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DAMP & MOULD

Eliminating damp and mould in social housing is a societal imperative.

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A **Awaab Ishak's name** will be forever connected to reform legislation triggered by his tragic death. Following a Coroner's ruling¹ that the two-year-old died because he endured direct, long-term exposure to damp and mould in his family's property, Housing Secretary, Michael Gove, announced that social housing landlords will have to investigate and fix damp and mould in their properties within strict new time limits². The new compliance requirements will be provided for via amendments to the *Social Housing (Regulation) Bill*³ which will introduce *Awaab's Law*². ➤

Michael Gove said: “Our *Social Housing Bill* will enshrine tenants’ rights in law and strengthen the Housing Ombudsman and Regulator’s powers so that poor social landlords have nowhere to hide. *Awaab’s Law* will help to ensure that homes across the country are safe, decent, and warm.”

At the time of writing, the amendments to the *Bill* were being considered by the House of Lords. The next stage is the receiving of Royal Assent, at which time the *Bill* will become law.

This new legislation comes during increasing costs and decreasing budgets for registered housing providers. From April 2023, social housing rents in England cannot be increased by more than seven per cent⁴. This falls at least three per cent below current inflation levels, meaning providers face enormous financial challenges when it comes to investing in their housing stock and tackling damp and mould complaints. This issue is not confined to England. The *Cost of Living (Tenant Protection) Scotland Act*⁵, passed in October 2022, gave ministers the power to cap social housing rent increases. The cap, which applied to in-tenancy rent increases, was set at zero per cent from 6 September 2022 until 31 March 2023. An option to extend the cap for two further six month periods was not implemented, following an agreement by Scottish social housing providers to keep rent increases below inflation⁶.

In addition, factors such as the Grenfell Tower tragedy and the fire mitigation requirements generated from

the Inquiry⁷, the drive towards achieving net zero carbon emissions and decarbonising housing stock, and the cost of living crisis have also hit the social housing sector hard. There is also a risk of tenants bringing public liability claims for damage to their personal property as a result of damp and mould. For these reasons, identifying and tackling damp and mould in housing stock has become a primary concern.

A common saying in social housing is that ‘the sector is awash with data, but information is in short supply’.

The solution required to rectify damp and mould problems is threefold:

- 1** Undertake comprehensive risk analysis on existing and future housing stock using a data-led approach.
- 2** Reform complaints procedures.
- 3** Use technology to tackle potential damp and mould before it becomes an issue.

Data-led risk analysis

Several issues affect the risk profile of a property. Structural factors include property age, design, and modifications. Certain types of properties such as concrete buildings are more susceptible to damp and mould than others and can require significant investment to address the issues. Occupancy factors that can lead to damp and mould include overcrowding and the lack of availability and use of heating and ventilation systems, plus individual tenant circumstances such as disability, financial hardship, and health conditions.

Damp, mould, and respiratory illness

Mould is a type of fungus. It is important to note that healthy ecosystems need fungi¹⁰ as they play essential roles in forming critical relationships with plant roots and breaking down dead animals and vegetation, and returning the nutrients to the soil to create new life. However, fungi growing inside a home is a recipe for poor physical and mental health.

Damp in buildings refers to the presence of excess or unwanted

moisture. This can be caused by inadequate ventilation, structural and roofing issues, and defects in the property’s foundations. Water can seep into the building through leaking pipes, cracks in the plaster or brickwork, and defective guttering. This can lead to mould growth. Black mould, the type most commonly found in damp homes, releases spores. These spores, which are allergens, can damage the health

of young, elderly, and immune-compromised residents¹¹.

The existence of mould in the home and the impact on young children has become an increasing concern for health professionals. The Royal College of Paediatrics and Child Health has described mould as ‘a crucial issue for child health’ and encourages doctors to ask families about their living conditions when reviewing children with respiratory issues¹².



Information concerning the vulnerability of both the occupant and property to damp and mould is often available in theory but difficult to access and/or use to create meaningful insight in practice. A common saying in social housing is that 'the sector is awash with data, but information is in short supply'. One of the key recommendations in the 2022 *Better Social Housing Review*⁸ was that a nationwide audit should be undertaken to gain a 'comprehensive, consistently measured picture of the state of social housing across the country'.

Having the right information collected, stored, and made accessible to all relevant staff is fundamental to implementing and delivering a risk-based proactive approach to damp and mould. This also reduces over-reliance on tenants to report issues and allows landlords to anticipate and prioritise interventions before a complaint or claim is made.

Ideally, all data should be stored in one housing management system allowing staff to easily access and interpret key information to inform their decisions. In circumstances where the data is stored across several different applications, landlords should investigate IT

solutions that can combine and present the information in a meaningful and understandable format. Intervention actions can then be determined based upon the level of risk.

