



POLICY DOCUMENT

Group Member: Progress Housing Group

Service Area: Property Services

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1. INTRODUCTION

- 1.1 Radon is a naturally forming odourless, colourless radioactive gas that seeps up through natural fissures in the ground. In areas of higher radon presence, there is a small risk of radon collecting within modern buildings. This creates potential health risks for residents (specifically, a risk of lung cancer). In recognition of these risks, and to fulfil its duties under the Ionising Radiations Regulations 2017 (IRR17), Progress Housing Group (the Group) is committed to minimising any risk to the health of its employees, tenants, contractors and the public from radon in its premises.
- 1.2 Actual health issues due to high radon levels are rare and require a lifetime of exposure.
- 1.3 The Group will ensure that radon levels within properties are kept below the target limit for domestic properties and the action level for workplaces.

2. SCOPE OF THE POLICY

- 2.1 The Group has established a policy which meets the requirements of The Ionising Radiation Regulations (2017) (IRR17). In addition to this, the policy provides assurance to the Group that measures are in place to identify, manage and/or mitigate risks associated with radon.
- 2.2 This policy applies to all companies within the Group and therefore is relevant to all Group employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit or use its premises, or who may be affected by its activities or services.
- 2.3 It should be used by all to ensure they understand the obligations placed upon the Group to maintain a safe environment for customers and employees within the home of each customer, and within all communal areas of buildings and 'other' properties (owned and managed by the Group).
- 2.4 Where the Group has a responsibility for managing the maintenance and repair of a building, there is a responsibility for the management of radon. The Group is responsible if:
 - the building is owned by the Group
 - the Group lease the building and also have responsibility for repairs and maintenance of the building

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- the Group are responsible for the building and its maintenance through a contract or tenancy agreement
- there is no formal contract but the Group has overall control of the building
- the building is multi-occupied; the Group is the owner and has responsibility for repairs and maintenance for the whole building.

2.5 The buildings affected are:

- domestic buildings
- any building classed as a workplace under the Health and Safety at Work Act 1974

2.6 The policy operates within the context of the legal framework for the management and control of radon including:

- Ionising Radiation Regulations (2017) (IRR17)
- Housing Act 2004
- Housing Health and Safety Rating System (England) Regulations 2005 (HHSRS)
- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999

3. RESPONSIBILITY

3.1 Key Roles and Responsibilities

3.1.1 In order to ensure that this Radon Policy, and the supporting Radon Procedure are adhered to, the Group will appoint suitably competent personnel to act as the 'Responsible Person' on behalf of the individual Duty Holder and oversee the implementation and review of these documents.

3.1.2 **Appointed Duty Holder** – The Director (Property Services) fulfils the role of the appointed 'Duty Holder' on behalf of the Group in order to ensure the appropriate management of the risks associated with radon. As a result, the Director (Property Services) holds responsibility for the implementation of this document, and supporting Radon Procedure, as well as ensuring compliance is achieved and maintained.

3.1.3 Although the organisation has an appointed Duty Holder, the Group's Chief Executive is ultimately responsible for ensuring

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compliance with current legislation and to ensure that the organisation fulfils its duties and responsibilities as outlined in this policy document and the supporting Radon Procedure.

- 3.1.4 **Responsible Persons** – The Head of Compliance, and the Compliance Manager (Asbestos, Water & Radon) shall ensure that there are suitable arrangements in place for the implementation of the Radon Procedure, as well as overseeing the delivery of the agreed survey inspection programmes and the prioritisation and implementation of any works arising from the surveys.
- 3.1.5 The Parent Board has overall governance responsibility for ensuring the Radon Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice.
- 3.1.6 This policy is formally approved by the Executive Board on behalf of the Parent Board. The policy will be reviewed every three years thereafter (or sooner if there is a change in regulation, legislation or codes of practice).
- 3.1.7 The Boards will receive regular updates on the implementation of the Radon Policy and performance along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice.
- 3.1.8 The SLT will receive reports in respect of radon performance and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.1.9 The housing teams provide key support in gaining access into properties where access is proving difficult and use standards methods to do so. They will also facilitate the legal process to gain access as necessary.
- 3.1.10 The Development Team have responsibility for ensuring that any new build or acquired properties are handed over in line with the policy requirements and that all relevant compliance information is accurate and updated on the housing management system.

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3.2 Competent Persons

- 3.2.1 The Group will ensure that the Compliance Manager (Asbestos, Water & Radon) is appropriately competent. If the competent person does not have appropriate training already, this should be obtained as soon as reasonably practicable.
- 3.2.2 The Group will ensure that only registered contractors or consultants approved by the Radon Council are procured and appointed to undertake works in respect of radon
- 3.2.3 The Compliance Manager (Asbestos, Water & Radon) will check the relevant qualifications of those carrying out this work to ensure that all persons are appropriately qualified and accredited for the work they are carrying out. These checks are undertaken as part of the procurement process and/or on an annual basis thereafter and evidenced appropriately.

