authority to proceed on the basis of risks identified (e.g. tenant complaint received, referral from a CWO, tenancy unregistered with the PRTB, etc).

1.4 Aims and Objectives of the Guidelines

The primary aims of these guidelines are to help local authorities to:

- Strategically plan and implement programmes of inspection activity.
- Effectively co-ordinate with different housing services and other statutory bodies.
- Target inspection resources on the basis of risk, and
- Promote awareness of the rights and responsibilities of both tenants and landlords.

These guidelines are also designed to assist local authorities to develop strategies for inspection and enforcement of standards in the private rented sector that will achieve the following objectives:

- Achieve high standards of responsiveness and customer care in the delivery of inspection activity.
- Identify strategic issues, aims and objectives for the successful implementation of planned and response-based activity.
- Implement and strategically manage a programme of planned activity.
- Co-ordinate the implementation and management of the programme with the other aspects of local housing management such as the Fire Prevention

Officer and Social Housing Allocations; adopt a similar approach to managing relationships with other stakeholder agencies such as the PRTB and local CWOs.

- Use a variety of information sources in order to target activity towards ‘at risk’ areas (e.g. older, dilapidated properties).
- Maximise the efficiency and effectiveness of the staff deployed in this area by providing appropriate opportunities for training and development and by encouraging staff participation in decision-making.
- Develop a range of performance measures with which to identify success factors and to enable effective feedback that allows obstacles to be identified and overcome.
- Identify performance indicators that will be useful in assessing the quality of the work undertaken on an ongoing basis.
- Establish management information systems in order to collate the information necessary for performance measurement and service development.
- Achieve value for money for all expenditure on the service.

1.5 Achieving Good Practice in the Monitoring and Enforcement of Standards: Priorities for Action

These Guidelines are not intended to be an all-embracing guide to conducting efficient and effective inspections. Each local authority must decide on the specifics of its own approach, having regard to the national and local contexts. These will include the size and type of the rented stock and the requirements of the housing environment. However, several key aspects of this activity can be singled out as particular priorities. These priorities for action are the focus of the Guidelines.

In each priority area, the Guidelines aim to identify common success factors and to use these to develop ‘Good Practice Recommendations’ for improvements in current practice. These identify a baseline level of service that all local authorities should strive to achieve.

SECTION TWO

Strategic Management and Planning



2.1 Introduction

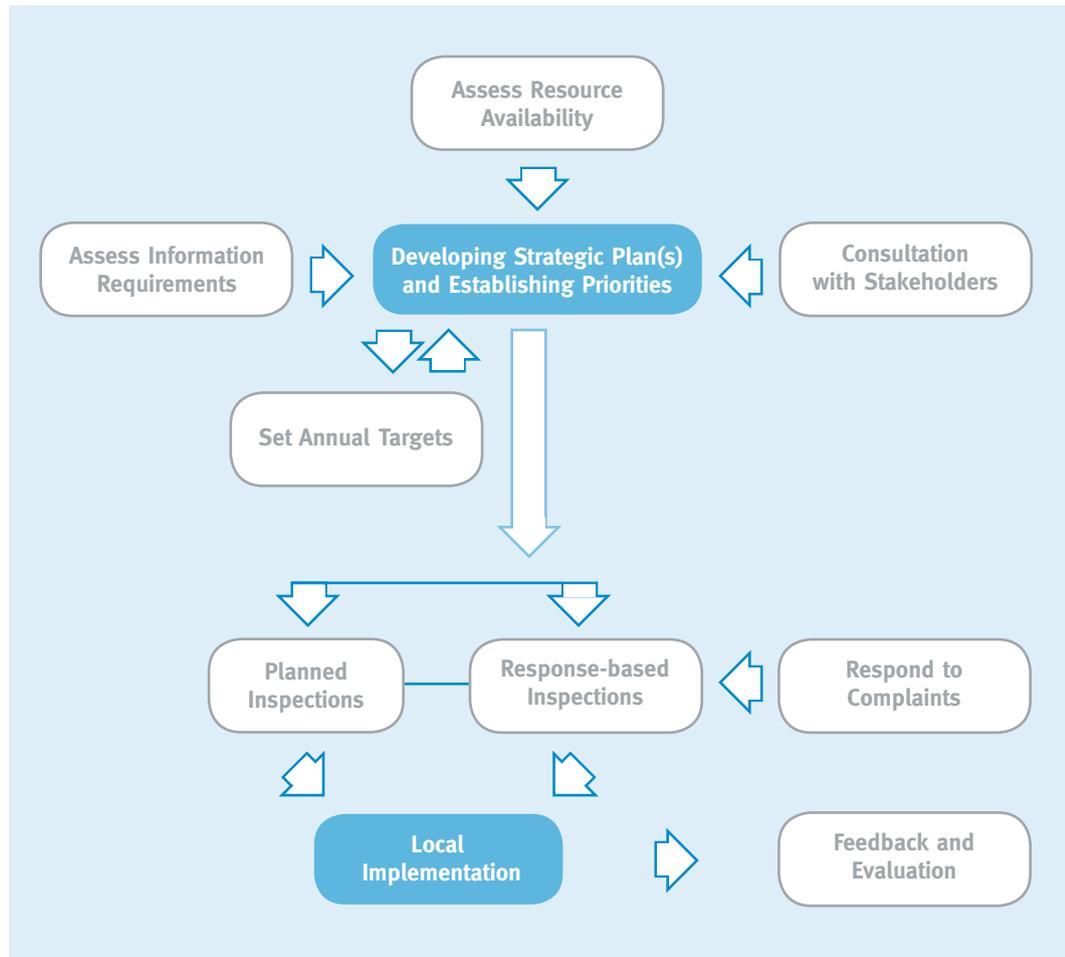
Under the *Housing (Standards for Rented Houses) Regulations, 1993* local authorities are required to conduct inspections of both private rented accommodation and, since 1998, houses let by housing authorities. These inspections are carried out to ensure that minimum standards as set out in the regulations are adhered to, and where the standards are contravened, to pursue enforcement up to, and including, prosecuting the property owner. The standards set out the minimum requirements in relation to a range of issues such as structural quality, dampness and the provision of electricity supply.

As outlined in Section One, these Guidelines generally address issues pertaining to inspection activity in the private rented sector. However, where relevant, the social rented sector is also discussed as are fire safety and additional, related considerations.

The introduction to these Guidelines outlined some of the key factors necessary for planning and undertaking successful inspections, and the challenges associated with this.

