

Flood Policy

DESIGN HEADER TO INCLUDE POLICY NAME AND DATE RANGE

INFORMATION

Policy Name	Flood Policy
Effective Date(s)	1st May 2025
Approved By	Property Operations Committee
Approval Date	1st May 2025
Policy Owner/Dept	Head of Asset Strategy & Sustainability
Policy Author	Julian Hammond
Review Date	1st May 2027
Version Number	DRAFT v0.1

Version Control

Version	Date	Changes	Approver

Your Housing Group Strategic Priorities			
Safe	<input checked="" type="checkbox"/>	Viability	<input type="checkbox"/>
Landlord	<input checked="" type="checkbox"/>	Growth	<input type="checkbox"/>
People	<input checked="" type="checkbox"/>	Technology	<input type="checkbox"/>

Relevant National Standards or Regulation	Please State if the Policy aligns to any of the Regulators Standards: <ul style="list-style-type: none"> • Home Standard • Neighbourhood and Community Standard
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Relevant Legislation	<ul style="list-style-type: none"> • Public Health Act 1936 • Land Drainage Act 1991 • Pitt Review 2007 • Flood Risk Regulations 2009 • Flood & Water Management Act 2010 • National Planning Policy Framework December 2024 • Building Regulations 2010 - Drainage and Waste Disposal • Equality Act 2010
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1. Purpose of the Policy

This policy sets out Your Housing Group's (YHG's) approach to managing flood risk in relation to our portfolio, including measures and clear lines of responsibility for managing and mitigating potential risks associated with flood events, including:-

- Complying with any relevant legislation including specific legislation identified in this policy.
- Carrying out assessments of potential flood risks before starting any new developments to comply with Local Planning Authority requirements in accordance with the National Planning Policy Framework.
- Providing timely and relevant information and guidance to customers.
- Liaising with, and providing information to, Local Authorities to support the management of flood risk.
- Working in partnership with Local Authorities and other key stakeholders in the event of a major flooding incident.

2. Scope of the Policy

The policy applies to all assets within YHG's portfolio where we have responsibility for repair and maintenance.

3. Consultation

The Head of Asset Strategy & Sustainability has prepared this policy with input from representatives from Housing Management, Repairs, Development and the wider Asset Management Team.

4. Background and Context

- a) Flooding can have severe social, economic, and environmental impacts. The consequences of flooding vary according to duration, depth and speed of water, also the vulnerability of infrastructure and constructed buildings.
- b) Flood events can have severe health outcomes which may affect people regardless of age or current health, with the elderly and children most at risk.
- c) For YHG, the impacts will be for individual customers and their homes but also potentially on infrastructure, offices, and future building opportunities.
- d) The data that the Environment Agency provides on potential flood risk areas is held in our GIS system. Currently there are around 1200 properties in our total portfolio that are in the higher risk category for flood risk exposure.

5. Policy Detail

Related Legislation, Common Law and Best Practice

Public Health Act 1936

It is an offence to allow a septic tank to overflow or leak. A septic tank must be watertight so that in the event of a flood it does not overflow and cause pollution.

Land Drainage Act 1991

This Act requires that a watercourse be maintained by its owner so that the free flow of water is not impeded. The riparian owner must accept the natural flow from upstream but need not carry out work to cater for increased flows resulting from some types of works carried out upstream, for example a new housing development.

Flood Risk Regulations 2009

These Regulations set out the duties for the Environment Agency and the Lead Local Flood Authority for producing preliminary flood risk assessments, flood hazard maps, flood risk maps and flood risk management plans. They set out the duty of co-operation between the Environment Agency and Lead Local Flood Authority.

“Lead Local Flood Authority” in relation to an area in England means— (a) the unitary authority for the area, or (b) if there is no unitary authority, the county council for the area.

The Flood Risk Regulations 2009 place no burden on a Housing Association.

Flood and Water Management Act 2010

Under Section 14 the Lead Local Flood Authority (see above) and the Environment Agency can request a person to provide information in connection with the authority’s flood and coastal erosion risk management functions. A person means a legal person. This is any entity that has a legal status and includes a natural person, a company, a trust or a public body, and includes a risk management authority.

This information must be provided in the form or manner, and within the period, specified within the request. The requesting authority should set out, in non-technical terms, clear expectations for the quantity, quality and format of the information needed. Timescales should be reasonable and usually 20 working days but is dependent on the amount and type of information requested. However, in the event of a genuine emergency, co-operation may be requested as soon as possible to meet needs.

