

Committee(s): Housing Management and Almshouses Sub (Community and Children's Services) Committee	Dated: 30/01/2023
Subject: Damp and Mould in our Social Housing Stock – Update Report	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1, 2, 12
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Director of Community and Children's Services	For Information
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Summary

The purpose of this report is to update Members on the work that we do to deal with damp and mould in the City of London Corporation's Social Housing Stock and, our response to recent national concerns raised by government.

Recommendation

Members are asked to note the report.

Main Report

Background

1. In November 2022, Rochdale Coroner's Court's verdict on the tragic death of Awaab Ishak in 2020, concluded that the two-year old died as a result of a severe respiratory condition caused by prolonged exposure to mould in his home. The coroner's verdict also noted a number of failures by his housing provider, Rochdale Boroughwide Housing (RBH) including:

- Poor or inappropriately provided advice to the family about how to manage damp and mould within the property.
- Despite survey evidence of insufficient ventilation, the landlord repeatedly failed to take sufficient action and incorrectly blamed the mould on 'lifestyle issues'.

- RBH refused to act once a disrepair claim was made by lawyers representing the family. The verdict noted that this is common practice within the sector but, is not a legal requirement.
 - IT systems with critical household information were not accessible to all relevant staff.
2. This case has been identified as a 'defining moment' for the housing sector. It has significant implications for councils in delivering on their responsibilities as landlords and, for enforcing standards within private sector housing. The case raises questions and challenges for social housing providers (including local councils) about their assurance processes, particularly in the following areas:
- The extent to which landlords understand conditions within their housing stock.
 - Approaches to the safeguarding of tenants.
 - The accessibility of data and information held on IT systems about repairs and tenant vulnerabilities.
 - How landlords will deal with disrepair following engagement by legal bodies.
 - The extent to which councils can effectively deliver on their regulatory duties to enforce standards within the local private sector housing stock.
3. Damp and mould are a problem that disproportionately affects London. A report by the Housing Ombudsman in 2021, showed that 56% of damp and mould maladministration cases against social housing providers were in London, compared to 19% of the national social housing stock. The 2020 English Housing Survey found that 4.7% of all London properties suffer from damp problems, compared to the national average of 4%. The problem is greater in the private rented sector. Nationally, 5.4% of local authority properties suffer from damp, compared to 9.6% in the private rented sector.

Considerations

Housing Ombudsman

4. Published in October 2021, the Housing Ombudsman's Report entitled 'Spotlight on damp and mould – It's not lifestyle', says that social landlords should adopt a zero-tolerance approach to damp and mould. Addressing damp and mould needs to be a higher priority for landlords, states the report, with a change in culture from reactive to proactive, in order to improve the experience of residents.
5. The report examined 410 complaints, investigated 142 landlords over a two-year period, with maladministration found in 56% of cases, rising to 64% for complaint handling alone. As well as casework, the report also draws on more than 500 responses to the Housing Ombudsman's call for evidence issued earlier in 2021. The failure rate was often the result of inaction, excessive delays, or poor communication.
6. During the Housing Ombudsman's investigation, it found a general sense of frustration among residents, many saying they felt they were not being heard or that their landlords were not taking their repair reports or complaints seriously. The

impact on residents was clear, with distress and inconvenience reported together with concerns about health and well-being.

7. The report recognises the challenges for landlords in tackling the issues including, overcrowding, poverty, the age and design of homes but, it says that landlords should avoid inferring blame on residents due to 'lifestyle', when it is often not solely their issue, and take responsibility for resolving problems. In support of this, the report identifies best practice and makes 26 recommendations for landlords to implement, including:
 - greater use of intelligence and data to prevent issues.
 - adopting a consolidated policy for actions it may take based on diagnosis.
 - reviewing communications with residents to improve tone.
 - improve access to the complaints process to help resolve issues, including alongside disrepair claims, and learn from them.

Regulator of Social Housing (RSH)

8. In the aftermath of the Rochdale Coroner's Court verdict, the Department for Levelling Up, Housing and Communities (DLUHC) and the Regulator for Social Housing (RSH) wrote to local authorities about conditions in housing of all tenures, requesting information and assurance (Appendices 1 and 2). Responses to the RSH were due by 19 December and, the City of London Corporation (the Corporation) complied with the deadline. A summary of the Corporation's response is attached at Appendix 3 to this report.

Housing Health and Safety Rating System (HHSRS)

9. Housing standards are assessed using the HHSRS, which was introduced under the Housing Act 2004 and replaced the old Fitness Standard. The HHSRS is a risk assessment approach that considers whether defects identified within a property affect the health and safety of the current or future occupants of that property. It is applicable to all owners and landlords, including social landlords. Most Stock Condition Surveys undertaken by social housing providers will include an assessment of defects under the HHSRS.

10. The legislation lists 29 different hazards including:

- damp and mould growth
- excess cold
- crowding and space
- domestic hygiene and pests
- fall hazards
- fire and electrical safety
- collision and entrapment hazards.

11. The HHSRS provides a way that hazards can be assessed and identifies the best way of dealing with them. If a hazard is a serious and immediate risk to a person's

health and safety, it is classified as a Category 1 hazard. If a hazard is less serious or less urgent, it is classified as a Category 2 hazard.

