



Pre-Tender Market Engagement

Housing Health & Safety Rating System Review

Authority: Ministry for Housing, Communities and Local Government (MHCLG) (“**the Authority**”).

Revised Date Response required: 5pm (GMT) Wednesday 18 December 2019

1 PURPOSE

1.1 This Pre-Tender Market Engagement (PTME) seeks information in preparation for the potential procurement of a Supplier (from herein referred to as a “**Potential Supplier**”) to undertake a comprehensive review of the Housing Health & Safety Rating System (HHSRS).

1.2 The purpose of this PTME is to:

1.2.1 help provide a better understanding of the feasibility of the requirement;

1.2.2 understand the best approach;

1.2.3 understand the capacity of the market to deliver and possible risks involved;

1.2.4 provide the market with an opportunity to ask questions, raise queries and any issues to be addressed at an early stage;

1.2.5 help identify indicative costs and timing for the proposed work; and

1.2.6 help us decide which is the appropriate procurement route for this requirement (which is likely to be the Research Marketplace, a Crown Commercial Service Dynamic purchasing System).

1.3 The Authority shall maintain commercial confidentiality of information received during the PTME.

2 INTRODUCTION

2.1 The HHSRS is a health-based, risk assessment framework for the evaluation of conditions in residential properties. The HHSRS also forms part of the Decent Homes Standard, the minimum standard that social housing should meet.



Ministry of Housing, Communities & Local Government

2.2 The system sets out a methodology for assessing 29 specific hazards, taking into account risk of harm and the severity of that risk. If an HHSRS assessment identifies a hazard at 'category 1' level, local authorities have a duty to take formal enforcement action under part 1 of the Housing Act 2004.

2.3 The HHSRS was developed in the late 1990s and has not been updated in 13 years. Local authorities are responsible for enforcing standards in the private rented sector but, due to the complexities of the system, including the fact that there are no digital systems for inspections and assessments available, they are reporting the effective use of enforcement action is being hampered.

2.4 Landlords and tenants who would also like to be able to use the tool to assess the condition of their property have reported that it is complicated to use.

2.5 Last year, a scoping review was launched to consider whether the Housing Health and Safety Rating System (HHSRS) should be updated and, if so, to what extent. The review reported in April 2019, and the Government announced that there would be a comprehensive overhaul of the HHSRS.

2.6 The outcomes of the scoping review can be found here:

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-outcomes-of-the-scoping-review>

3 HIGH LEVEL OUTLINE PROJECT OUTCOMES REQUIRED

3.1 The system is set out in the Housing Health and Safety Rating System (England) Regulations 2005 (<http://www.legislation.gov.uk/ukxi/2005/3208/made>). The objectives for this project are to undertake a full review of the HHSRS, providing recommendations to Government on changes that would be necessary to these Regulations for a comprehensive overhaul of the HHSRS, as well as updates to guidance and worked examples. The potential scale and scope of the review has been determined by the aforementioned scoping review and in consultation with ministers.

3.2 The review should provide specific outputs (see 3.1) and make recommendations that build on, as well as seek to amend, the existing HHSRS assessment process to provide:

3.2.1 A simplified approach to illustrating the outcomes of the HHSRS assessment process which will provide greater clarity to all stakeholders;

3.2.2 Greater certainty to stakeholders by the development of a range of standards and integrating these into the HHSRS assessment process;

3.2.3 A reduction in the complexity of the assessment system by the rationalisation of hazards;

3.2.4 Improved clarity and consistency in the HHSRS assessment and reporting process through the application of service design techniques and the consideration of digital technologies (including, but not exclusively, a central assessment results database, consideration of housing complaints app for use by tenants and occupiers, a library suite for



Ministry of Housing, Communities & Local Government

worked examples and associated guidance, a housing inspections app for use by local authority officers and housing surveyors) to ensure that assessments are simpler and quicker to conduct, allowing for more effective enforcement.

3.2.5 Increased understanding of the HHSRS assessment process and its relationship with other regulatory regimes;

3.2.6 Increased clarity in the application of enforcement measures which result from the outcomes of HHSRS assessments.

4 OUTPUTS/DELIVERABLES

4.1 The following outputs are expected from the review:

4.1.1 A reviewed and updated HHSRS Operating Guidance. The Operating Guidance will facilitate local authorities' effective use of the system but will also be approachable and understandable by non-experts and laypersons. The Operating Guidance should also incorporate new thinking on assessments of high-rise residential buildings with cladding systems.

4.1.2 A comprehensive set of worked examples which encompass the range of hazards and illustrate the utilisation of standards and provide a spectrum of risks. The worked examples should be readily available and it should be possible for local authorities to regularly add to these to continually refine the consistency of assessments.

4.1.3 Reviewed HHSRS assessor training including the training needs of assessors and other stakeholders, and the establishment of an HHSRS competency framework. The HHSRS assessor training curriculum should be time-bound and based on continuous development ensuring holders of the assessor qualification are up-to-date.