Information Requests and GDPR

Information that might identify individuals must comply with the General Data Protection Regulations (GDPR) and therefore it may be legitimately withheld. In such a case however, information may be amended by anonymising it so that it can be provided without infringing GDPR. It is not justification for a blanket refusal to provide anything when requested.

Common Law

Common Law requires that property or land is used in a way that does not increase the risk of flooding to a neighbouring property.

To reduce the risk of flooding to neighbouring properties, the law requires that:

- Drains are kept clear, and water is not allowed to drain into a neighbour's property or foul drain. It is not allowed to artificially channel water in a way that will cause damage to a neighbour's land.
- Flood defences are maintained. If failure to maintain these defences leads to flooding, YHG could face a claim in negligence or nuisance.

National Planning Policy Framework (NPPF) December 2024

New development plans should take a proactive approach to mitigating and adapting to climate change taking into account the long-term implications of flood risk. Therefore, new developments will be designed and approved in accordance with the relevant legislation applicable at the time to obtain the requisite statutory approvals, including Building Regulations 2010 - Drainage and Waste Disposal.

YHG's Commitments under Legislation, Common Law and Best Practice

YHG is committed to:

- i. Providing information requested by the Lead Local Flood Authority or the Environment Agency, within the timescales specified, and in the manner requested.
- ii. Following all building regulations regarding the installation of septic tanks and in the design of new developments.
- iii. In designing new buildings or refurbishing old buildings, ensuring that any planned works are not prejudicial to neighbouring properties.
- iv. Maintaining installed flood defences to manufacturers' recommendations.
- v. Not channelling water onto neighbouring land.
- vi. Clearing foul drains within 24 hours of notification of a blockage.

YHG will undertake best practice in relation to the following:

- vii. Any customer requests to make changes to gardens that make them wholly impermeable to water drainage will not be allowed. In addition, YHG will not allow their own workforce or contractors to carry out works that make gardens wholly impermeable to water drainage.
- viii. Plans for large-scale refurbishment of properties in flood risk areas will not exacerbate any existing land drainage arrangements.
- ix. YHG will make flood risk information available to customers on our website, including signposting to the Environment Agency, and emphasising the importance of maintaining contents insurance.
- x. YHG will ensure that customers living in or moving into properties in a flood risk area are made aware of this risk and of the need for them to consult relevant authorities in the event of potential severe weather, e.g. the Environment Agency.
- xi. Where a severe weather event or other incident causes flooding that impacts our customers and/or our properties YHG will work proactively with the local authority and other statutory bodies to find solutions that mitigate and/or reduce the impact in future.

6. Responsibilities under this Policy

Responsibilities are shared between various departments within YHG.

- i. Responsibility for providing information to the Lead Local Flood Authority is shared between ICT and the Asset Strategy Team, with the Asset Surveying Manager leading this.
- ii. Development have responsibility for the design of any new developments taking into account any local planning restrictions and flood best practice; these to include SuDS (Sustainable Drainage Systems) and attenuation, foul and/or surface water pumping stations that may or may not be adopted by the local authority and septic tanks. Responsibilities are shared between Development during the new build process and Repairs where they are existing items being maintained after the new build process is completed.
- iii. Development have responsibility, when designing new buildings, for ensuring that any works are not prejudicial to neighbouring properties in terms of land drainage.
- iv. The Compliance Team is responsible for regular, cyclical maintenance of existing flood defences to manufacturers' specifications.
- v. Repairs must ensure that when they carry out works to YHG properties these do not channel water onto neighbouring land.
- vi. Repairs must ensure any works carried out by YHG would not make gardens wholly impermeable to water drainage.
- vii. Repairs are responsible for clearing foul drains within 24 hours once notified of a blockage.
- viii. The Assets Team is responsible for ensuring that plans for refurbishments do not compromise any flood resilience/resistance measures, or impact.
- ix. Housing Management are responsible for telling new tenants at sign-up if the property that they are moving into is in a flood risk area, and advising them about the importance of contents insurance.
- x. Housing Management are responsible for ensuring that customers' requests for changes to gardens are denied where these would make the gardens fully impermeable to water drainage.

7. Risk Management

The risks of not following this policy are:-

- i. Failure to comply with legislative responsibilities.
- ii. Potentially preventable damage to YHG properties resulting in lost income, higher insurance premiums, reputational damage and increased complaints.