The Corporation's Position

12. In 2018, Savills undertook a 100% internal and external Stock Condition Survey of the Corporation's social housing portfolio, which included an assessment of defects under the HHSRS. There were no properties identified with Category 1 or Category 2 damp and mould hazards.
13. Despite the findings of the Savills Stock Condition Survey, the Corporation does have homes that are affected by damp and mould and, reports and complaints we receive from tenants have always been given a high priority. We continue to raise tenants' awareness of the potential problems with damp and mould in their homes which, includes setting out what the Corporation is doing to address the problem and, the steps that tenants can take to help reduce the amount of moisture in their homes that can lead to condensation and problems with damp.
14. We positively encourage our tenants to let us know of any issues with condensation/damp/mould as soon as possible. Wherever possible, we will inspect within five working days (subject to access) to identify the possible causes and associated remedial works which, will be completed within seven working days of an order being placed. We will also discuss the matter with our tenants, providing advice and guidance as appropriate. Completed works are post-inspected by our Property Services Officers.
15. Most of our properties are regularly accessed by various contractors carrying out either day-to-day repairs (including gas servicing, electrical checks, general repairs etc) or major works such as replacement windows and replacement fire doors. Our contractors are instructed to look out for and report any issues relating to damp and mould.
16. Like most social housing providers however, we have been reviewing our processes and procedures for dealing with damp and mould and, we have introduced some new initiatives including:
 - Reviewing all previous cases of damp and mould reported in the last 12 months to ensure that the problem was effectively dealt with and has not recurred.
 - Carrying out independent specialist sample condition surveys of a number of homes to assess whether there are problems with dampness and mould that we are not aware of.
 - Further specific targeted communications with our tenants/residents to raise awareness of the potential problems (including health) caused by damp and mould in their homes.
 - Providing further specific training for housing and property staff on identifying and dealing with damp and mould.
17. The Corporation continues to make significant investment in its social housing stock to ensure it meets and exceeds the Decent Homes Standard. Major works

such as roof renewals, replacement windows, re-roofing, new heating and ventilation systems, will go some way to addressing potential sources of damp and mould.

Installation of new windows

18. With particular regard to the installation of new windows, it should be noted that, in isolation, new windows will not prevent damp and mould and, indeed, can, in certain circumstances, exacerbate the problem.
19. It is normal for condensation to form on the inside of new windows. This shows that the windows are performing as they should in that, they are helping to keep the home energy efficient. This is because the double glazing (or triple glazing) reduces the amount of heat transmittance from one side of the glass to the other. When it does this however, it creates a significant temperature difference from one side of the glass to the other. Condensation forms when warm air meets a cold surface, meaning that the warm air inside the home is meeting the cold surface of the glass.
20. This type of condensation on new windows is more common in winter because of the difference in temperature between the inside and outside of the home. Therefore, conditions for the formation of condensation are ideal, which is why many new windows have condensation in the colder months.
21. Whilst, as stated previously, condensation is a sign that the new windows installed are working properly, excessive moisture can cause mould to grow around the window frames. There are some important steps that our tenants can take to prevent excessive condensation and prolong the life of the windows including:
 - opening windows for at least 20 minutes a day, but preferably for longer periods.
 - ensuring that 'trickle' vents are open and not blocked.
 - drying washing outside wherever possible. If this is not an option, washing should be dried in a well-ventilated area.
 - where possible, using an extractor fan when cooking, showering, or bathing. These tasks are notorious for creating excess moisture in the home.

Specific current initiatives/works

22. Members attention is drawn to the following specific current initiatives/works that are being undertaken as part of our approach to dealing with damp and mould in our social housing stock:

Almshouses

We are currently undertaking a specific programme of damp surveys across the whole of the Corporation's Almshouses portfolio. All the Gresham and Rogers Almshouses are included in the survey programme and, approximately 20% of the Brixton Almshouses.

Golden Lane Estate

Members have raised concerns about the extent of damp and mould in properties across the Golden Lane Estate particularly, Crescent House. We are working with members to identify the extent of the problem and, to develop an appropriate strategy to tackle it.

New Technology

As part of the significant investment we are making in our social housing stock to ensure it meets and exceeds the Decent Homes Standard, we are installing humidity tracking mechanical extract fans in new kitchen and bathroom installations and, we are currently trialling the installation of environmental sensors that will provide real-time reports on air condition (including humidity and dampness) within our homes.

The environmental sensors have been fitted in several properties on a 'pilot' basis including, a number of the Almshouses.

Communication with Tenants

We are developing a dedicated 'newsletter' that will soon be delivered to all the Corporation's social housing tenants. The newsletter relates entirely to the issue of damp and mould and, sets out what the Corporation is doing about the problem, the extent of the problem and the potential health implications, what tenants can do to help us and themselves, encourages tenants to report any problems with damp and mould and, clearly sets out how tenants can communicate with us on this matter.

In addition to the above, we are developing a webpage on the Corporation's housing website that is entirely dedicated to the issue of damp and mould in our homes.

Private Rented Sector

We are working closely and collaboratively with colleagues in the Corporation's Environmental Team to ensure a comprehensive and co-ordinated approach to dealing with problems with damp and mould across all tenures within the Corporation's local authority area.

Whilst the Environmental Team has a responsibility for housing conditions across the private rented sector (as opposed to our responsibility for social housing), there are common themes that we can all benefit from including, training, guidance and best practice, policies, and procedures and, our responses to government.

23. Members will appreciate that the issue of damp and mould in social housing is a high priority for social housing providers (including the Corporation) and, will likely be so for some time to come. It is hoped that this report gives members some comfort and reassurance that the Corporation is taking this matter seriously and, is taking positive action to deal with the problem. It is intended that further reports

will be brought back to this Sub-Committee, setting out the progress we are making, the challenges we face and any further support we require from members.

Appendices

- Appendix 1: Letter from the Department for Levelling Up, Housing and Communities (DLUHC)
- Appendix 2: Letter from the Regulator for Social Housing (RSH)
- Appendix 3: Summary Response to the RSH

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