



Report to Policy Committee

Author/Lead Officer of Report: Dean Butterworth: Head of Housing Investment and Maintenance

Tel: 07947701796

Report of: *Ajman Ali*

Report to: *Housing Policy Committee*

Date of Decision: *14 September 2023*

Subject: *Damp and Mould Update*

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? 2318				
Has appropriate consultation taken place?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<p><i>“The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).”</i></p>				

Purpose of Report:

Following the tragic death of Awaab Ishak who died nearly three years ago from a respiratory condition caused by damp and mould in his home, the Director of Housing and Neighbourhoods submitted a report to the 15 December 2022 Housing Policy Committee outlining the establishment of a Damp and Mould Task Group and the work required to meet the recommendations within the Ombudsman’s 26-point Spotlight Report on Damp and Mould.

This report will highlight progress in meeting the requirements of the Ombudsman’s report and will also seek approval of the Damp, Mould and Condensation Policy.

Recommendations:

The Members of the Housing Policy Committee are recommended to:

- Note the contents of this report.
- Note the progress made in complying with the Housing Ombudsman's Spotlight Report on Damp and Mould
- Approve the Sheffield City Council Damp, Mould, and Condensation Policy

Background Papers:

Appendix 1 - Self-assessment against the 26 recommendations within the Housing Ombudsman's October 2021 Spotlight Report on Damp and Mould.

Appendix 2 - Sheffield City Council Damp and Mould Policy.

Lead Officer to complete:-							
1	<table border="1"> <tr> <td rowspan="4">I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.</td> <td>Finance: <i>Helen Damon</i></td> </tr> <tr> <td>Legal: <i>Rebecca Lambert</i></td> </tr> <tr> <td>Equalities & Consultation: <i>Louise Nunn</i></td> </tr> <tr> <td>Climate: <i>Nathan Robinson</i></td> </tr> </table>	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Helen Damon</i>	Legal: <i>Rebecca Lambert</i>	Equalities & Consultation: <i>Louise Nunn</i>	Climate: <i>Nathan Robinson</i>	
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	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>						
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Lead Officer Name: <i>Dean Butterworth</i>	Job Title: <i>Head of Housing Investment and Maintenance</i>						
Date: <i>14 September 2023</i>							

1. PROPOSAL

- 1.1 Following the tragic death of Awaab Ishak who died nearly three years ago from a respiratory condition caused by damp and mould in his home, the Director of Housing and Neighbourhoods submitted a report to the 15 December 2022 Housing Policy Committee outlining the establishment of a Damp and Mould Task Group and the work required to meet the recommendations within the Ombudsman's 26-point Spotlight Report on Damp and Mould.
- 1.2 The key elements of the report were to set out Sheffield City Council's ('the Council's') approach to embedding a zero-tolerance approach to damp, mould and condensation in both the council housing and private rented sectors and would establish a Damp and Mould Task Group to review all aspects of damp, mould and condensation in order to reduce the impact on the health and wellbeing of residents living in affected properties.
- 1.3 This report will highlight the progress that the Damp and Mould Task Group have made in responding to the key elements within the Ombudsman's 26-point Spotlight Report on Damp and Mould and will seek approval for a Damp, Mould and Condensation Policy which will set out the Council's approach to dealing with this challenging and complex service.

2. LEGAL AND REGULATORY REQUIREMENTS

- 2.1 In relation to the issue of the existence and management of damp and mould in the City's rented accommodation, Sheffield City Council ('the Council') has separate responsibilities.

1. As regulator of housing standards for private sector rented properties in the city:

In its capacity as regulator of housing standards the Council has statutory powers and duties of investigation and enforcement under the Housing Act 2004.

2. In its role as a social landlord providing rented homes to Council tenants:

In its capacity as a social landlord the Council is subject to the same legal requirements as private landlords (although it cannot regulate itself) and its obligations to its tenants in relation to damp and mould are set out in the tenancy agreement, Landlord and Tenant Act 1985 and the Homes (Fitness for Human Habitation) Act 2018 (the latter of which essentially incorporates the same housing standards required under the Housing Act 2004 into the provisions of Landlord and Tenant Act 1985) and the Defective Property Act 1972

- 2.2 In its capacity both as a Social Landlord and as a regulator the Council is required to comply with the requirements of the Housing Health and Safety Rating System ('HHSRS'), it is also necessary for the Council to satisfy the Regulator of Social Housing's ('RSH') 'Home Standard' and the Decent Home Standard.
- 2.3 To meet these statutory and regulatory requirements all local authorities and registered providers are required to have systems in place to ensure that both private rented and social housing homes are free from hazardous levels of damp and mould, and to identify and deal with cases promptly and efficiently.