Section Two now focuses on strategic management and planning. The first step in developing a programme of activity is to develop a strategic plan which should outline the authority's approach, identify inspection requirements, outline how the authority will respond to complaints, plan inspections and sets targets. Figure 1 (overleaf) illustrates the two stages of planning and implementation of inspections. Section 3 will focus on implementation – conducting effective inspections.

Figure 1
Systems Diagram – Planning, Implementation and Reporting of Inspections



2.2 Develop and Implement a Strategic Vision

GOOD PRACTICE RECOMMENDATION No.1

Develop a Housing Management Policy Statement

- To meet the challenges associated with regulatory standards in the private rented sector, it is important for local authorities to adopt a strategic approach. In doing so, the actions undertaken can, over time, minimise the incidence of sub-standard accommodation and ensure that where it does arise, it is dealt with proactively, efficiently and effectively.
- An important early stage in achieving the above is to ensure that the elements of the statement of policy on housing management relating to inspection activity are clear and unambiguous with regard to the service to be provided to tenants. This, in turn, will provide a framework to minimise the incidence of sub-standard accommodation over time. The statement should address the following issues:
 - » A statement that the local authority is committed to fulfilling its responsibilities with regard to rented accommodation.
 - » Procedures for tenants in both the social and private rented sectors to make a complaint pursuant to the standards' regulations.
 - » Procedures for receiving, recording and investigating these complaints; these should also address follow-up inspections and enforcement.
 - » Procedures for monitoring and evaluating the performance of this service.

From this overarching statement of policy, an inspection plan should be derived. Such plans should be constituted for pre-determined periods (e.g. quarterly to match the timeframe for statistical returns to the DoEHLG on inspection activity). The use of quarterly plans would tie in with the requirement to make quarterly statistical returns. These should set out the aims and objectives of the activity to be undertaken, the human and financial resources available, the sources of information to be used, the number and type of inspections to be conducted, and the priorities to be pursued in the period under consideration.

In particular, the needs of each stakeholder and the manner in which these shall be satisfied should be articulated clearly. As such, these plans must be clear on the rationale – ‘how’ and ‘why’ – for the inspections to be undertaken. Moreover, the plans should be maintained and updated, regularly, as they may be required for the purposes of both local and national evaluative exercises in the future.

GOOD PRACTICE RECOMMENDATION No.2

Identify Inspection Requirements

- Local authorities should engage with both internal and external stakeholders to identify inspection requirements and to formulate the aforementioned plans. These requirements will not be limited to inspections on behalf of tenants in the private rented sector generally. Inspections of private rented accommodation will also be necessary for the conduct of housing-related activities by other sections of the local authority as well as by external agencies, such as the following:
 - » Staff in the RAS unit will request inspections as part of the process of transferring tenants into the new scheme (reference to RAS units encompasses either specific units in the larger local authorities or, where appropriate, staff in the housing function who have responsibility for this scheme).
 - » Staff in the Social Housing section will request inspections as part of the processes of verifying applications for housing and/or allocating units.
 - » CWOs may – and increasingly will – request inspections determining entitlement to a Rent Supplement payment.
 - » The PRTB may request inspections as part of their dispute resolution.
- It is important that each local authority consult with the above regularly as part of the interrelated processes of planning the inspections to be conducted and setting targets for each period, in order to ensure that sufficient resources are in place to deliver the necessary level of service.
- It should be noted that planned inspections can be disaggregated into two broad types – inspections requested by the above stakeholders and inspections of properties deemed by the local authority to be ‘at risk’ on the basis of a critical assessment of the available data. The latter is distinct from simply meeting the needs of, for instance, the local RAS unit. Each local authority should attempt to work through the stock of rented properties on a systematic basis by targeting specific concentrations of rented properties (e.g. older, dilapidated areas) during each reporting period. As the implementation of the RAS continues, this type of

activity will play a small role, but over time, it should become an integral part of the inspection process.

- Consequently, it is important that each local authority moves beyond simply meeting the needs of these groups / agencies as the roll-out of inspection activity proceeds. Rather, the local authority should also endeavour to plan for inspections of those properties deemed to be ‘at risk’ (e.g. older properties, etc) with such properties targeted on the basis of the sources of information available to inspection staff.

GOOD PRACTICE RECOMMENDATION No.3

Ensure Responsiveness to Complaints

- Traditionally, many local authorities have not been effective in responding to complaints regarding the standard of rented accommodation. This, in turn, has both undermined public confidence in the system and created a low level of public awareness. Ultimately, the cumulative effect of these factors has been to contribute to a culture whereby tenants, by and large, do not make complaints to their local authority, with a consequent reduction in the capacity of the local authorities to accurately identify those ‘at risk’.
- In order to respond in a more focused way to complaints, local authorities should ensure that a clear system for receiving and recording complaints from tenants in the private and social rented sectors is in place. From the perspective of a complainant, this process should be simple and easy to use. Consideration should also be given to the development of an internet-based facility for making complaints.
- The complaints process should be supported by mechanisms for ensuring timely inspections on foot of complaints and for keeping the complainant apprised of both the outcome and the action to be taken at each stage of the process.
- Local authorities should consider setting maximum response times. These can have the dual benefit of both building public confidence and providing a useful performance measure for management.

GOOD PRACTICE RECOMMENDATION No.4

Balance Planned Inspections with Response-Based Activity

- As has been seen, there are broadly speaking two forms of inspections, as follows:
 - » Planned – Inspections planned in consultation with stakeholders and inspections planned in order to address the risk profile of each locality.
 - » Response-based – Inspections undertaken on foot of complaints received from a tenant.
- As the programme of inspections is rolled out, local authorities should endeavour to combine both planned and response-based activity. This requires a degree of flexibility with regard to the use of resources and a readiness to monitor and update plans on an ongoing basis.
- This can best be achieved by local authorities who show the characteristics of the learning organisation, i.e. – the initial plans may not be fully attainable but, over time, the organisation will learn from experience and be better able to frame its plans.

GOOD PRACTICE RECOMMENDATION No.5

Identify and Prioritise Targets for Each Reporting Period

- In line with the Action on Private Rented Accommodation Standards launched in 2006, the DoEHLG requires each local authority to set an annual target for inspection activity. As part of the target-setting process, local authorities may find it useful to disaggregate the annual total on a quarterly basis and to set targets for each period. These targets need not be consistent across time periods but rather can reflect the availability of resources and the overall workload, in addition to the changing priorities and needs of both the organisation and the locality.

