



Report of: Service Director – Housing Property Services

Meeting of:	Date	Ward(s)
Health & Care Scrutiny Committee	12 July 2018	All

SUBJECT: Health Implications of Damp Properties – 12 months' service update to the report of the Health and Care Scrutiny Committee

1. Synopsis

- 1.1 On 24 November 2016 the Executive received a report from the Health and Care Scrutiny Committee regarding the health implications of damp properties. Subsequently, on 27th April 2017, the Executive agreed its response to the recommendations set out in the scrutiny report. This report updates the Health & Care Scrutiny Committee on progress with the recommendations agreed by the Executive.

2. Recommendations

- 2.1 To note the progress made set out in paragraph 4 of this report.

3. Background

- 3.1 In June 2015 the Health and Care Scrutiny Committee commissioned a review of the Health Implications of Damp Properties within the borough.
- 3.2 The review ran from July 2015 until September 2016 and evidence was received from a variety of sources.
- 3.3 Presentations from Council Officers
- Baljinder Heer-Matiana, Senior Public Health Strategist; Damian Dempsey, Group Leader – Quantity Surveyors and Ellis Turner, Environmental Health Manager-Residential
- 3.4 Documentary evidence
- Information from the Office of Deputy Prime Minister 2006 Housing, Health and Safety Policing system.

3.5 Information from witnesses

Katie White of Andover TRA, Jan Manderson of Girdlestone TRA, John Venning of Partners, Stephen Filis of Anthea Lettings and James Stone of Hyde HA.

The outcome of the scrutiny review was 12 recommendations (see Page 2 of the report dated September 2016).

4. Recommendations and Service Update

4.1 Recommendation 1 - Rehousing of tenants

Where there are damp issues in a property, and tenants can evidence related health issues, the Council is to presume that the damp is the cause of the health problems, and where tenants wish to be rehoused, the Council and Partners for improvement (PFI) are to progress rehousing. RSL's and private landlords are also to be encouraged to adopt the same policy.

4.1.1 Response to Recommendation 1

Under the Housing Act 1996 a local authority must have an allocation scheme which shows how accommodation in the borough is allocated. By law the scheme must ensure that key groups are given 'reasonable preference', this includes people who are homeless, need to move on medical grounds or people living in unsatisfactory housing. Before changing its allocation scheme an authority must consult with residents, local Registered Providers (housing associations) and must carry out an equality impact assessment.

Islington's current scheme was agreed by the Executive in July 2013.

The council's current housing allocation scheme already provides for giving additional priority for residents living in accommodation which has an impact on their health, including because of dampness. An extract from the scheme is below:

The council may give points if it considers that an applicant or a member of their household's accommodation is unsuitable because of a medical condition.

Medical priority will be awarded according to the extent to which the health of one of more members of the applicant's household is affected by their housing conditions and the expected benefits of providing alternative housing. **No medical points will be given if there is a medical condition but the accommodation is suitable.**

A household will be assessed together and one award made for the whole household. The number of medical points you will be given depends on the household's health and the severity of the conditions in their home. There are three categories of medical points:

Category A – this gives the maximum 150 points, an award will be made:

In exceptional circumstances for households where a member of the household has an immediately life-threatening or progressive condition which is seriously affected by their current accommodation

Category B – is an award of 80 points and is for households where a member of the households' current housing conditions are having a major adverse effect on their medical condition. It will not apply where the effect of the housing conditions on health is moderate, slight or variable.

Category C – awards 40 points and is for households where a member of the household's current housing conditions are having a moderate or variable effect on their medical condition. It will not apply where the effect of the housing conditions on health is slight.

4.1.1a **Service Update – May 2018 to Recommendation 1**

Islington's Housing Allocations Scheme was refreshed in March 2018 and continues to be applied consistently for vulnerable residents. This encompasses those who are able to evidence health problems as a consequence of damp within their homes.

Practically, this would entail the provision of medical evidence that highlights the effect of damp on the residents' health. This evidence would then be considered by the Council's medical officer who would make a recommendation about the need for alternative accommodation on the basis of the effect and impact of the residents' deterioration in health.