3. THE DAMP AND MOULD TASK FORCE

- 3.1 The Damp and Mould Task Force is now established, and the group is chaired by the Director of Housing and Neighbourhoods. The group is a cross functional team looking at both private rented homes and council housing. The Group reports into the Housing Improvement Board chaired by the Executive Director of Neighbourhood Services and to the Housing Policy Committee.
- 3.2 The Damp and Mould Task Force established sub-groups consisting of council wide officers from Adult and Childrens Social Care, Public Health, Housing, Repairs and Maintenance, Customer and Digital Services and Organisational Strategy, Performance & Delivery. In addition to multi-agency partners in the National Health Service and Local Primary Care Networks. The sub-groups are:
- Operational Group
 - Performance and Data Group
 - Communications and Engagement Group

The purpose of each sub-group is to drive forward key workstreams, taking a lead role on discharging the actions identified through our self-assessment against the 26 recommendations within the Housing Ombudsman's October 2021 Spotlight Report on Damp and Mould and to ultimately improve our maturity and approach to tackling the prevalence of damp and mould in the homes we provide.

Each sub-group has a detailed operational action plan which have a clear focus on complying with all Housing Ombudsman recommendations in dealing with damp, mould and condensation, developing a zero-tolerance approach in relation to damp, mould and condensation and to learn from best practice across the wider housing sector.

4. HOUSING OMBUDSMAN SELF-ASSESSMENT

- 4.1 We have undertaken a self-assessment against the 26 recommendations within the Housing Ombudsman's October 2021 Spotlight Report on Damp and Mould.

Of the 26 recommendations we assessed that we are fully compliant against 11 of the 26 and are partially compliant against the remaining 15. Where we do not feel we are fully compliant, we have developed a series of actions to further improve our approach to damp and mould. These actions have been allocated to the Damp and Mould Task Force sub-groups as appropriate to take the lead on moving actions forward in agreed timescales. In addition to the Housing Ombudsman self-assessment, we have also undertaken a full review of the lessons learned from the Awaab Ishak case at Rochdale Boroughwide Homes and incorporated learning into our improvement plans.

- 4.2 It is anticipated that the Council will be fully compliant with the Housing Ombudsman's Spotlight Report on Damp and Mould by the end of the current 2023/24 financial year.

Details of our self-assessment can be found at **Appendix 1**.

5. DAMP AND MOULD POLICY

- 5.1 It is critically important that we are clear with our tenants, residents and stakeholders what our approach is to managing damp and mould in our homes. To ensure that this message is clear and consistently communicated we have developed a policy that explains how the Council will manage reports of damp and mould in council homes. Our approach includes a risk assessment of the report, creation of plan to remedy the issue and support tenants to live well in decent quality homes through the provision of advice on mould and condensation. This policy has been developed in partnership with key internal and external stakeholder.

The aim of the policy is to reduce the likelihood of damp, mould and condensation occurring in council homes in the first instance through effective use of stock condition data and to prioritise future investment decisions based on priority need. This will form a key strand of future capital investment programmes.

The policy also provides clarity about what steps we will take to resolve issues and how we will listen to tenants and their concerns. We will ensure that we offer non-judgemental guidance, advice, and assistance throughout this process to all customers living in council properties to avoid the inference of blame and to be upfront and clear about our responsibility.

Our aim is that no council tenant in Sheffield will suffer from any damp, mould or condensation that affects their overall health and well-being. A copy of the Sheffield City Council Damp, Mould and Condensation Policy is attached at **Appendix 2**.

6. PERFORMANCE DATA

- 6.1 A key function of the Damp and Mould Task Group is to develop a robust performance framework to identify the number of damp mould and condensation cases being reported, how many of these cases are being resolved at the first report and how many require further intervention. This performance report will also help identify areas of the city where under reporting of damp, mould and condensation is occurring to enable officers to target the appropriate interventions in these areas.
- 6.2 The key function of the performance report is to allow for a detailed analysis of trends across the city, to identify challenging property archetypes and to promote our zero approach to dealing with damp, mould, and condensation through timely and effective interventions. This performance report is currently being finalised and will be shared with Housing Policy Committee Members as part of routine housing performance reporting.

7. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

7.1 Equality Implications

- 7.1.1 A full equalities impact assessment of how the Council deals with damp and mould cases is currently being undertaken in respect of the development of the Damp, Mould and Condensation Policy and will focus specifically on the issues highlighted in the Awaab Ishak case in Rochdale where racism was identified as a primary concern.

7.2 Financial and Commercial Implications

- 7.2.1 A review of the five-year Capital Programme will to be undertaken to ensure the required resources are available to meet the Council's zero tolerance approach to this service area. Future spending requirements will be included within the HRA Business Plan and shared with the Housing Policy Committee.

