

GUERNSEY STATUTORY INSTRUMENT

2025 No. 19

**The Housing Health and Safety Rating
System (Guernsey) Regulations, 2025**

Made

24th March, 2025

Coming into operation

1st July, 2025

Laid before the States

30th April, 2025

THE COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE, in exercise of the powers conferred on it by sections 3 and 191 of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025^a, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Application of these Regulations.

1. These Regulations apply to any dwelling, whether or not it is a rented dwelling.

Prescribed descriptions of hazards.

2. (1) A hazard is of a prescribed description for the purposes of the Ordinance where the risk of harm is associated with the occurrence of any of the matters or circumstances listed in Schedule 1.

- (2) In Schedule 1, a reference to a matter or circumstance is, unless otherwise stated, to a matter or circumstance in or, as the case may be, at the dwelling in question, or in any building or land in the vicinity of the dwelling.

^a Ordinance No. X of 2025

Seriousness of hazards.

3. (1) Where, following an inspection of a dwelling under the Ordinance, an authorised officer —

- (a) determines that a hazard of a prescribed description exists, and
- (b) considers, having regard to any written guidance or written direction given to the Director under section 1(8) of the Ordinance in relation to the assessment of hazards, that it is appropriate to calculate the seriousness of that hazard,

the seriousness of that hazard shall be calculated in accordance with paragraphs (2) to (4) of this regulation.

(2) The authorised officer shall assess the likelihood, during the period of 12 months beginning with the date of the assessment, of a relevant occupier suffering any harm as a result of that hazard as falling within one of the range of ratios of likelihood set out in column 1 of Table 1.

Column 1 Range of ratios of likelihood	Column 2 Representative scale point of range
Less likely than 1 in 4200	5600
1 in 4200 to 1 in 2400	3200
1 in 2400 to 1 in 1300	1800
1 in 1300 to 1 in 750	1000
1 in 750 to 1 in 420	560
1 in 420 to 1 in 240	320
1 in 240 to 1 in 130	180
1 in 130 to 1 in 75	100
1 in 75 to 1 in 42	56

1 in 42 to 1 in 24	32
1 in 24 to 1 in 13	18
1 in 13 to 1 in 7.5	10
1 in 7.5 to 1 in 4	6
1 in 4 to 1 in 2.5	3
1 in 2.5 to 1 in 1.5	2
More likely than 1 in 1.5	1

(3) The authorised officer shall assess which of the four classes of harm (set out in Schedule 2) a relevant occupier is most likely to suffer during the period mentioned in paragraph (2).

(4) The authorised officer shall —

- (a) assess the possibility of each of the other classes of harm occurring as a result of that hazard, as falling within one of the range of percentages of possibility set out in column 1 of Table 2,
- (b) record each possibility so assessed as the corresponding RSPPR set out in column 2 of Table 2, and
- (c) record the possibility (which shall be known, for the purposes of the formula in paragraph (5), as the RSPPR) of the most likely class of harm occurring as a percentage calculated using the following formula —

$$100\% - (A + B + C)$$

Where—

A is the RSPPR recorded under sub-paragraph (b) as the second most likely class of harm,

B is the RSPPR recorded under sub-paragraph (b) as the third most likely class of harm, and

C is the RSPPR recorded under sub-paragraph (b) as the fourth most likely class of harm.

TABLE 2	
Column 1	Column 2
Range of percentages of possibility	Representative scale point of the percentage range (RSPPR)
Below 0.05%	0%
0.05 to 0.15%	0.1%
0.15% to 0.3%	0.2%
0.3% to 0.7%	0.5%
0.7% to 1.5%	1%
1.5% to 3%	2.2%
3% to 7%	4.6%
7% to 15%	10%
15% to 26%	21.5%
26% to 38 %	31.6%
Above 38%	46.4%

(5) When the authorised officer has assessed likelihood under paragraph (2) and assessed the possibility of each harm occurring under paragraph (3), the seriousness of that hazard shall be expressed by a numerical score calculated using the following formula—

$$S1 + S2 + S3 + S4$$

Where –

$S1\ 10000 \times (1 / L) \times O1$

$S2\ 1000 \times (1 / L) \times O2$

$S3\ 300 \times (1 / L) \times O3$

$S4\ 10 \times (1 / L) \times O4$

(6) For the purposes of the formula in paragraph (5) —

(a) L is the representative scale point of range in column 2 of Table 1 corresponding to the range that has been recorded under paragraph (2),

(b) O1 is the RSPPR recorded under paragraph (4) in relation to Class I harm,

(c) O2 is the RSPPR recorded under paragraph (4) in relation to Class II harm,

(d) O3 is the RSPPR recorded under paragraph (4) in relation to Class III harm,

(e) O4 is the RSPPR recorded under paragraph (4) in relation to Class IV harm.

