



Housing & Growth Committee

17 January 2023

Title	Damp and Mould Response
Report of	Chair of Housing & Growth Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A – Council housing damp and mould management process Appendix B – Damp and mould action plan
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Summary

This report provides an update on damp and mould issues in Barnet, including progress with addressing this in council properties managed by Barnet Homes, and activity in relation to relevant Registered Providers (RPs) and across the private sector housing stock.

Officers Recommendations

That the Committee note the report.

1. Why this report is needed

- 1.1 This report provides an update on damp and mould issues in Barnet, including progress across council properties managed by Barnet Homes, and activity in relation to relevant Registered Providers (RPs) and across the private sector housing stock.
- 1.2 Barnet's Housing Strategy is currently being refreshed, and the emerging themes presented to Housing and Growth Committee in October 2022 included a focus on "*ensuring safe, sustainable council housing*", and "*on raising quality and standards in the private rented sector*", which together will include raising awareness of, and where the council has authority to do so, tackling damp and mould issues.
- 1.3 The issue of damp and mould is one consideration in relation to a general assessment of property condition. Within council homes it is addressed in more detail through Barnet Homes' Asset Management Strategy 2022-27. Across the registered providers and within the private rented sector it is a matter that the council engages with as a point of escalation, when issues become an unresolved health and safety hazard.

Key local updates

Council Housing

- 1.4 The Barnet Homes Management Agreement requires the delivery of core services to agreed service levels. Not only are repairs and maintenance (R&M) a service that is critical to ensuring that residents are kept safe, and that housing stock is kept in decent condition; it is also well established that a social housing landlord's R&M service is the single biggest determinant of overall tenant perception of the landlord.
- 1.5 Barnet Homes has a very good understanding of the condition of the housing stock following a recent and extensive stock condition survey completed by a third-party expert. The proactive gathering of stock data has contributed to the Barnet Homes' Asset Management Strategy 2022-27 for the council's social housing stock. Of the retained council stock, 100% of external surveys and 80% of internal surveys to the properties were completed by the end of Q2 2022/23. The remaining 20% of the internal stock is due to be surveyed in Q1 2023/24, with 20% of the stock surveyed annually thereafter. A programme for completing stock condition surveys of non-secure properties on regeneration sites with a vacant possession date more than five years away, is also underway, with c.160 properties on the Grahame Park Estate due to be surveyed by the end of March 2023.
- 1.6 In line with the requirements of the Housing Act 2004, Barnet Homes uses the formal scoring system within the Housing Health and Safety Rating System (HHSRS) to calculate a risk score following inspections and demonstrate the seriousness of hazards that can cause harm in dwellings. A key element of the stock condition surveys has been an assessment of any damp or mould issues categorised as severe (category 1), moderate or slight (category 2).

- 1.7 More than 70% of the stock comprises flats and maisonettes, 22% are houses or bungalows, and the remainder are other asset types including rooms in shared accommodation, or flats used for non-residential purposes. The age of the stock is broad; from Victorian era properties to those developed in the past few decades.
- 1.8 Barnet Homes also identifies issues reactively; its in-house Repairs Team identifies damp and mould issues while delivering its responsive repairs service, and disrepair cases will often identify issues relating to damp and mould. Barnet Homes may also be alerted to damp and mould issues through feedback from residents including complaints or through enquiries from elected members.
- 1.9 Following a review of the Housing Ombudsman's thematic spotlight report on damp and mould ("It's not lifestyle") published in October 2021, a number of changes have already been implemented to the way cases of damp and mould, reported across the stock, are managed.
- 1.10 The process for responding to issues raised by residents is set out in Appendix A. Each case is handled individually, and exceptions may be made to the process based on individual circumstances. Other actions already implemented include a review to strengthen the information Barnet Homes publishes on its website for residents about damp, mould, and compensation. Barnet Homes is also carrying out a review of the details of the Awaab Ishak¹ case to understand exactly how this happened and ensure its procedures are robust enough to prevent a tragic incident like this occurring within Barnet Council stock.
- 1.11 There are often multiple factors involved in cases of damp and mould including inadequate ventilation, property condition issues, property age or construction challenges, potential overcrowding, and cluttering or hoarding. Presence of damp and mould may also be a cause or a symptom of health or social care issues. Whilst the stock condition data provides a programme of work to tackle the issue, incidences of damp and mould can occur anywhere and at anytime, so the initial focus must be on ensuring any reports of damp and mould can be dealt with robustly. To improve service provision in this area Barnet Homes is recruiting three additional members of staff to deal specifically with reports of and response to damp and mould.
- 1.12 At present in Barnet Council's retained stock there are 22 cases of 'severe' damp or mould, which is defined as representing a failure to meet the Decent Homes standard ([A decent home: definition and guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance)). Severe (category 1) hazards are dealt with immediately by Barnet Homes' Repairs Team to maintain compliance with the Decent Homes standard. Of the 22, 11 have had the works completed. Barnet Homes aim to have the rest completed by end of February,