7.3 Legal Implications

- 7.3.1 On the 16th November 2022, following the conclusion of the inquest into the death of Awaab Ishak in Rochdale, the Senior Coroner of the Coroner Area of Manchester North issued a Regulation 28 Report to Prevent Future Deaths under paragraph 7, Schedule 5, of the Coroner's and Justice Act 2009 and Regulation 28 and 29 of the

Coroner's (Investigations) Regulations 2013. This Regulation 28 Report was sent to the Secretary of State for the Department for Levelling Up, Housing and Communities (DLUHC) and the Secretary of State for Health stating that they each have the power to prevent future deaths and asking for their response and a plan of action. In response to this DLUHC and the Regulator of Social Housing wrote to each Local Authority and Registered Social Landlord to get reassurances that each landlord and Council is meeting its legal and regulatory requirements in relation to damp and mould, and if not, to outline how it intends to become fully compliant (as previously detailed in Appendix A and B to the Housing Policy Committee Report in December 2022). The Regulation 28 Report and abovementioned letters have prompted and shaped the Council's continuing work in seeking to address Damp and Mould as detailed in this report.

- 7.3.2 Part 1 of the Housing Act 2004 places duties and powers on the Council as a regulator to review the conditions of the housing in their district (under section 3) and to inspect residential premises within its area to identify whether Damp and Mould or any other Category 1 or 2 Hazard exists at the premises (under section 4). Where a Category 1 or 2 Hazard such as Damp and Mould has been identified the Council also has duties and powers to take enforcement action (under sections 5 – 9).
- 7.3.3 Under section 9A of the Landlord and Tenant Act 1985 as amended by the Homes (Fitness for Human Habitation) Act 2018 all social and private landlords must ensure that their property, including any common parts of the building, is fit for human habitation at the beginning of the tenancy and throughout its duration. In order to achieve this the Council in its capacity as a social landlord will need to make sure that each Council Property is free of hazards which are so serious that the dwelling is not reasonably suitable for occupation in that condition. The criteria for determining whether a property is unfit for human habitation is set out in section 10 of the Landlord and Tenant Act 1985, '*freedom from damp*' is one of the items which will be considered when establishing if a property is not reasonably suitable for occupation in that condition. Section 11 of the Landlord and Tenant Act 1985 sets out the Landlords repairing covenants which are to (a) *to keep in repair the structure and exterior of the dwelling-house*, (b) *to keep in repair and proper working order the installations in the dwelling-house for the supply of water, gas and electricity and for sanitation*, and (c) *to keep in repair and proper working order the installations in the dwelling-house for space heating and heating water*.
- 7.3.4 The Housing Health and Safety Rating System (England) Regulations 2005 (SI 2005/3208) which establishes the HHSRS came into force in exercise of the powers conferred by sections 2, 4 and 250(2)(a) of the Housing Act 2004 on 6th April 2006. The HHSRS prescribes the

categories of hazard and the approach to be adopted by Local Authorities in assessing the seriousness of each hazard. It replaces the fitness standard as the statutory element of the Decent Home Standard. By focusing on potential hazards, it places emphasis directly on the risk to health and safety. The HHSRS uses a formula to generate a numerical score which allows comparison of the full range of hazards. This, together with the simple but logical approach of assessing both the likelihood and harm outcome allows the comparison of highly likely minor hazards and very unlikely major ones. The Council has a duty to comply with the requirements of the HHSRS both in its capacity as a regulator and as social landlord.

7.3.5 All Local Authorities and Social Landlords must ensure the Housing they provide meets the minimum requirements of the Decent Home Standard as defined by Government's June 2006 guidance entitled 'A Decent Home: Definition and Guidance for implementation'. A Decent Home must meet the following 4 criteria:

- (a) It meets the current statutory minimum standard for housing - *(To be decent home a dwelling should be free of category 1 hazards under the HHSRS, and the existence of such hazards should be a trigger for remedial action unless practical steps cannot be taken without disproportionate expense or disruption)*
- (b) It is in a reasonable state of repair
- (c) It has reasonably modern facilities and services
- (d) It provides a reasonable degree of thermal comfort

7.3.6 The general power of management of its housing is vested in the Council by virtue of section 21 of the Housing Act 1985. The Council can use the powers under this section, in conjunction with the other statutory and regulatory provisions detailed above, to undertake the proposals set out in this report.

7.4 Climate Implications

7.4.1 Improving the thermal efficiency of homes is one of the main remedies in dealing with damp and mould. SCC will include any recommendations from the Damp and Mould Task Group in the work being undertaken to become Net Zero and the roadmap to decarbonisation.

7.5 Other Implications

7.5.1 None

8. **ALTERNATIVE OPTIONS CONSIDERED**

8.1 None

9. REASONS FOR RECOMMENDATIONS

9.1 To update the Housing Policy Committee on the work being undertaken by Officers and the Damp and Mould Task Force in response to the challenges of damp and mould in both private sector rented and Council Housing in Sheffield.