4.1.4 A simpler means of banding the results of HHSRS assessments that is clear and understandable by all stakeholders, including landlords and tenants.

4.1.5 The extension of current and development of new standards for incorporation into the HHSRS assessment process. All hazards should be considered and existing legislation should be carefully taken into account in order that minimum standards should only be applied where appropriate. Work on the fire hazard will give particular consideration to assessing risk of harm from fire in tall, multi-occupied buildings, with a special focus on common parts as well as the statutory Operating Guidance.

4.1.6 A detailed assessment of the amalgamation or removal of existing hazard profiles, clearly setting out where and why this would be appropriate.

4.1.7 Identification of what a digital HHSRS assessment tool would achieve. This would incorporate a) a detailed description of the as-is use of technology in the end-to-end HHSRS assessment journey and the range of different solutions being used, b) any technical or profitability barriers that are preventing the market from operating in this space and c) what is necessary to surmount these barriers.



Ministry of Housing, Communities & Local Government

4.1.8 A review of the guidance available for landlords and property-related professionals and the introduction of separate guidance for tenants. This guidance should allow these groups to engage effectively with the process and understand the associated steps in order that they feel empowered to intervene or object where necessary. The guidance should make reference to other private rented sector enforcement provisions. As above, this guidance should be easily updateable.

4.1.9 A reviewed and updated HHSRS Enforcement Guidance that facilitates effective local authority enforcement. The Enforcement Guidance will incorporate all enforcement options available to local authorities, it should refer to related private rented sector enforcement available under other provisions and it should be designed so as to adapt or be easily updateable in the case of new enforcement provisions.

5 KEY DATES & TENDERING PROCESS

5.1 If it is decided this service is required, it is anticipated that full procurement may start in January 2020 with the contract to commence in March 2020. These indicative dates are for information purposes only. MHCLG reserve the right to amend these dates at any time, and Potential Suppliers rely on them entirely at their own risk.

5.2 We are running this pre-tender market engagement with the aim of warming up the supplier market. However, please note that any subsequent procurement shall only take place early in the New Year once the new government is in place, and subject to ministerial approval.

5.3 The contract is expected to be for a period of approximately two years, though the Authority has asked potential supplier to comment on the feasibility of that timeframe.

6 RESPONSE

6.1 Please respond by email to luke.spanton@communities.gov.uk, tashi.warr@communities.gov.uk and mark.froud@communities.gov.uk with the following by 5pm (GMT) 18 December 2019 (the "Response Deadline").

Q1 What specific skills and expertise are required in order to do this?

Q2. The scoping review suggested that a 2 year timeframe be allowed for this review. How long do you estimate this project should last?

Q3. Is it clear what the Authority is asking for?

Q4. What, if anything, has the Authority missed or overlooked in setting out their requirement and what changes would you recommend?

Q5. What would the indicative cost be for this piece of work?

7 QUESTIONS AND CLARIFICATIONS



Ministry of Housing, Communities & Local Government

7.1 Potential Suppliers may raise questions or seek clarification regarding any aspect of this PTME document at any time prior to the Response Deadline. Questions must be submitted by email to luke.spanton@communities.gov.uk and tashi.warr@communities.gov.uk, copied to mark.froud@communities.gov.uk only.

7.2 To ensure that all Potential Suppliers have equal access to information regarding this PTME exercise, responses to questions raised by Potential Suppliers will be published in a “Questions and Answers” document, which will also be circulated by email, with updates appearing at regular intervals (approximately two to three working days).

7.3 Responses to questions will not identify the originator of the question.

7.4 If a Potential Supplier wishes to ask a question or seek clarification without the question and answer being revealed, then the Potential Supplier must state this in their email and provide its justification for withholding the question and any response. If the Authority does not consider that there is sufficient justification for withholding the question and the corresponding response, the Potential Supplier will be invited to decide whether: 7.4.1 the question/clarification and the response should in fact be published; or 7.4.2 it wishes to withdraw the question/clarification.

8 GENERAL CONDITIONS

8.1 This PTME will help the Authority to refine the requirements and to understand the potential level of interest in the delivering requirements. It will also aid Potential Supplier’s understanding of the requirements in advance of any formal competitive tender exercise.

8.2 The Authority reserves the right to change any information contained within this PTME at any time, and Potential Suppliers rely upon it entirely at their own risk.

8.3 The Authority reserves the right not to proceed with a competitive tender exercise after this PTME or to award any contract.

8.4 Any and all costs associated with the production of such a response to this PTME must be borne by the Potential Supplier.

8.5 No down-selection of Potential Suppliers will take place as a consequence of any responses or interactions relating to this PTME.

8.6 The Authority expects that all responses to this PTME will be provided by Potential Suppliers in good faith to the best of their ability in the light of information available at the time of their response.

8.7 No information provided by a Potential Supplier in response to this PTME will be carried forward, used or acknowledged in any way for the purpose of evaluating the Potential Supplier, in any subsequent formal procurement process.