- It is equally important that the inspections undertaken are prioritised on the basis of need. The order of priorities is a decision for each local authority. It will be informed by the nature and scope of the tenure in its locality. It is recommended that these priorities be formulated with reference to the available information and the needs of stakeholders and that they are articulated clearly in the planning process. For instance, priority could be given to bedsit-type accommodation in urban centres but this is likely to be less effective in rural areas where the housing stock was more recently constructed.

2.3 Take Steps to Target Inspection Resources

In the first instance, accessing comprehensive information will allow a local authority quantify the full extent of the private rented sector within its operational area. By endeavouring to collect and collate information from a variety of sources, a local authority can ensure that, insofar as is possible, resources are targeted at those tenancies with the highest probability of being 'at risk' (e.g. older properties) due to sub-standard accommodation. In doing so, the extent to which lower priority inspections are undertaken can be minimised (e.g. inspecting newer units).

GOOD PRACTICE RECOMMENDATION NO.6

Pursue Targeted Inspection Activities

- The effective use of information is integral to the strategic management of the work undertaken and will underpin the capacity of any local authority to target inspections on the basis of need.
- Much of the information required will be provided by internal and external stakeholders whose inspection requirements each local authority should endeavour to fulfil. Table 1 categorises these sources of information as national and local.

Table 1
Suggested National and Local Sources of Information to Inform the Planning Process

National	<ul style="list-style-type: none"> ■ PRTB database on registered tenancies ■ Statistical information provided by the Central Statistics Office (CSO) which identifies concentrations of older properties ■ DSFA database of short and long-term Rent Supplement claimants (as made available by the DoEHLG under RAS) ■ Housing condition surveys published by central government agencies
Local	<ul style="list-style-type: none"> ■ Complaints received from tenants ■ Local authority housing applications ■ Rent Supplement cases referred by local CWOs ■ Local knowledge including the views of Council staff and CWOs ■ Internal records regarding outcomes of previous inspections

Note: The Social Welfare Consolidation Act, 2005 allows for the exchange of data with local authorities in relation to rented accommodation. It may be necessary to include a declaration on the local authority housing application forms stating that the information provided can be used for the enforcement of the standards.

- These information sources should be used to inform the conduct of response-based activity, in addition to planned inspections. The latter includes both targeting those deemed to be ‘at risk’ (e.g. a high probability of sub-standard accommodation) and inspections required to fulfil the other housing service responsibilities (e.g. RAS).
- Based upon the experiences of inspection officials interviewed by the authors, an effective indicator of ‘at risk’ tenancies are those in receipt of Rent Supplement but not registered. A useful methodology for identifying incidences of this phenomenon is to undertake a comparison of the relevant PRTB and DSFA databases and to target unregistered Rent Supplement tenancies. The relevant Departments (i.e. DoEHLG and DSFA) should give consideration to the feasibility for the relevant data matching to be conducted centrally, with the results made available to the local authorities.
- Another frequently used and successful approach is to target inspections based upon the age profile of properties. Once again, the experience of inspection officials interviewed suggests that older properties have been found to be less likely to be in compliance with the regulations and thus, that their tenants benefit from a more interventionist approach
- As the roll-out of inspection activity proceeds, consideration should be given to moving beyond these conventional sources and developing more innovative methods of gathering information on the presence of rented and/or sub-standard rented properties in each locality. These can include the following:
 - » Monitoring property to let advertisements in the local media
 - » Conducting tenant satisfaction surveys in both the private and social rented sectors by collecting information through the use of a one page questionnaire
 - » Monitoring the incidence of residential developments with unusually high vacancy rates in both the private and social rented sectors
 - » Monitoring sales and lettings of properties at less than the market rate in both social and private residential developments
- Liaising with staff in relevant local organisations including, but not limited to, voluntary and co-operative housing associations, Threshold, integrated local development companies and urban-based partnerships, regeneration boards, Public Health Nurses (PHNs), Juvenile Liaison Officers (JLO) and Home-School-Community Liaison (HSCL) and School Completion Programme (SCP) Co-ordinators

- Another innovative approach is to use local knowledge of residential concentrations of minority ethnic groups as a mechanism for targeting inspection activity. Many of those interviewed by the authors have commented that such minorities are disproportionately likely to experience discrimination that can take the form of poor management and maintenance of rented properties. Moreover, international evidence indicates that new immigrant communities have a tendency to settle initially in older, more dilapidated or lower quality areas close to city centres.
- Any approach to target properties with a high probability of being sub-standard must be balanced against the protection of vulnerable tenants. Inspection staff must take cognisance of the need to avoid impacting negatively upon such tenants (e.g. 'at risk' of homelessness).

2.4 Deliver Added-Value to Stakeholders

The conduct of the initial inspections is just one part of regulating standards in the private rented sector. To maximise the impact of inspections, each local authority must endeavour to develop a strategy for promoting its work so as to raise public awareness. The value of these inspections will be reduced in the absence of rigorous follow-up and, as a last resort, enforcement through the courts.

GOOD PRACTICE RECOMMENDATION No.7

Develop Communication Strategies for All Stakeholders

- An important element in any programme of strategic monitoring and enforcement of the standards is to ensure that this activity is promoted and that information is made available to landlords, tenants and other interested parties. Any such a campaign should have three specific ends:
 - » To create a public awareness that the local authority has commenced conducting inspections in the locality
 - » To inform both landlords and tenants of their rights and responsibilities
 - » To inform tenants of the procedure(s) that are in place for making a complaint

- Advertisement in the local media is a useful first step.
- Local authorities should consider making available information leaflets and/or posters that set out the rights and responsibilities of both landlords and tenants under the *Residential Tenancies Act, 2004* and related legislation. The leaflets used could be those issued by the PRTB or Threshold or, alternatively, they could be developed in-house. The information provided in this manner should address not only matters concerning rent books, deposit retention and repairs but also basic maintenance matters e.g. – who is responsible for replacing batteries in the smoke alarm? Sometimes, confusion around these issues leads to inaction.
- The leaflets could be distributed at local authority offices and through the local offices of other statutory and voluntary bodies, such as Garda Stations, libraries, Post Offices or Citizens Information Centres. Any attempt to build awareness amongst tenants should consider the value of covering both the private and social rented sectors. It is also important that sufficient training is provided to staff to enable them answer any queries on these issues.
- Where feasible, and subject to resource constraints, local authorities should consider the value of undertaking leaflet-drop campaigns, perhaps targeting these at specific concentrations of rented properties. Such activity could be linked to the use of a tenant satisfaction survey that, in turn, could act as a useful mechanism for both building public awareness and identifying ‘at risk’ areas.
- It is worthwhile considering the provision of information to tenants on managing and sustaining a household. Lack of tenant understanding on basic issues, such as ventilation while cooking or drying clothes, was a recurrent theme in discussions undertaken by the authors during the drafting of these Guidelines. Consequently, in some cases where condensation or other factors was identified by inspectors, the tenant had actually caused this. Table 2 overleaf provides a summary of tenant obligations. The provision of information to tenants ties in with the expanding role envisaged for local authorities under *Delivering Homes, Sustaining Communities* (DoEHLG, 2007) whilst the pilot Social Inclusion Units might also play a useful role in this regard.