9.2 To update the Housing Policy Committee on the progress being made in complying with the Housing Ombudsman's Spotlight Report on Damp and Mould.

9.3 To formalise Sheffield City Council's approach for dealing with Damp and Mould issues in Council Properties by adopting a Damp, Mould and Condensation Policy.

Appendix 1 – Damp, Mould, and Condensation Self-Assessment

Ref No	Housing Ombudsman recommendation	Evidence / explanation	Are we compliant? (yes/no /partially)	Owner	Next Steps
Page 54 1	Landlords should adopt a zero-tolerance approach to damp and mould interventions. Landlords should review their current strategy and consider whether their approach will achieve this.	<p>We have reviewed and changed our approach to condensation, damp and mould (CDM) and further changes are being explored as part of our ongoing engagement with customers. SCC has established a Damp and Mould Task Group to oversee both its operational and strategic approach to CDM with overall oversight and scrutiny being provided by SCC's Housing Policy Committee. SCC has responded quickly to the recent focus placed on damp and mould. Immediate activity has included alterations to the process for receiving and handling customer enquiries about damp and mould most significantly:</p> <ul style="list-style-type: none"> • All reports of damp/mould are triaged by asking questions (via the contact centre) • SCC is also looking to expand its stock condition survey process to maximise opportunities to have data driven strategies in place to identify the root causes of CDM and target future investment decisions. • Offer advice on how to reduce levels of condensation. • Carry out inspections to identify the cause of damp and mould and appoint our specialist damp contractor to carry out specialist surveys. • Prioritise cases with children and households with known respiratory conditions. <p>The work of the Damp and Mould Task Group will drive a continuous improvement approach to how SCC deals with CDM.</p>	Yes	Damp and Mould Task Group	Take a full report to the Housing Policy Committee in September 2023 outlining the progress in responding to the challenges of CDM in SCC stock and the Private Rented Sector.

2	Landlords should consider whether they require an overall framework, or policy, to address damp and mould which would cover each area where the landlord may be required to act. This would include any proactive interventions, its approach to diagnosis, actions it considers appropriate in different circumstances, effective communication, and aftercare.	SCC is developing a policy and framework to sit alongside our new approach this will be developed in partnership with council tenants and private rented tenants and in collaboration with a wide network of key internal and external stakeholders. There will also supporting be a suite of supporting policies and procedures that we will review namely, No-access policy, decant policy, disrepair policy and allocations policy.	Partially	Damp and Mould Operational Subgroup	Condensation, Damp and Mould Policy to be tabled at the Sept 2023 HPC for approval.
3	Landlords should review the accessibility and use of their systems for reporting repairs and making complaints to 'find their silence'.	SCC has opened a dedicated phone line for both private rented tenants and council tenants, email address and digital channels to report CDM cases. SCC has written to every customer to remind them how to report LCDM, repairs, complaints and to the Housing Ombudsman. We are developing a robust Equalities Impact process to identify 'hidden customers' and will develop appropriate strategies for reducing levels of under reporting. SCC will work with external partners such as the NHS and local GP consortia to identify cases that would not traditionally be reported to the council and will review performance and feedback to make additional changes.	Partially	Performance and Data Subgroup	Produce a performance dashboard for the Damp and Mould Task Group by November 2023
4	Landlords should identify opportunities for extending the scope of their diagnosis within buildings, for example by examining neighbouring properties, to ensure the response early on is as effective as possible.	SCC we will use our repairs data, stock condition data, remote monitoring, and staff/contractor visits to more holistically tackle LCDM issues. We have also started a program of Annual Tenancy Visits which will target high priority properties. As previously noted, SCC is moving to individual property stock condition data to allow for a review of all properties not just cloned data.	Yes	Damp and Mould Operational Subgroup	85% individual stock condition data in place by Spring 2024.

5	Landlords should implement a data driven, risk-based approach with respect to damp and mould. This will reduce over reliance on residents to report issues, help landlords identify hidden issues and support landlords to anticipate and prioritise interventions before a complaint or disrepair claim is made.	Building on the answer above, we will create an CDM case database. We will use this to prioritise investment, interventions and proactive customer support linked to the councils 5 Year Capital Investment Programme. SCC will also put in place a similar data base that monitors and tracks performance in the private rented sector.	Partially	Performance and Data Subgroup	Systems in place by Spring 2024
6	Where properties are identified for future disposal or are within an area marked for regeneration, landlords should proactively satisfy themselves that residents do not receive a poorer standard of service or lower living conditions, that steps are taken to avoid homes degrading to an unacceptable condition and that they regularly engage and communicate with these residents.	SCC is developing an Asset Management Strategy that will set out its approach to investment, regeneration, demolition, and new build. This approach, linked with its CDM objectives will set out investment opportunities for the 5 Year Capital Programme and the 30 Year Business Plan. SCC is developing a Customer First approach to CDM and will be communicating this approach to residents setting out clear expectations and service standards.	Partially	Communications Subgroup	Asset Management Strategy in place by Spring 2024
7	Landlords should avoid taking actions that solely place the onus on the resident. They should evaluate what mitigations they can put in place to support residents in cases where structural interventions are not appropriate and satisfy themselves, they are taking all reasonable steps.	We will provide support and guidance to all our residents. Some general guidance is provided on our website, but we will also create bespoke LCDM management plans for customers where required	Partially	Communications Sub Group	Communications Plan in place by November 2023 focusing on communications, training and guidance and customer support.

