

Welwyn Hatfield Borough Council (WHBC)

Ombudsman Self-Assessment - using Recommendations from the Housing Ombudsman's Spotlight report on Damp and Mould (It's not lifestyle) October 2021

Chapter 1: From reactive to proactive

| | Recommendations for Senior Management | Measures in place | Further measures being taken | Deadline |
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| 1 | Landlords should adopt a zero-tolerance approach to damp and mould interventions. Landlords should review their current strategy and consider whether their approach will achieve this. | <p>We take damp and mould seriously and take a zero tolerance approach by acting both proactively and reactively to address this issue in our council homes.</p> <p>Our Damp and Mould Policy is at draft stage, which includes our approach and process to addressing damp and mould and our performance measures. We are satisfied that our strategy (policy, processes and approach) demonstrates a zero-tolerance approach.</p> <p>Please also see the responses to the Regulator of Social Housing in November 2022 in response to their requests to social landlords on their approaches to damp and mould issues in their stock.</p> | <p>Damp and Mould Policy to be approved by SLT on 14 August 2023. The Policy should then be presented to Housing Maintenance Cross Party Group on 23/8/23, shared with the Resident's Panel for their consultation, presented to CHP (30/10/23) and for approval to Cabinet (7/11/23) and published on the website.</p> <p>Mutual Exchange and void standard needs review and aligned to Damp and Mould Policy.</p> | <p>See previous column. Complete policy approval and publish the Policy by November 2023.</p> <p>By November 2023</p> |

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| 2 | <p>Landlords should consider whether they require an overall framework, or policy, to address damp and mould which would cover each area where the landlord may be required to act. This would include any proactive interventions, its approach to diagnosis, actions it considers appropriate in different circumstances, effective communication and aftercare.</p> | <p>Our Damp and Mould Policy is at final draft stage and will be approved by our senior leadership team meeting on 14 August 2023.</p> <p>Our policy sets out our process for proactively identifying damp and mould (eg stock condition surveys) as well as reactively actioning reports of damp and mould. The Policy addresses the use of specialist surveyors as needed for diagnosis, the use of mould washes and undertaking remedial works. We will keep residents updated with the actions we are taking and timescales, and also give advice and support to them if the dampness or mould is condensation related. We will follow up with residents at one and six months after conclusion of their case.</p> <p>We also have materials on our website (such as a leaflet and video) to raise awareness of damp, mould and condensation and encouraging residents to report it.</p> <p>We also run awareness raising campaigns using newsletters and social media – particularly in the Autumn/Winter months when damp and mould may be more prevalent.</p> | <p>Repairs handbook to be updated to include damp and mould reporting.</p> | <p>By January 2024</p> |
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| 3 | <p>Landlords should review the accessibility and use of their systems for reporting repairs and making complaints to 'find their silence'.</p> | <p>We recognise that at times, residents might not be satisfied with the actions we have taken regarding damp and mould and so will raise their concerns via our complaints policy which is on our website.</p> <p>Complaints policy and procedure – Welwyn Hatfield Borough Council (welhat.gov.uk)</p> <p>Mechanism in place to identify complaints as well as service requests. In order to improve our identification and reporting about damp and mould we have introduced a new dedicated damp and mould complaint code on Jadu.</p> <p>Residents can report a repair including cases of damp and mould by calling the repairs line on 08001114484 or by email housingmaintenance@welhat.gov.uk or on the council's website</p> <p>At point of tenancy / hand over of keys – communication around damp and mould is shared with tenants.</p> <p>Surveyors / Operatives (and other council officers) conducting visits are asked to ask tenants of any issues as well as proactively look for any signs of damp and mould.</p> <p>We are also operating tenant satisfaction</p> | <p>To review complaints process and how 'find your silence' can be addressed.</p> <p>Repairs Handbook to be updated to include damp and mould reporting.</p> <p>We are exploring further ways to engage with tenants we hear less from such as older persons in our Independent Living Schemes. We are also exploring provision of information about damp and mould via events that our Community Partnership team run.</p> <p>Our Council website has been ranked 3rd out of all councils for its accessibility. However, we will be undertaking a review of our online reporting function which would include reporting of damp and mould.</p> | <p>By January 2024.</p> <p>By January 2024.</p> <p>By October 2023</p> <p>By March 2024</p> |
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| | | <p>surveys and will encourage tenants to highlight any issues as part of those.</p> <p>We are also operating neighbourhood estates events to increase engagement with our tenants on a number of issues including fire safety and repairs. This is also a means of tenants being able to raise issues with us including damp and mould.</p> | | |
| 4 | <p>Landlords should identify opportunities for extending the scope of their diagnosis within buildings, for example by examining neighbouring properties, to ensure the response early on is as effective as possible.</p> | <p>We are using an intelligence/data led approach towards damp and mould in our stock. We proactively identify and manage cases where there are known or repeated reports of damp and mould. Weekly meetings are held to review and progress these cases. Some of our properties are more susceptible to damp and mould due to their design/modification/structure and so architects were commissioned to design suitable solutions. These remedial works have been designed by the architect and we are currently programming pilots of the suggested works in. We have ensured that we are investing appropriately in our housing stock. We have a £150 million planned works investment program over the next 5 years, which includes Circa £1 million dedicated budget for damp and mould remedial works this year. Our 100% stock condition survey in summer 2023 and then a 5-year rolling program of stock</p> | <p>We are reviewing our tenancy audit framework to ensure that we identify factors that give rise to damp and mould issues or risks such as occupancy, overcrowding, availability and use of heating and ventilation systems.</p> <p>We also seek to gather data on tenant's individual circumstances such as disability, financial hardship, and health conditions that might be a factor.</p> | <p>By November 2023.</p> <p>By March 2024.</p> |

