

WAVERLEY BOROUGH COUNCIL

LANDLORD SERVICES ADVISORY BOARD

23 FEBRUARY 2023

Title:

Management of damp, mould and condensation within tenants homes

Portfolio Holder: Cllr Paul Rivers, Portfolio Holder for Housing

Head of Service: Andrew Smith, Executive Head of Housing

Key decision: No

Access: Public

1. Purpose and summary

To advise the Board of the work of the Damp Project Working Group. This paper provides an overview of the key areas for improvement and the measures Waverley has already actioned to address these. This paper also explores the actions that will be implemented in the future to ensure damp, mould and condensation is managed efficiently and effectively.

2. Recommendation

It is recommended that the Board:

- review and comment on the actions of the Damp Project Working Group, and
- request a progress report in six months

3. Reason for the recommendation

To update the Board with the actions of the Damp Project Working Group in investigating and addressing damp, mould and condensation in Council homes.

4. Background

4.1 In May 2022 Waverley commenced a damp and mould management review, in response to a Housing Ombudsman Spotlight report in October 2021.

4.2 It was identified that 300 responsive repair jobs relating to damp and/or mould were raised from a total of 13,000 in the year 2021/22.

4.3 As we entered the winter months of 2022, the number of cases began to increase as anticipated but this was exacerbated following the publicity on the tragic case of Awaab Ishak.

4.4 In November 2022 alone, we saw 81 cases reported and 56 inspections had been arranged.

4.5 Waverley established a 'Damp Project Working Group' to review and improve the way we manage cases of damp and mould in our Council homes as well as aiming to improve the level of service we provide to our tenants.

4.6 Following the review, key issues were identified and categorised into four main priority areas:

Data

4.7 Identification of some out-of-date asset data records, a disconnect between what technology and equipment we have installed versus what our records show, inadequate record keeping, variations in specifications, variations in where documents are filed. Difficulties in differentiating and quantifying jobs by category e.g., damp/ mould related. All these factors limit the ability to organise data-led cyclical maintenance programmes.

Communications

4.8 It was highlighted that tenants were not always kept informed before, during and after repair works. In the cases where there was communications with the tenant, record keeping was found to be inconsistent. This often became apparent during complaints and disrepair investigations.

4.9 As well as keeping residents informed, Waverley must improve communications for promoting advice, support, and education, both for tenants and staff when it comes to the management of damp and mould.

Resources

4.10 There are seasonal pressures on specific roles and their workloads as volumes of damp and mould cases rise. A need for further technical training has been identified as well as more general awareness training across the organisation. Specialist equipment is needed to enable officers to thoroughly investigate and diagnose damp. A specialist technical contractor for supporting with and providing expert recommendations will be procured.

Process

4.11 The review found variations in the way cases are managed and a need for a clear and effective management process for damp and mould cases from start to finish. In addition, routine follow ups were not being carried out, meaning the success of the remedial works were not being checked or measured.

Wider issues

4.12 The current climate places several socio-economic pressures on both Waverley and their tenants. Unfortunately, with the cost-of-living crisis comes fuel poverty. Fuel poverty is causing a sharp rise in damp and mould cases within tenants' homes as they simply cannot afford to use the heating system provided. Colder homes lead to increased condensation and damp which in turn results in mould growth if not managed.

Measures in place pre-review

- 4.13 Prior to the review, Waverley Borough Council had already implemented many proactive, practical actions and procedures to prevent damp and mould developing within tenants' homes. A number of these are discussed below.
- 4.14 The Void Policy ensures all kitchens and bathrooms have extractor fans fitted where possible. This provides mechanical ventilation to the two rooms most prone to high water vapour levels through normal use.
- 4.15 The Planned Works team and the Compliance team carry out cyclical upgrade works to improve the energy efficiency performance of our homes. These component upgrades include window replacements, roof replacements, loft insulation top ups, cavity wall insulation replacements and heating upgrades.
- 4.16 The Responsive Repairs Team ensure day to day maintenance and repairs are carried out, as and when required. Examples of responsive repairs which relate directly to the prevention of damp and mould include renewing / unblocking gutters and downpipes, installing or clearing out gullies and drains as well as repairing leaks to plumbing etc.
- 4.17 Stock Condition Surveys and Tenancy Audits are also undertaken, which proactively seek out any tenancy or property issues including cases of damp and/ or mould. Support and advice is provided to residents and any serious concerns are escalated to the relevant teams for further inspection, investigation and ultimately resolution.