In these circumstances as noted in the previous report, medical priority points may be awarded;

- according to the extent to which the health of one of more members of the applicant's household is affected by their housing condition;
- and the expected benefits of providing alternative housing.

Within this context, a household would be assessed collectively and one award made for the whole household. Additionally, the number of medical points awarded would depend on the household's health and the severity of the conditions in their home. The aforementioned approach would also apply to properties managed by Partners for Improvement on behalf of the Council.

RSL's and private landlords would typically have their own policies and procedures with respect to disrepair to their properties. Residents of these properties who may approach the Council seeking housing assistance would be supported by housing officers to engage proactively with their landlord to either expedite resolving the damp issue and or negotiate a possible move to another property within their stock. However, we are cognisant of the challenges likely to be raised by RSL and private sector landlords during these negotiations. To that end, the Council's positive relationships with RSL's and private landlords is critical to the success of negotiations related requests for alternative housing within their respective portfolios.

4.1.2 Partners follow the same policy as the council in allocations.

4.2 **Recommendation 2 - Building/Fabric issues**

That the repairs department, when investigating complaints about damp, should consistently eliminate roof leaks, rising damp, plumbing issues, ventilation issues, cold bridging, lack of insulation on and any building fabric issues as causes of damp, before raising 'lifestyle' issues with residents. Many residents report a presumption on the part of Council surveyors that all damp issues are due to 'lifesyle', where in fact the issues are often building related.

4.2.1 **Response to Recommendation 2**

We have reviewed our processes when diagnosing damp and mould to ensure that there is no presumption that all damp issues are due to residents' behaviours. Surveyors undertake full inspections to the internal & external elements to all reported properties. Repairs are raised and completed where necessary. Before any other possible contributing factors are considered we will ensure the property is free of all internal and external leaks.

4.2.1a **Service Update – May 2018 to Recommendation 2**

The repairs team revised the procedure outlining how its diagnostic surveyors should respond to reports of damp and mould in council homes. The process now sets out more clearly that surveyors must consider and exclude any potential maintenance or building defect that could be a contributory factor to the damp and mould problem. Any identified maintenance issue must be dealt with first before the surveyor will consider any contributory factors related to day to day activities of the household which result in condensation being generated. As part of the process diagnostic surveyors will issue residents affected by damp and mould with the new 'Tips for tackling damp and mould problems' leaflet. In addition to the implemented procedural changes, more members of the surveying team are being recruited on a permanent basis with less reliance on temporary staff. It is hoped this will help reduce the staff turnover rate within this team and enable the service to investment in the team's training with increased focus on strengthening customer care and communication skills. Between April 2017 and March 2018 the repairs service completed 1816 survey inspections in response to reports of damp or mould with repairs orders raised as a result of these inspections and, where applicable, advice given to residents on the treatment of mould and management of condensation. During the same period, the repairs service installed 19 specialist ventilation systems to help tackle the most complex condensation and mould cases linked to the insufficient movement of air through the home. These systems have helped alleviate problems in the homes where they have been installed but they are relatively expensive to install at around £2,000 per unit plus the additional cost of their ongoing maintenance. In addition some residents have refused to consider these systems because they require ducting to be installed within the home which some residents find unsightly.

4.2.2 Partners repair supervisors and surveyors all receive training to ensure that they correctly diagnose the causes of damp and specify appropriate remedial works. This includes specifying work to remedy excessive condensation caused by the design of the dwelling e.g. very cold rear additions. If we think that the condensation is caused by the tenant not heating and ventilating their home adequately then we will work with them and assist them to take appropriate measures to reduce condensation. If we identify that fuel poverty might be an issue that a particular resident is facing, we will make a referral to the SHINE team.

4.2.2a **Partners Update – May 2018 to Recommendation 2**

The works includes thermal insulation or upgrading the central heating system.

4.3 **Recommendation 3 - Experienced Damp Surveyor**

An experienced damp surveyor to be employed by the Council and PFI to investigate and resolve damp problems (The Committee heard that the response of officers to complaints of damp is prone to inconsistency, and also repeat visits, for no apparent reason. Surveyor's knowledge of damp-related issues is found to be variable).