4. POLICY

4.1 Obligations

- 4.1.1 The Group is responsible to their tenants under Duty of Care and the Housing Act 2004 to provide a safe home. Radon is identified as a potential hazard in dwellings, in the Housing Act 2004.
- 4.1.2 The need for action is defined by the Housing Health and Safety Rating System (England) Regulations 2005 (HHSRS) and to fully comply with the risk assessment requirements within, the group will carry out radon tests on a cyclical basis on properties identified as being located within a radon affected area as defined by the UK Health & Security Agency (UKH&SA), UK radon map.
- 4.1.3 If radon levels, as a result of a test, are found to be in excess of the domestic or workplace action levels, the Group will arrange for remedial works to be carried out.
- 4.1.4 The Group will periodically re-measure radon levels at the following intervals:
- where radon levels were found to be less than 75 Bq/m³ at the initial measurement, the period of review will be every 10 years;

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- where radon levels were just between 75 and 100 Bq/m-3 at the initial measurement, the period for review will be 5 years;
- Where radon levels were above 200 Bq/m-3 at the initial measurement (300 Bq/m-3 for workplaces) and measures have been taken to reduce radon exposures (such as engineered systems or occupancy restrictions), the review periods will be every 2 years, in order to verify their continuing effectiveness,

4.1.5 The Group will ensure that robust processes and controls are in place to ensure that all follow up remedial works required to reduce radon levels are completed within a reasonable timescale. Timescales are dependent on the levels of radon found but within a maximum of three months in any case.

4.1.6 Details of the risk assessments, monitoring and remedial works for radon can be found in the group's Radon Procedure and within the flowchart in appendix 1.

4.2 Policy Statement

4.2.1 In order to assist with legislative compliance and prevent unnecessary exposure to radon, the Group will have a Board approved Radon Policy. In addition the organisation also has a Radon Procedure.

4.2.2 This policy has been produced to protect tenants residing in the Group's properties, persons occupying its premises for the normal operation of their day to day activities and for persons working in the Group's properties

4.2.3 This policy is based on a balanced approach that is deliverable and meets its expectations as suggested by PHE

4.2.4 This policy gives priority for the management of radon, according to the degree of risk to people occupying or working in any of the Group's properties in which radon is present

4.2.5 The Group will hold accurate and up to date records against each property it owns or manages setting out the requirements for radon monitoring.

4.2.6 The Group will ensure that only suitably competent consultants, surveyors, risk assessors and engineers undertake works for the organisation in respect of radon safety.

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4.2.7 The Group will have a robust process in place to gain access to properties where tenant vulnerability issues are known or identified while ensuring the organisation can gain timely access to any property to be compliant with this policy and safeguard the wellbeing of the tenant.

4.3 Inspection Programmes

4.3.1 **Radon Measurement** - Although legislation applies to premises where radon levels exceed 200 Bqm⁻³ or 400 Bqm³ in dwellings or workplaces respectively, the basic principles are applied to establish if radon exposure is a risk in the Group's premises. Ensuring that any properties with basements are included within the list of properties that require radon measurements, regardless of their geographic location. The Group will ensure that all managed properties have a UKH&SA 'Indicative Postcode Risk Assessment' which provides the maximum radon potential for a 1 kilometre square. This is to indicate properties that will require further tests and monitoring. If the results show that properties have a risk level of 1% or greater, the UKH&SA will be commissioned to undertake a Radon Potential Assessment which provides the maximum radon potential for a 25 metre square area.

4.3.2 From the results of this more detailed search, if the property has a risk level of 1% or greater, radon detectors should be installed in the property for a period of three months to monitor actual radon levels.

4.4 Compliance Follow up Work

4.4.1 The Group will ensure there is a process in place for the management of any follow-up works required following the completion of a radon assessment where the levels are above the agreed action levels of 200 Bq m⁻³. In workplaces the "Action Level" is increased to 300 Bqm⁻³

4.4.2 The Group will ensure there is a process in place to collate and store all data results arising from radon assessments and associated records and certification of completed remedial works.

4.4.3 To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all relevant works (see Health & Safety Policy).

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4.5 Record Keeping

- 4.5.1 The Group will establish and maintain a core asset register of all properties along with the probability of a property being affected by radon
- 4.5.2 Monitoring records will also be held electronically.
- 4.5.3 The Group will ensure processes and controls are in place to provide and maintain appropriate levels of security for all radon safety-related data.