(7) In this regulation "**relevant occupier**" means, where the risk of harm concerned is associated with the occurrence of any of the matters or circumstances listed in—

(a) paragraph 1 of Schedule 1, an occupier under the age of 15 years,

- (b) paragraph 2, 3 or 6(a) of Schedule 1, an occupier aged 65 years or over,
- (c) paragraph 7 of Schedule 1, an occupier under the age of 3 years,
- (d) paragraph 8 of Schedule 1, an occupier aged 60 years or over who has been exposed to radon since birth,
- (e) paragraph 11 of Schedule 1, the actual occupier,
- (f) paragraph 17, 22, 23 or 25 of Schedule 1, an occupier under the age of 5 years,
- (g) paragraph 19, 20, 21, 24 or 28 of Schedule 1, an occupier aged 60 years or over,
- (h) paragraph 26 of Schedule 1—
 - (i) except where a collision is with low architectural features, an occupier under the age of 5 years, and
 - (ii) where a collision is with low architectural features, an occupier aged 16 years or over,
- (i) any other paragraph of Schedule 1, any occupier.

(8) In making assessments under this regulation, an authorised officer shall have regard to any written guidance or written direction given to the Director under section 1(8) of the Ordinance .

Prescribed bands.

4. For the purposes of the Ordinance a hazard falls within a band identified by a letter in column 1 of Table 3 where it achieves a numerical score calculated in accordance with regulation 3(5) which is within the range corresponding to that letter in column 2 of that Table.

TABLE 3	
Column 1 Band	Column 2 Numerical Score Range
A	5000 or more
B	2000 to 4999
C	1000 to 1999
D	500 to 999
E	200 to 499
F	100 to 199
G	50 to 99
H	20 to 49
I	10 to 19
J	9 or less

Category of hazard.

5. For the purposes of the Ordinance—

- (a) a hazard falling within band A, B or C of Table 3 is a category 1 hazard, and
- (b) a hazard falling within any other band in that Table is a category 2 hazard.

Interpretation.

6. In these Regulations –

"**authorised officer**" has the meaning given in section 2 of the Ordinance,

"**dwelling**" has the meaning given in section 194 of the Ordinance,

"**harm**" means harm that is within any of Classes I to IV as set out in Schedule 2 to these Regulations,

"**occupier**", except in regulation 3(7)(e), includes potential occupier,

"**the Ordinance**" means the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025,

"**relevant occupier**" has the meaning given in regulation 3(7), and

"**RSPPR**" means the representative scale point of the percentage range.

Extent

7. These Regulations have effect in the Islands of Guernsey, Herm and Jethou, and in the territorial waters of those islands.

Citation.

8. These Regulations may be cited as the Housing Health and Safety Rating System (Guernsey) Regulations, 2025.

Commencement.

9. These Regulations shall come into force on the 1st July 2025.

Dated this 24th day of March 2025

A handwritten signature in black ink, appearing to read 'H. L. DE SAUMAREZ', with a large, stylized initial 'H'.

H. L. DE SAUMAREZ

President of the Committee for the Environment & Infrastructure

For and on behalf of the Committee

SCHEDULE 1

Regulations 2 and 3

MATTERS AND CIRCUMSTANCES

Damp and mould growth.

1. Exposure to house dust mites, damp, mould or fungal growths.

Excess cold.

2. Exposure to low temperatures.

Excess heat.

3. Exposure to high temperatures.

Asbestos and MMF.

4. Exposure to asbestos fibres or manufactured mineral fibres.

Biocides.

5. Exposure to chemicals used to treat timber and mould growth.

Carbon monoxide and fuel combustion products.

6. Exposure to—
 - (a) carbon monoxide,
 - (b) nitrogen dioxide,
 - (c) sulphur dioxide and smoke.

Lead.

7. The ingestion of lead.

Radiation.

8. Exposure to radiation.

Uncombusted fuel gas.

9. Exposure to uncombusted fuel gas.

Volatile organic compounds.

10. Exposure to volatile organic compounds.

Crowding and space.

11. A lack of adequate space for living and sleeping.

Entry by intruders.

12. Difficulties in keeping the dwelling secure against unauthorised entry.

Lighting.

13. A lack of adequate lighting.

Noise.

14. Exposure to noise.

Domestic hygiene, pests and refuse.

15. (1) Poor design, layout or construction such that the dwelling cannot readily be kept clean.

- (2) Exposure to pests.