Table 2
Summary of Tenant Obligations in the Private Rented Residential Sector

Tenant obligations are covered by the Residential Tenancies Act, 2004. Part 1 of Chapter 2 of this Act addresses the issue of tenant's obligations. In particular, section 16(b) requires tenants to ensure that '*no act or omission by the tenant*' results in the landlord's obligations under regulations under section 18 of the 1992 legislation, or any other enactment in relation to the dwelling or the tenancy, not being met. Furthermore, section 16(f) prohibits the tenant from causing deterioration in the condition of the dwelling, other than normal wear and tear. Other obligations include:

- Paying the rent and any other specified charges
- Notifying the landlord of any repair requirements
- Allowing access for repairs to be carried out
- Not engaging in, or allowing, anti-social behaviour
- Not acting, or allowing visitors to act, in a way that would invalidate the landlord's insurance

- Information leaflets should be included in official correspondence with both landlords and tenants. With regard to the latter, the information leaflets provided by the Revenue Commissioners concerning tax relief for the repair and maintenance of rented properties should also be included. This should be done in order to increase awareness of the tax relief available and, in turn, incentivise the provision of better standards of accommodation

Develop Procedures to Ensure Follow-up Inspections and Enforcement

- When an inspection has been conducted, this should be followed with correspondence to both the tenant and landlord informing him/her of the outcome of the inspection. Where the property has been found to be non-compliant with the standards, this correspondence should clearly state the following:
 - » Those article(s) of the regulations that has (have) been breached
 - » A description of the problems identified and instructions regarding the necessary remedial works
 - » A timeframe for the completion of these works and a time/date for a follow-up inspection
 - » Information on the tax relief available for expenditure incurred in upgrading the property
 - » A description of the applicable penalties for any failure to comply with the above
- Where a property has been found to be in breach of the regulations, inspection staff must ensure that, insofar as is possible, follow-up inspections are conducted within a reasonable timeframe. Given that most landlords can be expected to be co-operative, officials should endeavour to work with property owners in pursuit of improving the accommodation in question. However, where unco-operative landlords are encountered, officials should be consistent in pursuing follow-up inspections and enforcement.
- As a last resort, a local authority must be prepared to pursue consistent offenders through enforcement in the courts. In order to successfully prosecute, it is essential that each case file is fully and accurately maintained and that comprehensive records of all inspection reports and correspondence is kept up to date. If necessary, inspection staff should consult with their Law Officer to determine his/her information requirements and ensure that these are fulfilled in every case.

2.5 Manage Resources Effectively

As part of the delivery of the rented property inspection function, each local authority will need to put in place sufficient resources, human and financial, to deliver the planned service effectively. Where this is not done, it is inevitable that targets will not be attained. Moreover, once in place, such resources must be managed in order to maximise output, provide a high quality service and deliver value for money.

GOOD PRACTICE RECOMMENDATION No.9

Identify Resource and Training Requirements

- Broadly speaking, there are three sources of financial funding available to support inspections. These include funds provided by the PRTB, funds provided by the local RAS unit and funds provided by the local authority itself from internal receipts. It is essential that the inspection staff explore the availability of funds under all categories as a part of the planning and implementation processes.
- By way of a contribution towards the cost of undertaking inspections, housing authorities receive 70 per cent of the registration fees collected by the PRTB. In 2005 this amounted to €1.5m based on the number of registered tenancies in each local authority area. €2m was provided for in 2006, with payment more directly related to the level of inspection undertaken. For 2007, the DoEHLG proposed to implement a payment methodology based on targets, their achievement and the overall number of inspections undertaken. The use of targets as a basis for payment is intended to provide a more positive approach than one based solely on historical performance. Consequently, any local authority planning to draw down funding from central government in the future must commence proactive inspections as soon as practicable and strive to maximise output.
- There are a number of possible models to follow for staffing the inspections team. The decision on which model to adopt is one for each local authority. Some local authorities outsource this service to HSE Environmental Health Inspectors (EHIs) in their region, whilst others use local authority personnel (e.g. Building Regulations' Inspectors). In terms of the former, it is advisable that the local authorities enter into a standard service level agreement that will address certain factors, including the number of staff to be deployed, the number of inspections to be conducted and the reporting and supervisory arrangements to be instituted.

- On the basis of the interviews conducted during the course of this research, the authors are of the view that the use of suitably qualified and experienced – both academically and professionally – staff will deliver optimal results. However, the use of technical and/or non-technical staff, and the balance between these, is a local level decision.
- Once staff are appointed, each local authority should put in place appropriate structures, including the following:
 - » Relevant training in the conduct of inspections and related considerations, e.g. relevant legislative factors, customer service, reform programmes and inter-agency working
 - » Opportunities for networking and professional advancement.
- Each local authority must also recognise that staff involved in conducting inspections could be subject to abusive behaviour and are likely to have to enter poor quality properties on a regular basis. Measures should be put in place to support the health and safety of staff, including training on how to address intimidation and manage stress.
- All contributors to the preparation of these guidelines are fully aware that the safety of inspection staff is paramount. To this end, staff should receive induction training that emphasises safety and welfare. They should be well informed of safety measures such as working in pairs and keeping others informed of where they are and at what times.

GOOD PRACTICE RECOMMENDATION No.10

Develop Data Capture and Management Systems

- Data management is an important feature in the management of deployed resources. Data management refers to the systems and procedures in place to record and analyse the work undertaken. The first step in developing this approach is to ensure that information on all aspects of the inspection processes is recorded on standardised forms and that this protocol is applied consistently by all staff. This must be supported by a management culture that recognises the importance of recording and managing information.
- It is equally important that appropriate Information and Communication Technology (ICT) solutions are adopted that will allow this information to be collected and collated. Such solutions, perhaps a basic spreadsheet, facilitates

ease of access to a valuable data source and supports research, evaluation and analysis when required. It would, of course, be desirable that local authorities avail of the most up-to-date ICT solutions for recording this information.

