

Title: Damp & Mould Update

Author: Robert Goor

Meeting Date: 22 November 2023

1. Background

- 1.1. This report provides Members of the Leeds Housing Board with an update on damp and mould within council managed homes and gives an overview of the further proactive action taken since the Damp and Mould report was presented to the Executive Board in February this year.
- 1.2. The report in February set out the measures in place to tackle damp and mould and gave good assurance that the council's approach to tackling damp and mould in council managed homes is robust. This report provides assurance that good progress continues to be made in relation to implementing proactive measures to tackle damp, particularly as we enter the colder winter months. The report sets out how the focus, during the summer months, was shifted to increasing the proactive measures in place to tackle damp and mould, and our readiness for the winter, with the aim of reducing both the frequency and severity of future cases.
- 1.3. Amongst the key areas of progress which have been made since the report to the Executive Board; the new Damp and Mould measures are now in place and operational processes have been redesigned so that potentially hazardous mould is now removed more quickly. The roll out of a large-scale damp and mould training programme is now well advanced across all frontline housing teams and contractors, which is better equipping staff to identify and deal with damp and mould problems. The training underpins the Damp and Mould Policy principles and 'zero tolerance' culture which has been adopted by the council. The damp and mould communication and engagement strategy continues to develop also.
- 1.4. The strategy is driving good communication and engagement with residents and other stakeholders, with a good balance between encouraging tenants to report damp and mould problems to the council, particularly those groups who have in the past under-reported, and robust self-help advice and support. The pending report from the Tenant Scrutiny Board, following their recent review into the advice and support Housing Leeds gives to residents with damp and mould in their homes, will provide valuable feedback that will drive further tenant lead improvements in this area.

2. Main Points

- 2.1. Damp and mould is one of the 29 hazards listed under the Housing Health & Safety Rating System (Housing Act 2004) which the council, as landlord,

- has a legal duty to mitigate where any hazard found is duly assessed as a category 1 hazard.
- 2.2. This responsibility is fully understood, and the council has taken a proactive approach to dealing with damp and mould in homes for many years. This approach is embedded into operational procedures and wider strategies to make sure that all reports of damp and mould are assessed in a timely manner and that proactive prevention work contributes towards damp and mould reduction.
 - 2.3. Category 1 hazards under the Housing Health and Safety Rating System (HHSRS) are those hazards that pose a serious and immediate risk to a person's health and safety. Other hazards which are less serious or less urgent are classed as category 2 hazards.
 - 2.4. The damp and mould report to Executive Board in February sets out the proactive work that the council are undertaking to tackle damp and mould as part of the longstanding commitment to provide homes of good quality.
 - 2.5. The paper also sets out how the council is responding to the 26 recommendations made by the Housing Ombudsman Service within their 2021 report, 'Spotlight on Damp and Mould', all of which the council have adopted. A link to the Housing Ombudsman's report can be found within the background documents to this report.
 - 2.6. The Executive Board paper also sets out the council's response to the coroner's findings into the tragic death of Awaab Ishak, the toddler who died from severe respiratory condition caused due to prolonged exposure to mould in his home environment, which prompted The Secretary of State for Levelling Up, Housing and Communities to call on all landlords to improve their approaches to dealing with damp and mould.
 - 2.7. It was reported to the Executive Board that in November 2022, the service saw a circa 120% increase on normal levels of damp and mould reports. Whilst winter demand is always the highest for this type of activity, the increase in media attention at the time had a significant impact on the volume of reports also.
 - 2.8. Following an initial spike in reports of damp and mould in October 2022, a slight fall in reports was recorded from November 2022. As anticipated, this continued during the spring and summer months due to higher average temperatures and a tendency for homes to be ventilated more. That said, the volume of new damp and mould reports was up c12% on the same period last year during the summer. Levels will increase however as we now enter the colder winter months again when damp and mould is most prevalent. Whilst this reflects the most problematic time of the year for residents, and places strain on frontline resources, increased reporting allows the service to put into effect improved triage of cases and quicker response to hazards due to realignment of resources.
 - 2.9. At the time of the February Executive Board report, the council's priority was on dealing with the unprecedented high volumes of damp and mould reports on a reactive basis. During the warmer summer months, focus of

the service shifted to further increasing the proactive measures in place to tackle damp and mould and preparedness for this winter.

