

DAMP, MOULD AND CONDENSATION POLICY

Meeting	Cabinet
Date	10 September 2024
Cabinet Member	Cllr Moses Crook Deputy Leader, Transport and Housing
Key Decision	Yes
Eligible for Call In	Yes
Purpose of Report	
<p>This report provides information to support the approval and adoption of the Damp, Mould, and Condensation (DMC) Policy v1.5, in response to the Regulatory Notice issued by the Regulator of Social Housing on 6 March 2024.</p>	
Recommendations	
<p>That the Damp, Mould, and Condensation (DMC) Policy v1.5(Appendix A) be approved, adopted and published on the Kirklees Council website.</p>	
Reasons for Recommendations	
<p>The Policy outlines that resident safety is a top priority and the actions the Council will be taking to manage and resolve Damp, Mould, and Condensation (DMC) in its social housing stock.</p>	
<p>By having the Policy Kirklees H&N can demonstrate to the Regulator of Social Housing how we will handle reports of DMC. This policy will meet regulatory requirements and show our commitment to maintaining high housing standards.</p>	
<p>This policy underpins the importance of the resident in their home, and has been designed to ensure engagement, transparency, accountability and to achieve positive outcomes for residents.</p>	
<p>This is part of the introduction of a new strategy for DMC. It removes the previous fragmented approach which did not effectively deal with current cases, did not identify the root causes and provided a poor service and experience for residents.</p>	
<p>This new approach and policy will provide a defined approach for the two key areas of DMC.</p>	
Reactive	
<ul style="list-style-type: none"> • Deal with new cases consistently • Prioritise and resolve existing open and older cases 	
Proactive	
<ul style="list-style-type: none"> • Identify unknown cases (find our silence) • Prevention and reduction of future cases 	

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This policy supports our broader effort of 'Finding our Silence' to systematically address and reduce DMC issues in our properties.

The new policy will help us work more efficiently by focusing on the most urgent DMC cases first. This ensures that we use our resources effectively and address the most serious issues promptly.

The policy will help residents, staff and stakeholders understand DMC better by improving how we communicate. It will clearly outline roles and responsibilities, set expectations, and increase accountability. This transparency will build trust and ensure residents know what to expect from us in managing DMC issues.

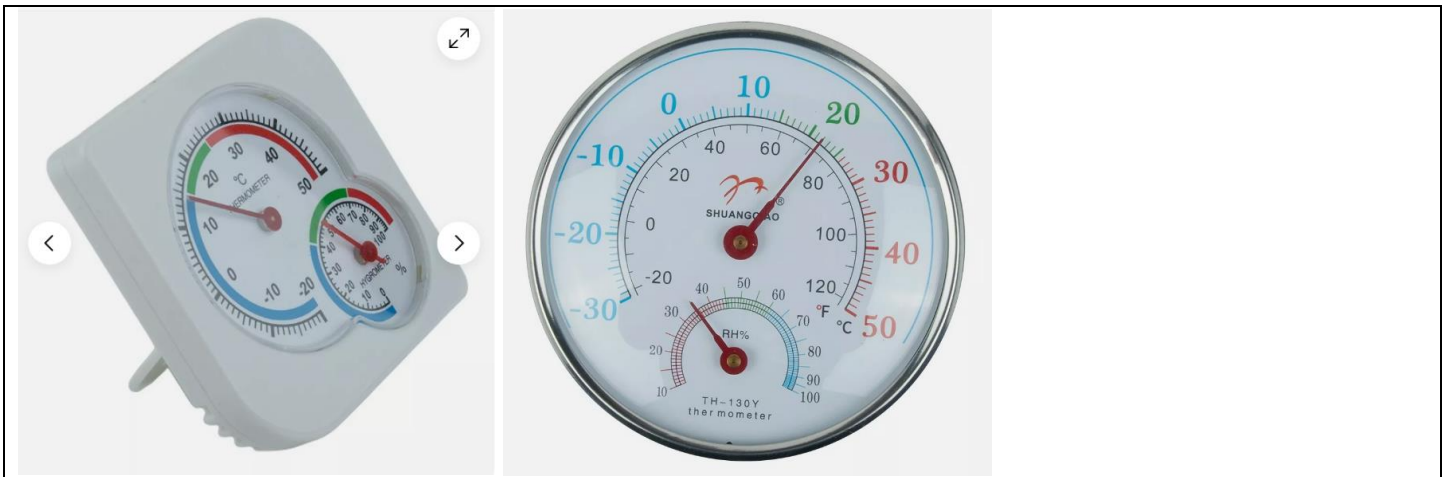
By implementing this policy, the Council will ensure compliance with the new Consumer Standards (in particular, the Building Safety and Quality standard) published by the Regulator of Social Housing (RSH), improve operational efficiency, and enhance communication with residents. This approach will prioritise resident safety and contribute to our efforts to manage Damp, Mould, and Condensation effectively.

