

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Housing Services Cabinet Committee

Date: 1st February 2024

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Subject: Damp and Mould Action Plan Update

Purpose and summary of report:

To provide Housing Services Cabinet Committee with an update on the progress that has been delivered in relation to the Damp and Mould Action Plan implemented following the Housing Ombudsman report addressing the issue of damp and mould called “Spotlight on: Damp and mould”.

Recommendations:

Housing Services Cabinet Committee are asked to note the contents of the report, the current progress and assurances given in relation to the Council’s approach to managing damp and mould in the housing stock.

Key Implications:	
Item	Implications
Legal	<p>The Housing Act 2004 states that properties must be free from hazards at the most dangerous ‘category 1’ level, as assessed using the Housing Health and Safety Rating System (HHSRS).</p> <p>The Environmental Protection Act 1990 gives tenants and local councils powers to take legal action where homes contain a ‘statutory nuisance’, which includes where they are in such a state as to be prejudicial to health.</p> <p>New provisions in the Landlord and Tenant Act 1985 added by the Homes (Fitness for Human Habitation) Act 2018 require that properties are free of hazards, including damp and mould, which are so serious that the dwelling is not reasonably suitable for occupation in that condition</p> <p>To meet the Decent Homes Standard (DHS), social housing must be free from dangerous ‘category 1’ hazards. But the DHS also states that social housing must be in a reasonable state of repair and provide a reasonable degree of thermal comfort. Either disrepair or inadequate thermal comfort, or both, may result in damp and mould.</p>

	Amendments to the Social Housing (Regulation) Bill see the introduction of 'Awaab's Law' which will require landlords to fix reported health hazards within specified timeframes.
Finance and Value for Money	<p>There is no budget requirement for the creation of the Healthy Homes Taskforce nor continue function.</p> <p>There is currently a budget of £55,000 in 23/24 for damp and mould works with a proposed budget of £51,500 for 24/25 subject to approval.</p>
Corporate Plan	<p>One Community – Sustainable housing</p> <ul style="list-style-type: none"> • Quality living: through a skilled building management team, improve the safety, efficiency, and condition of social housing to create a valued living environment. • Progressive landlord: an effective housing service, providing comprehensive tenant choice and protection, defined by positive, efficient, and supportive management and engagement. <p>PI 28: Overall housing tenant survey satisfaction score (%)</p> <p>PI 37: % of council homes with energy efficiency EPC C+ rating</p> <p>PI 38: % of council homes meeting the Decent Homes Standard</p>
Climate Change	The Housing Assets team continue to carry out stock analysis which has revealed there is a link between poor energy performing homes and damp and mould. The team are continuing to carry out a programme of insulation improvements and improved heating systems to help combat this.

1. Background

- 1.1 Following the tragic death of two-year-old Awaab Ishak from Rochdale in December 2020, which was attributed to health issues arising from mould in the family's home it has highlighted the serious nature of damp and mould in homes.
- 1.2 On 22nd March 2022, a report was taken to Housing Cabinet Committee following the release of the Housing Ombudsman report addressing the issue of damp and mould called "Spotlight on: Damp and mould. It's not lifestyle". The report outlines the Council's intention to reduce damp and mould in its homes by introducing a damp and mould action plan.
- 1.3 On 20th November 2022 the UK housing secretary, Michael Gove, published a letter to all providers of social housing stressing the seriousness of damp and mould in homes. Mr Gove warned that all social homes must meet the Decent Homes Standard and reminded providers that they must listen when tenants raise complaints. Mr Gove advised the providers need to undertake an assessment of any category 1 and 2 damp and mould hazards in their stock and take rapid action to resolve them.
- 1.4 The Regulator of Social Housing subsequently wrote to the chief executives of large and small registered social housing providers seeking assurance that providers understand the issues related to damp and mould and are addressing risks to residents' health. The Council's submission of this information was completed on 19th December 2022.

- 1.5 On 9th February 2023, the Housing Secretary announced the amendments to the Social Housing (Regulation) Bill with the introduction of 'Awaab's Law' which will require landlords to fix reported health hazards within specified timeframes. The new rules will form part of the tenancy agreement, so tenants can hold landlords to account by law if they fail to provide a decent home.
- 1.6 On 21st March 2023, the Council's new Damp, Mould and Condensation Policy was taken to and approved by Housing Services Cabinet Committee. The policy outlines the processes when damp, mould and condensation is reported by tenants or identified by the Council and the action that will be taken and support that will be given to tenants to resolve the issues. It also includes how damp and mould should be reported by tenants and ensuring that the process for them to do so is straightforward.
- 1.7 Guidance around 'Understanding and addressing the health risks of damp and mould in the home' was published by the Government in September 2023. The guidance is a direct response to the coroner's report following Awaab's death and makes sure that landlords have a thorough understanding of their legal responsibilities and of the serious health risks that damp and mould pose.
- 1.8 The guidance document provides information around the health and mental health effects of living with damp and mould, the people most at increased risk from damp and mould, groups who are most likely to live in homes with damp and mould, housing conditions that increase tenants' risk of living in a home with damp and mould and people who are most likely to face barriers to reporting damp and mould.
- 1.9 On 9th January 2024, following the introduction of Awaab's Law, the Department for Levelling Up, Housing and Communities released a consultation on timescales for repairs in the social rented sector. The primary purpose of this consultation is to set those timeframes, and government is seeking views from across the sector. The new rules will form part of a tenancy agreement, so that tenants can hold landlords to account by law if they fail to provide a decent home. The deadline for response to the consultation is 5th March 2024, and the Council will be preparing a response which will be confirmed with the Cabinet Member for Housing Services.