¹ *Two-year-old Awaab Ishak died on 21 December 2020. The inquest into Awaab's death concluded that the toddler died as a result of a severe respiratory condition caused due to prolonged exposure to mould in his family's housing association flat in Rochdale. The property had inadequate ventilation and was not equipped for normal day-to-day living activities, which led to excess damp and condensation. The Inquest found that too much emphasis was placed by the Housing Association on the cause of the mould being due to the parent's lifestyle and the Housing Association failed to identify the lack of an adequate ventilation system as a factor in the presence of the mould. Due to an ongoing disrepair claim no remedial action was taken. The Inquest concluded that remedial works to treat and remove the existing mould should have been undertaken.*

subject to access being provided. In all cases Barnet Homes have actions in place to manage the mould or residents have been moved out while work is completed.

- 1.13 There are also 729 cases of 'moderate' damp or mould, and a further 827 properties in the 'slight' category. Both categories are defined as indicating a pass of the Decent Homes Standard but are noted as an issue. Barnet Homes is in the process of developing a programme of work to address the Moderate (category 2, band D) and the Slight (category 2, band E) hazards. This focus would require significant additional investment, which is estimated to be in the region of £2m. It will need to be funded by the Housing Revenue Account (HRA) and is being reviewed as part of an update to the HRA business plan.
- 1.14 Complaints regarding damp and mould are monitored, and when residents raise issues regarding this the damp and mould process is triggered. Between 1 June and 30 November 2022, 53 complaints that included an issue regarding damp, mould, or condensation were received (approximately 10% of all complaints received); an average of 9 per month in this period.
- 1.15 There are currently 142 live cases of damp/mould being actively managed through Barnet Homes' damp and mould process, inclusive of the 22 'severe' stock condition referrals outlined previously.
- 1.16 Barnet Homes' Asset Management Strategy 2022-27 includes a theme to 'Continue to maintain homes to ensure they are safe, energy efficient, and provide a healthy and fit-for-purpose living environment for our customers. As part of this, Barnet Homes commits to continuing to "develop and implement systems and protocols that deliver a proactive, efficient, and effective asset maintenance regime to ensure all the homes [rented to] customers are free from dampness and excessive condensation, [and] are capable of being kept warm and well-ventilated to mitigate against the risk of an unacceptably unhealthy living environment."

Registered Providers

- 1.17 The council has written to all private registered providers (RPs) operating in Barnet, seeking details of the number of complaints received from residents in relation to damp / mould, how their organisation is managing such issues as they arise and what action is being taken to mitigate the risks. Whilst the council has no authority over RPs on this matter, all RPs are regulated by the Regulator of Social Housing and have been required to respond to the regulator by 19 December 2022 on the issue of damp and mould, setting out their approach to assessing the extent and prevalence of damp and mould issues, details of their most recent assessment and prevalence within their homes, the actions they are taking to remedy any issues and hazards, and how they ensure issues are identified and dealt with promptly and effectively when raised by residents.
- 1.18 In November 2022, Barnet Council emailed a damp and mould questionnaire to 41 registered providers in Barnet, with a deadline to respond by 16 December 2022. As of 6th January 2023, 25 responses (61% response rate) have been received. Below shows the data collected from those responses:
 - The total number of units - 6216
 - Total number of complaints (1st April 2019 – present) - 146

- Category 1 – 4
- Category 2 – 42

1.19 The RPs with the largest amount of stock in Barnet that have responded to the questionnaire are Peabody, Metropolitan Thames Valley (MTVH), Homegroup, Network Homes and London and Quadrant (L&Q). They have reviewed their Damp and Mould policy and procedures to ensure that they are supportive and informative to residents at their first point of contact. This includes improvements across customer engagement, repair diagnosis and remediation, complaints, data and responsiveness. Please see below a summary of actions that have been taken:

- Providing specialist damp and mould training to a range of frontline staff and key contractors on damp and mould to increase the awareness. This ensures that everyone can help our residents at their first point of contact.
- Dedicated teams to provide closer case management and technical support for more complex and escalated cases, proactive work associated with damp and mould prevention and early detection.
- Damp and mould dashboard that covers live jobs and flags high risk properties, blocks and estates.
- Introduced damp and mould specific questions to regular surveys, e.g., from perception and transaction, fuel poverty and completion text surveys which are sent to customers.
- Damp and Mould communications with residents, including leaflets and websites to ensure they are informative, and resident focused. Advice on damp, mould and condensation and how to report issues.

Private Rented Sector

1.20 Raising standards in the private rented sector and ensuring homes are safe and secure is a key priority for the council. This commitment will be further strengthened through the new Housing Strategy that is currently in preparation and will include a focus on raising quality and standards in the private rented sector such as through licensing and bringing forward a private tenants' rights charter.

1.21 A combination of methods are used to ensure compliance with the Housing Act 2004 and other relevant legislation relating to ensuring minimum standards are met in the private rented sector. The Housing Health and Safety Rating System (HHSRS) is a risk-based evaluation tool that is used to help local authorities identify and protect against potential risks and hazards to health and safety due to deficiencies identified in dwellings. Damp and mould are one of twenty-nine potential risks/hazards. This system helps to classify reported issues and determine when the council must act to ensure the safety of residents in Barnet.

1.22 Service requests from members of the public, other departments, councillors etc are dealt with reactively by the Housing Enforcement Team. An initial assessment is completed based on a questionnaire and photographs when they are provided, inspections are then prioritised based upon risk and a lack of co-operation by the

landlord. All investigations of service requests and enforcement decisions are made in line with the Council's Regulatory Services Enforcement Policy.

- 1.23 Officers' caseloads are reviewed with their Team Leader on a regular basis, and 9% of closed cases are audited monthly, to ensure that the investigation has been undertaken appropriately and necessary enforcement action is taken. All notices, orders and licences issued are checked by a senior officer.
- 1.24 The Housing Enforcement Team works closely with Social Services and Barnet Homes in relation to vulnerable tenants and tenants requiring urgent rehousing due to their housing conditions. A senior officer sits on the council's multi agency panel reviewing and prioritising next steps in relation to hoarded, filthy and verminous premises. Such properties are often owner occupied and in a poor condition.
- 1.25 Housing association service requests are considered where in-house complaints processes have already been used, unless the complaint is urgent, or the occupiers are vulnerable.
- 1.26 The council also utilises proactive licensing processes to ensure oversight of housing conditions. In addition to mandatory HMO licensing, a full borough additional licensing scheme for HMOs that are occupied by three or more persons, or 2 or more households, is now in operation.
- 1.27 The Additional HMO Licensing scheme also includes any buildings converted into self-contained flats that don't meet the Building Regulations 1991(or later) and:
 - the building is 3 or more storeys in height
 - there are at least 3 flats
 - all the flats are privately rented
 - both the building and self-contained flats are under the same ownership/control
- 1.28 The first such scheme commenced in July 2016 and a new scheme commenced in October 2022. All licensed premises have an HHSRS inspection completed by the Private Sector Housing Team as part of the HMO Licensing process. Inspections are completed proactively to ensure that major conditions are complied with, and category 1 hazards are reduced. All service requests from occupiers/neighbours are followed up reactively by the Housing Enforcement Team, as previously noted.
- 1.29 As agreed by Housing and Growth Committee in 17th February 2022, the Selective Licensing scheme is due to be introduced in Spring 2023 across Burnt Oak, Colindale North and Colindale South wards. This will cover the entire rented sector in these areas. A further consultation is due to be commenced regarding further wards that are being considered for Selective Licensing. If these are found to be suitable, then such a scheme will require approval by the secretary of state.
- 1.30 The council's Environmental Health (EH) Service uses the Idox Uniform data management system to record and monitor all licensing and housing conditions related service requests, and associated enforcement activities. This same system is used to calculate and record HHSRS assessments. At present there are 118 service requests under investigation where damp (including leaks) and mould are reported as one of the key problems. This is more than 50% of the service requests

being investigated reported to EH as “disrepair” or “urgent disrepair” case. This may be slightly misleading as it is based on the initial request for service. There may be other cases identified on inspection.