- The DoEHLG should endeavour to work with the relevant local authority staff – perhaps by way of issuing guidelines – to coordinate the manner in which this is achieved and to maximise the degree of consistency across the sector.

GOOD PRACTICE RECOMMENDATION No.11

Use Data to Improve Evaluation and Learning Outcomes

- As part of the strategic management of any activity, the collection and analysis of data plays a key role. This is applicable to the inspection process. The measurement and monitoring of performance is stipulated by the SMI and is a requirement for all functions of local government. Each local authority should make use of the data captured on its ICT systems and ensure that the necessary evaluative procedures are in place to maximise the value of this resource. It is only through a rigorous programme of self-evaluation that an organisation can critically assess its own success or otherwise and take corrective action.
- As a first step, performance monitoring should be implemented by measuring actual activity levels (e.g. volume and type of inspections). These should be compared to the targets set for each period to assess the extent to which expected levels of performance were attained.
- Beyond such basic measures, more comprehensive analyses can be pursued. For example, the local authority could evaluate its own performance with regard to the number of complaints received versus the number of complaints addressed and average length of time taken to respond to the complainant in any given period. Similarly, time elapsed between initial and follow-up inspections and other related measures should also be examined.
- Thereafter, management should endeavour to ‘learn’ from these assessment outcomes in a number of ways including:
 - » *Where targets are not being achieved: Why has this occurred? Have unforeseen obstacles emerged? Have sufficient resources been deployed? Are realistic targets being used?*

- » *Where targets are being surpassed:* Why has this occurred? Is the targeted level of activity too low? Are excessive resources being made available vis-à-vis expected outputs?
- » *Applying the learning:* How can these lessons be applied to the formulation of future plans? Should targets be revised? Should more resources be deployed? etc
- Quantitative measures should be supported by qualitative considerations. These could include the use of periodic feedback forms completed by tenants and/or other stakeholders whereby users rate the level of service. Consultations with the inspection staff could also be undertaken. These could be used to ascertain if inspection staff have ‘ownership’ of the targets being used. If this is not the case, they could determine whether this is undermining morale and if so, does this have a negative impact upon output (e.g. high staff turnover, excessive sick leave).

SECTION THREE

Conducting Effective Inspections



3.1 Introduction

Section Two of these Guidelines focused on the role of strategic planning and management of the inspection and enforcement activity. It emphasised the need to use a variety of information sources in targeting inspections and to consult with stakeholders when developing a strategic plan for each period. It also highlighted the importance of setting targets (or expected levels of activity), procuring the necessary resources, creating procedures for follow-up inspections and enforcement through the courts and finally, the usefulness of data in evaluating the effectiveness of the plans being implemented

Section Three focuses on the steps that can be taken to ensure that the inspection activity – the actual implementation of the plan – is conducted effectively. It emphasises the need for staff to be clear on their respective roles and responsibilities and the value of working with the tenant, where this is appropriate. It also identifies the importance of using checklists and standardised forms to maximise the effectiveness of the defect diagnosis process. Finally, it recommends that well-developed internal lines of communication are instituted so that information is shared with other local authority housing management services.

The first step in the implementation of the inspection plan is to ensure that the inspection staff are used to best effect. As has been previously stated, any decision on the balance between the use of technical and non-technical staff is one to be taken locally. However, local authorities must seek to ensure that sufficient expertise is available to enable inspections to be conducted effectively and pursuant to the current regulations.

Once the staff are in place, the methodology used to diagnose defects in a property must be reviewed. Each local authority should endeavour to develop an easy-to-use, step-by-step approach for staff to follow. This involves making arrangements for staff to use standardised forms and for the results of these inspections to be shared internally.

GOOD PRACTICE RECOMMENDATION No.12

Staffing Considerations and the Role of Technical and Non-Technical Staff

- As previously stated, when implementing the inspection plan it will be necessary for each local authority to decide on the number of staff to be allocated to this work and whether to outsource this function or to use their own staff. Where a local authority opts for the former, one option is to consider contracting EHIs from the HSE. Where outsourcing is the preferred option, it is essential that a service level agreement is put in place.
- In the case of outsourcing, it is essential that personnel have the capability to undertake the inspection work. Where this is not the case, the local authority must facilitate them in acquiring the required skills and competencies. The Centre for Housing Research delivers training in property inspection for non-technical staff (see www.chr.ie for details) and has developed *Good Practice Guidelines on Repair and Maintenance of Dwellings* which also deals with this topic (Brennan, 2000). This pack provides useful guidance on the ‘how to’ of inspections. Where relevant, parts of this are replicated here.
- Regardless of how staff are sourced, it is important that management work with staff to develop the skills and competencies required and take steps to ensure the following:
 - » Define lines of supervision and ensure that all staff are clear about their roles and responsibilities.
 - » Monitor levels of staff turnover in order to assess whether any personnel or human resource difficulties have arisen and put in place procedures to ensure that any such turnover does not create difficulties (e.g. that all actions are documented etc.).
 - » Consider the merits of multi-disciplinary working where inspection staff coordinate their work with other local authority housing officials in addition to reporting of sub standard accommodation to CWOs.

- With regard to the RAS, as part of the roll-out of the scheme the DoEHLG has circulated a pro-forma reporting template for use in preliminary property ‘visits’ (see Appendix A). Where these visits identify a problem – regardless of the status of the staff member making the visit – these should be followed by a full inspection pursuant to the regulations. This should be conducted by a staff member suitably qualified and experienced to make a decision on whether the property is compliant or otherwise.
- A property inspection by a non-technical person should be counted for Annual Statistics purposes but if this is followed by an inspection by technical staff, there should be no double-counting. Only those RAS inspections conducted pursuant to the regulations (i.e. not the preliminary visit) should be reported to the DoEHLG for the purposes of the Annual Statistics.
- Similarly, where non-technical staff undertake an inspection and a problem is identified, a suitably qualified and experienced staff member should pursue this prior to notice being issued to the landlord. Those undertaking the inspections require a certain level of expertise to make an informed decision. Otherwise, there is a risk that landlord and tenant confidence in the final report will be undermined and moreover, that the prosecution of any court action will be compromised.
- It is a decision for management in each local authority to determine whether a non-technical staff member is suitable to conduct a given inspection. However, care must of course be given to ensuring that both technical and non-technical staff are deployed efficiently, with due regard to the demands on scarce technical staff resources.