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| | | <p>condition surveys will also assess us with data to manage damp and mould.</p> <p>Our damp and mould policy explains that where we suspect that a damp and mould issue may affect more than one property that we will investigate adjacent or neighbouring properties.</p> | | |
| 5 | <p>Landlords should implement a data driven, risk-based approach with respect to damp and mould. This will reduce over reliance on residents to report issues, help landlords identify hidden issues and support landlords to anticipate and prioritise interventions before a complaint or disrepair claim is made.</p> | <p>Please see response for point 4 above.</p> <p>We have completed an assessment on our worst affected areas / properties and all structural issues have been assessed by an architect.</p> <p>In addition, Asset system in place –MRI Asset with document management system MRIDM accessible to those who need access. All data around damp and mould cases will be kept on this data based and linked repairs system MRI Orchard.</p> <p>Orchard Assets – going live in stages, with more to go live in July. Notes are on Orchard for us to view</p> <p>Specific damp and mould code on Jadu (complaint system) to help with reports.</p> | <p>Complete an annual assessment of all damp and mould cases to look at the trends in property types and areas. The assessment will take place in Q2 of 2024 when we have a greater volume of data.</p> | <p>In Q2 of 2024</p> |

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| 6 | <p>Where properties are identified for future disposal or are within an area marked for regeneration, landlords should proactively satisfy themselves that residents do not receive a poorer standard of service or lower living conditions, that steps are taken to avoid homes degrading to an unacceptable condition and that they regularly engage and communicate with these residents.</p> | <p>Our approach to damp and mould and repairs in blocks that are to be decommissioned or regenerated is to ensure all repairs are completed as normal until the property has been decommissioned. In some cases where larger planned works are required e.g. roof replacements we will complete interim smaller repair works to ensure to properties are suitable for the time they are still tenanted.</p> <p>As outlined in point 13, we take account of vulnerabilities of tenants or individual circumstances (as well as the works required) when assessing whether tenants need to be decanted. Also, our Allocations Policy gives urgent priority to tenants who need to be decanted due to redevelopment or demolition.</p> | | |
| 7 | <p>Landlords should avoid taking actions that solely place the onus on the resident. They should evaluate what mitigations they can put in place to support residents in cases where structural interventions are not appropriate and satisfy themselves they are taking all reasonable steps.</p> | <p>We are conscious that our approach and the tone of language must be appropriate to ensure that we do not apportion blame about the causes of damp and mould to tenants. Our advice must also be practicable and suitable. We have reviewed and revised the information on our website and our communications with tenants to ensure this. This updated information has been reviewed by our Residents Panel.</p> <p>Our damp and mould policy sets out that</p> | | |