Interventions and response

Opportunities to maximise early interventions should also be identified. While landlords may have re-let targets to meet, standards in terms of providing quality housing must be maintained. Procedures must ensure that sufficient focus is given to the identification and eradication of damp and mould prior to re-let. This could include undertaking activities such as damp profile surveys, installation of mechanical ventilation, and ensuring doors and windows are serviceable and can effectively ventilate the property.

Arrangements for responding to damp and mould in properties that are nearing end of life or are earmarked for future regeneration should also be examined. They should take steps, such as communicating with existing tenants, to mitigate against the risk of homes degrading into an unacceptable condition through reduced investment and maintenance. ►

Reform complaints procedures

Many social landlords are experiencing a significant rise in disrepair claims, yet tenants who resort to bringing a legal claim in relation to damp and mould are normally not motivated by compensation, they simply want the issue resolved. In many cases, they have spent months, and in some cases, years complaining about damp and mould issues in their home and nothing positive has happened.

One way to reform existing complaints procedures and reduce expensive, reputationally damaging legal claims, is to implement a no blame culture to ensure tenant grievances are addressed without any pre-conceptions. Historically the term 'lifestyle' has been used to articulate the cause of damp in a property. This only focuses blame on the tenant. Instead, information and support must be made available to help tenants avoid damp and mould. Examples include signposting access to an energy support scheme or providing benefit advice. This is likely to yield better results than a recommendation to 'keep the heating switched on' during times of soaring energy costs.

Complaints teams and indeed all staff, should be empowered to solve problems and respond to situations creatively; however, this needs to be balanced against a framework that ensures grievances are dealt with consistently. In addition, any internal complaints handling procedures must comply with the Housing Ombudsman's *Complaints Handling Code*⁹. This can be challenging to deliver where the required response covers a range of disciplines or departments. To tackle this some landlords have introduced specialist damp and mould teams who will manage these cases from end to end. This includes accurate diagnosis, agreeing intervention measures, monitoring case performance, and quality assurance.

Another important factor is to document any lessons learned from a complaint or legal claim and ensure they are communicated throughout the organisation, so the same mistakes do not continue to drain money and staff resources.

Technology

Technology can help to identify, tackle, and prevent damp and mould issues. Some solutions, such as dehumidifiers and ventilation systems, which reduce

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the level of moisture in the air, already exist. However, the running costs of these technologies must be considered, particularly in the current economic climate. When providing such technology, landlords should opt for more

energy efficient models wherever possible and explain weekly running costs to tenants, as well as demonstrate how to operate appliances effectively.

Landlords can use smart sensors that can monitor air quality and moisture levels in properties which have had issues with damp and mould. These sensors can also alert the landlord if an excessive amount of moisture is detected to allow for intervention before damp and mould develop. Certain systems also have an app which allows tenants to see when humidity levels spike, so they understand which actions contribute most to moisture build-up. When tenants are able to engage with this technology, they are empowered to implement solutions to achieve a healthy home.

Although this technology may not be appropriate in all circumstances, using data from these sensors to drive decision-making allows resources to be managed more effectively and ensures responses to damp and mould complaints are thorough and targeted. In addition, the information gathered helps landlords to instigate preventative activities across their housing stock.



Healthy homes, healthy lives

In many circumstances, fixing accommodation problems can transform other areas of a tenant's life. Safe, good quality housing is fundamental to mental and physical wellbeing and having to engage in a fight to have issues addressed can drain a tenant's reserves, leaving them unable to focus on things that can improve their life such as exercise, healthy food, further study, and employment opportunities.

Although legislative change is key to driving many of the developments within the sector, providers should be innovative and address problems proactively rather than wait for legislative guidance. Effective communication combined with robust complaints procedures can help to improve tenants' lives and ensure that fewer grievances are referred to the Ombudsman. Continuous improvement and guidance for staff overseeing complaints is required as well as specialised training to deal with more complex issues such as damp and mould.

Responsibility now lies firmly with landlords to restore public trust and ensure they are seen to be tackling damp and mould issues effectively and efficiently to avoid any further tragedies. A move towards investment in technology and consideration of the economic and social circumstances of tenants can help to build relationships and restore public faith.

The main purpose of the social housing sector is to provide safe, stable, and habitable homes for those

least able to provide for themselves. Housing associations have the ability and the proven track record of delivery to be a force for good in society, leading the way and making a positive difference to people's lives. Damp and mould can be a serious risk to homes. Collectively we can work together to bring more resilience to our communities. ●

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