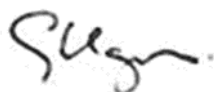


LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE: Housing Ombudsman – Case Summary and Self Assessment	
REPORT OF: Director of Property Management	
FOR SUBMISSION TO: Housing Scrutiny Committee	DATE: 23 January 2024
<p>SUMMARY OF REPORT:</p> <p>This report provides the committee with the findings of a case review carried out following an Ombudsman investigation. The report also includes a self-assessment against the Housing Ombudsman's report 'Spotlight on Damp and Mould'.</p> <p>The work outlined in this report supports the ambitions set out in We Make Camden, in particular making sure Camden has enough decent, safe, warm, and family-friendly housing to support its communities.</p> <p>LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION: No documents that require listing were used in the preparation of this report.</p> <p>CONTACT OFFICER: Scot Reid, Head of Property Customer Services and Engagement, 020 7974 6303, Scot.reid@camden.gov.uk</p>	
<p>RECOMMENDATIONS:</p> <p>The Housing Scrutiny Committee is asked to note and comment on the report.</p>	

Signature:



Date: 12 January 2024

1. INTRODUCTION

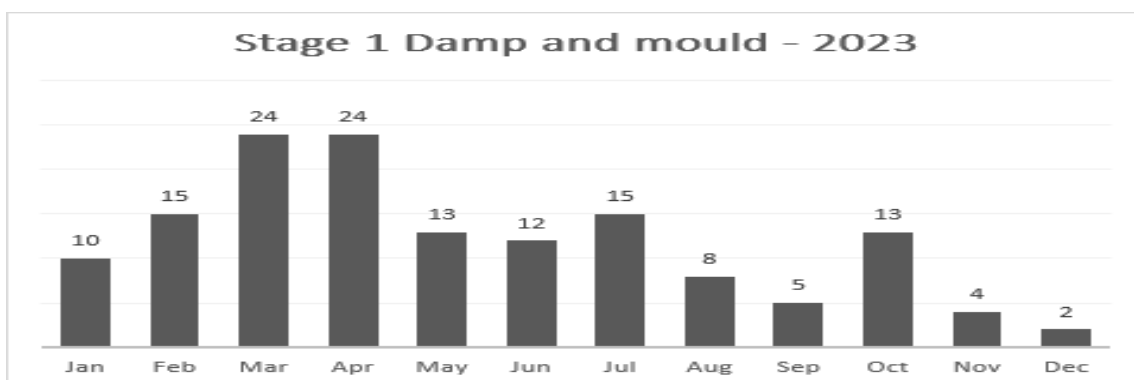
- 1.1 This report provides the committee with the findings of a case review carried out following an Ombudsman investigation. The report also includes a self-assessment against the Housing Ombudsman's report 'Spotlight on Damp and Mould'.

2. SELF ASSESSMENT

- 2.1 The Council first dedicated resources to tackling damp and mould January 2021 and significantly reviewed its approach in November and December 2022 following the inquest into the tragic death of Awaab Ishak in Rotherham. The Council has also been keeping under review the recommendations of the Housing Ombudsman's spotlight report on damp and mould dated October 2021 and its follow up report issued in February 2023. The recommendations for social landlords set out within these reports have shaped the Council's approach and an up-to-date self-assessment against those recommendations is in Appendix 1.
- 2.2 The self-assessment identifies work done to date and the next steps to be taken, particularly in relation to the use of data and the development of the asset strategy. The self-assessment is a live document that will be updated as policy and practice develop.

Latest operational position

- 2.3 At the end of 2023, over 5,000 properties had a mould inspection, and over 2,000 had a subsequent mould wash carried out. Based on the information provided, 90 cases were classed as 24-hour emergency requests, and 16 households required a decant move due to the seriousness of the mould in the property.
- 2.4 The Council currently has 671 active cases on hand. Approximately 12 new requests are received per day, which has fallen considerably from the same period this time last year where on certain days approximately 100 new requests were being received. Of the 671 active cases, 17 are considered severe cases requiring a full day of mould wash activity and are prioritised over other cases. The other active cases are considered low or medium severity and have been allocated appointment dates accordingly.
- 2.5 To provide a service tailored to our residents' needs, we have been trialling the offer of Saturday appointments, which are very popular. As a result, this will now become a regular feature going forward.
- 2.6 Complaints where the primary reason is damp and mould continue to fall. From October 2023, a total of 19 complaints were raised.



