
1. STATEMENT OF INTENT

The purpose of the Saffron Group's (referred to hereafter as Saffron) Hoarding Policy is to outline our approach to dealing with issues of Clutter and Hoarding in its properties. Saffron is committed to meeting its safeguarding responsibilities.

Compulsive hoarding is highly complex and requires a collaborative and integrated approach. This policy will ensure there is meaningful, co-ordinated multi-agency partnership working to effectively manage tenants who hoard.

We recognise that referring to an individual that hoards, as a 'hoarder' can be damaging to the professional relationship and to the individual, as people who hoard often find the term offensive and derogatory. Throughout this policy, the individual will be referred to as the tenant or 'an individual with hoarding tendencies' – describing the behavior as opposed to labeling the individual.

2. Policy Purpose

2.1 This Policy sets out how Saffron will respond to cases of clutter and hoarding and what tenants are expected to do to ensure their own safety and wellbeing.

The aims of this policy are: -

- To develop an understanding of why hoarding has occurred and to put an action plan in place to help tenants manage their environment.
- To promote and develop how we respond through safeguarding and multi-agency working.
- To work with partners to offer support and deliver services for and with our tenants
- To support the maintenance of fire safety and minimise the vulnerabilities of inappropriate storage which could compromise the Health & Safety of the property.

2.2 This policy has been developed in accordance with our statutory and legal duties and our Tenant Scrutiny Group/Tenant Communication and Support Group

2.3 Any reference to 'we', 'our', 'us' or 'the Group' refers to Saffron Housing Group. When

we use 'you' and 'your' we mean any tenant or customer set out above.

3. Definition

The Care Act (2014) formally recognises hoarding under the category of self-neglect. Self-neglect is defined as an extreme lack of selfcare. This can include refusal or inability to cater for basic needs, including personal hygiene and appropriate clothing, feeding, or not tending appropriately to any medical conditions.

Saffron recognises that hoarding is a complex condition which cannot be resolved quickly. Successful management of the behaviour requires significant input from several agencies and cooperation from the tenant. The impact of excessive hoarding can affect the safety and wellbeing of the tenant, the condition of the property can increase the health and safety risks to themselves and the wider community.

In its capacity as a landlord, Saffron does not expect to resolve the hoarding behaviour, but rather, work with the tenant and external partners to source appropriate support, while mitigating any health, safety and environmental risks to the tenant and neighbours, and limiting damage to the property.

Saffron will ensure that referrals are made to appropriate agencies to provide support for the tenant and will consider enforcement action in connection with any breach of the tenancy agreement or lease agreement as appropriate.

4. Key staff responsibilities

The policy is for all employees including Board Members, partners and contractors but recognises that some service areas have greater contact with tenants, who may be affected by Hoarding.

- Staff will identify any risks to the tenant, their household, visitors or neighbouring properties and act in accordance with the severity of risk.
- Ensure referrals to external agencies are made where appropriate.
- Create an action plan, giving clear guidance to the tenant of what is expected of them and what action we will take.
- Raise awareness of any breaches with the tenant/s and take appropriate action following the Hoarding Procedure.
- The Manager will monitor progress with identified cases through monthly one to one meetings with the Neighbourhood Officer/Specialist Housing Officer.

5. Expectation on tenants

- Engage with Saffron and external agencies regarding the condition of the property
- Work with Saffron and external agencies to ensure Fire Safety and Health & Safety within the property
- Consider contact with the GP or other health care professionals
- Adhere to the terms of your tenancy agreement ensuring that your property is in a maintained condition.

6. Risk Management

Where there is a risk to the Health, Safety and Wellbeing to tenant, contractors, staff and/or the public due to the tenants hoarding tendencies, Saffron will carry out works to return the property to a safe standard. The tenant will be charged for all works carried out in relation to this that falls outside of the landlord's legal obligations. An example of this could be the elevated risk of fire and blocked access routes, as well as the increased risk of vermin or damage being caused to the property. This will also apply if contractors are unable to gain safe access to a property to complete repairs, planned works or carry out statutory & legal inspections (i.e. Annual Gas Safety checks, Legionella, etc.). This list is not exhaustive.

8. Mental capacity

Consideration must be given at an early stage to mental capacity, to determine if the tenant has the mental capacity to understand and make informed decisions regarding the concerns around their apparent hoarding behaviour.

The Mental Capacity Act applies to everybody who has dealings with people who may lack capacity, and particularly if they have a professional relationship with the person.

We will comply with the requirements set out in the Mental Capacity Act 2005.

We will take the opportunity to confirm capacity when appropriate (eg.at tenancy sign up, review and termination; during arrears discussions, anti-social behaviour incidents and complaints).

We will contact social Services to request an assessment when a person's capacity is in doubt, either because their behaviour causes concern or because they have been diagnosed with an impairment or disturbance that affects the way their mind or brain works.

9. Grounds for Tenancy Enforcement

There are a variety of tools and powers that can be used to address and deal with tenancy breaches. However, it is understood that there are no “one size fits all” solutions.

