

<b>Title: Pest Policy</b>
<b>Originator: Director of Service Quality &amp; Safeguarding</b>
<b>Approval body and date approved: ELT 14 June 2023</b>
<b>Date for review: June 2026</b>

## 1. Introduction

- 1.1 This policy outlines Magenta Living’s approach to Pest Control. As a social landlord, Magenta Living recognises the importance of meeting residents’ expectations of a consistently high standard of service delivery.
- 1.2 The policy is designed to set out Magenta Living’s approach to dealing with pests within domestic properties and communal areas of flatted accommodation, and the way in which we will advise customers, leaseholders and private occupiers on pest control issues.

## 2. Statement of Intent

- 2.1 The intention of this policy is to ensure Magenta Living delivers its legal duty in addressing pests within properties and communal areas of flatted accommodation.

### The Legal Position

- 2.2 As a Registered Housing Provider, Magenta Living has a legal obligation to ensure properties are to a standard which prevents entry by certain pests. For example, mice, rats, and squirrels.
- 2.3 Furthermore, in line with best practice guidelines, Magenta Living has also taken the approach to treat pests that are found in communal areas of flatted accommodation.
- 2.4 Local authorities do not have any obligation to offer a pest control service nor do they have a statutory duty to treat pests. However, local authorities do have a duty to enforce legislation regarding certain pests, by the serving of notices on owners and/or occupiers. The key legislation is listed below:
  - **The 1949 Prevention of Damage by Pests Act** used by local authorities to place a duty on owners or occupiers of “premises” to control or eradicate rats and mice.
  - **The 1936 Public Health Act** (generally referred to as “The filthy and verminous premises”) is similarly used, to enforce pest control of public

health, insects and, in theory, some nuisance insect pests, for example cockroaches, bedbugs and fleas.

- **The 1961 Public Health Act** is used by local authorities to enforce utility companies to repair defective foul drains, especially where there are rat issues involved.
- **Defective Premises 1972** is used by local authorities to ensure landlords repair or maintain the rented property to the appropriate standard and therefore prevent personal injury.
- **EPA 1990 (sec 80)** this is used by local authorities when they are satisfied that a statutory nuisance exists or is likely to occur or recur. The local authority will serve notice on the relevant person(s) or premises owners to ensure the nuisance is abated.
- **EPA 1990 (sec 82) this is a summary proceedings by persons aggrieved by statutory nuisances.** A magistrates' court may act on a complaint made by any person on the ground that they are aggrieved by the existence of a statutory nuisance. If the magistrates' court is satisfied that the alleged nuisance exists, they will order the relevant person(s) or premises owners to ensure the nuisance is abated.
- **Housing Act 2004** introduced the Housing Health and Safety Rating System (HHSRS). This is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. There are 29 prescribe hazards, including Domestic Hygiene, Pests and Refuse which sets out for Register Providers and Private Landlords the type of work needed to ensure their properties conform with HHSRS.
- **The 2018 Fit for Human Habitation Act** is to ensure that all rented accommodation is safe, healthy and free from things that could cause serious harm e.g., pests such as rats and mice.

### 3. Policy

- 3.1 The key objective of this policy is to outline Magenta Living's approach and responsibility in relation to pest control infestations.

#### Properties

- 3.2 Following notification of **rats, mice, cockroaches, or squirrels** (inside lofts), we will undertake a survey of the affected property, and/or neighbouring properties, with prior notification to customers, leaseholders and private occupiers. The purpose of the survey is to ensure any entry points associated with air vents, brick work, roofing, drainage, skirting boards and floorboards are closed off.
- 3.3 If the presence of these pests is a direct result of repairs needed to address structural defects at a Magenta Living property, then we will undertake the

proofing work and a programme of treatment to ensure the pest control issue is resolved.