4.3.1 **Response to Recommendation 3**

All surveyors' reports are being reviewed to ensure that the level of reporting and diagnosis is at the expected standard and we are addressing the repairs in the property.

4.3.1a **Service Update – May 2018 to Recommendation 3**

The repairs team strongly believes a more effective and customer focussed response to reports of damp and mould is achieved by ensuring sufficient levels of diagnostic and investigatory skill and

technical knowledge of the causes and remedies for damp and mould by each diagnostic surveyor in the team, rather than attempting to recruit a surveyor who solely deals with these reports. Technical staff within the repairs team continue to develop their technical knowledge on the issue of diagnosing and resolving damp and condensation cases which has included key staff attending a specialist damp diagnosis training course during 2017 and 2018. A senior member of the surveying team has also delivered training to other colleagues in the wider repairs service on the topic of dampness and mould to raise their awareness and understanding of the issue, its possible causes and solutions. The surveying team continually review the potential that new damp diagnostic methods, tools and technology bring and if these are considered to be both beneficial and cost effective they have started using them within the service, for example, the increased use of thermal imaging to help identify leaks more quickly and accurately and with less inconvenience to affected residents. When necessary, the manager of the surveying team has involved the council's insurance provider and specialist damp consultants in the investigation of complex structural and damp cases.

- 4.3.2 Partners repair supervisors and surveyors have all received damp training from a damp specialist to ensure that they correctly diagnose the causes of damp and specify appropriate remedial works. More complex damp jobs are referred to an independent damp specialist (not a damp proofing contractor) to provide a full damp report which specifies the remedial work.

4.4 Recommendation 4 - Hyde Damp and Condensation Survey proforma

That following the Council's Condensation Protocol discussion document, this proforma be adopted by the Council's housing department and other RSL's, as a basic structure for investigating damp (Prof forma attached as Appendix to the report).

4.4.1 Response to Recommendation 4

We currently have a damp proforma that has been specifically tailored to Islington Council properties. We will review the Hyde proforma to see if there are any useful additions that can be added to our current proforma.

4.4.1a Service Update – May 2018 to Recommendation 4

The Diagnostic Surveying team have considered the Hyde proforma document as part of a recent review of the Damp Inspection Report which is completed by council surveyors when undertaking survey inspections following reports of damp or mould. Where appropriate, examples of good practice have been incorporated into the council's Damp Inspection Report.

- 4.4.2 Partners already uses a proforma for investigating damp but will review the Council's proposed proforma to see what improvements can be made.

4.4.2a Service Update – May 2018 to Recommendation 4

Partners has not adopted the proforma but has developed a process map/procedures to track complex damp jobs.

4.5 Recommendation 5 - Systematic response by Council officers

That the Executive consider working in partnership with housing associations which are undertaking Council, PFI, and RSL surveys, as well as adopting the standardised proforma under recommendation 4 above, should be consistent in their reporting their findings to residents. Residents report inefficiencies, with surveyors adopting different responses

and strategies, and recommending different courses of action for similar types of damp problems.

4.5.1 Response to Recommendation 5

We are currently looking at options to arrange workshops with other Islington Council surveying departments. This will enable ideas and strategies being discussed to combat common damp issues within our housing stock. We will reissue the damp and condensation procedure to all staff.

4.5.1a Service Update – May 2018 to Recommendation 5

The council's diagnostic surveying team intends, during the summer of 2018, to facilitate a benchmarking meeting on the topic of responding effectively to cases of damp and mould with the objective of sharing good practice on this issue with other social landlords delivering services locally. In addition, the Head of Repairs and Maintenance and the manager of the diagnostic surveying team attended a workshop on the topic of legal disrepair which focussed extensively on management of cases linked to dampness and condensation which was held at Haringey Council during January 2018. This event was well attended and learning taken from this event has been incorporated into local service provision.

4.6 Recommendation 6 - Database of damp properties

The Council and PFI are to set up and maintain a database of properties across the borough that have known damp issues.