- 1.31 Under the Housing Health & Safety Rating System (England) Regulations 2005, which are regulations made under the Housing Act 2004, 29 hazards are identified of which Damp and Mould is one. The highest risk hazards assessed are categorised as category 1 (A-C), the lower risk Category 2. Since April 2019, 752 dwellings have had category 1 hazards reduced following the involvement of the Private Sector Housing Team. Of these 9.4% related to Damp and Mould. A much higher number relate to the hazard of “Excess Cold” which has a significant overlap with the Damp and Mould hazard.

Temporary accommodation

- 1.32 The Housing Options service within Barnet Homes has a compliance programme through which all properties in use for temporary accommodation (TA) are inspected on a rolling annual basis by Barnet Homes’ surveyors. Inspection forms are reviewed by Barnet Homes’ Health, Safety, and Compliance Team, and issues are graded in priority order with the most urgent requiring attention within 24 hours and the less urgent in 7-15 days. This includes incidences of damp and mould.
- 1.33 Where damp and mould, or any other repair issue, is identified, the TA provider is required to address it. The Contracts and Compliance Team administers the compliance programme and monitors the progress and completion of repairs or remedial works by the TA providers.
- 1.34 Barnet Homes is also part of a Pan London TA inspection service called Setting the Standard; 31 London boroughs participate in this programme. This temporary accommodation inspections service was set up by the London Housing Directors’ Group with the support of London Councils and was launched in September 2020. It aims to ensure all nightly paid bed and breakfast and studio flats used by local authorities as TA meet the minimum quality standard. Properties are inspected on an annual rolling programme to ensure quality is maintained. Any identified serious issues (Category 1 hazards) are referred to the Environmental Health department of the borough concerned for action or enforcement.
- 1.35 If a tenant living in TA complains of damp and mould, the Housing Options service will send a surveyor to inspect in the first instance and will then issue the outcome to the TA provider who has responsibility for the repairs. These are monitored by the Contracts and Compliance Team as above.
- 1.36 Since the tragic case of Awaab Ishak, Housing Options staff are reporting an increase in the number of clients contacting us, primarily from the private rented sector, to report damp and mould in their properties.
- 1.37 To ensure a comprehensive approach to conditions in the private rented sector, and try and reduce the number of homelessness applications to the council due to poor housing conditions (including Damp and Mould), an additional Housing Enforcement Officer is to be recruited to the Private Sector Housing Team.

1.38 This new role should enable the tenants applying for rehousing to be prioritised for an inspection, and more rapid engagement with landlords around improvement, so that the tenancy can be maintained where possible. This resource will also help put a system in place to audit Temporary Accommodation to try to ensure appropriate minimum standards are being met. This new capacity will be a pilot, and as such the working process/requirements may be flexed, as necessary, over time. The position will be funded from the Housing General Fund.

Action Plan

1.39 An action plan has been developed to focus the council's response to damp and mould. This is set out in Appendix B.

2. Reasons for recommendations

2.1 In November 2022, the committee asked for a report about the handling of complaints and issues by Barnet Homes and Social Housing Providers.

2.2 Further to the tragic death of Awaab Ishak, and the publication of the coroner's report on 15th November 2022, there have been several communications from government, regulators and the ombudsman with directions and advice for landlords and local authorities. These are captured below for reference.

2.3 On 19th November 2022, the Secretary of State (SoS) wrote to local housing authorities to remind of the duty under the Housing Act 2004 ("the Act") to keep housing conditions in their area under review, with a view to identifying any action that may need to be taken by them under the Act (section 3(1)).

2.4 The Secretary of State has directed, under section 3(3) of the Act, that all local housing authorities in carrying out their duty to review housing conditions in their area must:

- have particular regard to high scoring (bands D and E) category 2 damp and mould hazards, as outlined in the guidance 'Housing health and safety rating system (HHSRS) enforcement guidance: housing conditions.'
- supply the department with an assessment of damp and mould issues affecting privately rented properties in the authority's area, including the prevalence of categories 1 and 2 damp and mould hazards; and
- supply the department with an assessment of action the authority has identified that may need to be taken in relation to damp and mould issues affecting privately rented properties in the authority's area.