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| | | we will identify the cause of damp and mould and take action. Where this is condensation related not requiring works by us, we will provide advice and support to tenants to help address it. Where equipment is needed to alleviate dampness, we are able to support tenants with the cost of this. | | |
| 8 | Together with residents, landlords should review the information, materials and support provided to residents to ensure that these strike the right tone and are effective in helping residents to avoid damp and mould in their properties. | <p>Please see the response to point 7.</p> <p>Our website has a dedicated webpage for damp and mould advice, information and support.</p> | The Resident Panel will review our damp and mould policy and information to provide us with feedback. | By January 2024. |
| 9 | Landlords should be more transparent with residents involved in mutual exchanges and make the most of every opportunity to identify and address damp and mould, including visits and void periods. | Within our current voids and mutual exchange process we pick up damp and mould repairs as required prior to new tenants moving in. | Mutual Exchange and void standards are currently being reviewed and aligned to Damp and Mould Policy. | By November 2023. |
| 10 | Landlords should ensure their strategy for delivering net zero carbon homes considers and plans for how they can identify and respond to potential unintended consequences around damp and mould. | <p>Development putting in new technology.</p> <p>De-carbonisation BID (Identifying properties with low efficiency which may be contributing to damp and mould / condensation).</p> <p>Letters have gone out to residents whose properties first having these surveys / retrofit</p> | Need to develop net zero plans and approach to signposting tenants. Once the stock condition survey has been completed by 31 March 2024, an action plan can be developed. | Develop action plan after April 2024. |

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| | | <p>communication.</p> <p>We were awarded £2.8m under the Wave 2 SHDF bid to install energy performance measures on 187 of our lowest performing homes which we are match funding. We are going to take a fabric first approach which means insulating the property with internal/external wall insulation, along with loft and roof insulation. It also includes installing triple glazed windows along with suitable ventilation and mechanical extraction. The objective is to improve the SAP rating to at least a C.</p> <p>We have been working alongside our contractors Morgan Sindall in undertaking retrofit assessments of each property to identify the most suitable measures which will enable us to develop a specification. We are due to commence working in the first properties in early August.</p> <p>We are also undertaking a 100% stock condition survey of our properties this financial year which will also capture up to date energy data which will help us to develop a programme of works to improve our lowest performing properties and tackle damp/mould issues.</p> | | |
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Chapter 2: From inferring blame to taking responsibility

| | Recommendations for Senior Management | Measures in place | Further measures being taken | Deadline |
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| 11 | Landlords should review, alongside residents, their initial response to reports of damp and mould to ensure they avoid automatically apportioning blame or using language that leaves residents feeling blamed. | <p>Please see also our response to points 7 and 8.</p> <p>We are conscious that our approach and the tone of language must be appropriate to ensure that we do not apportion blame about the causes of damp and mould to tenants. We have reviewed and revised the information on our website and our communications with tenants to ensure this and removed any inference to tenant's 'lifestyle' being the cause of condensation.</p> <p>Our website has a dedicated webpage for damp and mould advice, information and support.</p> <p>Our damp and mould policy sets out that we will identify the cause of damp and mould and take action. Where this is condensation related not requiring works by us, we will provide advice and support to tenants to help address it. Where equipment is needed to alleviate dampness, we are able to support tenants with the cost of this. We also support tenants experiencing challenges with the cost of living and fuel poverty.</p> | We plan to increase awareness of damp and mould and the causes by undertaking member development training with our Cllrs. | By December 2023. |

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| 12 | <p>Landlords should consider their current approach to record keeping and satisfy themselves it is sufficiently accurate and robust. We would encourage landlords to go further and consider whether their record keeping systems and processes support a risk-based approach to damp and mould.</p> | <p>We have invested in improvements to our database which will improve our record keeping of damp and mould and other repair cases for all our council homes</p> <p>Our Asset system in place –MRI Asset with document management system MRIDM accessible to those who need access. All data around damp and mould cases will be kept on this data based and linked repairs system MRI Orchard repair notes are on Orchard for us to view.</p> <p>Our main repairs contractor (Morgan Sindall) operatives are asking damp and mould related enquiries / questions at each visit which are then logged.</p> <p>Cases are codes with a specific damp and mould code to identify repairs raised and allow trends to be analysed.</p> | <p>Further works are currently in process these are to automate documents from contractor portals to MRIDM to minimise the risk of human error. Surveyor inspections will be carried out using tablets directly linked with MRI Orchard so all notes will be completed directly on the system. - this should be live in December 2023.</p> | <p>By December 2023.</p> |
| 13 | <p>Landlords should ensure that their responses to reports of damp and mould are timely and reflect the urgency of the issue.</p> | <p>Our damp and mould policy and process explains that visits to assess and identify the cause of mould and to undertake a mould wash will be undertaken within 5 days (and prioritised within that timescale if considered to be urgent). Specialist surveyors are also used when needed.</p> | | |