4.6.1 Response to Recommendation 6

We have a database that we use to ensure that damp and mould is regularly monitored. This is regularly discussed and reviewed during surveyors meetings and Diagnostic team meetings to ensure that we maintain service delivery to our residents.

4.6.1a Service Update – May 2018 to Recommendation 6

The council already has a database, Oneserve, which is used to record and process repairs diagnostic surveys as well as repair jobs to all directly managed council homes. The service is currently working with Shared Digital to set up a new reporting system which will enable more detailed and effective interrogation of data held on the Oneserve database. It is anticipated that the use of these new business intelligence tools will enable the council to more accurately identify estates where there are increased levels of reports of damp and mould problems.

4.6.2 Partners track all major damp jobs and keeps a separate record of all completed major damp works.

4.7 Recommendation 7 - Help On Your Doorstep database

Help on Your Doorstep have offered to share with the Council information on residents they have contacted with damp issues. Repairs department to take up this offer to help establish more accurately the extent of damp problems (Any personal information to be shared only with residents consent).

4.7.1 **Response to Recommendation 7**

We have contacted Help On Your Doorstep and will be arranging a meeting with the Operations Manager Denise Ward to discuss a way that we can work in partnership to support Islington Council's residents.

4.7.1a **Service Update – May 2018 to Recommendation 7**

The council has contacted Help on Your Doorstep to reconfirm the most effective process for them to follow to signpost or refer details of residents experiencing problems with damp and mould in their homes. We have also asked them to share details, where appropriate, with recent reports they have received from residents about this problem to enable the council to cross reference this data with our own records. The Diagnostic Surveying team has also asked a member of Help on Your Doorstep team to attend one of their future team meetings to discuss how they can work together more successfully in future.

4.8 **Recommendation 8 - Legal issues accessing leasehold properties**

That the Council and PFI take robust legal steps to access all leasehold properties, where the damp issues appear to emanate from leasehold properties adjoining council tenancies. Also, that legal advice be taken on the scope and options to access leaseholder properties, and the advice be circulated to all officers involved in damp investigations.

4.8.1 **Response to Recommendation 8**

Area Housing Office staff work in tandem with Housing Property Services to ensure that we follow our procedure for repairs access arrangements for leasehold properties.

4.8.1a **Service Update – May 2018 to Recommendation 8**

The council has robust procedures in place guiding staff on the process to follow in order to gain access to tenanted or leasehold properties from which it is suspected a leak is causing damage to a neighbouring property which in the case of small leaks may present itself in the affected property as an area of dampness or mould. The initial stages of the process are to attempt to make contact with the leaseholder, or their sub-tenant, by telephone, email or letter and visiting the property in person to request access. The experience of the diagnostic surveying team is that in the majority of cases access is provided by the leaseholder on initial request with a small minority of cases requiring more formal action. During 2017/18 the council's Legal Services section received a total of 7 instructions from Housing to pursue access injunctions against council leaseholders. Only 2 of these resulted in orders being granted by the court as the other 5 leaseholders provided access to the council prior to court proceedings being necessary. Reasons for requesting these access injunctions will include, but are not limited to, requiring access for the inspection and remedy of possible water leaks between neighbouring properties.

4.8.2 Partners Housing Manager will discuss this issue with their solicitor and produce a guidance note for their staff.

4.8.2a **Partners Update – May 2018 to Recommendation 8**

Partners Housing Manager has confirmed we have the right to force entry and carry out a repair that the leaseholder has not dealt with, e.g. to resolve a leak that is affecting another flat and to recover costs. Forced entry would be carried out in accordance with our no access procedures.

4.9 Recommendation 9 - External or Internal Wall insulation:

The Council, PFI and RSL'S should carry out external or internal wall insulation, wherever feasible and cost effective on all Council and RSL estates within the borough. There should be a presumption that insulation works form a part of any major works undertaken. The success of the recent external wall insulation work at Holly Park Estate in saving energy costs and reducing dampness problems for residents, is evidence of the effectiveness of this strategy.

4.9.1 Response to Recommendation 9

In the Council's stock 99% of cavity walls have been insulated with only a few of unusual design, where it is not technically feasible to insulate, remaining untreated. Current building regulations ensure that new buildings are built to high standards of thermal efficiency.