In addition, pursuant to the duties under section 3(3) of the Act, the SoS asked for the following data covering the last three 12-monthly reporting periods for privately rented properties in the authority's area:

- How many damp and mould hazards the authority has remediated, compared to your assessment of the prevalence of these hazards.

- How many times the authority has taken enforcement action to remedy damp and mould hazards and the form this has taken.
- How many civil penalty notices have been issued in relation to non-compliance with enforcement action over damp and mould hazards.
- How many prosecutions have been successfully pursued in relation to damp and mould hazards.

Furthermore, the SoS asked local housing authorities to set out how they are prioritising enforcement of housing standards generally, across all tenures, including the plans in place to ensure adequate enforcement capacity to drive up standards in the private rented sector.

- 2.5 On 19th November 2022, the Secretary of State also wrote to Social Housing Providers to ask them to make an assessment of the prevalence of category 1 and 2 damp and mould issues in their properties, and to identify required actions; and to request they self-refer to the housing regulator if they are in breach of standards. The council has issued a survey to social landlords to gather such data from across the sector, in order to understand the scale of damp and mould issues locally.
- 2.6 On 29th November 2022, the Housing Ombudsman wrote to landlords to remind them about the Spotlight report from 2021 and its 26 recommendations. Two key elements were highlighted in this letter: (1) a recommendation for landlords to take a zero-tolerance approach to damp and mould, with dedicated policy for decisions and an urgent, proactive, approach; and (2) to remind landlords that inferring blame for damp and mould on tenants 'lifestyle choices' and 'behaviours' is deemed heavy-handed and may lay the landlord open to a potential finding of maladministration. The ombudsman also reminded landlords of the importance of having an accessible complaints procedure in place.
- 2.7 This report captures the current status of services and casework relating to Damp and Mould, setting out known data, and identifying where this is still being gathered in preparation for the required responses to the SoS. Where appropriate, recommendations for improvements have been captured and considered, and the action plan at Appendix B sets out further steps that have been identified.

3. Alternative options considered and not recommended

- 3.1 The instructions from the SoS are directives under the Housing Act, and therefore it is a requirement for the council to respond appropriately.
- 3.2 The action plan includes some steps that have been taken and completed, some that are in progress, and some future recommendations that are not implemented yet.

4. Post decision implementation

- 4.1 The council will respond to the Secretary of State with the requested data and action plan.

- 4.2 The council will coordinate delivery of the agreed action plan set out in Appendix B.
- 4.3 Barnet Homes will continue to progress the programme of works set out in in this report.
- 4.4 The council's private sector housing team will continue to identify and classify damp and mould hazards in rented properties and arrange enforcement action where this is required to ensure compliance and remediation by landlords.

5. Implications of decision

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet's Housing Strategy is currently being refreshed, and the emerging themes presented to the Housing and Growth Committee in October 2022 included a focus on ensuring safe, sustainable council housing, and on raising quality and standards in the private rented sector, which will include raising awareness of and, where the council has the authority to do so, tackling damp and mould issues.
- 5.1.2 The Barnet Homes Annual Delivery Plan 2022/23 sets out the framework for the delivery of Housing Management, Homelessness and Development services to be provided by Barnet Homes. It relates to the seventh year of the ten-year Management Agreement with Barnet Homes and commenced on the 1 April 2022.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Barnet Homes are recruiting additional and immediate resources to manage the current caseload of damp and mould. This will consist of 2 technical staff, 1 resident liaison officer and administrative resource, who will make up a 'Healthy Homes Team'. This is at a cost of £200,000 per annum. The cost for 22/23 is approximately £35,000 and will be funded by the Housing Revenue Account revenue repairs budget. The ongoing cost will be considered as part of the HRA business plan review in Quarter 4 and reported to Housing and Growth Committee in March.
- 5.2.2 Around £2m is required to address the known issues of HHSRS category 2 damp and mould across the stock. This will be reviewed as part of the HRA business plan review in Quarter 4 and reported to Housing and Growth Committee in March.
- 5.2.3 As set out in paragraphs 1.37 and 1.38, a Housing Enforcement Officer is to be recruited to the Private Sector Housing Team. This should enable tenants applying for rehousing to be prioritised for an inspection and the tenancy maintained where possible. A system will also be put in place to audit Temporary Accommodation to try and ensure that appropriate minimum standards are provided. This will be a pilot post and as such working process/requirements will be flexed as necessary. The position will be funded from the Housing General Fund.

