



Radon Safety Policy

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| Title: | Radon Safety Policy |
| Person responsible: | Director of Homes |
| Customer consultation arrangement: | Customers consulted via Tenants' Committee |
| EIA required: | Yes |
| EIA completed (date): | March 2023 |
| Approved by: | Board |
| Business Strategy Objective | Growing |
| Approval date: | March 2023 |
| Links to other key policies: | <ul style="list-style-type: none"> • Asset Management Strategy • Repairs and Maintenance Policy • Health & Safety Policy • No Access Procedures |
| Review date: | March 2026 |

Document management

| Version | Date amended | Amendments |
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| 1.0 | | |
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1. Purpose and Scope

Purpose

South Lakes Housing (SLH) is a registered provider (housing association) and we own and manage approx. 3300 homes across a wide geography in South Lakeland and Lancashire.

This Policy outlines how SLH will comply with the Regulatory Framework for Social Housing in England as outlined below: Registered Providers must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes,.

SLH aims to proactively manage the potential risk to health arising from Radon gas, or the decay products of Radon, in SLH's buildings owned or managed, for both customers and employees. This policy sets out the steps SLH will take to identify, assess and control risks related to Radon gas. The UK has completed a Radon survey to establish the population weighted average and distribution of Radon exposure.

UK regulations set out an explicit duty for building owners and employers to assess for potential Radon gas hazards, measure Radon gas levels and then take appropriate actions if Radon levels exceed the defined threshold to mitigate the Radon. The recommended Residential Action Level is no more than 200Bq/m³ annual average though Public Health England have introduced a Target Level of 100 Bq/m³.

Scope

This policy applies to all buildings owned or managed by SLH, including domestic dwellings, commercial building and any building used as a workplace.

Where SLH have leased or managed properties, specific lease or management agreements may define legal responsibility and SLH will not hold the landlord's duty of care. Where clear responsibility cannot be defined the default position for any building is that SLH will actively manage that risk until a time when clearly defined legal responsibility can be evidenced.

Whilst every SLH building is potentially within scope of this policy, a desktop review of published Radon mapping data along with a risk assessment of building construction and occupancy will determine if a hazard exists, and if there is a need to measure Radon levels.

SLH does not hold a landlord's duty of care in respect of Radon Gas in leaseholders' or shared owners' homes. SLH will inform our leaseholders and shared owners if they reside in areas where Radon is present.

Specific lease or management agreements for these buildings may define legal responsibility. Where clear responsibility cannot be defined, the default position for any non-domestic buildings owned or managed is that SLH will actively manage that risk until a time when clearly defined legal responsibility can be evidenced.

Radon Testing - SLH will ensure that all Radon testing is undertaken to customers' homes to ascertain the actual levels of Radon present to the property.

2. Regulatory and Legislative Requirements

Regulatory Standards

This Policy sets out SLH's responsibilities to comply with the relevant legislation and associated regulatory guidance on the assessing, monitoring and remediation of high levels of Radon in properties/ buildings it owns and controls.

Legislative

The principal legislation in this area is as follows:

- The Health and Safety at Work etc. Act 1974.
- Management of Health and Safety at Work regulations 1999
- The Landlord and Tenant Act 1985 and 1987
- The Housing Acts 1985, 1988 and 2004D
- The Ionising Radiations Regulations 2017
- The Housing Act 2004 which introduced the Housing Health and Safety Rating System (HHSRS) and the Housing Health and Safety Rating System Regulations 2005.
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR);
- Control of Substances Hazardous to Health (COSHH) Regulations 2002
- Construction, Design and Management Regulations 2015

Code of Practice

- HSE Approved Code of Practice (ACOP) L121 Working with Ionising Radiation
- Health and Safety Executive (HSE) / Public Health England (PHE) guidance

SLH acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and approved codes of practice and that failure to discharge these

responsibilities properly could lead to a range of sanctions including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 and via a serious detriment judgement from the Regulator of Social Housing.

SLH will work with customers to arrange access to complete essential works and ensure that the customers' homes are safe. SLH will use the legal remedies available within the terms of the tenancy agreement should any customer refuse access to allow SLH (its consultants and contractors) to carry out related inspection and remediation works.