GOOD PRACTICE RECOMMENDATION No.13

Support Tenant Participation

- As has been noted in other good practice guidelines, tenants are often best placed to identify problems. This is also the case when conducting an inspection. The inspector will doubtlessly find it useful and informative to have an initial discussion with the tenant, allowing individuals an opportunity to outline those defects they are aware of. Similarly, the inspections should close with a final discussion with the tenant where the inspector can clarify any points on which he/she is unsure.

- However, inspection staff must not record tenants' statements as their own. Where the tenant refers to a defect, the inspector must seek to identify it for him/herself before it can be recorded. Finally, having spoken with the tenant, inspection staff may find it useful to work through the inspection process alone before speaking with the tenant again at the end.

3.2 Establish a Framework for the Conduct of Inspections

As part of the inspection process, a framework for the conduct of the inspection should be instituted. This should facilitate staff in the consistent application of inspections, with features such as the use of checklists and standardised forms. Working relationships should also be formed with relevant sections within the local authority to enable information on the outcome of each inspection to be communicated internally.

GOOD PRACTICE RECOMMENDATION No.14

Take Steps to Ensure Effective Defect Diagnosis

- The Centre for Housing Research's resource pack for inspection staff (Brennan op. cit) identifies a number of key principles to follow when undertaking an inspection. These include:
 - » Be accurate and precise
 - » Be truthful
 - » Listen to the tenant
 - » Work methodically
 - » Take your time
 - » Don't get distracted
 - » Don't damage the property or contents
 - » Everything does not necessarily need to be inspected
 - » Don't worry if you can't diagnose the cause of defects

- It is important that inspection staff have access to appropriate equipment during an inspection. These range from the basics (e.g. torches) to more sophisticated items (e.g. damp meters and cameras).
- During the actual inspection, it is important that staff are methodical, careful and systematic. Every room and space should be considered for inspection.
- Where a series of inspections are being conducted in a given apartment complex, it may be necessary for inspection staff to make contact with a representative of the Management Company, if one is in place.
- In a small number of cases, local authority officials will be required to inspect properties that are deemed to be protected structures. Under the terms of the *Planning and Development Act, 2000* each local authority is obliged to maintain a record of structures which form '*part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest*'. Where there is concern that a given property is a protected structure, this record should be consulted in order to verify the position. The fact of a building being a protected structure should then be borne in mind when making recommendations with regard to any improvement works required.

GOOD PRACTICE RECOMMENDATION No.15

Use Checklists to Recognise Common Considerations

- Discussions with inspection staff for this research, identified a number of recurrent causes of non-compliance with the current standards. These problem areas are summarised in the checklist in Table 3. All inspection staff should be thoroughly familiar with these. By paying particular attention to these considerations, the effectiveness of an inspection will thus be enhanced.
- It is important to note that whilst any identifiable fire risks must be referred to the Fire Service, an inspection for the purpose of the *Housing (Standards for Rented Houses) Regulations, 1993* is no substitute for a formal fire safety inspection.

Table 3
Checklist of Most Common Problems Encountered During an Inspection

Housing (Standards for Rented Houses) Regulations, 1993	
■ Is there a supply of running hot and cold water?	✓
■ Are there adequate sanitary facilities?	✓
■ Is there a working drainage system?	✓
■ Is there any evidence of damp?	✓
■ Is appropriate ventilation provided in all rooms?	✓
■ Is there adequate natural and artificial light in all rooms?	✓
■ Is there any evidence of maintenance (or certification) of the gas and electricity installation?	✓
■ Are secured railings provided for all stairways?	✓
■ Are food preparation and storage facilities provided?	✓
■ Are all outbuildings, etc well maintained?	✓
■ Is there any accumulated rubbish in yards, etc?	✓
Fire Regulations	
■ Is there functioning smoke alarms provided?	✓
■ Is there appropriate directional lighting and signage provided? (Apartments only)	✓
■ Are fire doors in place? (Apartments only)	✓
Additional non-regulatory issues	
■ Is there a fire blanket (s) provided?	✓
■ Is there a fire extinguisher (s) provided?	✓