5.3 Legal and Constitutional References

5.3.1 The council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Housing & Growth Committee:

(1) Responsibility for:

- Housing (including housing strategy; homelessness; social housing and housing grants; private sector housing and leasing; housing licensing and enforcement; HRA Revenue Account and Capital Programme)
- Regeneration Strategy and Overseeing Major Regeneration Schemes
- Asset Management
- Development of Council Land
- Fire Safety
- Economic Development including Employment Strategy; Business Support and Engagement; and Town Centres

(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.

(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.

(4) To receive reports on relevant revenue and capital expenditure, contracts, performance information and risk on the services under the remit of the Committee.

5.3.2 The Housing Act 2004 (sections 3 and 4) require local authorities to keep the housing conditions in their area under review and to inspect the same with a view to identifying any action that may need to be taken under the Housing Act 2004 and other legislation, and if it considers a Category 1 or 2 hazard (as defined by the Act) exists. The Act gives (a) powers to intervene where they consider housing conditions to be in breach of the same and (b) under section 5, imposes a duty to take action where the authority considers that a Category 1 hazard exists on premises.

6. Insight

6.1 The data relating to the past three 12-month periods, as requested by the SoS, has been identified as follows:

	Data / Information requested	Data Identified
BH	The approach to assessing the extent of damp and mould issues, including how the prevalence of category 1 and 2 damp and mould hazards is assessed.	<i>See section 1</i>
	The most recent assessment of the extent of damp and mould hazards in your homes, including the prevalence of category 1 and 2 damp and mould hazards	<i>22 severe 729 moderate 827 slight</i>

	The action being taken to remedy issues and hazards, and ensure homes meet the Decent Homes Standard.	See section 1
	How we ensure that individual damp and mould cases are identified and dealt with promptly and effectively when raised by tenants and residents	See Appendix A
PRS	How many damp and mould hazards have you remediated, compared to your assessment of their prevalence?	<i>Preliminary data is set out in paragraph 1.30 and 1.31.</i> <i>~118 current service requests relating to damp (inc. leaks) and mould.</i> <i>Since April 2019, ~71 dwellings with cat. 1 hazards related to Damp and Mould.</i>
	How many times you have taken enforcement action to remedy damp and mould hazards and the form this has taken?	
	How many civil penalty notices have been issued in relation to non-compliance with enforcement action over damp and mould	
	How many prosecutions have been successfully pursued in relation to damp and mould hazards?	

7. Social Value

- 7.1 Closer monitoring of damp and mould complaints should lead to a reduction in the incidence of properties that constitute a hazard to health, and improve the social and wellbeing outcomes for residents that are currently living in unsafe properties.

8. Risk Management

- 8.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. There is a risk that limited engagement with the housing sector could lead to their lack of compliance with government legislation/regulations resulting in potentially unsafe housing and harm to residents. There are controls/mitigations in place to manage the risk.

9. Equalities and Diversity

- 9.1 The Equality Act, 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
 - Advance equality of opportunity between people of different groups.
 - Foster good relations between people from different groups.

- 9.2 Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- 9.3 There is high representation of some protected characteristics within the profile of Barnet Council tenants, and this is reasonably expected to be repeated within the demographic profiles of tenants living within social housing across the borough. Within homes rented from the council, those most likely to be disproportionately affected by damp and mould due to their high prevalence within the population compared to that of the borough (2021 Census results) include women, people from an ethnic minority background (particularly those from a Black or Black British background), and individuals aged over 45. It might reasonably be expected that those with a disability and those affected by socio-economic factors may also be disproportionately impacted, as these groups are more likely to be in need of social housing. In delivering the activities outlined within this paper to reduce the impact of and manage damp and mould within its properties, the council is observing its Public Sector Equality Duty.

10. Corporate Parenting

- 10.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no adverse implications for Corporate Parenting in relation to this report.

11. Consultation and Engagement

- 11.1 As noted in paragraph 1.18, a survey of registered social landlords operating in the borough was undertaken and this has secured a 56% response rate as of 6th January.
- 11.2 There is ongoing engagement with the wider housing sector and landlords to monitor issues of damp and mould.