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| | | <p>Tenants are decanted whilst works are undertaken if they are major or are necessary due to the tenant's vulnerability or individual circumstances.</p> <p>All damp and mould cases are monitored at a weekly meeting to ensure that they are being progressed.</p> | | |
| 14 | <p>Landlords should review the number of missed appointments in relation to damp and mould cases and, depending on the outcome of any review, consider what steps may be required to reduce them.</p> | <p>Detail what our arrangements are for making and reminding tenants of appointments and what we do if need to cancel or reschedule an appointment.</p> <p>Our current steps for missed appointments are to rebook and reattend appointment for up to 3 attempts.</p> | <p>No access process is being reviewed to ensure we access properties where needed. This process will include the reporting of safeguarding and welfare concerns and will also utilise the legal process if required to undertake repairs.</p> | <p>By November 2023.</p> |
| 15 | <p>Landlords should ensure that their staff, whether in-house or contractors, have the ability to identify and report early signs of damp and mould.</p> | <p>We recognise the benefit in early identification of damp and mould. To this end we have provided a number of training courses to our surveyors, contractor, and Housing officers in subjects such as:</p> <ul style="list-style-type: none"> • Damp and mould awareness • Housing Health and Safety Rating Scheme (HHSRS) • Disrepair <p>All of our contractors have been trained in signs of Damp and Mould and on what to do to report this back to the council.</p> | <p>We will conduct a thorough assessment to identify the specific training needs of our staff to ensure that all relevant staff are trained and knowledgeable about the signs of damp and mould. This will include developing comprehensive training programmes ensuring our training programmes explicitly address the new regulatory requirements and any updates in legislation relating to damp and mould. We will adopt a flexible approach training of our staff by offering training in a variety of formats (Online and In-Person) to accommodate different learning preferences and practicalities.</p> | <p>By November 2023.</p> |

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| | | <p>In addition, there is an annual visit to every home for a gas check and the engineers are trained to identify and report to us any damp and mould issues.</p> <p>For repair works – our repairs contractor (Morgan Sindall) ask residents specific questions encouraging reporting of damp and mould.</p> <p>There is joint working between the repairs contractor, property services and housing officers to resolve damp and mould cases collaboratively.</p> | <p>Provide regular refresher and awareness courses.</p> <p>Measure the effectiveness of training to gauge the knowledge and competency of staff.</p> <p>Conduct internal compliance audits to ensure that all housing managers have undergone the necessary training and to ensure that WHBC are meeting the regulatory requirements.</p> <p>Depending on the Band an applicant will be placed in, a verification visit will be carried out by the Neighbourhood Officer and the property is inspected. This will certainly capture more severe cases of overcrowding.</p> <p>If a tenant highlights concerns about damp and mould on their HNR application, the address will be added to the agenda of the Operational meeting.</p> | Ongoing. |
| 16 | Landlords should take steps to identify and resolve any skills gaps they may have, ensuring their staff and contractors have appropriate expertise to properly diagnose and respond to | We recognise how important it is to have suitably qualified staff that are able to identify, diagnose and scope works to resolve damp and mould. To this end we have our own qualified surveyors inhouse and access to specialist surveyors if needed for more complex cases or cases where damp and | | |

