

Housing Ombudsman Recommendations – Damp and Mould

| | Chapter 1: From reactive to proactive | Position as at November 2021 | Position as at June 2023 |
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| 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>Any works that we undertake, planned and capital investment are considering the implications of damp and mould as part of the overall asset strategy.</p> <p>A number of programmes since 2014 have been delivered to improve thermal efficiency but also targets to address properties with inherent issues with D&M. However, there are a significant number of properties in the housing portfolio still uninsulated.</p> | <p>New Housing Asset Management strategy has been developed for 2022-2027 and approved at Cabinet. This includes the Council's approach regarding the prevention of damp and mould.</p> <p>Internal guidance and processes relating to the Council's agreed approach has been reviewed and continues to be reviewed.</p> <p>Pro-active surveys undertaken in order to identify any early indications of damp and mould, this has been completed to properties where there has been repeat reports of issues of this nature. In addition to this, a planned programme of surveys and any identified remedial works was undertaken. Two examples include Teviot Avenue and properties across South Ockendon.</p> |
| 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. | To be reviewed as part of the new strategy. | <p>A new Housing damp and Mould policy has been developed and approved. The policy has been discussed with resident representatives at the Tenant Excellence Panel and will be circulated to elected members at the Sept 2023 Housing Overview and Scrutiny committee.</p> <p>Damp and Mould Policy has also been developed and pending sign off.</p> |

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| 3 | <p>Landlords should review the accessibility and use of their systems for reporting repairs and making complaints to 'find their silence'.</p> | <p>Repairs system in place between Thurrock and Repair Partnering contractors, Repairs can be reported via email, telephone.</p> <p>Mobile reporting app for repairs was explored – duplicate orders were being generated meaning the mobile app was not implemented.</p> <p>Implemented closer working between Thurrock and Mears in regards to repeated cases of D&M. This does need more work including members of the teams working at Mears to go through cases on a weekly basis during applicable seasonal months.</p> | <p>High Rise properties will receive a tenancy audit annually for a person centre fire risk assessment and will be an opportunity to ask about any tenant experiences with damp and mould in the property. In the first instance a risk based approach will be adopted with households where there have been recurrent issues with mould. Assessment of risk will include susceptibility of the property as well as capacity of the household to engage with required actions.</p> <p>Damp and Mould e-learning training for all staff is in development stages. This is to ensure a person centred approach is adopted and a consistent approach.</p> <p>Damp and Mould leaflet has been developed and in use. This is being provided at the time of property lettings as part of the tenancy sign up pack, Surveyor inspections and as part of routine repair inspections.</p> <p>Specific designed KWEST customer satisfaction surveys was implemented, in order to capture feedback from residents and to 'find the residents silence'. Damp and mould alerts have been implemented as part of our regular tenant satisfaction surveys in order to identify damp and mould which hasn't been reported. Tenants' responses to specifically designed questions relating to damp and mould results in an instant alert sent directly to Mears for a repair to be raised in order to remedy the issue. In 2022/23, 597 works orders were raised as a result of damp and</p> |
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| | | | mould alerts which accounted for 28.2% of damp and mould repair demand in year. |
| 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. | <p>2017/18 Stock condition surveys undertaken – a number of programmes have been developed and amended as a result of the findings.</p> <p>Further stock condition surveys being undertaken 2021/22, to further improve our stock condition data and to allow for a specific review of damp and mould.</p> | <p>Further stock condition surveys of properties has been completed. A damp and mould specific report was produced and data is now being analysed in order to allow for the data to be uploaded into the new Asset Management database, this will assist in further informing a new 30 year programme of works.</p> <p>Damp and mould is considered as part of all Transforming Homes and capital works surveys on a property and block basis.</p> <p>Zero Carbon reduction measures are fully considered as part of all capital works these works are in turn delivered in accordance with PAS 2030/2035. This ensures a holistic whole house approach is adopted to thermal improvements and ventilation.</p> <p>Resident engagement events held as and when required where there are a cluster of similar issues / projects</p> <p>A condensation management plan is developed with all households to help build resident awareness and capacity on managing household moisture levels.</p> |
| 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 | <p>Data analyst reviews data for repairs. Review of SOR codes to allow more detailed review of themes and trends.</p> <p>Further stock condition surveys being undertaken 2021/22, to further improve our</p> | Housing management IT system upgrade currently in progress and due to go live at the end of June 2023, this includes the new Asset Management database. |

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| | interventions before a complaint or disrepair claim is made. | stock condition data and to allow for a specific review of damp and mould. | |
| 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. | Blackshots currently under consideration for the effects of cladding removal ahead of decants Resident consultation undertaken at Blackshots and Teviot Ave | The Council continues with its commitment to ensure that repairs are undertaken as required, for any property and/or estate which is considered for regeneration. |
| 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. | Each case is assessed on an individual basis. For high priority cases, residents have more engagement in regards to managing the environment in the home. | Engagement with residents will be given priority on greater awareness on condensation and managing condensation within the household. The Fit to Let standards for bringing void properties back to decent homes/lettable standards includes the following measures to address and minimise the risk of damp and mould and maintain energy efficiency: <ul style="list-style-type: none"> • Extractor fans installed /overhauled • Trickle vents renewed/overhauled • Loft insulation installed • Replacement of misted units where these are completely obscure • Replacement of windows where there is significant damage – • these may be added to a Capital programme if required • Thermal boarding for external walls where cold spots or defects identified • Drill-checks for cavity wall insulation • Energy efficient light bulbs installed |