8. Data Protection, Record Storage and Retention

Your Housing Group is not subject to the Freedom of Information Act 2000. Under Section 14 of the Flood and Water Management Act of 2010, Information Requests can be submitted. Personal or third-party details would be redacted or anonymised prior to release, protecting personal data that relates to the identification of living individuals. Information sharing agreements are in place where necessary and data is protected

during collection, process, storage and destruction. The full data protection policy is available upon request.

9. Equality and Diversity

- a) As part of the development of this Policy, an Equality Impact Assessment has been undertaken and copies of the EIAs are available upon request. The outputs of the EIAs have been considered in shaping the policy.
- b) This policy will be applied in a way which ensures equality of treatment for all customers without discrimination, or victimisation on account of any protected characteristic as defined within the Equality Act 2010. In developing this policy YHG has considered its public sector equality duties under s149 of the Equality Act 2010, namely the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- c) The policy pays regard to diversities around access to and delivery of any services.
- d) On request YHG will provide translations of all its documents, policies and procedures in various languages and formats including computer disc, braille, large print and tape.

10. Communication

- a) This policy is available to view by all customers on the YHG website and will be updated with any changes.
- b) Internally this policy will be viewable and accessible by all staff and stored on the group's intranet site Youggle.
- c) In line with considerations under the Equality Act 2010 this policy and related information can be made available in alternative formats by request from a customer.

11. Learning and Development

All staff in Assets, Development, Repairs and Housing Management should familiarise themselves with this policy to ensure that they understand their duties and responsibilities.

12. Performance Management of this Policy

The following items will be monitored, and a quarterly report will be produced for the Head of Asset Strategy and Sustainability.

- i. Average number of days to provide information to requesting authority against target of 20 days.
- ii. Foul drains cleared within 24 hours of notification.
- iii. Number of flood risk incidents per annum.

13. Review of this Policy

This policy will be reviewed by the Head of Asset Strategy & Sustainability every two years, or sooner if required by statutory, regulatory, best practice, emerging developments, or circumstances arising from reviews of other Group wide policies.

Related Documents

Document Type	Name
Connected Policies and Procedures	
Forms and Letters	
Leaflets/Publicity Material	
Training Materials Available	
Intranet/ Website Page	

Checklist

Policy Name: Flood Policy Version No: 4 Effective Date: 1st May 2025 Status: Updated Policy Previous Policy Name Flood Policy				
Brief Summary of Changes from Previous Version: <ul style="list-style-type: none"> • Updated information on legislation and best practice • Clarity on YHG's proactive stance on managing flood risk • Clarity on communications with customers around flood risk, including signposting to government agencies 				
Internal Consultation Groups: Development Repairs Housing Management Compliance Asset Strategy GDPR Officer Equality Impact Assessors Group	Customer Consultation: <input checked="" type="checkbox"/> Date of Customer Consultation: 28/02/25			
	Customer Consultation Brief Details: Recommendation: To make sure it is stated clearly in the policy around what measures YHG would undertake to support customers if flooding were to take place.			
Link to Consultation Document(s):				
Date Initial Equality Impact Assessment Undertaken: N/A	Equality Impact Assessor name(s): Alexandra Wilcock Sharon Wheeler Vicky Byrne			
	Reason for Decision: Policy renewal			
Date Full Equality Impact Assessment Undertaken: February 2025				
Brief Outline of any Changes Recommended from EIA: Include reference to Equality Act 2010.				
Data Protection/ GDPR Implications: <input checked="" type="checkbox"/>				
Brief Outline of Data Protection/GDPR Implications: Data Protection Officer consulted 28/02/25, confirmed no GDPR implications to the policy.				
Legal Implications: <input type="checkbox"/>	Legal Panel Consulted: <input type="checkbox"/>	Date:		
Risk Implications: <input type="checkbox"/>	Risk Logged on Datix: <input type="checkbox"/>	Date:		
Resource Implications	People: <input type="checkbox"/>	Finance: <input type="checkbox"/>	Asset: <input type="checkbox"/>	Other: <input type="checkbox"/>
Brief Summary of how Resource Implications have been addressed: N/A				
How will communication on this Policy take place: (please delete as appropriate) Intranet/ YHG Website				
Policy Owner: (Department) Asset		Policy Author: Head of Asset Strategy & Sustainability		
Policy Signed Off by: (service manager or sponsor): Director of Assets				Date:
Policy Quality Checked by Research and Policy Manager				Date: 11/04/25
Policy Approved by Risk and Compliance Group:				Date: 18/03/25