8	Together with residents, landlords should review the information, materials and support provided to residents to ensure that these strike the right tone and are effective in helping residents to avoid damp and mould in their properties.	In line with the above SCC will have completed this review and produced new materials, which we will have consulted with residents on, incorporating their views into the final versions.	Partially	Communications Subgroup	Communications Plan in place by November 2023 focusing on communications, training and guidance and customer support.
9	Landlords should be more transparent with residents involved in mutual exchanges and make the most of every opportunity to identify and address damp and mould, including visits and void periods.	SCC will check for damp at mutual exchange home inspections before approving the exchange and will strengthen this to specify a room by room check and advise the incoming tenants of our findings and any required action. SCC is also developing a 'make every visit count' principles of reporting concerns and more proactively asking about damp and mould. Each void property will also be resolved of any damp and mould before reletting in council housing.	Partially	Damp and Mould Operational Subgroup	All revised processed in place by November 2023
10	Landlords should ensure their strategy for delivering net zero carbon homes consider and plans for how they can identify and respond to potential unintended consequences around damp and mould.	All SCC council homes will be EPC C by 2030 with a robust asset programme in place. SCC has also carried out a Roadmap to Net Zero and this will be reported to the Housing Policy Committee in September 2023. This Along with the planned Asset Management Strategy for council housing stock will align property conditions and warmth. SCC has adopted a fabric first approach to net zero.	Yes	Damp and Mould Operational Subgroup	Ensure EPC and Asset Management Plans delivered by timescale.
11	Landlords should review, alongside residents, their initial response to reports of damp and mould to ensure they avoid automatically apportioning blame or using language that leaves residents feeling blamed.	SCC are completing this review and we have created an internal communication stream which will review all communications, training, and guidance. Our CDM action plan includes looking at holding regular focus groups for residents to have some discussions around causes of damp and mould, how SCC deals with them and feedback on how we could improve or adapt our approach based on lessons learned. This could also include exploratory questions around what they learnt about their own behaviours and what they did to help make things more manageable.	Partially	Communications Subgroup	All revised processed in place by November 2023

12	Landlords should consider their current approach to record keeping and satisfy themselves it is sufficiently accurate and robust. We would encourage landlords to go further and consider whether their record keeping systems and processes support a risk-based approach to damp and mould.	<p>SCC has a Housing Management System that records all activity around tenancies and investment. Clear standards of recording are in place.</p> <p>The Repairs and Maintenance Service has a different IT system, Total Mobile system so interfacing with Repairs and Maintenance information is critical. SCC is also investing £10m in a new Integrated Housing IT solution to ensure that information is managed robustly, phase 1 will be implemented in December 2023.</p> <p>The introduction of the new IT system in Housing will improve asset data and read across with repairs information to ensure a robust CDM dashboard can be developed.</p>	Partially	Performance and Data Subgroup	Comprehensive CDM Dashboard in place by April 2024
13	Landlords should ensure that their responses to reports of damp and mould are timely and reflect the urgency of the issue.	This is one of SCCs guiding principles for CDM. We are introducing a new faster response time for new CDM repairs cases. SCC will ensure effective pre and post work engagement with all residents is robust and timely and that ongoing satisfaction levels with both our customer service and quality of work is measured and reviewed.	Yes	Damp and Mould Task Group	New framework in place by November 2023
14	Landlords should review the number of missed appointments in relation to damp and mould cases and, depending on the outcome of any review, consider what steps may be required to reduce them.	The Repairs and Maintenance Service's IT system allows for the reporting of performance in relation to missed appointments by job type. This together with improve communications with customers is improving access and communications. This, together with our new technology and, Damp and Mould Communications and, improvements by the Repairs and Maintenance Services will improve this area during 2023. Any missed appointment will be immediately followed up with an appropriate action plan for completion.	Partially	Damp and Mould Operational Subgroup	All revised processed in place by November 2023
15	Landlords should ensure that their staff, whether in-house or contractors, can identify and report early signs of damp and mould.	An 'every visit counts' campaign will be run aimed at any member of staff/supply chain that visits our homes as part of their remit. We will make it easy for staff/suppliers to report concerns.	Partially	Communications Subgroup	All revised processed in place by November 2023