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| | | | <ul style="list-style-type: none"> Damp and mould leaflet provided in hand over pack <p>Ongoing resident awareness raising and engagement as part of a coordinated communication strategy to ensure consistent messaging and partnership approach.</p> <p>Adoption of a multi-agency approach – health and social care teams, so that services are person centred.</p> |
| 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. | <p>Revision of the Council's website and damp and mould leaflet.</p> <p>The Damp and Mould leaflet has been sent to the Tenant Excellence panel – for them to review.</p> | <p>The damp and mould leaflet has been revised and implemented, as above.</p> <p>The damp and Mould section of the Council's website has also been updated to ensure this is accessible for residents.</p> |
| 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. | The void stage includes a review of repairs history. | <p>Historic data on damp and mould in properties to be accessible to housing officers prior to mutual exchange visit so that any corrective treatment works can be implemented prior to letting to new tenants?</p> <p>This will also be incorporated into tenancy audits.</p> |
| 10 | Landlords should ensure their strategy for delivering net zero carbon homes considers and plans for how they can identify and respond to potential unintended consequences around damp and mould. | Both Ground Source Heat Pumps and Non-traditional refurbishment projects working to new Public Accessible Specification 2035 standards | <i>All carbon reduction projects to follow PAS 2035 guidance and engage retrofit co-ordinator to identify potential unintended consequences and risk mitigation strategies.</i> |
| | Chapter 2: From inferring blame to taking responsibility | | |

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| 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. | <p>We have changed the wording we use in regards to residents managing the environment within the home.</p> <p>Call script review undertaken and further training for call centre staff at Mears in regards to initial conversations with residents.</p> | <p>Damp and Mould e-learning training for all staff is in development stages. This is to ensure a person centred approach is adopted and consistent.</p> <p>A review of internal guidance and processes regarding the approach to dealing with issues of this nature has been undertaken.</p> <p>A new Damp and Mould Policy has been developed and is awaiting sign off.</p> |
| 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>Repairs data and complaints data.</p> <p>Data analyst reviews data for repairs. Review of SOR codes to allow more detailed review of themes and trends.</p> | <p>Power BI dashboards specific to damp and mould have been developed and made available to the service for use. These dashboards leverage responsive repairs data and allows the service to monitor repairs demand, monitor how repairs are identified, identify which rooms are most affected by damp and mould and review repairs histories at address level for damp and mould repairs. The dashboards also allow the service to identify specific properties with multiple damp and mould repairs as well as property types in specific areas of the borough with greater prevalence of damp and mould allowing for a targeted approach to identifying and remedying issues where repairs may not have been reported by the tenant.</p> |
| 13 | Landlords should ensure that their responses to reports of damp and mould are timely and reflect the urgency of the issue. | <p>A review of the timeframes for survey and remedial works has been undertaken (20 days for both now)</p> | <p>A review of internal guidance and processes regarding the approach to dealing with issues of this nature has been undertaken.</p> <p>A new Damp and Mould Policy has been developed and approved.</p> |
| 14 | Landlords should review the number of missed appointments in relation to damp and mould cases | <p>Damp and mould appointments are not cancelled down if there is a missed</p> | <p>If there are ongoing access issues after initial attempts to access, a referral is made</p> |

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| | and, depending on the outcome of any review, consider what steps may be required to reduce them. | appointment. Further appointments are re-booked – 3 attempts. | to the Tenancy Management team, for assistance with access. |
| 15 | Landlords should ensure that their staff, whether in-house or contractors, have the ability to identify and report early signs of damp and mould. | Damp and mould training undertaken within Housing, including TMO's, Technical Services and QA Teams and also contractors. | New damp and mould e-learning training for all staff is in development stages. This is to ensure a person centred and consistent approach. This will also include joint workshops with internal colleagues and contractors. |
| 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. | Technical Team members have received training specific of D&M and also rolled out training for wider housing team in 2017/18. Purchased specific surveying equipment to inform survey. | New damp and mould e-learning training for all staff is in development stages. This is to ensure a person centred and consistent approach. Corporate fuel poverty training has been refreshed and rolled out across all council staff. |
| 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. | Ongoing review of tenant engagement processes | A review of processes with our contractors regarding the overall management of works orders including resident communications and service standard expectations has been undertaken with new process maps developed. These are reviewed on a quarterly basis. |
| 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. | The QA Team co-ordinate and respond to all complaints, in liaison with relevant colleagues including Technical Services and contractors, whilst reviewing repair history. Agreed follow up actions in regards to remedial works from | Consistent and ongoing engagement with residents by Tenancy Management to support households with managing condensation build up as many cases are not just building fabric related and have links |