- 2.10. The following activity/updates have taken place since the Executive Board Report was presented:
- a) The Damp & Mould policy was signed off at the March Damp and Mould Prevention Board and has now become a live policy document (Appendix B). This document sets out the scope of the council's approach to damp and mould and provides a framework for the handling of damp and mould cases.
 - b) All staff appraisals for 2023/24 included an objective around damp and mould. This approach will ensure that damp and mould is discussed at all one to ones and appraisals and this will underpin the damp and mould policy by ensuring that all staff recognise their part to play in the councils 'zero tolerance' approach to damp and mould.
 - c) A large-scale programme of damp and mould awareness training has commenced and is being rolled out to all frontline staff and contractors. The training has been completed to the majority of housing management teams with further sessions booked in to deliver to the remainder. The training package, which has been delivered to teams face to face, underpins the damp and mould policy principles. This will ensure that all staff are able to identify damp and mould problems and recognise the health hazards, enable staff to be able give advice to residents on how to control damp and mould, and ensure all staff know the process to follow when they identify a problem. Feedback from members of the Tenant Scrutiny Board, who have attended sessions, has been positive and has helped to further improve the training.
 - d) Housing Leeds joint work with the West Yorkshire Housing Partnership has included the development an e-learning package for both technical and non-technical staff. The training package is now ready and being tested by staff, ahead of being rolled out to support the wider face to face training package and 'refresher' option.
 - e) Further technical training around damp and mould has been delivered to all frontline technical staff. The training will improve the diagnosis of damp and mould problems and solution design, and also increase the capacity of the service to identify and action problems proactively during all areas of property related inspection.
 - f) Following the successful launch of the Damp and Mould task team late last year, approval has been given to the recruitment of five additional FTEs to the team on a permanent basis. These posts have been recruited to and have increased the capacity of the team in terms of both frontline technical resource and back-office planning function. This will enable more proactive work to be undertaken during the summer months and provide greater reactive capacity during the colder winter months.
 - g) Further analysis of damp and mould activity has identified some key findings which are now being addressed through further realignment of

existing resources and further process improvement. Based on predicted demand during the winter months, an additional 4 FTEs are required to service the additional winter demand in 'reasonable timescales', which we anticipate will align to prescribed timescales set out in the pending Awaab's Law legislation. Additionally, however our data tells us that 20% of all current physical visits could be avoided through more robust triage and better advice to residents about things that they can do themselves such as wiping down condensation, treating small areas of mould and more effective use of heating and ventilation etc. Work is underway to put improved triage procedures in place ahead of the winter months, using the training and information already in place, in-order to ease the demand on physical inspection visits. This is particularly important given the current financial challenges.

- h) Self-Assessment against the Housing Ombudsman's Service's 26 recommendations from their Spotlight on 'Damp and Mould' report has been updated and submitted to the Housing Ombudsman Service. The self-assessment is included as Appendix C to this report. Progress shows currently 19 of the 26 recommendations now implemented (73%) and seven in progress (27%).
- i) The building of digital maps is developing which will allow the service to overlay damp data, property types and demographics to better predict where proactive preventative interventions can be undertaken and prevent problems before they occur.
- j) A significant process change has been made in-order to improve the speed in which the presence of mould is removed from within homes. This change aligns to anticipated forthcoming changes to damp and mould legislation. Under the new process, the first priority is to treat any mould growth ahead of any survey visits or other activity. This means that potentially hazardous mould growth is removed quicker than it has been previously, and therefore prioritises the safety of residents.
- k) As the cost-of-living crisis has more and more of an impact on the presence of damp and mould, more work is being done across teams to support tenants, particularly those in fuel poverty. In April, this year's British Gas fuel voucher scheme came to an end which saw the council successfully issue £140,000 of free fuel vouchers to council tenant with pre-payment meters. We have signed back up to that scheme for this winter where a further £100,000 has been allocated to us in addition to other schemes through the British Gas charity that are available to help tenants who are in debt with their energy accounts. Hundreds of free mould sprays have been made available to tenants to help them to treat small areas of mould, where they are able to do so themselves, at no cost to them. Assessment of this scheme will be carried out later in the year to determine take up versus impact on the number of treatments that the council carry out. In addition, proactive advice is being given to

