

WELWYN HATFIELD BOROUGH COUNCIL
CABINET HOUSING PANEL – 30 OCTOBER 2023
REPORT OF THE SERVICE DIRECTOR (RESIDENT AND NEIGHBOURHOOD)

DAMP AND MOULD POLICY

1 Executive Summary

- 1.1 The Housing Ombudsman undertook a spotlight report into damp and mould in 2021 as it had seen an increased rate of damp and mould complaints being upheld and findings of maladministration from complaints raised by tenants in social housing. The ombudsman followed this up with a further report in 2023. Though not a legal requirement, one of the recommendations from these reports was for social housing landlords to have a damp and mould policy in place.
- 1.2 The purpose of a damp and mould policy is to cover proactive interventions, our approach to diagnosis of damp and mould, actions we consider appropriate in different circumstances, effective communication with residents and aftercare.
- 1.3 The importance of tackling damp and mould was highlighted to the country at the Coroner's inquest in November 2022 into the tragic death of a young child; Awabb Ishak, due to his exposure to mould caused by dampness in his home rented from Rochdale Boroughwide Housing (Association). This finding prompted the Regulator of Social Housing (RSH) to write to all social housing landlords to seek details of their approach towards this issue. We provided this information, and a briefing was placed on the Councillor Information Hub.

2 Recommendation(s)

- 2.1 Cabinet Housing Panel are asked to note the self-assessment that we undertook of our approach to damp and mould against the Housing Ombudsman's guidance and the proposed actions to enhance our approach further.
- 2.2 Cabinet Housing Panel are asked to note and agree the Damp and Mould Policy.
- 2.3 If Cabinet Housing Panel unanimously agree the Damp and Mould Policy, that the Panel agree that the decision to approve the policy be taken by the executive member using their delegated powers.

3 Explanation

- 3.1 The Policy (Appendix A) explains that it is the Council's approach to provide high quality homes. We take cases of damp and mould seriously and are taking a zero-tolerance approach. To achieve this, we aim to manage reports of damp and mould, or contributing factors (such as condensation) in a proactive way to meet our legal and moral duties.
- 3.2 The Policy includes the process map outlining how we deal with damp and mould in Appendix 1 of the Policy.

3.3 In this regard, the policy outlines how we will implement processes designed to:

- Ensure a suitable and sufficient response to initial reports of damp, mould or condensation
- Identify the cause of damp occurring in homes
- Take steps to address the damp and mould where required; such as ordering remedial works
- Keep the resident informed of the remedial works and timescales
- We will follow up with the resident at 1 and 6 months on conclusion of the damp and mould case to ensure no recurrence
- Provide advice or other assistance to residents, where there is condensation present in their home
- Increase awareness for residents through a range of communications and information on how to manage/prevent condensation in their home
- Ensure staff have adequate training and knowledge on levels of damp, mould and condensation awareness
- Have relevant and useful performance information and reporting to enable us to review damp and mould related complaints and repairs and target proactive remedial work and targeted interventions.

3.4 In addition, we have also undertaken a self-assessment (Appendix B) against guidance provided by the Housing Ombudsman in relation to how social landlords should deal with damp and mould. It is encouraging that many of the recommendations are already in our policy and our approach, but we have some actions to take that will enhance our approach further. These are:

- Review our complaints policy, repairs handbook, mutual exchange and voids process to ensure aligned to damp and mould policy
- Look at further ways to engage harder to reach residents to be aware of and report damp and mould
- Review our tenancy audits to ensure capture issues relevant to damp and mould
- Annual analysis of our damp and mould cases for trends (we already review them monthly)
- Further training of staff and members
- Develop plans for net zero carbon homes.

Implications

4 Legal Implication(s)

- 4.1 Whilst there is no specific legal requirement to provide a Damp and Mould Policy, provision of a Damp and Mould Policy is a (strong) recommendation of the Housing Ombudsman in their spotlight report in October 2021 and the follow up report in February 2023.
- 4.2 However, there are Regulatory and Consumer Standards set the by Regulator of Social Housing which social landlords must meet. These include the 'home standard' such that accommodation should meet the Decent Homes Standard, ensure the health and safety of tenants and have an effective repairs and maintenance service. Also, the 'Tenant Involvement and Empowerment Standard' is applicable as landlords shall also provide tenants with accessible, relevant and timely information about progress of any repairs work.

5 Financial Implication(s)

- 5.1 There are no direct financial implications from this Policy. All expenditure is within agreed existing budgets.

6 Risk Management Implications

- 6.1 The Housing Ombudsman's spotlight reports explain that Councils would need to justify why they believed it was unnecessary to have a damp and mould policy. Failure to have a policy might lead to findings of fault in any complaint investigation undertaken by the Housing Ombudsman.

7 Security and Terrorism Implication(s)

- 7.1 There are no direct implications from this report.

8 Procurement Implication(s)

- 8.1 There are no direct implications from this report.

9 Climate Change Implication(s)

- 9.1 There are no direct implications from this report.

10 Human Resources Implication(s)

- 10.1 There are no direct implications from this report.

11 Health and Wellbeing Implication(s)

- 11.1 Effective management of damp and mould in our council homes will contribute positively towards the health and wellbeing of our tenants.

12 Communication and Engagement Implication(s)

- 12.1 There are no direct implications from this report. It is essential that we communicate well with tenants who report damp and mould issues to us and keep them updated with works required.

13 Link to Corporate Priorities

- 13.1 The subject of this report is linked to the Council's Strategic Aim 'Quality Homes Through Managed Growth', and specifically to the achievement of 'providing high quality housing, thriving neighbourhoods and sustainable communities.

14 Equality and Diversity

14.1 An Equality Impact Assessment (EqIA) has been undertaken and is in Appendix C. The EqIA found that the policy is likely positively benefit individuals that are older and younger and those with disability.

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