- (3) An inadequate provision for the hygienic storage and disposal of household waste.

Food safety.

16. An inadequate provision of facilities for the storage, preparation and cooking of food.

Personal hygiene, sanitation and drainage.

17. An inadequate provision of—
- (a) facilities for maintaining good personal hygiene,
 - (b) sanitation and drainage.

Water supply.

18. An inadequate supply of water free from contamination, for drinking and other domestic purposes.

Falls associated with baths etc.

19. Falls associated with toilets, baths, showers or other washing facilities.

Falling on level surfaces etc.

20. Falling on any level surface or falling between surfaces where the change in level is less than 300 millimetres.

Falling on stairs etc.

21. Falling on stairs, steps or ramps where the change in level is 300 millimetres or more.

Falling between levels.

22. Falling between levels where the difference in levels is 300 millimetres or more.

Electrical hazards.

23. Exposure to electricity.

Fire.

24. Exposure to uncontrolled fire and associated smoke.

Flames, hot surfaces etc.

25. Contact with—

- (a) controlled fire or flames,
- (b) hot objects, liquid or vapours.

Collision and entrapment.

26. Collision with, or entrapment of body parts in, doors, windows or other architectural features.

Explosions.

27. An explosion at the dwelling.

Position and operability of amenities etc.

28. The position, location and operability of amenities, fittings and equipment.

Structural collapse and falling elements.

29. The collapse of the whole or part of the dwelling.

SCHEDULE 2

Regulation 3(3)

CLASSES OF HARM

Class I.

1. A Class I harm is such extreme harm as is reasonably foreseeable as a result of the hazard in question, including —

- (a) death from any cause,
- (b) lung cancer,
- (c) mesothelioma and other malignant tumours,
- (d) permanent paralysis below the neck,
- (e) regular severe pneumonia,
- (f) permanent loss of consciousness,
- (g) 80% burn injuries.

Class II.

2. A Class II harm is such severe harm as is reasonably foreseeable as a result of the hazard in question, including —

- (a) cardio-respiratory disease,
- (b) asthma,
- (c) non-malignant respiratory diseases,
- (d) lead poisoning,

- (e) anaphylactic shock,
- (f) cryptosporidiosis,
- (g) legionnaires disease,
- (h) myocardial infarction,
- (i) mild stroke,
- (j) chronic confusion,
- (k) regular severe fever,
- (l) loss of a hand or foot,
- (m) serious fractures,
- (n) serious burns,
- (o) loss of consciousness for days.

Class III.

3. A Class III harm is such serious harm as is reasonably foreseeable as a result of the hazard in question, including—

- (a) eye disorders,
- (b) rhinitis,
- (c) hypertension,
- (d) sleep disturbance,

- (e) neuropsychological impairment,
- (f) sick building syndrome,
- (g) regular and persistent dermatitis, including contact dermatitis,
- (h) allergy,
- (i) gastro-enteritis,
- (j) diarrhoea,
- (k) vomiting,
- (l) chronic severe stress,
- (m) mild heart attack,
- (n) malignant but treatable skin cancer,
- (o) loss of a finger,
- (p) fractured skull and severe concussion,
- (q) serious puncture wounds to head or body,
- (r) severe burns to hands,
- (s) serious strain or sprain injuries, and
- (t) regular and severe migraine.

Class IV.

4. A Class IV harm is such moderate harm as is reasonably foreseeable as a result of the hazard in question, including—

- (a) pleural plaques,
- (b) occasional severe discomfort,
- (c) benign tumours,
- (d) occasional mild pneumonia,
- (e) broken finger,
- (f) slight concussion,
- (g) moderate cuts to face or body,
- (h) severe bruising to body,
- (i) regular serious coughs or colds.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, in conjunction with section 3 of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025, introduce in Guernsey, Herm and Jethou the Housing Health and Safety Rating System ("**HHSRS**"). HHSRS is an evidence-based system for assessing housing conditions.

The Ordinance contains provision for investigating and enforcing the HHSRS, whereas these Regulations establish the method for calculating under the HHSRS whether a category 1 or category 2 hazard exists in a dwelling.

Regulation 2 prescribes descriptions of hazards with reference to the occurrence of matters or circumstances listed in Schedule 1. Regulation 3 prescribes the method for calculating the seriousness of hazards to be expressed as a numerical score. Regulation 4 prescribes the bands applicable to the range of numerical scores. Regulation 5 provides that where a hazard falls within bands A, B or C the hazard is a category 1 hazard and where it falls within any other band it is a category 2 hazard. Schedule 2 describes each class of harm and includes examples of each class of harm.