2. Damp and Mould Action Plan

- 2.1 The Damp and Mould Action Plan that the Council introduced following the Housing Ombudsman report outlines whether the suggestions of the Ombudsman were being met. Any suggestions that were not in progress has an action alongside them with details of what would be undertaken.
- 2.2 A number of these actions have been implemented since the report was taken to Housing Services Cabinet Committee in March 2022 and the updates to the action plan can be found in Appendix 1.
- 2.3 Some of the key actions that have been implemented include:
 - Introduction of a Damp, Mould and Condensation policy as outlined in 1.6. This will be reviewed following the outcome of the consultation mentioned in 1.9.
 - Recruitment of an operative dedicated to completing the removal of mould and associated remedial works with a further post currently being advertised.

- Recruitment of a Resident Liaison Officer who, as part of their role, will be responsible for providing support to tenants with damp and mould and carrying out a follow up exercise once remedial works have been completed.
- Commenced a trial of 10 'room sanitisers' which removes mould spores from the air and on surfaces in under an hour. Potentially, this will be the first part of the process, should the trials be successful.
- Implementation of the Housemark Photobook software which will improve the inspection process of damp and mould and allow for automatic surface readings to be inputted into the report allowing non-technical staff to complete the survey. The software also provides a tasking feature which will ensure that any remedial actions or works are dealt with appropriately and provide a sufficient audit trail of the cases. The software also provides a rating based on severity of the damp and mould and provides some predictive software around properties and tenants that could be at risk., while this is in its infancy, it will be a useful system going forward.
- Inclusion of damp and mould information in a number of editions of the 'Your Home' magazine including the Autumn 2023 which encouraged residents (or family members) with existing health conditions to make us aware of any conditions they have that could be exacerbated by damp and mould. Information for tenants has also been provided on the Council's website including a video providing crucial information about damp and mould which can be found via this link - <https://www.gravesham.gov.uk/homepage/71/about-your-home>
- Commenced a data analysis exercise to identify certain estates or property archetypes with frequent trends in damp and mould reporting. This will allow us to identify whether there are any building or structural issues that need to be dealt with under an investment programme.
- Wrote to all contractors working within our housing stock to ensure they understand the importance of adequately reporting damp and mould should they be made aware or notice it while working in our homes.
- Commissioned tenant engagement experts TPAS to carry out some data analysis on reporting trends, no accesses, MP enquiries and complaints and recurring cases. Tenants with damp and mould will be encouraged to work with TPAS to discuss their experience, how it made them feel and why they may have been reluctant to report to the Council and this will be used to shape future customer journey. Completion of this exercise will complement the guidance document information outlined in sections 1.7 and 1.8 of this report.
- Creation of the Healthy Homes Taskforce, as outlined in Section 3 of the report. Any actions that are yet to commence will be reviewed by the Healthy Homes Taskforce and the relevant officers and then progressed.

3. Healthy Homes Taskforce

- 3.1 Within the Damp, Mould and Condensation Policy, it confirmed that a Healthy Homes Taskforce would be created, made up of a number of Officer's from different teams in the Housing directorate to discuss common issues and trends being found by the frontline Officers and ideas on how more proactive approaches can be taken to resolve damp and mould issues.