3. Our Approach.

SLH will ensure that it holds Radon information for all relevant properties that have been identified in a Radon area. SLH will ensure that there is a testing regime that informs the levels of Radon present in these properties, and that it maintains a register on the Asset Management System (the Radon Register) listing:

- Projected Radon levels from PHE UK mapping
- Actual Radon levels from returned testing kits.
- Specification of installation of remedial measures where Radon levels are above 100Bq/m³ are present
- Any properties that have remedial measures installed to reduce Radon levels
 - Date of installation
 - Date the property was retested and results post works.

Retesting regimes will be 10 year for properties with Radon levels below 100bq/m³ and every 5 years for properties where remedial works have been undertaken.

The key approach to managing Radon is to carry out a risk assessment of all affected properties. All SLH properties have been Risk Assessed to identify the potential for the presence of Radon gas using Public Health England's indicative atlas of Radon in England and Wales which indicates the likely extent of the local Radon hazard in all buildings.

All mechanical ventilation remedial measures will be serviced every 5 years to ensure on going function and efficiency.

Radon testing will be repeated in properties located in High and Medium risk areas, where extensive alteration works have been undertaken and/or the property use has been changed. Appropriate remedial actions will be undertaken on completion of the testing and analysis of the results.

SLH will ensure that appropriate Radon testing and remedial actions have been undertaken prior to the occupation of any property leased to a third party. Thereafter the customer/leaseholder is responsible for the premises Radon safety, and this will be written into any lease/agreement.

All new development in Radon affected areas, and those areas where the Building Research Establishments 'guidance on protective measures for new buildings' recommend protection measures, will be designed and built with the recommended measures in place.

SLH will ensure that processes and controls are in place to manage the completion of remedial works required following Radon testing.

No Access

Most customers provide timely access for SLH to carry out routine safety inspections, testing, maintenance and repair but there will be occasions when gaining access can be difficult. In these circumstances SLH will carry out a risk assessment, taking account of the property and

occupier and SLH will seek to work with customers to address any issues, taking into account any known or identified vulnerabilities, to facilitate access and ensure the wellbeing of the customer.

In the event of repeated no access SLH will have in place escalation procedures and will take legal action if necessary to gain access. Customers may be recharged for the associated costs.

Protecting Customers

SLH will work with customers to raise awareness of building safety and the steps SLH will take to keep customers safe, including:

- Inform residents of the importance of reporting any issues through the provision of information via the website, newsletters and leaflets.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.
- Maintain a clear complaints process and monitor and record complaints that indicate a risk to safety.

SLH will provide information for customers on building compliance issues relating to their property and block.

At all stages of this process SLH will ensure customers understand Radon safety and if necessary, information will be translated or provided in large print.

Competent Persons

SLH will ensure that the colleagues responsible for operational delivery receive appropriate training to be able to manage the service.

All colleagues, contractors and service providers undertaking Radon Testing on behalf of the client, must have current recognised qualifications. They should be a member of the following industry groups.

- The Radon Council (www.radoncouncil.org)
- UK Radon Association (www.radonassociation.co.uk),

Both provide their members with ongoing training and updates.

Colleague Training

SLH will ensure that the Building Safety Manager with responsibility for management and delivery of the Radon testing programme is appropriately qualified and/ or experienced in the area Radon Testing. If the competent person does not have appropriate qualifications already these should be obtained as soon as reasonably practicable, and second line assurance provided from a competent person to provide sufficient oversight.

Appropriate training will be provided to colleagues on Radon safety awareness and this policy and the procedures. This will include team and contractor briefings, e-learning and access to external training.

SLH will establish and maintain electronic records of all Radon training undertaken by colleagues.

4. Responsibilities

Governance

SLH Board will have overall governance responsibility for ensuring that effective arrangements are in place to comply with SLH's legal obligations in relation to the Radon Policy and ensure this is fully implemented to provide compliance with the regulatory standards, legislation, and

approved codes of practice. As such, the Board will formally approve the policy and review it periodically.

The Board or its delegated Committee will receive regular updates at each meeting (in the form of KPIs), on the Radon Safety and Testing programme along with notification of any non-compliance issues identified. This is to provide assurance that the policy is operating effectively in practice.

Executive Leadership Team, Senior Management Team and Audit and Risk Committee will receive reports, at least quarterly, in respect of Radon management performance to assure themselves that compliance is being achieved. They will also be notified of any non-compliance issues identified.

Roles and Responsibilities

The list below sets out the delegated hierarchy of responsibility within the organisation according to the requirements of the legislation:

Duty Holder/Accountable Person

The Accountable Person under this policy will be South Lakes Housing. The Duty Holder is the Director of Homes who will delegate certain tasks to the responsible and competent persons.