16	Landlords should take steps to identify and resolve any skills gaps they may have, ensuring their staff and contractors have appropriate expertise to properly diagnose and respond to reports of damp and mould.	We have already trained all our staff and we are developing a robust training framework for all staff and contractors relating to CDM.	Partially	Communications Subgroup	Robust training plan in place by November 2023
17	Landlords should ensure that they clearly and regularly communicate with their residents regarding actions taken or otherwise to resolve reports of damp and mould. Landlords should review and update any associated processes and policies accordingly.	SCC has provided information to customers regarding the process to be adopted in tackling reports of damp and mould and a full communication strategy will be produced. As noted above all associated policies and procedures will be reviewed in line with CDM requirements and these will include the Compensation Policy, Disrepair Policy, Allocations Policy, and No Access Policy	Partially	Damp and Mould Operational Subgroup	All associated policies reviewed by Sprin 2024
18	Landlords must ensure there is effective internal communication between their teams and departments and ensure that one individual or team has overall responsibility for ensuring complaints or reports are resolved, including follow up or aftercare.	We will communicate our new approach to the organisation, including roles and responsibilities. A Damp and Mould Task Force has been established by the Council. This has membership from Housing, Repairs and Maintenance, Childrens, Adult Social Care, Public Health, Council Communications, Private Sector Housing Regulation Teams, Environmental Health, RP's and NHS. The aim of this Task Force is to bring together activity for this priority area, communications and support from organisations and a performance improvement plan. There are several key workstreams in place that will bring further improvements – Operations, Data and Data Modelling, Communications and Engagement with the Sector.	yes	Damp and Mould Task Group	Review the effectiveness of the communications bimonthly at the Damp and Mould Task Group meetings.

19	Landlords should ensure that their complaints policy is effective and in line with the Complaint Handling Code, with clear compensation and redress guidance. Remedies should be commensurate to the distress and inconvenience caused to the resident, whilst recognising that each case is individual and should be considered on its own merits.	Our complaints policy is compliant with the Complaints Handling Code and a copy of this is on our website. We treat each individually and ensure we keep our customers informed, manage their expectations, and provide a fair and reasonable resolution. We will consider additional resolutions and compensation if things go wrong and will ensure action plans are in place to put things right.	Yes	Damp and Mould Operational Subgroup	Review in line with the Policy Review Framework
20	Landlords need to ensure they can identify complex cases at an early stage, and have a strategy for keeping residents informed and effective resolution	See response to recommendation 1. The new process steps to handle reports of damp and mould allow for identification of complex cases. Further work may be required to check that the loops of communication with customers are closed and achieve resolution.	yes	Damp and Mould Task Group	Review the effectiveness of the communications bimonthly at the Damp and Mould Task Group meetings.
21	Landlords should identify where an independent, mutually agreed and suitably qualified surveyor should be used, share the outcomes of all surveys and inspections with residents to help them understand the findings and be clear on next steps. Landlords should then act on accepted survey recommendations in a timely manner.	SCC have good internal expertise but from time to time we will engage with third party experts, where specific expertise is required or because we require a second opinion. For disrepair cases SCC use a mix of internal and external surveyors to ensure we get the right solution for both simple and complex cases. For both CDM and disrepair cases the complainant is informed of the action to be taken, the next steps and follow up actions.	Yes	Damp and Mould Operational Subgroup	
22	Where extensive works may be required, landlords should consider the individual circumstances of the household, including any vulnerabilities, and whether it is appropriate to move resident(s) out of their home at an early stage.	This is one of our principles and we are currently reviewing our decant policy. Our decant policy has always been to move people temporarily where extensive works are required but we will make it explicit in relation to CDM	Partially	Damp and Mould Operational Subgroup	To be approved by the Housing Policy Committee by January 2024

23	Landlords should promote the benefits of their complaints process and the Ombudsman to their residents as an appropriate and effective route to resolving disputes.	Understanding is that the Complaints Process is promoted as the appropriate route for resolving disputes. The Council's Complaints process is embedded with the Council, the Council also reports on performance relating to complaints handling, access to complaints process and, customer satisfaction. This information is reported to Council Leadership and, Housing Policy Committee.	Yes	Communications Subgroup	Routine review of message and communication via the Communications Plan due November 2023
24	Landlords should continue to use the complaints procedure when the pre-action protocol has commenced and until legal proceedings have been issued to maximise the opportunities to resolve disputes outside of court. Landlords should ensure their approach is consistent with our jurisdiction guidance and their legal and complaint teams work together effectively where an issue is being pursued through the complaints process and protocol.	We have clearly set out in our complaints policy that we will progress and resolve customer enquiries and complaints until court proceedings have been initiated. We work with our legal team to ensure our approach is compliant with the Housing Ombudsman and their jurisdiction guidance.	yes	Communications Subgroup	Routine review of message and communication via the Communications Plan due November 2023
25	Landlords should consider how best to share learning from complaints and the positive impact of changes made as a result within the organisation and externally. Systems should allow the landlord to analyse their complaints data effectively and identify themes, trends and learning opportunities.	We have completed a complaints review and one of the recommendations is to develop our systems to improve learnings. The development will provide real time and retrospective learnings. We provide learnings on all cases that are determined by the Housing Ombudsman currently including, reasonable redress. A Tenants Complaints Panel is also being introduced in 2023 to ensure customer views are being represented in all case reviews.	Yes	Communications Subgroup	Routine review of message and communication via the Communications Plan due November 2023