- 3.2 The taskforce was created in October 2023 with the proposed members of the group identified from a mix of different housing teams. A terms of reference document for the taskforce has been produced and outlines the key activities, anticipated outcomes and the members of the group which has been provided in Appendix 2.
- 3.3 The creation of such a taskforce is becoming common practice within the social housing sector with an 'Inside Housing' article from May 2023, revealing that 55% of councils have set up a damp and mould taskforce to tackle damp, mould and condensation in social housing properties.
- 3.4 The primary aim of the taskforce is to discuss and identify ways that we can be more proactive as a landlord to deal with the rising cases of damp and mould. The group will analyse some of the existing cases to identify any potential trends and identify ways that we can reduce further and similar cases in the future, as well as, carrying out a full stock analysis to predict properties that could also be at risk of damp and mould and carrying out a tenant profiling exercise to assist with this.
- 3.5 As outlined in the preventative measures of the Damp, Mould and Condensation Policy we intend to introduce an 'every visit counts' approach to ensure that all Council staff and representatives take responsibility for reporting damp, mould and condensation in our homes and the taskforce will be responsible for implementing this across the teams.
- 3.6 The taskforce will also work with the officers responsible for dealing with damp and mould in the Housing Assets service to identify outstanding actions that have been outlined in the Council's damp and mould action plan and how these can be successfully implemented.
- 3.7 The four primary objectives of the taskforce will be:
 - To ensure that all housing staff and contractors receive appropriate training and understand the risks around damp and mould and report these appropriately.
 - Analyse existing cases to identify improvements and proactive approaches that can be made to the services and processes to reduce similar cases in the future.
 - Introduce an 'every visit counts' approach across the teams and contractors.
 - Strive to ensure that every Council tenant has a healthy home to live in.
- 3.8 The taskforce commenced in December 2023 with a talk and presentation from Nadhia Khan, Executive Director of Customer and Community for Rochdale Boroughwide Housing (RBH), the organisation which housed Awaab Ishak. Nadhia provided valuable learning experiences taken on board by RBH following the tragic event in which she had promised Awaab's family that she would continue to share this with other housing providers to prevent a similar case happening again. Nadhia also highlighted the importance on focussing on the human element of living with damp and mould and the effects this can have on residents, not just on the building.

4. Conclusion

- 4.1 The Council acknowledges that damp, mould and condensation is an important safety issue that must be addressed appropriately and because of this the responsibility of monitoring the Council's response to damp and mould has transferred to the Building Safety team and the Compliance Dashboard presented to Management Team quarterly will be expanded to include data on damp and mould. While ensuring that we are being a reactive landlord when it comes to

cases of damp, mould and condensation we will also ensure we continue to seek opportunities to take a more proactive approach.

- 4.2 With greater scrutiny on social landlords in relation to damp and mould, the creation of the Healthy Homes Taskforce provides the Council with the opportunity to create an official team who can work to identify improvements that can be made to our existing processes and case management. It also allows for these discussions and ideas to be documented officially which will prove to be useful should the Regulator of Social Housing ask for evidence of the Council's current activities of dealing with damp and mould in its homes.
- 4.3 The taskforce will also highlight the severity of damp and mould, the importance of dealing with it appropriately and the responsibilities we have as a landlord to manage it which will be reinforced across the housing directorate.
- 4.4 Regular updates on the progress in relation to the delivery of the action plan and any changes in sector guidance will continue to be reported back to Housing Services Cabinet Committee.

5. Appendices

- 5.1 Appendix 1 – Damp and Mould Action Plan
- 5.2 Appendix 2 – Healthy Homes Taskforce Terms of Reference

6. Background Documents

- 6.1 Managing Damp and Mould in Council Housing – Housing Services Cabinet Committee – Tuesday 22 March 2022 - <https://democracy.gravesham.gov.uk/documents/s66648/Housing%20Ombudsman-%20Damp%20and%20Mould%20Action%20Plan.pdf>
- 6.2 Managing Damp and Mould in Council Housing Appendix 1 – Housing Services Cabinet Committee – Tuesday 22 March 2022 - <https://democracy.gravesham.gov.uk/documents/s66649/Appendix%20-%20Damp%20Mould%20Action%20Plan.pdf>
- 6.3 Damp, Mould and Condensation Policy – Housing Services Cabinet Committee – Tuesday 21 March 2023 - <https://democracy.gravesham.gov.uk/documents/s75519/Damp%20Mould%20and%20Condensation%20Policy%20Housing%20Committee%20report.pdf>
- 6.4 Guidance – Understanding and addressing the health risks of damp and mould in the home - [Understanding and addressing the health risks of damp and mould in the home - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/understanding-and-addressing-the-health-risks-of-damp-and-mould-in-the-home)

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Secondary Implications	
Risk Assessment	Within the Housing Assets service, there are a number of officers who are managing the Councils response to damp and mould in the housing stock. This team will be responsible for ensuring that any guidance or regulation that is implemented by the Government is in place within the Councils policies and procedures. The Damp and Mould action plan will ensure that any recommendations from the Housing Ombudsman are implemented by the team.
Data Protection Impact Assessment	<p><i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i></p> <p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. N/A</p> <p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A</p> <p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdp@medway.gov.uk. N/A</p>
Equality Impact Assessment	<p>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No</p> <p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. N/A</p> <p><i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i></p>
Crime and Disorder	N/A
Digital and website implications	Once changes have been made to the Damp, Mould and Condensation Policy following changes released under the consultation outlined in Section 1.9, the Digital Team will be consulted about the changes that will need to be made to the damp and mould section of the Council's website.
Safeguarding children and vulnerable adults	In line with the guidance outlined in Sections 1.7 and 1.8, the team will work to ensure they are aware of tenants and occupiers who have current health conditions that could be exacerbated by the presence of the damp and mould.