3. CASE REVIEW

- 3.1 In October 2023, the Council received a Housing Ombudsman determination letter regarding a case that first started in 2021. The Ombudsman ordered the Council review its practice of responding to requests for repairs due to leaks, damp and mould. It stated that the Council should report the findings to the Housing Scrutiny Committee to enable it to consider how it will provide oversight of the implementation of any recommendations.
- 3.2 The case review was undertaken by the Council's Head of Innovation and Improvement, and identified the performance issues that were present in 2021/22, the work carried out since then to improve the Council's approach to managing damp and mould and the recommendations to be taken forward as part of its ongoing work. The review also highlighted that improved performance is the result of significant investment in the service. The case review is summarised in Appendix 2.

4. COMMENTS OF DIRECTOR OF FINANCE

- 4.1 The Council is currently incurring significant expenditure on damp and mould, both revenue and capital, as shown in the table below.

Expenditure on damp and mould	2023/24 forecast (as at end Sept 2023)
Revenue	£2.7m
Capital	£2.0m
Total	£4.7m

- 4.2 The total forecast housing repairs expenditure for 2023/24 is £61.0m revenue and £18.1m capital, so damp and mould makes up 4% of forecast revenue expenditure and 11% of forecast capital expenditure on repairs.
- 4.3 This expenditure must be met from the Housing Revenue Account (HRA). In 2023/24 there is no additional budget available for damp and mould work, so this meant that the service has had to find savings elsewhere to reduce the overall overspend on repairs. The 2024/25 rent setting report for the HRA alongside this report on the agenda sets out the significant financial challenge faced by the HRA. Damp and mould is identified as one of a number of budget pressures. The rent

setting report requests a new dedicated revenue budget of £1.04m for damp and mould work in 2024/25. Because the HRA is a ringfenced account, this budget and the other pressures will have to be funded by a combination of rent increases and savings in other areas.

5. COMMENTS OF THE BOROUGH SOLICITOR

- 5.1 The Borough Solicitor has been consulted and has no comments to add.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The self-assessment details how condensation, damp and mould are a consideration when designing retrofit works, making sure that sufficient ventilation is incorporated, and new risks are not introduced. The assessment notes that the PAS2035/30 standard, that the Council adheres to, can identify condensation risks which can then be engineered out of a retrofit project. At handover the project manager makes sure residents are told how the measures installed interact with each other, especially new ventilation. For some deeper retrofits, involving glazing and wall insulation, officers will install temperature and humidity sensors in a sample of homes to monitor the indoor environment. The Council's latest work on the retrofit pilots can be presented to members of the Housing Scrutiny Committee if that would be of interest.

Report Ends

Appendix 2

Case review summary

Review undertaken by Ododo Dafe, Head of Innovation and Improvement

1. Background

- 1.1 The resident first made a stage 1 complaint November 2021 about the Council's lack of response to a number of matters including damp and mould. The resident provided information about her and her child's health conditions. The Council did not uphold this complaint but apologised for the delay in the damp and mould survey being carried out. An independent damp and mould survey was carried out December 2021, the mould identified was not severe, but recommendations were not acted upon. The resident made a stage 2 complaint November 2022. The stage 2 complaint was not upheld however an apology was given for the late response to the stage 1 complaint. The resident complained to the Housing Ombudsman in March 2023.
- 1.2 The Ombudsman concluded there was severe maladministration in the Council's handling of the reports of damp and mould, and maladministration with the Council's complaint handling.

2. Review findings

Time taken for the survey to be commissioned

- 2.1 The resident first submitted a request regarding damp and mould in July 2021. During this period the service was managing a high volume of repairs and service requests following the pandemic and at that time did not have sufficient resources assigned to damp and mould cases. An independent damp and mould survey was commissioned September 2021, contact made with the resident November 2021 and the survey completed in December 2021.
- 2.2 Over the last couple of years the Council has significantly changed how it manages damp and mould cases and it has dedicated operatives that are part of a standalone team. This makes sure the Council responds to severe cases in 24 hours and aims to respond to other cases within 10 days.

Lack of feedback to the resident and recommendations not followed

- 2.3 The service did not make the resident aware of the recommendations of the surveyor and acknowledges that it should have done so. The service reports that, at that time, the priority was to deal with the most urgent work arising from the large number of reports it had commissioned. Looking at the photographs for this property the damp and mould issue appeared to be minor in nature, however, contact still should have been made and actions followed up.
- 2.4 The team's current practice is that the tenant is contacted on receipt of a surveyor's report to talk through the recommended actions and arrange a suitable appointment for required works. Periodic checks are also scheduled for ongoing cases. The commitment to resolving damp and mould issues is also demonstrated by expenditure of approximately £5m per annum across the current and previous financial years.