- 3.4 If no structural defects are identified, we may still provide a limited pest control management service in certain circumstances, such as when pests are a threat to health or are affecting several neighbouring properties. If the threat to health is sufficient we will also offer of a temporary or permanent decant to alternative accommodation, whilst we eradicate the pest issue.
- 3.5 Magenta Living will also support our customers, leaseholders and private occupiers by explaining the need to remove excessive food waste and rubbish bags and littering that could attract vermin. Under exceptional circumstances Magenta Living may take action to support our vulnerable customers. We will also seek advice from the local authority and their Environmental Health service regarding any concerns associated with the behaviour of private occupiers.
- 3.6 Where pest issues are minor in nature, e.g., ants, Magenta Living will provide advice and information to help try and resolve the issue and direct customers, leaseholders and/or private occupiers towards useful sources of information on pest treatment and prevention measures.

### **Communal Areas**

- 3.7 For our communal areas of flatted accommodation, we will undertake a survey of the affected building and we will treat for rats, mice, cockroaches, or squirrels **and** the following pests:
  - Wasps/Hornets
  - Cluster flies
  - Fleas
  - Ant infestations
- 3.8 To promote the reduction of pest control issues, Magenta Living will maintain communal bin areas in a clean and tidy condition and encourage residents to do the same.

## **4. Implementation**

- 4.1 This policy will be effective from 16 June 2023 following ELT approval. Staff will be made aware of the policy and made available on Insite and the VIBE publication. The policy will also be uploaded on the Magenta Living website. The pest control procedures will be amended to reflect the policy once approved.

### **Related Documents**

- 4.2 This policy should also be read in conjunction with the following associated policies:

- Repairs and Maintenance policy
- Leasehold Service Charge policy
- ASB policy
- Disrepair policy
- Decant policy
- Pets policy

## **Contractors**

4.3 Pest control contracts will only be awarded to, and delivered by, contractors who are given suitable induction training, including information on:

- The procedures to be followed in the event of a serious and imminent danger to health and safety
- Information on health and safety risks that have been identified in relation to the works and information necessary for them to be able to comply with Health and Safety law.

4.4 The contractor is expected to:

- Act in the best interests of Magenta Living
- Comply with all applicable Health and Safety Law
- Comply with Equality and Diversity Law
- Comply with Magenta Living's policies including Magenta Living's approach to GDPR and the organisation's code of conduct for contractors.

## **5. Consultation**

5.1 This policy was shared with SLG on 30 May 2023. The policy was also discussed with colleagues within the Environmental Services, Neighbourhood Management and Assets teams. Their views and advice have been fully considered and incorporated where applicable/appropriate within the body of this policy. Furthermore, we have harnessed the learning from complaints and legal action to ensure the key aspects have been reflected within the policy changes.

## **6. Equality Analysis (EA)**

6.1 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.

6.2 The EA was undertaken on 30 May 2023 by Director of Assets and Sustainability, Carmen Muir, Head of Strategy and Sustainability, Carl Edwards and Head of Commissioning and Delivery, Phil Blackley and was rated as Green.

## 7. Monitoring Performance

7.1 This policy's effectiveness will be measured using the PI's:

KPI		Target
Time taken to undertake a property survey	5 working day	95%
Time taken to initiate treatment/proofing	10 working days	95%
Time taken to complete proofing/treatment and eradicate pests	25 working days	95%

## 8. Scheme of Delegation

8.1 The responsible authority for approving this policy is ELT and was approved on 16 June 2023.

8.2 The responsible Director for formulating this policy and ensuring its effective implementation is Director of Service Quality & Safeguarding.

## 9. Policy Review

9.1 The policy will be reviewed every 3 years or earlier if deemed necessary through the performance monitoring process.

## 10. Amendment Log

Date of revision:	Record of amendments:	Reason for revision:
May 2023	<i>Introduction of a property surveys following reports of infestations</i>	<i>To ensure effective end to end case management.</i>
May 2023	<i>Inclusion of neighbouring properties as part of the investigation</i>	<i>To ensure effective end to end case management.</i>
May 2023	<i>Inclusion of temp/permanent decants</i>	<i>To support H&amp;S of customers and effective end to end case management.</i>
May 2023	<i>Amendment of KPIs</i>	<i>To ensure effective end to end case management.</i>