Actions Introduced post- review

Data

- 4.18 A data validation exercise is being undertaken on the existing Housing Health and Safety Rating System (HHSRS) data records held for risk scores 4 and 5 in relation to damp and mould (where 1= No risk of damp/mould and 5= Severe, requiring immediate action). The 62 addresses are being followed up through tenant phone calls and site inspections.
- 4.19 The exercise has found that, as suspected, the HHSRS ratings are outdated with the list of 62 addresses being reduced to just seven so far. Historic miscommunication between teams has meant that some improvement works undertaken have not been fed back into records. Records are being updated accordingly and remedial works for those remaining on the list will be issued as required.
- 4.20 This exercise has highlighted the importance and need for routine data review health checks. Once our stock data has been cleansed, we can take a data-led approach for future servicing and maintenance programmes for damp and mould related assets e.g., Extractor fans, PIV units, gutter clearances.
- 4.21 A 'Damp register' is being developed, which will track and monitor damp properties. All properties suffering from damp/mould with a HHSRS score of 4 or above will be added to the list, investigated, remedied, and followed up once

works have been completed. This will be a live and regularly evolving document, requiring a dedicated resource to actively manage and track progress. The damp register will help in identifying trends and patterns in potential problematic archetypes which will guide asset management strategic decisions.

Communications and Education

4.22 Tips and advice on tackling damp and mould have been provided to tenants in the Council publication: 'Homes and People' magazine, on the website, leaflets as well as through the customer service centre and home visits. Regular communications will continue to be a priority in aiding tenants to manage damp and mould within their homes and particular efforts will be made in preparation for winter.

Resources

4.23 A need for upskilling has been recognised and plans are in place to roll out specific damp diagnostic training to all relevant technical staff initially. Following the technical training Waverley intends on providing training for non-technical roles to enable staff to give sound advice and guidance when dealing with reports of condensation, damp or mould.

4.24 A refresher HHSRS training course is being explored to enable all staff attending site, to be able to confidently recognise, assess and calculate risk and hazard scores.

4.25 In addition to training and education, Waverley will be investing in specialist tools and equipment for relevant officers, enabling them to carry out thorough, in-depth investigations and reports. Equipment includes thermal imaging cameras, infrared thermometers, a borescope inspection camera and damp meters.

4.26 A procurement exercise will be carried out to source a select list of specialist contractors to use when additional support and expertise are required. Specialist services cover things outside of the scope of our principal repairs and maintenance contractor, including damp investigations, specialist timber treatments, waterproofing etc.

4.27 We are aware that damp and mould issues are often seasonal, seeing great influx in calls and inspections during the cold winter months. With this in mind, we have actioned the use of an 'Activity code' to be used by the Customer Services Team to categorise the nature of each call. This will help to monitor and quantify the volumes of calls relating to damp and mould. The monthly volumes will help to establish whether there is a need for additional staff resource.

Process

4.28 A new management and resolution framework for Damp, Mould and Condensation is being devised, which will detail roles, responsibilities, and timescales throughout the process, from initial report of an issue, investigation, remediation, completion and then follow ups. The golden thread throughout this management framework will be routine record keeping and regular tenant communication. The new process will formalise how cases are managed,

improve consistency, reach resolution quicker and in turn we hope will improve tenant satisfaction.

- 4.29 The 'Damp Register' will become part of the new process for managing and resolving damp, mould and condensation within tenants' homes.