tenants which will help them avoid costly damage to their own possessions, through damp and mould.

3. Regarding our communication and engagement activity on damp and mould, since December we have:
 - a) Promoted the creation of the dedicated Damp and Mould Team in our monthly tenant emails, sent to 39,000 tenants with an email address, linking to new website content informing residents on how to report damp and mould issues with the team directly and giving advice on how to help prevent damp and mould from occurring.
 - b) Distributed hard copies of the damp and mould leaflet with staff and contractors, for them to give to residents reporting or receiving damp and mould related activity or treatment. This includes a QR code to direct to further website content.
 - c) Translated the above into key community languages (Urdu, Arabic, Czech, Slovak, and Tigrinyan) and sharing this with Community Hubs in the most ethnically diverse areas for them to share with residents.
 - d) Continued to undertake social media releases, with a combination of content around disrepair warnings, scam callers, the importance of reporting repairs to us, condensation and damp and mould advice. A paid social media release specifically on damp and mould and how to contact us reached 21,700 people and periodic paid releases are part of a social media forward plan.
 - e) Recognised that the majority of disrepair claims have a damp and mould component, analysing the areas and ages of residents most likely to make disrepair claims and sending emails to these residents with content on advice on reporting repairs, what residents can do to help prevent damp and mould and the importance of contacting us with any outstanding repairs. This included providing a translation box informing what the message was about in the six most commonly spoken community languages.
 - f) Providing updates to staff on the importance of everyone having a responsibility to help identify damp and mould
 - g) Via our ongoing partnership with Equans, a national repairs and maintenance contractor, regularly promoting a bespoke short information film with advice about how to reduce condensation and mould in your home.
 - h) In April, the Tenant Scrutiny Board also confirmed their intention to undertake a review into damp and mould, exploring the following themes:

- i) The advice and support given to residents to help prevent and reduce damp and mould
 - ii) The nature of follow up activity with those who have received some form of action or intervention in response to damp and mould (i.e., have the actions of Housing Leeds helped solve the problem)
 - iii) How do we inform and train staff (inc. Hubs, Contact Centre and Contractors) to be able to give the right advice and respond to tenants effectively.
- 3.1. We look forward to working with the Tenant Scrutiny Board and receiving their recommendations.
- 3.2. The service has in place a communication plan that captures the above and other actions, with regular review meetings in place with lead officers to keep updated and plan ahead so that we are able to give updated/fresh messages with residents in the Autumn. This includes reviewing additional information shared by Public Health colleagues to allow us to develop more bespoke/targeted communications to specific customer groups and in certain locations or property types who are most at risk.
- 3.3. The current financial climate is a double-edged sword in that not only is this a significant challenge to the council's resources; the cost of delivery of some elements of the repairs and maintenance service has increase by up to 40%, but equally the impact of the cost of living crisis on tenant's own finances is exasperating the problem of condensation damp and mould within homes as they struggle to heat and ventilate their homes effectively. These challenges are ubiquitous amongst social housing landlords at present.
- 3.4. As was the position in the February Executive Board report; there remain no homes in the management of Housing Leeds containing a Category 1 damp and mould hazard. This information was gathered utilising a combination of asset data obtained through stock condition surveys and via repairs data.
- 3.5. It was reported to the Executive Board that 1,692 homes contained Category 2 damp and mould. At the end of September, this number has reduced by 45%. Again, in all cases work is either now complete or is ongoing to ensure the symptom (mould) and the root cause is accurately diagnosed and resolved at the earliest opportunity. It should be noted that some discussion has taken place with the Regulator of Social Housing in relation to reporting damp cases. Leeds classifies all damp and mould cases as either Category 1 or Category 2 hazards in-line with the Housing Health and Safety Legislation (HHSRS) guidance which is the only guidance available in relation to categorising damp and mould. Other landlords are reporting different categories of 'Notable' damp and mould, outside of the HHSRS categories meaning that some are reporting less Category 2 cases pro rata of stock despite damp and mould being present in the home. This point has been fed back to the regulator and it remains Leeds position that reporting strictly in-line with the HHSRS categories remains the