The Council recognises the idea that solid-walled buildings should receive insulation wherever possible. External wall insulation (EWI) has been fitted at Neptune House and Holly Park using grant funding and the proposed scheme to fit EWI to a further 304 flats in four blocks, including three high rise blocks, is funded through a mixture of corporate capital and Section 106 Carbon Offset contributions. We are currently drawing up a possible programme for EWI to medium rise stock in case further Section 106 funding becomes available.

We do not generally use Internal Wall Insulation (IWI) because, as well as the disruption to residents and loss of room size, IWI can pose risks to the fabric of buildings, including potentially increasing the risk of interstitial condensation. However where EWI is not possible, for instance in 'stepped' properties with balconies forming roofs, and there are no other alternatives, we do consider IWI. This is the case on the Andover Estate, where significant internal insulation works are being undertaken. In this case the insulation is required to resolve a cold-bridging problem where a balcony forms the roof of a flat below.

4.9.1a Service Update – May 2018 to Recommendation 9

The council has continued to look for opportunities to carry out insulation works. A contract has recently been awarded for the insulation of cavities at 1-40 Besant Court which has recently been discovered to have a cavity wall, having previously been believed to be solid.

The council has also continued to investigate programmes of external wall insulation (EWI) in our own stock. The proposed scheme to install EWI at 304 flats in four blocks mentioned in the previous report was put out to tender in spring of 2017. Extensive analysis of the council's medium-rise blocks was also undertaken to identify those most in need of EWI with damp reports being one of the criteria.

However, following the tragic fire at Grenfell Tower, in which it is believed that the external cladding was a factor in the spread of fire, the contract for the 304 flats was not awarded and all future EWI work is currently on hold. Although none of Islington's proposed EWI schemes were using similar cladding material as Grenfell Tower, it was deemed unwise to continue with this kind of work before the outcome of the public enquiry and revisions to the building regulations arising from the tragedy. The council will reconsider the programme of EWI in solid wall properties to reduce the risk of fuel poverty and incidences of damp once we have the full outcomes of these processes and have the maximum knowledge to ensure that this can be done without compromising fire safety. It is worth noting that a full review has been carried out confirming that the materials used in previous EWI works do not pose a risk.

- 4.9.2 Partners do fit thermal insulation boards to the internal face of external walls when the design of a dwelling is contributing to excessive condensation e.g. very cold rear additions with three external walls. External cladding is not always considered appropriate for street properties in Islington.
- 4.9.2a **Partners Update – May 2018 to Recommendation 9**
- The works also includes additional insulation to flat roofs.
- 4.10 **Recommendation 10 - Improvement grants**
- Publicity be made available to private sector landlords on grants available for improvements to insulation for properties.**
- 4.10.1 **Response to Recommendation 10**
- Environmental Health currently only offer one grant to landlords for empty properties. This grant funding is extremely limited and operates on a first come first served basis. We do not have any other grants for private landlords for insulation or dampness.
- 4.10.1a **Service Update – May 2018 to Recommendation 10**
- Environmental Health continue to offer private landlords for empty properties and limited funding is still operating on a first come first served basis. There are currently no other grants for private landlords for insulation or dampness.
- 4.10.2 In 2015, Partners worked with the Seasonal Health & Affordable Warmth Team (SHINE) to deliver thermal improvement works funded by grants. This was to address affordable warmth and damp issues. Eligibility for grant funding was based on vulnerability. SHINE identified suitable dwellings for improvement works and delivered a limited programme.
- 4.11 **Recommendation 11 - Clear information leaflets**
- Leaflets should be issued to residents on how to report and to deal with damp issues. This should also include advice on how to operate heating systems to maximum effectiveness and to deal with any condensation issues. Leaflets should also be made available to GP surgeries across the borough, and with GP's being made aware of the existence of the leaflets, and asked to distribute them to tenants that present with damp related health problems.**
- 4.11.1 **Response to Recommendation 11**
- Council surveyors issue leaflets to our residents when carrying out inspections for damp and mould. The leaflets are also distributed from Area Housing Offices and is available on the council website. These leaflets were reviewed during 2016 and now include information for residents on the effective use of their heating systems and tips on how to prevent and reduce condensation in the home. We are currently investigating having the leaflet distributed from local GPs' surgeries.
- 4.11.1a **Service Update – May 2018 to Recommendation 11**
- All GP surgeries within the borough were sent a supply of the 'Tips for tackling damp and mould' leaflet to enable them to issue these to patients attending their surgery due to health issues which they attribute to damp or mould problems in their home. Along with these leaflets, GPs were also reminded about the council SHINE service and how to refer patients that could benefit from this service. The leaflet continues to be issued by diagnostic surveyors when visiting council tenants