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| | reports of damp and mould. | <p>mould has reoccurred.</p> <p>As part of our aftercare, tenants are contacted 1 and 6 months after the damp and mould case has concluded to check that there are no further issues.</p> <p>Our damp and mould policy links to our other policies which may be relevant for complaints, compensation, redecoration and decant.</p> | | |
| 17 | Landlords should ensure that they clearly and regularly communicate with their residents regarding actions taken or otherwise to resolve reports of damp and mould. Landlords should review and update any associated processes and policies accordingly. | <p>Our damp and mould policy explains that tenants are provided with surveys reports for damp and mould and kept informed of the works and timescales.</p> <p>We meet with our contractor on a weekly basis to make sure each case is responded to.</p> <p>Our repairs contractor (Morgan Sindall) text residents at each stage in the repair journey with their appointments and updates. Where required our contractor will phone residents on their landline to ensure they are up to date with appointments.</p> | <p>Our contractor will keep residents up to date with their repair cases. Where the cases are more complex the Patch surveyor will be assigned to the case to scope works and communicate updates to the resident.</p> <p>We are reviewing our processes to follow up on cases where there is no access or contact from the tenant so that we can access the property if needed.</p> | <p>Ongoing</p> <p>By November 2023</p> |
| 18 | Landlords must ensure there is effective internal communication between their teams and departments, and ensure that one individual or team | We recognise the importance of one team having overall responsibility for the management of cases of damp and mould from the point of identification including accurate diagnosis, triaging, agreeing the appropriate intervention, monitoring case | | |

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| | <p>has overall responsibility for ensuring complaints or reports are resolved, including follow up or aftercare.</p> | <p>performance until completion, quality assurance and aftercare. All cases and complaints about damp and mould are managed and coordinated by the Council's property services repair team. There is close liaison with the Council's customer service and complaints team.</p> <p>The Property Maintenance team undertakes inspections of decanted properties that have been remediated to ensure they are of an acceptable standard before they can be re-occupied.</p> <p>Contractor KPIs are in place and are reviewed on a regular basis. There is a weekly meeting with the contractors to address an urgent issue and a monthly operation core group meeting.</p> | | |
| 19 | <p>Landlords should ensure that their complaints policy is effective and in line with the Complaint Handling Code, with clear compensation and redress guidance. Remedies should be commensurate to the distress and inconvenience caused to the resident, whilst recognising that each case is individual and should be considered on its own merits.</p> | <p>We have the following policies that deal with remedies:</p> <p>Compensation and redress scheme - This covers rent reductions for loss of use of a room/services in the home.</p> <p>Decant policy - This covers any compensation for costs associated with decant, whether that be temporary or permanent.</p> <p>If tenants wish to make a claim for</p> | <p>Our complaints policy needed to make reference to the decant policy and compensation and redress scheme that deals with remedies such as compensation for damage to belongings, distress and inconvenience and, where relevant, rent reductions for decant.</p> <p>Our self assessment against the Ombudsman's Complaint Handling Code needs revision as it is dated Sept 2020 and the revised code is</p> | <p>By October 2023.</p> <p>By October 2023.</p> |

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| | | <p>compensation for loss or damage to their property or personal injury, they are advised to follow the process on our website: Compensation claims – Welwyn Hatfield Borough Council (welhat.gov.uk)</p> <p>Any claims are assessed for liability by our Insurance Officer or insurer.</p> | <p>April 2022. The Housing ombudsman's Complaint Handling Code (housing-ombudsman.org.uk)</p> <p>Complaints policy and procedure – Welwyn Hatfield Borough Council (welhat.gov.uk)</p> | |
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Chapter 3: From disrepair claims to resolution

| | Recommendations for Senior Management | Measures in place | Further measures being taken | Deadline |
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| 20 | Landlords need to ensure they can identify complex cases at an early stage and have a strategy for keeping residents informed and effective resolution. | For cases that are more complex (ie will take longer to diagnose or for works to be undertaken) do we manage these differently to ensure that tenant is kept updated at set intervals on progress, given timescales so tenant feels we are taking it seriously and less likely to resort to disrepair claim. | Revisit of complex cases 6 months after completion of works to ensure issues have been permanently resolved. | Ongoing |