most transparent way of reporting and the best way of the council maintaining focus on the actual scale of the damp and mould problem.

- 3.6 The Council's approach to damp and mould will ensure that homes are maintained safely and are free from damp and mould related health hazards as far as possible, and that reports of damp and mould are handled promptly and professionally and appropriate action taken as a priority.
- 3.7 The health and safety of residents is our number one priority. However, it should be highlighted that an effective and efficient approach to damp prevention is directly linked to the efficiency of resources, spending money wisely and also to tenancy satisfaction levels.
- 3.8 Board members will note the direct link between the effective management of damp and mould in council homes and costly disrepair claims against the council where damp and mould has not been addressed in a timely manner.
- 3.9 Similarly, the deployment of effective damp and mould procedures will reduce the risk of fines and reputational damage from the Housing Ombudsman Service due to maladministration or claims brought under the Environmental Protection Act 1990 for poor housing conditions which are a statutory nuisance.
- 3.10 The effective collection and use of stock condition data will ensure that the council are able to inform future planned works and investment programmes and target the worst performing housing stock first.
- 3.11 Frontline staff are able to offer support to vulnerable tenants who are impacted by the financial crisis by providing practical advice on how to control damp and mould, signposting to support agencies and applying for free fuel vouchers for tenants in fuel poverty. This will help ensure that tenants in fuel poverty do not suffer disproportionately due to damp and mould in their homes.
- 3.12 Better use of data and a targeted approach through Annual Tenancy Contacts will help to identify those tenants who do not ordinarily engage with the service and report damp and mould issues and therefore will help to identify the 'silent sufferers.' The 2023/24 Annual Tenancy Contact programme will benefit from the roll out of the damp and mould awareness training to visiting staff and will better equip staff to have good quality conversations with tenants about damp and mould problems and offer self-help advice and support where appropriate.
- 3.13 The further development and implementation of the Communication and Engagement Plan specific to damp and mould will encourage tenant engagement based on the diverse needs of the Housing Leeds communities and not a one size fits all approach.

4. Key risks

- 4.1. The Government are currently reviewing the guidance on damp and mould, as well as other hazards, for assessments under the Housing Act 2004.

There are several key risks aligned to this approach:

- Resources – Internal and Contracted. As a result of key events set out within this report (Housing Ombudsman report publication and national media coverage around damp and mould), the profile of damp and mould issues within the social housing sector has risen significantly.

This is positive in that it has helped raise the profile of the issue and has driven forward improvements. The increased volume associated with this however has happened at a pace that the service has struggled to adapt to. This has been mitigated through the creation of the damp and mould team and through working with service providers to re-align resources to the damp and mould priority.