Wider Issues

- 4.30 While we acknowledge there are several economic difficulties contributing to the rise in damp and mould cases (particularly this winter), ultimately homes need to be well heated and ventilated. Whilst the Housing Service has limited influence on whether residents use their heating and ventilate their homes, Waverley has introduced the 'Hardship Fund' to assist. A number of tenants will receive a rent credit of £200 to their rent accounts in recognition of the fact that their home has poor energy performance.

Conclusion

- 4.31 The review to date, has identified the need to be more proactive, improve record keeping and follow up cases of damp and mould to ensure remedial actions taken have been successful.
- 4.32 A number of actions to address issues have been identified, some already implemented and others to be put in place in the near future.
- 4.33 The Housing Ombudsman Service report has provided useful, achievable recommendations and best-practice examples which will help guide us towards our goal.
- 4.34 The 'Damp Project Working Group' will continue to drive progress forward, managing damp, mould and condensation in tenants' homes effectively and efficiently.

5. Relationship to the Corporate Strategy and Service Plan

The report supports the Council's Corporate commitment to promote "*Good quality housing for all income levels and age groups*" and aim to "*be the best council landlord in the South East and to be acknowledged so by our tenants.*"

6. Implications of decision

6.1 Resource (Finance, procurement, staffing, IT)

Drafted by: Candice Keet, Senior Accountant

The planned actions will mainly be delivered within the current budget. Any additional resources will be requested in line with the normal corporate procedures and subject to the usual scrutiny from the relevant committees.

6.2 Risk management

The Project Group were developed to address the risks to tenants and properties from damp and mould. The group's has identified mitigations and actions to manage risks.

6.3 Legal

Drafted by: Gillian Carson-Jones, Licensing, Litigation and Regulatory Solicitor

The Council's obligations as landlord to repair and maintain Council properties are set out in the tenancy agreement. Section 9A of the Landlord and Tenant Act 1985 implies into all relevant tenancies an obligation to let and keep dwellings in a condition 'fit for human habitation', including freedom from damp and mould growth. Section 11 of the Landlord and Tenant Act 1985 sets out statutory obligations to ensure that the structure of homes are repaired and the repairs are carried out within a reasonable time. Unhealthy housing can also be the subject of criminal prosecution under the Environmental Protection Act 1990

In terms of redress, tenants have access to the Council's internal complaints procedure or the Housing Ombudsman Service, who regularly finds that failures to investigate properly or to resolve complaints of condensation dampness amount to maladministration. Alternatively where obligations are not met, it is open to tenants to pursue civil disrepair / unfitness claims and which may include a related personal injury claim.

The Government has tabled amendments to the Social Housing Regulation Bill to introduce 'Awaab's Law', which will require landlords to fix reported health hazards within specified timeframes. A consultation will be launched later this year to set the timeframes within which landlords will have to act to investigate hazards and make repairs. 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.

6.4 Equality, diversity and inclusion

Any significant changes to the service will be subject to an Equality Impact Assessment to ensure that they do not have any adverse impacts on equality. The Project Group are mindful of the range of communication needs of tenants.

6.5 Climate emergency declaration

Works undertaken to address damp and mould will support efficient heating systems, thus reducing carbon emissions.

9. Governance journey

Report to Landlord Services Advisory Board only.

Background Papers

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

CONTACT OFFICER:

Name: Steph Aves
Position: Special Projects Officer
Telephone: 01483 523515
Email: steph.aves@waverley.gov.uk

Agreed and signed off by:

Legal Services: Gillian Carson-Jones, Licensing, Litigation and Regulatory Solicitor, 10 February 2023

Head of Finance: Candice Keet, Senior Accountant, 13 February 2023

Strategic Director: Annie Righton, Strategic Director – Community Wellbeing, 13 February 2023

Portfolio Holder: Cllr Paul Rivers, Co-Portfolio Holder for Housing, 6 February 2023