Resource Implications

No additional employee resource has been identified at this stage, in relation to the approval of the DMC Policy document, however, once the supporting DMC procedures and processes have been created, the employee resourcing requirements will be better understood. The DMC Policy articulates a survey first approach to identify the root cause of the damp, mould and condensation reported at a property. Therefore, assets surveying teams have been 'pooled' under to prioritise damp surveys, until an accurate and consistent trend/profile can be forecasted (peaks and troughs) during the different seasonal periods of the year. Asset Surveyors will then be released to other workstreams e.g. stock condition surveys, tenant improvement requests etc. Once this forecast is known and DMC survey levels are at a sustainable level.

The DMC Policy states the requirement to provide residents a free analogue hygrometer (example below), upon the completion of a damp survey, which will help them monitor the relative humidity and temperature of a room, with visual gauges to prompt action. This will be provided along with advice by the Assets Surveyor in attendance, as well as information leaflets to help residents with damp, mould and condensation issues as well as tips on decoration following the completion of a mould treatment.

A budget of £25,000 (approx. £10 per unit) would be required to purchase an initial batch of 2,500 analogue hygrometer units. In May 2024, a request has been submitted to corporate procurement to support the purchase to try and achieve an improved cost per unit and evidence value for money (VFM) for the purchase.



Example Analogue Hygrometers

For 2024-25 a revenue budget of £2m has been allocated for Damp, Mould and Condensation and a capital budget of £1.744m has been set aside for building safety related works.

<p>Date signed off by <u>Executive Director</u> & name</p>	<p>5 June 2024 David Shepherd, Executive Director for Place</p>
<p>Is it also signed off by the Service Director for Finance?</p>	<p>21 August 2024 Kevin Mulvaney, Service Director - Finance</p>
<p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>29 August 2024 Samantha Lawton, Service Director – Legal & Commissioning</p>

Electoral wards affected: All.

Ward councillors consulted: None.

Public or private: Private.

Has GDPR been considered? Yes.

1. Executive Summary

- 1.1 This report outlines the policy has been developed to articulate the Council's approach to managing reports of DMC to ensure we comply with the regulatory agenda and the Regulatory Notice to improve that was served on the Council in March 2024 and is one of the key actions agreed with Regulator of Social Housing as part of the Improvement Plan.
- 1.2 To support the Policy, a procedure document, inclusive of no access processes and associated operational appendices will be developed to ensure staff have the appropriate guidance for implementation and embedding of the policy into business-as-usual operational activity.
- 1.3 This policy has been developed as part of a wider package of improvements to the service delivery in relation to DMC.