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| | | <p>a complaint or enquiry are monitored within QA and the complaints team and our contractors customer care teams.</p> | <p>to other tenancy sustainment issues and fuel poverty, overcrowding, hoarding etc</p> <p>A boroughwide task and finish group has been set up, attendees include wider housing providers, to identify and establish best practice in communicating with residents on damp and mould issues to ensure a consistent, person centred approach. The task group includes representatives from Thurrock Council, contractors and Housing associations including Swan Housing, Peabody and Moat.</p> <p>In addition, where required, Resident Liaison Officers will assist in supporting and engaging with residents, to assist with the management of the environment within the home. This includes individual condensation management plans which are produced for residents on an individual basis and monitored by the Resident Liaison Officers.</p> |
| 19 | <p>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.</p> | <p>The corporate complaints team recently changed their complaints process in line with the Ombudsman's Complaint Handling Code, including changing from a 3 stage to a 2 stage complaint process. There is no corporate compensation policy and any compensation is offered in line with Ombudsman suggested remedies and guidance.</p> | <p>The council's complaints procedure is in-line with the Complaint Handling Code.</p> <p>The council's complaints procedure sets out a range of remedies that are considered when resolving complaints. Remedies offered will be clear and are tracked by the Complaints team, to ensure they are actioned by individual service areas.</p> <p>A separate compensation policy is currently under review.</p> |

| | Chapter 3: From disrepair claims to resolution | | |
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| 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. | Where a repair report is received and complex / high level works are identified, this is referred from the contractor to the Council for a Surveyor to attend and lead on an inspection and remedial works, including monitoring through to completion and ensuring the resident is kept updated of progress. | <p>Our contractors have now increased their resourcing including a damp and mould task team and specific contractors. This ensures a person centred approach and consistent service.</p> <p>We have also worked with our multiple contractors to adopt a consistent approach to identifying housing condition issues, so this can be raised with the Council for intervention as required.</p> <p><i>Where multiple elements within the property require to be addressed this is considered for inclusion on the capital works transforming homes programme</i></p> |
| 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. | <p>Surveyor already currently advises resident of finding onsite and informs them of repairs to be raised.</p> <p><i>Mears referrals on repeat cases.</i></p> <p>In exceptional circumstances the Council have previously used external consultancy services to undertaken surveys.</p> | Where identified as required, Resident Liaison Officers will assist in supporting and engaging with residents, to assist with the management of the environment within the home. This includes individual condensation management plans which are produced for residents on an individual basis and monitored by the Resident Liaison Officers. |
| 22 | Where extensive works may be required, landlords should consider the individual circumstances of the household, including any vulnerabilities, and whether or not it is appropriate to move resident(s) out of their home at an early stage. | If extensive works are required, we would assess on a case by case basis, taking into consideration resident vulnerabilities and where required, the Council's decant process would be implemented and has been in a number of cases. | If extensive works are required, we would assess this on a case by case basis, taking into consideration resident vulnerabilities and where required, the Council's decant process/policy would be implemented and has been in a number of cases. |

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| 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. | The corporate complaints team recently changed their complaints process in line with the Ombudsman's Complaint Handling Code. Residents are advised at early stages of the right to contact the Ombudsman and or escalate their matter through the complaints process, which is also reflected in responses at earlier stages of the process. | <p>The complaints procedure is available on our website and details the stages and timeframes for responding to each stage and the escalation process.</p> <p>The complaints procedure is also communicated to individuals as part of a communications schedule that is in place to promote the wider benefits and/or awareness</p> |
| 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. | When a complaint is received, which relates to a Legal Repair matter, we respond to the complaint as usual with all repair history included and then also confirm that a legal repair was received and when along with the current status of that. Where required, we also link in with Legal for any comments they wish to add. This is best practise and as a result, we never cancel/not respond to a complaint due to this being subject to Legal Repair. | Complaints relating to legal repair matters are responded to, with a summary of the repair history and current status of the legal repair. The Council's Legal team are also asked to provide comments, where necessary. This is best practice and in line with Ombudsman guidance. |
| Chapter 4: From a complaints to a learning culture | | | |
| 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 | Monthly review of learnings from complaints is undertaken. Learning Action Plans are submitted to complaints on a monthly basis. Year end learnings and commitments are also provided to complaints. All of this feeds into the corporate annual complaints reports. | <p>The council report back on learning and improvement from complaints via its annual report. This report goes to senior management and then onto Standards and Audit Committee.</p> <p>Learning from complaints is shared with our Tenants Excellence Panel and is also a key part of our communication schedule, with learning information provided via Housing</p> |

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| | | | Newsletters and Resident Engagement Social Media channels. |
| 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. | | Response template letters are used to ensure responses are consistent and user friendly across all areas. Responses produced by the service are quality checked by the Complaints Team before sending and any amendments made as necessary, to the tone as well as the content. Responses are written in a way that does not attribute blame, whether upheld or not. |