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| 21 | Landlords should identify where an independent, mutually agreed and suitably qualified surveyor should be used, share the outcomes of all surveys and inspections with residents to help them understand the findings and be clear on next steps. Landlords should then act on accepted survey recommendations in a timely manner. | <p>Our damp and mould policy explains that where it has been difficult to diagnose the cause of the dampness or there is a repeated report of damp and mould, specialist surveyors will be used. The surveyor's report is shared with the tenant along with the works to be undertaken and the timescales.</p> <p>Should there be a dispute about the findings we will use an independent, suitably qualified surveyor.</p> | | |
| 22 | Where extensive works may be required, landlords should consider the individual circumstances of the household, including any vulnerabilities, and whether or not it is appropriate to move resident(s) out of their home at an early stage. | <p>There is a weekly operational Damp and Mould meeting which checks the progress of cases and allows escalation of cases with the aim to treat each case on its merits (individual property inspections for individual assessment).</p> <p>Consideration of the need to decant the tenant on a temporary or permanent basis is considered during these meetings. We take into consideration the works (complex or major) and the individual needs or vulnerabilities of the tenant. This is outlined in our damp and mould policy.</p> | | |
| 23 | Landlords should promote the benefits of their complaints process and the Ombudsman to their residents as an appropriate | <p>Our complaints policy is on the website.</p> <p>The Tenants handbook has basic information on complaints as well as the contact centre email address. Explaining the</p> | <p>The Tenants' handbook is currently being reviewed by the Residents Panel as a scrutiny project.</p> <p>Continue to look at ways to promote</p> | <p>By January 2024.</p> <p>Ongoing</p> |

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| | and effective route to resolving disputes. | <p>complaints procedure is also included on the checklist the Neighbourhood Officers use when signing up tenants.</p> <p>In a recent survey of tenants, of the 448 people that answered the question whether they know how to make a complaint, 296 said yes (66%).</p> | the complaints policy. | |
| 24 | <p>Landlords should continue to use the complaints procedure when the pre-action protocol has commenced and until legal proceedings have been issued to maximise the opportunities to resolve disputes outside of court. Landlords should ensure their approach is consistent with our jurisdiction guidance and their legal and complaint teams work together effectively where an issue is being pursued through the complaints process and protocol.</p> | <p>Our damp and mould policy explains that we take damp and mould seriously and aim to identify the cause and resolve damp and mould cases as soon as possible. However, we understand that there might be times when residents are not satisfied with our actions and may wish to use our complaints procedure. We will, however, continue to work to resolve the issues. We will continue to deal with tenant's complaints even if a Pre-Action Protocol for Housing Conditions Claims has been instigated and even if legal proceedings have been issued.</p> <p>Property Maintenance team, the complaints team, insurance officer and the legal services team work closely on disrepair cases.</p> | | |

Chapter 4: From a complaints to a learning culture

| | Recommendations for Senior Management | Measures in place | Further measures being taken | Deadline |
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| 25 | Landlords should consider how best to share learning from complaints and the positive impact of changes made as a result within the organisation and externally. Systems should allow the landlord to analyse their complaints data effectively and identify themes, trends and learning opportunities. | <p>We are keen to learn from our complaints about how we can do better and improve our response to damp and mould cases and towards complaint handling.</p> <p>We capture our learning from complaints on Jadu.</p> <p>Weekly meetings established with Morgan Sindall to examine damp and mould cases and agree actions for more complex cases.</p> <p>A list of current complaints are circulated weekly to Managers to ensure that they are progressing them within the complaint handling timescales.</p> <p>We review our disrepairs on a weekly basis in the property services team and a monthly basis with the legal team. Any lessons learnt from disrepair cases are shared with the repairs team to ensure improvements are made where required.</p> | We now have a specific code in place on Jadu so that we can more easily identify and analysis our complaints about damp and mould to allow trend analysis to take place on an annual basis. | By end of Q2 2024/25 |
| 26 | Landlords should ensure they treat residents reporting damp and mould with respect and empathy. The distress and | We appreciate how distressing damp and mould cases can be for tenants and expect our staff to treat tenants as individuals and with care and empathy. | A programme of training in customer care/service to be rolled out to Housing staff. | By December 2023 |

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| | <p>inconvenience experienced by residents in this area is some of the most profound we have seen, and this needs to be reflected in the tone and approach of the complaint handling.</p> | <p>We recognise the importance of reporting of damp and mould by our tenants. To this end we have provided a number of training courses to our surveyors, contractor, and Housing officers in subjects such as:</p> <ul style="list-style-type: none">• Damp and mould awareness• Housing Health and Safety Rating Scheme (HHSRS)• Disrepair | | |
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