12. Environmental Impact

- 12.1 There are no direct environmental implications in relation to this report, however some of the works to properties may also support the journey to Net Zero.

13. Background papers

- 13.1 None.

APPENDIX A:

Council housing damp and mould management process

1. In instances where a tenant makes Barnet Homes aware of damp and mould within a property, then Barnet Homes' procedure, as amended following the Housing Ombudsman's recommendations from the 2021 spotlight review, are as follows:
 - A. On receipt of a report from a resident regarding damp or mould in a property, Barnet Homes books an appointment with a Repairs Surveyor.
 - B. At the initial visit Barnet Homes looks to understand whether this is penetrating damp, rising damp, or damp caused by excess moisture and/or cold bridging.
 - C. If the dampness relates to penetrative damp, orders are raised for plumbers or roofers to attend to rectify the cause of the leak.
 - D. If the issue is identified as rising damp, Barnet Homes instructs a specialist contractor to attend and complete a damp survey with associated recommendations and a specification to rectify.
 - E. If the diagnosis is of damp being caused by excess moisture and/or cold bridging, Barnet Homes firstly talks to residents to ensure they understand how living in a property can cause excessive moisture to be created and gives them advice about steps they may be able to take to reduce excessive moisture. It also discusses ventilation and heating of the properties.
 - F. If, on inspection, mould growth is present, Barnet Homes raises orders to in-house decorators to attend and carry out antifungal mould washes to the affected areas. At the point of inspection, Barnet Homes takes moisture readings from the walls to record in its repairs management system and books a follow-up appointment for 3 months' time to ensure action taken is tracked, and to monitor the success of the advice provided and treatments undertaken.
 - G. At the 3-month visit, further readings are taken to compare against the previous readings to ensure the property condition is improving. If there is no further improvement, Barnet Homes then considers further intrusive solutions which range from the installation of positive airflow ventilations systems and the internal insulation of affected walls known as thermo-boarding.
 - H. If the mould growth is severe, Barnet Homes would look to decant the residents either by moving them into temporary accommodation or a hotel for a short duration whilst works are undertaken. Residents' medical conditions are taken into consideration when assessments are undertaken for decants.

Appendix B: Mould and Damp Action Plan (November 2022)

1.1 The table below captures only actions in relation to damp and mould

Action	Status	Notes
Council housing stock		
Barnet Homes to deliver training on damp and mould to all operational frontline teams that visit residents in properties, including all repairs operatives, gas engineers, housing officers, and resident liaison staff. This will be done to ensure they understand the impact damp and mould can have on residents' health and ensure we are providing compassionate advice as well as promptly and routinely reporting cases to the relevant teams where there is a need to do so.	In progress	
Barnet Homes to incorporate an assessment of any current respiratory illness present in any household member that may be taken into consideration when assessments are undertaken for decants.	In progress	
Barnet Homes to re-survey and put together a schedule of works for all properties that displayed 'moderate' damp and mould (assuming money can be allocated from the HRA to do this work)	In progress	
Barnet Homes to work with LBB provide additional advice to residents about how to avoid damp and mould and how to deal with 'slight' cases of damp and mould	In progress	
Barnet Homes to devise a set of measures to record cases of damp and mould and KPI's to demonstrate performance with dealing with those cases	Quarter 4 2022/23	
Registered Providers		
As part of the Annual Review of Registered Providers, the council will review and assess Registered Providers to ensure that they are appropriately capturing the rectification of issues relating to housing conditions.	Q2 2023/24	
Private Sector Residential		

Action	Status	Notes
Review data recording on data management system to specifically flag service requests linked to Damp and Mould.	In progress	
Liaise with the Barnet Group to investigate opportunities for closer working in relation to housing disrepair, including Damp and Mould cases.	New	
Review documents, web pages and advice relating to condensation to ensure that it is appropriately worded	In progress	
To ensure a comprehensive approach to conditions in the private rented sector and try and reduce the number of homelessness applications due to poor housing conditions including those relating to Damp and Mould, a Housing Enforcement Officer is to be recruited to the Private Sector Housing Team. This should enable tenants applying for rehousing to be prioritised for an inspection and the tenancy maintained where possible. A system will also be put in place to audit Temporary Accommodation to try and ensure that appropriate minimum standards are provided. This will be a pilot post.	New	