26	Landlords should ensure they treat residents reporting damp and mould with respect and empathy. The distress and inconvenience experienced by residents in this area is some of the most profound we have seen, and this needs to be reflected in the tone and approach of the complaint handling.	SCC are undertaking this review and we are creating an internal and external communication plan, for training and guidance for all staff and contractors.	Partially	Communications Subgroup	Routine review of message and communication via the Communications Plan due November 2023
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Appendix 2 Sheffield City Council Damp, Mould, and Condensation Policy

Author	Dean Butterworth
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Document version	1.0
Responsible Officer	Dean Butterworth (Head of Service)

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Introduction (1)

1.1 This policy explains how Sheffield City Council will manage reports of damp, mould, and condensation in council homes. This approach includes a risk assessment of the report, creation of plan to remedy the issue and support tenants to live well in decent quality homes through the provision of advice on mould and condensation. It also covers the monitoring of this policy to ensure that it remains effective. This policy aims to deliver a zero-tolerance approach to condensation damp and mould and support the health and wellbeing of all residents of Sheffield City Council.

Aims (2)

2.1 This policy aims to reduce the likelihood of damp, mould and condensation occurring in council homes and resolve instances when they do. We will:

- Manage our homes to ensure that we proactively identify and react to instances of damp and mould to minimise risk.
- Ensure that the fabric of the property is protected from deterioration and damage resulting from damp and condensation.
- Comply with statutory requirements and regulatory good practice.
- Work in partnership with tenants ensuring that a safe and healthy home is provided.
- Undertake effective investigations and implement remedial repair solutions and improvements to remove damp.

- Ensure that tenants have access to and/or are provided with comprehensive support, advice, and guidance on managing and minimising the risk of damp, mould, and condensation.
- Be supportive and responsive to customer vulnerabilities to ensure all customer needs are considered, addressed and solutions are agreed with customers.
- Consider temporary rehousing and/or longer-term rehousing in circumstances where this offers the most effective solution to the damp, mould, or condensation issue.
- Make effective use of data to guide investment decisions and take proactive steps to the creation of decent homes for our tenants.
- Be decisive in commissioning external contractors to ensure complex cases are resolved as soon as possible to safeguard tenants.

2.2 Our aim is that no council tenant in Sheffield will suffer from any damp, mould or condensation that affects their overall health and well-being.

Legislation and guidance (3)

3.1 Sheffield City Council will meet its obligations under the following legislation and guidance through this policy:

- Social Housing Regulation Act 2023
- Housing Act 2004 - Housing Health and Safety Rating System (HHSRS)
- The Homes (Fitness for Human Habitation) Act 2018

3.2 Our policy is also aligned with the Regulator of Social Housing Consumer Standards and the Housing Ombudsman Complaint Handling Code

Scope of the policy (4)

4.1 This policy covers the following types of damp, mould, condensation, and related issues set out below:

- **Rising Damp** - the movement of moisture from the ground rising through the structure of the building through capillary action.
- **Penetrating Damp** - water penetrating the external structure of the building or internal leaks causing damp, rot and damage to internal surfaces and structure.
- **Condensation Damp** - moisture held in warm air contacting a cold surface, condensing, and then producing water droplets.
- **Mould** - a natural organic compound that develops in damp conditions and often present in situations where condensation damp is present.
- **Dust Mites** – whilst common in all homes, these can thrive in environments associated with some of the issues above.