2. Information required to take a decision

- 2.1 The Council's approach to managing reports of DMC is not currently supported by a standalone DMC Policy. Previously all DMC requests were treated as 'responsive repairs' and hence the approach was detailed in the repairs policy. However, the Government's guidance on 'understanding and addressing the health of risks of damp and mould in the home', published on 7 September 2023, states:

"[housing providers should have]... clear processes in place to document, manage and act on reports of damp and mould and to identify common issues and trends in their housing stock"

- 2.2 The DMC Policy aligns with the guidance provided by government, and will be supported by a DMC Procedure, which provides more information regarding the internal operational processes to manage reports of damp, mould and condensation.
- 2.3 This policy has been developed as part of a package of wider improvements to service delivery in relation to DMC. The following information details some initiatives which have been, or are due to be, introduced and are not reliant on the DMC policy to be approved before implementation:

Learning and Development

- 2.4 An eLearning module regarding DMC was produced and shared with Homes and Neighbourhoods colleagues to complete. Online training has also been made available to residents.

New case management approach

- 2.5 In May 2024, a new case management & performance management system has been introduced which supports an improved approach to triaging requests and asset management. This allows each individual property to be monitored from start to completion of all works, track any tasks required, identify who is responsible and include target dates. This can be used for performance monitoring and future KPI's. Most importantly it will ensure that every DMC case will be resolved completely by addressing the root causes of the problem.

Survey first and identify root cause

- 2.6 This removes the focus of any 'blame' on residents for DMC in their homes. Instead, the focus is on a surveyor visiting a property upon receipt of a DMC issue reported to identify the root cause and identifying the necessary treatments, repairs and/or works to prevent the issue from reoccurring. New, consistent survey forms have been introduced and are populated by the surveyors during their visits. Once completed they scan their documents using Microsoft Lens on their smartphones and email the central DMC triage team with associated photos from their survey visit. The DMC triage team will then review the surveys, raise any treatments or repairs identified, and make referrals to where the resident requires additional support.

An example of the new surveyor's report form can be found in **Appendix B**.

Weekly damp survey allocation

- 2.7 There is weekly monitoring of the resource plan to confirm which surveyor will be working in each area of the Kirklees District. From this the case management tracker is reviewed for all available triaged damp orders which require surveying, and these are distributed to all available surveyors considering priority, days since reported, and locality, to ensure maximum productivity within a smaller geographical area. In addition, any live disrepairs are cross referenced and any properties with a live disrepair and outstanding DMC order are allocated to the same surveyor to ensure consistency with the resident, property, and associated circumstances.

Strengthening Capacity and Capability

- 2.8 The surveying resource in the Assets team has been 'pooled' to provide one larger multi-skilled team. This has increased the number of surveyors who are able to complete DMC surveys and allowed for improved prioritisation of workloads. There are also two agency surveyors who are supporting the DMC service, for an initial six-month period, to ensure surveys are reduced to a business-as-usual volume. In addition, a Business Support Officer (BSO) has been drafted into the team to support with the administrative tasks associated with the DMC service, and a recruitment campaign is underway for two additional BSO's to support with the current and expected levels of administration, in anticipation of the upcoming introduction of outbound letters at key DMC stages and post works resident satisfaction questionnaires. By August 2024, recruitment is expected to be finalised on the vacant Team Leader, Property Project Officer, Quality Liaison Officer, and Property Project Assistant posts, to support the DMC service.

Communication and engagement with residents

- 2.9 The new survey form includes a section for the resident to describe the issue and what they think the required solution is. This is captured by the surveyor at the DMC survey visit, and demonstrates our intention to engage, consult and listen to our residents regarding their issue. Residents are also provided verbal advice by the surveyor in attendance as well as information leaflets regarding DMC. The next steps are to introduce outbound letters to residents at key stages of the DMC process, which adhere to the proposed requirements in the consultation on Awaab's Law which has not yet been enacted. No timescales have been proposed for the legislation to become law. The draft letters have been shared with key stakeholders involved in the delivery of DMC services and will be effective from July 2024. Providing residents the analogue hygrometers mentioned above, with supporting instructions will also be introduced to support temperature and ventilation changes in a property.
- 2.10 An example of the new *resident acknowledgement letter* (following survey) can be found in **Appendix C**. This incorporates the key recommendations from the consultation for Awaabs' Law and demonstrates the importance of improved communication with residents. One important point to note is that each case will be allocated an individual officer/ surveyor as their point of contact until the case is resolved. The resident will be notified of this in writing as part of this letter. This will ensure that residents are able to be kept informed regarding the progress of their case.