Maximise Consistency through Use of Standardised Forms and Reporting

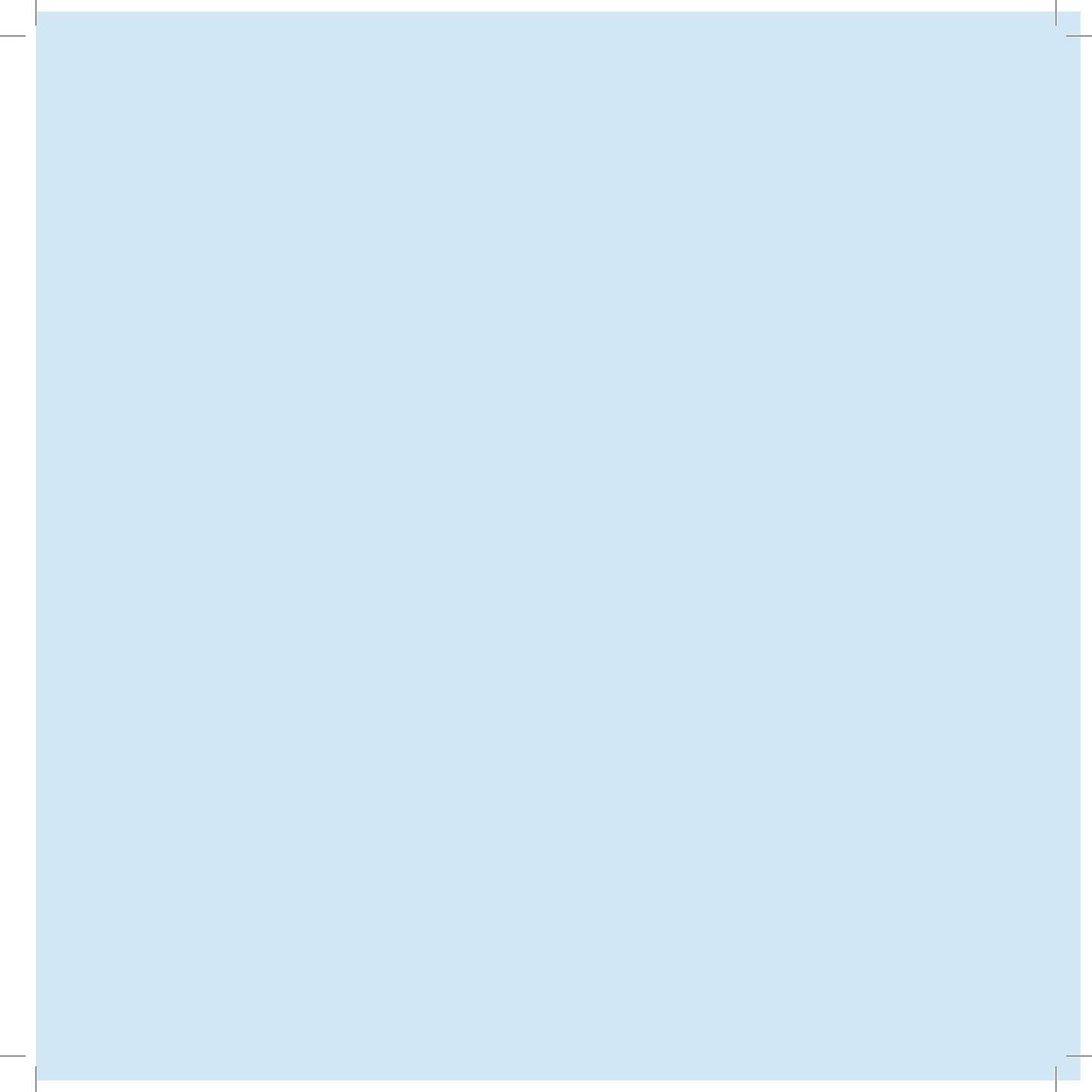
- At present, most local authorities have developed inspection forms and reports based around the current regulations. This lack of uniformity allows for differing application of the standards across local authorities and between the individual staff within a given local authority.
- This is further complicated by the incidence of RAS units specifying a higher standard for properties seeking inclusion in this scheme than those set out under the regulations (e.g. that the property be fully furnished, that the furnishings be of a particular standard, etc). The standards required for RAS differ across local authorities.
- It is recommended that each local authority adopt a broadly standardised inspection form. An example is included in Appendix B. This form addresses both the needs of the minimum standards and RAS implementation. It is important that this form, or a variant, is used nationwide to ensure consistency. This is merely a suggested template and each local authority may amend to suit its needs.
- Finally, when designing and using an inspection form, local authority staff should attempt to capture useful additional information, including:
 - » Tenant and landlord / agent contact details
 - » Property type
 - » Number of occupants
 - » Registration of the property with the PRTB
 - » Provision of a rent book
 - » Number of bedrooms

The DoEHLG intends to update the regulations governing private rented accommodation standards. It is recommended that inspection forms be reviewed when the new regulations are completed, to ensure that all necessary provisions have been addressed.

GOOD PRACTICE RECOMMENDATION No.17

Develop an Integrated System of Internal Communications

- It is important that the value of each inspection to the local authority, the tenant and the community in general is maximised through the communication of inspection outcomes to other housing management services. This will ensure that each section has access to all relevant information held by the local authority and will enable each section take appropriate corrective action.
- Good Practice Recommendation No.15 emphasised the importance of inspection staff taking some cognisance of fire safety and prevention considerations. Although the enforcement of the fire safety regulations does not fall under the remit of inspection staff, they should nevertheless endeavour to note certain key points – smoke alarms, fire extinguishers, etc – when conducting an inspection and should speak with the tenant with regard to these, where appropriate. Any identifiable fire risks should be identified and referred to the Fire Service for attention. A similar approach could be taken in relation to any other functions, e.g. dangerous buildings.
- Where any potential problems in respect of fire safety are identified during the inspection, these should be noted in the final report. A copy of this report should be made available to the local authority's Fire Prevention Officer in a timely manner, with a recommendation that he/she follow-up with a formal inspection. Each local authority should also consider the efficacy of referring to these issues in any correspondence with the landlord or managing agent.
- Similarly, where staff conduct an inspection of a social rented tenancy and examples of non-compliance with the standards are noted, these should be communicated to the relevant officials within the local authority in a timely manner.



SECTION FOUR

Developing Inter-Agency Relationships



4.1 Introduction

Section Three focused on the steps necessary to ensure that the actual implementation of the plan is effective. It discussed the importance of developing a framework for inspection activity and recommended that well-developed internal lines of communication be put in place to maximise the benefit of each inspection completed.

Section Four emphasises the importance of collaborative working arrangements with other agencies and the need to share information. It recommends communicating the outcome of each inspection to stakeholders and thereafter, the potential for innovative measures to be introduced which can further support inter-agency working.

The first step in the process of sharing information is to consult with all stakeholders to identify their information requirements.

Following on from this, procedures must be put in place to ensure that other agencies are informed of the outcomes of inspections and the follow-up required.

GOOD PRACTICE RECOMMENDATION No.18

Ensure Effective Information Sharing Across Agencies

- Section Two highlighted the need for inspection staff to determine their information requirements and thereafter, to access this information from the variety of available resources. The local authorities, in turn, should consult with all stakeholders – from central government to local agencies – to identify their information requirements and should endeavour to meet these, insofar as possible.
- For example, where in the conduct of their duties inspection staff identify cases where tenancies are not registered, these should be notified to the PRTB.

- Any move towards information sharing and inter-agency working may give rise to potential data protection considerations and these should be examined by the DoEHLG on an ongoing basis.
- An agreed protocol on information sharing is useful. This would stipulate what information is available from Government Departments and State Agencies and when and how information is shared.

GOOD PRACTICE RECOMMENDATION No.19

Communicate Inspection Outcomes to External Stakeholders

- A DSFA circular (SWA 09/06) stipulates that CWOs can refuse Rent Supplement for a particular dwelling if they have been informed that it does not comply with the standards. Consequently, it is reasonable to presume that they may seek information from local authority inspection officials where an application for this allowance is received and, in turn, may refer complaints on to the local authority. This may have implications for the workload of inspection and should be taken into account when setting targets and allocating resources.
- Inspection staff will need to be timely in responding in these requests and must notify the CWOs of the outcome of an inspection at each stage of the process. However, under data protection legislation, the full inspection report should not be circulated to a CWO.
- The PRTB can also be expected to request inspections periodically and the outcome of these inspections should be communicated to these officials on the same basis.
- It is important that the tenant is kept informed of each inspection. Where inspection staff identify a problem (e.g. directional lighting) which may fall under the responsibility of the Management Company, representatives of the latter should be notified.