reporting damp and mould problems and is available to access and download from the council's website. Hard copies are available from local area housing offices.

- 4.11.2 Partners have leaflets advising residents how to manage condensation and the leaflet is regularly reviewed to ensure effective communication. They also provide advice on how to use heating systems efficiently and have the manuals for newly installed boilers on their website.

4.11.2a **Partners Update – May 2018 to Recommendation 11**

The leaflet is sent to residents by the Repairs Team when they identify any condensation issues, the leaflet is also posted on our website and advice on condensation has featured in resident newsletters.

4.12 **Recommendation 12 - GP information programme**

Public Health and Environmental Health are to work with the CCG to disseminate information to the Borough's GP's on the extent and issues with damp properties and their perceived interaction with health issues, and to request GP's to return data to the CCG when they are seen by patients with health issues that appear to be related to living in a damp property.

4.12.1 **Response to Recommendation 12**

Environmental Health have dialogue with colleagues in Public Health and various commissioners in CCG. Officers from the SHINE team and newly created posts of senior practitioners both sit in the many different Multi-Disciplinary Team case conferences that sit to unpick some of the most complex patients' cases.

Both the SHINE team and the senior practitioners try ensure that the housing condition question is raised and where appropriate a referral is made through SHINE to Environmental Health for further investigation.

4.12.1a **Service Update – May 2018 to Recommendation 12**

Environmental Health continue to be a key partner in the SHINE network and investigate referrals from GPs and other colleagues in health and social care.

E.g. Both the SHINE team and the senior practitioners continue to sit in the many different Multi-Disciplinary Team case conferences and ensure that the housing condition question is raised and where appropriate a referral is to Environmental Health for further investigation

5. **Implications**

5.1 Financial implications:

It is not possible to precisely quantify the financial implications of these recommendations at this stage however the following can be said.

If implemented recommendations 2 - 8 and 10 -12 are either already current practice or primarily involve a change/improvement in administrative practices/processes and as such are unlikely to generate a significant additional cost, but conversely recommendations 1 and 9 could potentially generate a very significant additional cost to the HRA.

Hence, it is important that these recommendations be considered against the backdrop of the HRA needing to deliver a package of savings totalling £18m over the next 4 years in order to mitigate against the loss of income arising from the 1% rent reduction.

Therefore a decision to proceed, with in particular recommendations 1 & 9, will mean either diverting capital resources that have been allocated to other projects or reducing the housing management or repairs service to compensate for any increased costs.

5.2 Legal Implications:

There are no specific legal implications on this report. Where required, legal advice and support will be provided to Housing Services in respect of the implementation of the recommendations in particular recommendation 8.

5.3 Resident Impact Assessment:

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

Where the proposals in this report may have equalities implications and other implications for residents. Resident Impact Assessments (including assessment of equalities implications) will be undertaken as part of the process of developing and implementing policies and actions arising from this report.

5.4 Environmental Impact Assessment:

Although there may be some environmental impact from works to reduce damp in properties (e.g. resource use, waste generation), the works have a long-term positive environmental impact as they can lengthen the lifespan of buildings, avoiding the need for early demolition and replacement or keeping the dwelling empty. Works that involve improving levels of insulation also reduce the energy consumption of the dwellings being treated.

6. Conclusion and reasons for recommendations

- 6.1** This report details the Service Updates to the recommendations of the Health and Care Scrutiny Committee.

Final report clearance:

Signed by:

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Date: May 2018

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