Reporting Framework and improved business intelligence

- 2.11 New performance dashboards have been introduced into the DMC service, from the information captured in the DMC case management tracker, which allow management to review numerous variables across demand, output, and surveyor performance. Below are examples from the new dashboard showing the levels of information and detail available for reporting
- 2.12 Measures in the dashboard align to recommendations stated in support of the proposed provisions in Awaab's Law e.g., 14d to respond to a report of damp. Trends can be easily identified, which include estates which have high volumes of reported DMC orders, which can be used to influence future capital planned programmes. In addition, a weekly Top 10 to Target framework was introduced in May 2024, to enable the council to prioritise on the oldest 10 DMC orders and identify any scheduled, or unscheduled visits, to the property, outside the DMC service which could be used to gain access and align resources e.g., outstanding repairs, gas services, electrical tests, planned works, disrepairs, and housing visits.

- 2.13 Also, new governance arrangements have been introduced with the Damp Management Action Group (DMAG) and will provide greater insight and ownership regarding the DMC service. The next steps include 'finding your silence' (the term the Housing Ombudsman uses for 'voices seldom heard'), by referencing all known Kirklees Council properties by using the various contact points the service has with tenants e.g. gas servicing, repairs, etc. This helps the service to identify where a DMC survey is required but the resident hasn't reported it.

Post Works Inspections

- 2.14 Upon the completion of any identified treatments and repairs at a property, a surveyor will complete a post works inspection at three month and six-month intervals to ensure that the works completed have been done so to the required standard, and to ensure that the identified root cause has been rectified and no further issues relating to DMC have occurred. Visiting a property in these timescales, will also allow a surveyor to visit in a different climate/season, which is also beneficial. In any instances where DMC issues are identified at the post works inspections, the required treatments and/or repairs will be raised and inspected at three month and six-month intervals thereafter. These will be implemented from August 2024.

DMC Procedure

- 2.15 A supporting operational procedure with processes will be developed to support colleagues regarding the delivery of DMC services, and act as a reference guide for current and future employees. This will also underpin the objectives set out in the DMC Policy and will be available in September 2024.

3. Implications for the Council

Council Plan

- 3.1 Not applicable.

Financial Implications

- 3.2 The current baseline capital plan provides for £249.3m (2024-25 - £39.4m) which includes £9.9m (2024-25 - £1.7m) for specific building safety works. The damp, mould and condensation revenue budget for 2024-25 has been increased to £2m to provide for all revenue funded works.

Legal Implications

- 3.3 There are already in force a number of pieces of legislation that set out the legal obligations of all Landlords when dealing with damp, mould or condensation in homes they own and rent out. Such obligations include social housing providers. In September 2023, updated on 15th August 2024, the Government issued Guidance entitled Understanding and addressing the health risks of damp and mould in the home. This suggests that landlords should ensure they have 'clear processes in place to document, manage and act on reports of damp and mould'. The DMC Policy proposed by this report is to assist the Council in ensuring it is complying with the various statutory duties placed upon it in relation to dealing with damp, mould and condensation.

In January 2024 the Government commenced consultation on a new piece of legislation that is to be enacted by virtue of Section 42 Social Housing (Regulation) Act 2023. There is currently no indication as to when this legislation will be enacted but given the implications for the Landlords it advised that steps be taken now to ensure compliance when the law is in force.

Other (e.g. Risk, Integrated Impact Assessment or Human Resources)

- 3.4 New DMC Policy IIA (Case ID: IIA-629410010) has been published - [Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/IntegratedImpactAssessments-IntegratedImpactAssessment).

4. Consultation

4.1 Initial discussions regarding DMC have been held with the Tenant Led Panel and the feedback is incorporated in the policy and also in the development of the new procedure guides.