5. REGULATORY STANDARDS, LEGISLATION, AND APPROVED CODES OF PRACTICE

- 5.1 **Regulatory Standards** - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Quality & Safety Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).
- 5.2 **Legislation** - the legislation applicable to this policy is The Ionising Radiations Regulations 2017 (IRR 17), The Health & Safety at Work, etc. Act 1974, The Management of Health & Safety at Work Regulations 1999, Housing Act 2004, Housing Health and Safety Rating System (England) Regulations 2005 (HHSRS)
- 5.3 **Code of Practice** – the approved codes of practice applicable to this policy are: Approved Code of Practice ACoP L121 “Work with Ionising Radiation”, **Building Regulations 2010 Approved Document C – Radon Protection.**
- 5.4 The guidance on radon protection has been updated to refer to the 2015 edition of BR 211 Radon: Guidance on protective measures for new buildings and the revised radon maps produced by PHE and the British Geological Survey. All new buildings in radon affected areas and those areas where the Building Research Establishment recommend basic radon measures should be considered will be designed and built with basic radon prevention measures in place. Consideration will be given to introducing basic radon prevention measures in all new buildings
- 5.5 **Sanctions** – The Group 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

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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.

5.6 **Tenants** – The Group will use the legal remedies available within the terms of the tenancy agreement, lease or licence should any tenant refuse access to carry out essential checks related to radon monitoring and reduction.

5.7 **Additional Legislation** - Other legislation that impacts on how the Group manages the risk of radon exposure includes:

- Landlord and Tenant Act 1985
- Defective Premises Act 1972 Homes (Fitness for Human Habitation) Act 2019
- Construction (Design and Management) Regulations 2015
- Workplace (Health, Safety and Welfare) Regulations 1992
- Social Housing (Regulations) Act 2023

5.8 This policy also has links to other Group policies, including:

- Health and Safety Policy
- Data Archival, Retention and Disposal Policy
- Reasonable Adjustment Policy
- Business Continuity Plan (Dealing with Emergencies)

6. IMPLEMENTATION

6.1 Radon measurement and installation of remedial measures is dependent on tenant co-operation. As high levels of radon could be a hazard under HHSRS, the group will progress cases in line with no access procedures in other areas of compliance.

6.2 Training

6.2.1 The Group ensures that all operatives working for, or on behalf of the organisation have the relevant qualifications required for their role.

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6.2.2 Group employees undertake periodic assessments of training needs and resulting programmes of internal and/or external training will be implemented via the Health & Safety team.

6.2.3 All relevant employees, involved in the process, have an understanding of radon and their roles and responsibilities in ensuring that full compliance is maintained.

6.2.4 In order for all employees to fully understand the regulations and obligations placed upon the Group, they undertake mandatory compliance awareness training and this is refreshed every 3 years.

6.3 Performance Reporting

6.3.1 KPI measures will be produced and provided by exception to ensure the Group is able to report in performance in relation to radon safety. As a minimum, these KPI measures include reporting on:

Data – the total number of:

- the review of properties where radon levels were found to be less than 75 Bq/m-3 at the initial measurement every 10 years.
- the review of properties where radon levels were found to be between 75 and 100 Bq/m-³ at the initial measurement every 5 years.
- the review of properties where radon levels were found to be above 200 Bq/m-3 at the initial measurement (300 Bq/m-3 for workplaces) and measures have been taken to reduce radon exposures (such as engineered systems or occupancy restrictions), annually in order to verify their continuing effectiveness, for a period of 3 years reverting to a 5 2 year review after this

Narrative - an explanation of the:

- current position
- corrective action required
- the completion of follow-up works

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6.4 Non-Compliance / Escalation Process

- 6.4.1 Any significant non-compliance issue identified, will be formally reported to the Director (Property Services), as soon as this is identified.
- 6.4.2 The Director (Property Services) will agree an appropriate course of corrective action with the Head of Compliance in order to address the non-compliance issue and report details of the same to the Executive Director (Operations, Services and Support) (or the Chief Executive in their absence) within 24 hours.
- 6.4.3 The Executive Director (Operations, Services and Support) or Chief Executive will ensure the Parent Board is made aware of the non-compliance issue raised in 6.4.1 so they can consider the implications and take action as appropriate, including notification to the Regulator of Social Housing, as necessary.

7. CONSULTATION

- 7.1 The Consumer Standards set out expectations for the Group to provide tenants with accessible information in respect of the legal obligations and relevant regulatory requirements that Registered Providers must meet in connection with their homes. The Group will:
 - 7.1.1 ensure that information is available to tenants at sign up, and on the website relevant to their homes and communal areas.
 - 7.1.2 compliance data is available to tenants on request.
- 7.2 Colleagues within the organisation have been consulted on this policy.

8. REVIEW

- 8.1 The policy will be reviewed every 3 years following the Group's standard three yearly timeframe or following any legislative change

9. EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Assessment is in place for the overarching Property Compliance Policy Statement which covers this policy.

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10. ASSOCIATED POLICIES & PROCEDURES

Document reference	Name of document
EIA01	Equality Impact Assessment
TBC	Radon Procedure

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Appendix 1 – Flowchart for Radon Risk Assessments