Where there is a problem with gaining access to the property to fulfil our legal obligations or where it has been identified that there is a Health and Safety risk which could have a detrimental effect on the individual themselves or others, we will take the necessary steps to gain access. Any costs incurred in achieving this may be recharged to the tenant.

The tenant may also be recharged for any damage related to the property that has been caused by neglect and / or wilful damage. This will be dealt with in line with the Saffron’s Recharge Policy.

Saffron’s Legal Options are covered by The Housing Act 1988 Schedule 2 Grounds for Possession Grounds 6a, 12, 13 & 14 sets out the following;

Ground 6a

The landlord who is seeking possession or, if that landlord is a non-profit registered provider of social housing, registered social landlord or charitable housing trust, or (where the dwelling-house is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008) a profit-making registered provider of social housing,] a superior landlord intends to demolish or reconstruct the whole or a substantial part of the dwelling-house or to carry out substantial works on the dwelling-house or any part thereof or any building of which it forms part and the following conditions are fulfilled—

(a) the intended work cannot reasonably be carried out without the tenant giving up possession of the dwelling-house because—

Ground 12:

Any obligation of the tenancy (other than one related to the payment of rent) has been broken or not performed.

Ground 13:

The condition of the dwelling-house or any of the common parts has deteriorated owing to acts of waste by, or the neglect or default of, the tenant or any other person residing in the dwelling-house and, in the case of an act of waste by, or the neglect or default of, a person lodging with the tenant or a sub-tenant of his, the tenant has not taken such steps as he ought reasonably to have taken for the removal of the lodger or sub-tenant.

For the purposes of this ground, “common parts” means any part of a building comprising the dwelling-house and any other premises which the tenant is entitled under the terms of the tenancy to use in common with the occupiers of other dwelling-houses in which the landlord has an estate or interest.

Ground 14:

The tenant or a person residing in or visiting the dwelling-house—

(a) has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality,

(aa) has been guilty of conduct causing or likely to cause a nuisance or annoyance to the landlord of the dwelling-house, or a person employed (whether or not by the landlord) in connection with the exercise of the landlord's housing management functions, and that is directly or indirectly related to or affects those functions,

(b) has been convicted of—

(i) using the dwelling-house or allowing it to be used for immoral or illegal purposes, or

(ii) an offence committed in, or in the locality of, the dwelling-house.

It is imperative that appropriate and due consideration is given to Section 15 of the Equality Act 2010, to ensure no form of discrimination arises from a disability, or that a person is treated unfavourably because of something that arises due to the persons disability. However, it can be shown that the treatment is a proportionate means of achieving a legitimate aim.

Proportionality assessments and pre-legal checklists must always be completed prior to any form of legal action being sought. Legal options are not just restricted to Possession Action but can include other judicial interventions such as:

10. Injunctions

A tenant must have mental capacity to understand the terms of an Injunction and so an Injunction is only useful where the tenant can control their behaviour and comply with the terms of the injunction. In such cases, a proportionality and pre legal checklist should be completed prior to any application being made. This will be very important as breach of Injunction can lead to the contempt of Court and thus can lead to a substantial prison sentence.

11. Court of Protection (COP)

The COP has jurisdiction over the property, financial affairs and the personal welfare of people who lack mental capacity to make decisions for themselves. Saffron can make an application to the COP for a deputy to be appointed when an individual is incapable of making decisions. There are a wide range of remedies, including the deputy granting authority to access the current accommodation for inspection and/or for clearance or removal to storage.

12. Local Authorities

Have statutory powers, including Issuing an Abatement Notice under the Environmental Protection 1990 act if a Statutory nuisance is caused and/or an Action under the Public Health Act 1936.

These are actionable through the Magistrates Court and can be adduced as evidence in the Civil Court if so necessary.

14. Equality, Diversity and Inclusion

Please refer to Saffron's Reasonable Adjustments Policy

15. Confidentiality

- 15.1 All communication with Saffron will be considered confidential between the tenant, Saffron Staff, and partner organisations.
- 15.2 Saffron will respect tenants' confidentiality wherever possible and will advise tenants in cases where this would not be possible.

16. Complaints

Please refer to Saffron's Complaints Policy.

17. Compliments

When a compliment is received this will be recorded on the register by the individual manager/team leader. If the compliment relates to a member of staff, the feedback will be shared with them and their manager.

18. Data Protection

Please refer to Saffron's Privacy Policy

19. Related Policies and Legislation

- Complaints Policy
- Equality, Diversity & Inclusion Policy
- Equality Act 2010
- Data Protection Policy
- Data Protection Act 2018
- Health and Safety Policy
- Housing Health & Safety Rating System (HHSRS)

20. Policy Review

- 20.1 Saffron will review this Policy at least every 3 years or if the government revises its policy on Mutual Exchanges.
- 20.2 Saffron recognise that there may be circumstances where it will need and/or wish to take different or alternative action to that outlined in this Policy and it reserves the right to do so.

Consulted with Tenant Scrutiny Group	
Executive Review	
Board/Committee	Service Quality Committee
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