4.2 Internal consultation has taken place with key stakeholders. These include the staff within the service and other services involved in supporting the delivery of repairs and maintenance to DMC cases. The report has consulted with the following groups in 2024:

Homes and Neighbourhoods Senior Management Team 1st May

- Provide more information in the report for the 'reasons for recommendations.' More detail required to demonstrate the importance of why this policy is being introduced- **Status: completed**
- Financial approval provided for the funding of the Hygrometers. **Status: completed**

Growth & Regeneration Senior Leadership Team 5th June

- Include more information in the report regarding the whole package of improvements that are currently being implemented alongside the policy. **Status: completed**

Executive Leadership Team 25th June

- Request to include more focus on residents' safety in the policy. Status: Complete
- Check all legislation with Legal services: **Status: completed**

Housing Portfolio Briefing 2nd July

- To provide supporting information – procedure guide in line with new policy & examples of letter templates / survey reports. **Status: completed**

Building Safety Assurance Board 9th July

- Include more detailed information around governance- include governance structure in the report. **Status: completed**

Homes and Neighbourhoods Improvement Board 22nd July

- Question raised about the requirement for 3- & 6-month post-works checks. Requested that this be discussed at Executive Board. **Status: completed**
- Questions raised about the 'tone' of the sample letters to residents – It was agreed this would be discussed the following week at TLP. **Status: completed at TLP.**
- Board's view was that the three-year review date was too far away with the policy being new and things might change externally in respect of the Housing Ombudsman or Regulator of Social Housing with the policy being an area of focus. It was agreed the policy would be reviewed in twelve months' time, and then three yearly thereafter.
- Board endorsed the DMC Policy and recommended the report to Cabinet subject to the amendment for Cabinet to receive the reviewed policy in twelve months' time.

Executive Board 29th July

- Discussion about the 3 & 6month post work checks. It was agreed that the 3-month could be a phone call or check-in with the resident rather than a survey and this would be based on the specific circumstances of that property (scale of work/ risk/ vulnerability). **Status: completed, agreed process for 3&6 months.**

Tenant Led Panel 31st July

- Discussion with the Panel and the comms team, agreed that the tone of the letters should be more collaborative and include resident and landlord responsibilities - Chelsea from Comms team is reviewing all letters. **Status: Completed**

Place Scrutiny 12th August

5. Engagement

- 5.1 The DMC Policy will be published on the Kirklees Council website and will be part of the updated communications and information strategy.
- 5.2 Resident engagement will be arranged as part of the DMC process review. Homes and Neighbourhoods will formally engage with residents where actions arising from the Procedure and supporting processes result in changes to services.

6 Communication

- 6.1 There is an agreed communication strategy and plan for building safety and regulatory response of which DMC is an integral part. All communications will be managed as part of the wider strategy to ensure that all stakeholders are consulted, involved and informed as required.
- 6.2 There have been regular communication with residents regarding DMC and these will continue as any changes to policy or process are agreed.
- 6.3 A key objective of communication in relation to DMC is about 'finding your silence'. This policy and the associated communication are designed to ensure that all efforts are made for H&N to identify and act upon those areas.

7 Options

Options considered

- 7.1 Not applicable.

Reasons for recommended option

- 7.2 Homes and Neighbourhoods Senior Management Team reviewed the DMC Policy on Friday 24 May 2024 and recommended it be presented to Growth and Regeneration (now Place) Senior Leadership Team for approval.

8 Next steps and timelines

- 8.1 Purchase the 2,500 analogue hygrometers to support the DMC Policy.
- 8.2 Creation of a DMC Procedure, inclusive of associated appendices used within the service and supporting process maps.

9 Contact officer

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Homes and Neighbourhoods
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10 Background Papers and History of Decisions

- 10.1 Not applicable.

11 Appendices

11.1 Appendix A – Damp, Mould and Condensation (DMC) Policy v1.4, July 2024.

11.2 Appendix B – New Surveyors Report.

11.3 Appendix C – New Resident Acknowledgement Letter (following survey).

12 Service Director responsible

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