GOOD PRACTICE RECOMMENDATION No.20

Explore Benefit of a Local Rented Sector Discussion Forum

- In some regions, it may prove useful to establish a forum for all stakeholders to meet on a regular basis. Such a forum would provide a mechanism for relevant parties to meet and discuss issues of importance, share information, and identify possible solutions. This could be broadly based, with an invitation to participate extended to tenants in all sectors, landlords and the various statutory and voluntary agencies, such as advocacy groups, involved. Alternatively, it may be restricted to just local authority staff and representatives from the Community Welfare Office.
- However, it may still prove beneficial to arrange a formalised set of contacts between the inspection management, Fire Prevention Officers and Superintendent CWOs. Such arrangements would facilitate the planning process and the identification of priorities and could explore the feasibility of multi-disciplinary working.

GOOD PRACTICE RECOMMENDATION No.21

Develop and Manage Register of Unsuitable Accommodation

- A register of unsuitable accommodation is a final mechanism for sharing information on properties deemed not to comply with the standards. This would be available to tenants and CWOs and be managed by inspection staff. In this context, staff would update the register as the inspection activity proceeds. Once again, it is a local level decision to establish and update such a register.

SECTION FIVE

Evaluation and Reporting



5.1 Introduction

Section Four noted the importance of collaborative working arrangements with other agencies and the need to share information. It recommended communicating the outcome of each inspection to stakeholders and the potential for innovative measures to be introduced which can further support inter-agency working.

Section Five focuses on the role of evaluating performance on an ongoing basis. It recommends that indicators be developed for the purpose of assessing performance. It also recommends that actual activity levels be compared to expected performance on a regular basis and that this be used to identify any obstacles to the implementation of the inspection plan. The need to report this performance to central government and the manner in which this should be done is also identified.

GOOD PRACTICE RECOMMENDATION No.22

Develop Performance Indicators

- As a first step in evaluating performance, each local authority should develop a series of performance indicators to measure actual output. These can range from basic information such as the volume and type of inspections to more advanced measures. The latter could include the unit cost of each inspection, the number of complaints received versus the number of complaints addressed, average length of time taken to respond to the complainant and time elapsed between initial and follow-up inspections.

GOOD PRACTICE RECOMMENDATION No.23

Benchmark Expected Activity Levels

- As part of the target-setting process, local authorities may find it useful to disaggregate the annual total into a number of reporting periods (e.g. a quarter) and to set targets for each period. These targets will include the headline figure for each period (i.e. the number of inspections conducted) in addition to a range of other measures such as recommended time elapsed in responding to complaints. For evaluative purposes, this expected level of activity will be compared to actual output in order to inform management as to the extent to which targets are being achieved.

GOOD PRACTICE RECOMMENDATION No.24

Critically Measure Performance on an Ongoing Basis

- As detailed in Good Practice Recommendation No.11, regular evaluation of targets should be undertaken to inform practice.
- These quantitative exercises should be supplemented with qualitative measures (e.g. customer satisfaction surveys) and both sources of information should be used as a starting point when preparing evaluation reports.
- These reports should follow the standard format outlined in previous Good Practice Guidelines and when completed, they should be made publicly available to local authority staff, elected members and the DoEHLG.

Identify Reporting Requirements of Central and Local Government

- Prior to 2007, the information required for the purposes of the DoEHLG's Annual Statistical Bulletin was as follows:
 - » Number of dwellings inspected
 - » Number of inspections conducted
 - » Number of dwellings inspected not meeting regulatory requirement
 - » Number of legal actions initiated

However, it was questionable whether the information collected and collated pre-2007 was sufficient for the monitoring needs of both central and local government. More detailed information was required from a policy formulation perspective. For the purposes of reporting inspection activity in 2007, authorities were requested to report on all inspections involving verification of compliance with the requirements of the 1993 standards' regulations including those pertaining to:

- » existing rented accommodation carried out for the purposes of RAS and
- » existing rented accommodation in connection with applications for local authority housing.

In these cases, a judgment must have been made as to compliance with the requirements of the standards' regulations.

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Appendix



Appendix A

Example of RAS Home Visit Report Form

Applicants Details

Name(s):

Address:

Telephone Numbers:

Email Address:

Property Description

Property Type:

Description of Property:

Reasons why Applicant feels that Accommodation is Inappropriate

Applicant may need to provide proof that accommodation is inappropriate, for example medical evidence, barring order etc.

Recommendation of Local Authority Official

Signature of Official

Date

Appendix B

Example Of Full Inspection Form

Tenant	
Name of tenant	
Address of property	
Contact details	
Number of occupants	
Landlord / Agent	
Name of landlord/agent	
Contact details	
Property	
Type	
Year of construction	
Registered with PRTB	
Rent Book provided	
Inspection	
Date	
Initial or follow-up	
Has a complaint been received?	

Complies with 1993 standards	
Complies with RAS requirements	
Action recommended	
Inspector details	

Structural Condition	Yes	No
Walls in a proper state of structural repair		
Ceilings in a proper state of structural repair		
Windows and doors in a proper state of structural repair		
Free from damp/mould		
<i>RAS Requirement – Dwelling in good decorative condition</i>		
<i>RAS Requirement – Furnishings in good condition</i>		
Sinks, Waterclosets, Water Supply, etc		
Adequate supply of water from the public main		
Piped supply of hot water		
Working drainage system		
Water pipes protected against frost damage		
<i>RAS Requirement – Facilities for washing and drying clothes</i>		
<i>RAS Requirement – Facilities provided in a habitable area</i>		

<i>RAS Requirement – Tenant has sole access to facilities</i>		
Heating, Cooking and Food Storage		
Appliances capable of providing space heating		
Safe and effective removal of fumes		
Facilities for the installation of cooking equipment		
Facilities for hygienic storage of food		
<i>RAS Requirement – Fridge and Cooker provided</i>		
<i>RAS Requirement – Central Heating provided</i>		
<i>RAS Requirement – Central Heating controlled by tenant</i>		
Electricity and Gas		
Installations for supply of gas and electricity in good repair and safe working order		
<i>RAS Requirement – Certification provided</i>		
Ventilation and Lighting		
Every room intended for habitation has adequate ventilation		
Every room intended for habitation has adequate natural and artificial lighting		

Every bathroom has adequate ventilation directly to the external air		
Facilities and Stairways		
Every stairway has a secure handrail		
Basements and Yards		
All yards, etc maintained in good repair		
Additional RAS Requirements		
<i>Fire Safety and Prevention Equipment (alarms, etc)</i>		
<i>Pest Control Measures</i>		
<i>Hot Water Lagging Jacket</i>		