The 'Duty Holder' is responsible for Health and Safety and must take the right precautions to reduce the risk of exposure in respect to Radon, their inspection and maintenance. They will appoint a person/s to take day-to-day responsibility as an authorised deputy for controlling/assessing any identified risk and controlling/ managing Radon within identified properties along compliance with the relevant statutory requirements.,

Responsible Persons

The Responsible Person(s) for SLH are the Head of Assets and Building Safety and the Building Safety Manager who will ensure the implementation of the Radon Safety Policy and procedures across SLH. They will also ensure all operational procedures are carried out in a timely and effective manner. They will ensure all appointed organisations/ individuals have the appropriate levels of training, skills and knowledge to undertake the tasks and monitor training

They are to make sure that all Radon testing is undertaken, (with the remedial works completed) recorded, reviewed, managed, and monitored in a timely manner and by suitably qualified persons. They are to develop, implement, communicate and continually improve They are to develop, implement, communicate and continually improving SLH Radon Safety management procedures following discussion and agreement with the duty holders and following significant events/ reviews. They are to ensure that any competent person carries out their duties.

Other Teams

Building Safety requires collaboration and effective communication between teams and the Building Safety Team will work in collaboration with teams across SLH to maintain safety.

The Neighbourhood Team who will offer support to gain access where this is proving difficult.

All colleagues who have responsibility for or visit properties have a responsibility to notify the Building Safety Team where circumstances have changed within a scheme/block/property, which may result in a new Radon test being required.

The Development Team are responsible for ensuring that any newly built or acquired properties are handed over in line with the Building Safety Teams' requirements in respect to Radon monitoring and prevention.

5. Monitoring & Review

Records and Management of Data

SLH will hold accurate and up to date records against each property it owns and/or manages, identifying when the Radon measure was last tested. From this it will identify the next due testing date.

SLH will also establish and maintain accurate and up to date records of all Radon levels and details of remedial works undertaken to control Radon levels.

SLH will ensure processes and controls are in place to provide and maintain appropriate levels of security for all Radon safety related data

Data Protection

When handling data sheets colleagues and contractors will come into contact with personal information. The handling and use of the data will be carried out under the General Data Protection Regulations 2018.

Independent Audit/ Assurance

An independent audit of Radon safety and will be included in the 3 year Internal Audit plan

Reporting and non-compliance

ELT/SMT/ Audit and Risk Committee will receive reports, at least quarterly, in respect of Radon management performance to assure themselves that compliance is being achieved.

SLH will have in place a process for any non-compliance identified at an operational level. These will be formally reported to the Director of Homes in the first instance as soon as identified. The Director of Homes will agree an appropriate course of corrective action with the Head of Assets & Building Safety in order to address the non-compliant issue and report details of the same to the Chief Executive within 24 hours. The Chief Executive or Director of Homes will ensure the Board are made aware of any non-compliance issue so they can consider the implications and act as appropriate, including notification to the Regulator of social Housing.

Formal investigation of non-compliance with the policy and its procedures will be carried out initially by the respective manager of the area within which the breach has occurred and presented in written form to the Head of Assets & Building Safety/ Director of Homes. A written report and investigation will be carried out within 5 working days of the incidence. The Head of Assets & Building Safety will ensure that all recommendations and/or remedial actions are put in place

Review

This policy will be reviewed every 3 years, or sooner if required by statutory, regulatory changes or to incorporate best practice. In addition, SLH will ensure that the policy is reviewed and if necessary amended, following any significant event or issue such as:

- Independent audit highlighting failings in process or policy.
- Any significant changes to the building.

Data Protection

When handling data sheets colleagues and contractors will come into contact with personal information. The handling and use of the data will be carried out under the General Data Protection Regulations 2018.

Independent Audit/ Assurance

SLH will ensure that Radon Safety will be included in the 3 year internal audit plan.

KPIs

KPIs will be used to ensure that SLH is compliant with its own policy and is keeping its customers, contractors and the public safe. KPIs will be monitored and recorded on a monthly basis and reported as detailed above.

Equality Impact Assessment

In implementing this policy, we aim to treat all customers fairly. An equality impact assessment has been carried out. Where customers require additional support, we will endeavour to provide a service that seeks to meet the needs of a particular individual or household.