- The current Construction Industry labour market is making it incredibly difficult to be able recruit and retain suitably skilled technical staff and trade operatives to work in the social housing sector. The shortage of skilled labour is perhaps the biggest single risk at present and is restricting the capability of the service to expand capacity to meet current demand. In mitigation of this risk, extensive efforts are ongoing to recruit to posts innovatively and to review current working procedures in-order to create additional capacity through improved efficiency.
- Reputational Damage – As a result of the raised profile of damp and mould within the sector; landlords have come under increased scrutiny from the Regulator of Social Housing and Housing Ombudsman Service. Whilst this scrutiny is positive in that it is helping to drive up housing standards; the consequences of poor service delivery and maladministration of damp and mould reports has risen significantly. Cases are now regularly published nationally, and reported in the media, which is causing significant reputational damage to Local Authority landlords. The council have adopted the Housing Ombudsman Service’s recommendations around damp and mould, and have reviewed the approach to damp and mould, in-order to mitigate against this.
- Cost of Delivery – A severe hike in inflation across financial markets has resulted in significant increases in the cost of the delivery of works. In some areas, price increases of 40% have been seen, meaning that in real terms, budgets have shrunk. This is impacting significantly on the repairs service. Mitigation measures have been put in place including the review of activity and review of specifications. However, given that the lion’s share of repairs and maintenance activity is statutory provision, there is little scope to cut back on services. We will continue to prioritise essential repairs and maintenance work (including damp and mould treatments) however we must continue to look at ways to reduce non-essential spend to ensure that this can continue to be achieved.
- Cost of Living Crisis – The cost-of-living crisis is heavily compounding damp and mould problems within council homes and adding additional burden to council resources and budgets. Steep increases in energy costs over the last twelve months has resulted in more and more homes falling into fuel poverty which in turn means that less tenants are able to heat their homes efficiently and/or run mechanical

extractor fans. This is leading to more instances of condensation and mould. Our data tells us that 70% of reported damp relates to condensation in the home. Frontline staff are equipped with tools to support and signpost tenants, who are in financial difficulty, such as signposting to financial support, referrals to The Green Doctor (who can help implement energy efficiency advice and ensure best energy deals) and make applications for free energy vouchers. This is going some way to helping to ensure that those in fuel poverty are not disproportionately affected by damp and mould.

- Tenant Expectations – A key message within the Housing Ombudsman Service’s Spotlight on Damp & Mould is that landlords should not infer blame when dealing with cases of damp and mould within homes on ‘Lifestyle Issues.’ Whilst the council fully support this message in terms of understanding it’s landlord responsibilities for making sure that repair factors are not contributing to damp and mould, ensuring that hazards are identified and removed, and sharing information with tenants so that they can take practical steps within their home to reduce the chances of condensation damp and mould occurring; the message is more unclear for tenants and other stakeholders. Lifestyle issues do contribute heavily to condensation and damp mould within homes and therefore Housing Leeds has reviewed the information it provides, and language used, to encourage tenants to work together and put in place simple and practical measures to help reduce the risks of damp and mould and in doing so, protect the finances of both tenants and the council. The roll out of damp and mould awareness training and delivery of the communication and engagement strategy provides good mitigation to this risk. The findings of the Tenant Scrutiny Board review of damp and mould will provide feedback which will further enable us to develop our resident engagement strategy.

5 Next steps

5.3 A number of key success measures will be used to monitor the success of the approach being taken to address damp and mould. These include:

- Tenants’ satisfaction levels with the quality of the home.
- Time taken to resolve damp and mould repairs.
- The volume of new damp and mould cases reported.
- Complaint levels relating to damp and mould.
- Decent Homes Standard monitoring / Level of damp and mould prevention investment
- Levels of successful disrepair claims received relating to damp and mould
- The number of complaints (reactive/proactive reporting) received from the private rented sector.
- The number of homes with category 1 and 2 hazards relating to damp and mould including those where the hazard has been addressed and reduced

6 Recommendations

Members of Leeds Housing Board are requested to:

- a) Note and comment on the contents of this report, and;
- b) support the measures which have been put in place to reduce damp and mould in tenant's homes and improve how reports of damp and mould in tenant's homes are managed.