Policy commitments (5)

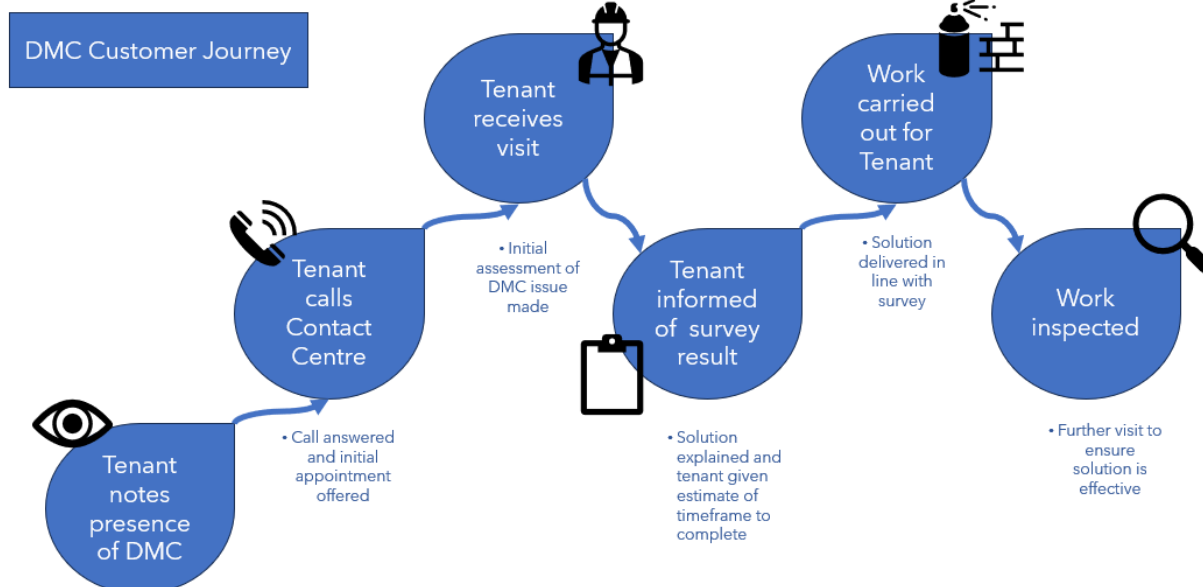
5.1 Our policy commitments explain how the council will work to eradicate damp and mould in its homes and support its council housing tenants and leaseholders. We will:

- Identify the types of damp: rising, penetrating and condensation damp present in our homes as well as the presence of dust mites owing to damp conditions.
- Proactively review all SAP energy ratings of D/E/F and below for our properties to identify those at risk of damp, mould, and condensation as part of its annual Stock Condition Surveys, HHSRS and EPC data collection.
- Use our data to review, prioritise and target those properties and archetypes at highest risk, as well as identifying any damp, mould, and condensation issues on the annual property review to all council homes.
- Use data intelligently to inform our approach to risk-assessing customer vulnerabilities and needs. We will offer reasonable adjustments within our processes to support households and use risk assessments to prioritise remedies.
- Develop investment strategies and projects to tackle identified priority properties and areas for improvement.
- Share a plan with individual tenants setting out how the council will work with them to remedy any specific issues identified within their home. This may include the offer of temporary or permanent rehousing where there is an evident mismatch between the property and the household.
- Act non-judgmentally when offering guidance, advice, and assistance throughout this process to all customers living in council properties to avoid the inference of blame and to be upfront and clear about our responsibility.

5.2 We will involve tenants in developing our procedures and overall approach to dealing with damp, mould, and condensation in their homes. We will do this through our existing involvement framework and ensure that we maintain wide-ranging and effective communications with tenants around these issues.

5.3 Individual household needs will be central to resolving damp, mould, and condensation in council homes. All interactions with the tenant, along with any proposed solutions, will be delivered in line with the Council's Corporate Plan, Complaints Framework, the Housing Ombudsman Code of Practice, and related best practice guidance as well as the Consumer Standards and related guidance from the Regulator of Social Housing.

5.4 Our customer journey for the most common reports of damp, mould and condensation is set out below:



5.5 We recognise that tenants come from diverse backgrounds, with varying experiences, needs and expectations in relation to damp, mould and condensation. We are committed to promoting equality and fairness in our approach to supporting customers. This applies to everyone, regardless of gender, racial or ethnic background, disability, religion or belief, sexual orientation gender reassignment, age, marital or parental status. We are committed to taking forward the recommendations from the Sheffield City Council Race Equality Commission Report 2022 in improving services.

Quality control and monitoring (6)

6.1 We will monitor the application of this policy both internally and through external reporting to Members and customers. We will establish a consistent set of performance information that demonstrates the success of our approach to dealing with damp, mould, and condensation. We will report performance monthly to the Housing and Repairs Improvement Board chaired by the Executive Director of Neighbourhoods. Performance will also be included on our quarterly reports to the Housing Policy Committee which are also shared with customers.

6.2 We will ensure that our staff are appropriately trained to investigate the cause of damp, mould, and condensation to avoid misdiagnosis and to support the customer. All investigations will be carried out using the appropriate tools and monitoring equipment. We will monitor this through regular 121s, team meetings and toolbox talks.

6.3 The overall effectiveness of this policy in meeting our commitments will be reviewed at least annually.