- 2.5 The Council's revised approach to proactive management of damp and mould has also included proactive calls made to vulnerable households to check on the conditions in their home.

Not taking into account vulnerability and the circumstances of the resident

- 2.6 The review found this occurred as a result of information regarding the resident's circumstances sitting on different systems. However, following a visit in November 2022, the damp and mould manager suggested it was prudent for the family to be rehoused due to the health conditions noted by the tenant. A leak from above in December 2022 then caused damage to the flat leading to a ceiling collapse which further impacted on the resident.
- 2.7 The service recognises that all the circumstances were not properly considered in this case and is currently reviewing how it can better use knowledge of residents' individual circumstances. This work will also be guided by a self-assessment against the Ombudsman's spotlight report on Knowledge and Information Management.

Delays in complaints handling and quality of responses

- 2.8 The service regrets its oversight in not being more fastidious in its handling of the stage 1 complaint resulting in a delay of four working days. Most complaints received during this period were answered within the 10-day target. A revised process also now means that residents should be advised if their case will require more time.
- 2.9 The Ombudsman stated that the stage 2 complaint response lacked empathy for the individual circumstances of the resident and that comments made regarding the damp and mould were not appropriate.
- 2.10 The review found that the response to the stage 2 complaint did not sufficiently take into consideration everything the Council knew of the resident's circumstances and at that time the central complaints team had fewer resources to manage the caseloads being received, this impacting on the response provided. To help address this, the central complaints team has put in place additional resources to support its investigations and responses. Also, as the Council now has a dedicated team for the management of damp and mould cases in the repairs service, this helps to highlight and consider household characteristics in case management.

Recording of vulnerabilities

- 2.11 Some residents are identified as 'enhanced residents' on the repairs system and this information can be used to guide the prioritisation of repairs. However, the criteria for this group of residents are limited and focus on age and whether the resident is in receipt of a care package. Referrals and recommendations can also be made by Neighbourhood Housing Officers or other staff members. A review of

the criteria and how this influences the response of the service is to be undertaken in 2024/25.

Identifying similar cases and making sure they are addressed

- 2.12 The review notes that in December 2022 the Council took a very proactive approach to contacting residents about damp and mould. The approach did not only rely on people responding to letters, text messages and emails sent to tenants but also combined commissioning a research company to make outbound calls to over 1,000 tenants whose households were considered to be in high priority groups – i.e. household members over age 85, under age 5, those with respiratory conditions, severely overcrowded, and ‘enhanced residents’.
- 2.13 The Council is also reviewing data on clusters of cases within blocks or property archetypes to support its proactive work.

Making sure staff are suitably trained and follow procedures

- 2.14 Various staff within the service are suitably experienced and qualified, and consultants or sub-contractors are used on the basis of their knowledge and skills. Relevant repairs staff will be attending HHSRS training during January and February 2024.
- 2.15 More broadly there have been various training and educational awareness for staff and contractors – e.g. externally commissioned training from the company of building pathologist, Professor Michael Parrett; staff and contractor training to spot early signs of mould; 'how to' video aimed at staff, external referral agencies or anyone who enters someone's home to help them identify damp and mould and signpost them to relevant support; training provided to call handlers and front-line mould inspector staff; and toolbox talks on respectful treatment of residents, empathy and support.
- 2.16 Various learning sources, as well as the revised damp and mould procedures, will be used for refresher training for existing staff and contractors, and for induction training on damp and mould for new staff.

Management of formal complaints and adherence to the Ombudsman's complaints handling code

- 2.17 Staff responding to complaints regularly receive complaint handling training, and the last Housing Ombudsman provided training was during July 2023. The Complaints Team also receive internal procedural training and deliver training sessions for service teams. The central complaints team has confirmed that it adheres to the Ombudsman's complaints handling code.

Making sure staff understand their responsibilities under the Equality Act 2010, with regard to meeting residents' needs

- 2.18 All Council staff receive annual equality and diversity training, and this is supplemented by discussions at team meetings, during one-to-one meetings, or when discussing specific issues or improvements.

- 2.19 However, the service reports that there will be greater emphasis on considering intersectional matters and how reasonable adjustments are made in response to residents' individual circumstances. Record keeping and the ability of a Customer Relationship Management (CRM) system to improve practice is also an area of focus.

Ensuring compliance with the Ombudsman's spotlight report on damp and mould

- 2.20 The Council's self-assessment is included with this report.

3. Recommendations

- 3.1 The main recommendation arising from this review is for the service to continue work to implement the 26 recommendations the Ombudsman has already set out in the '*Spotlight on Damp and Mould – It's not Lifestyle*' report, alongside the 10 key success factors or tests outlined in the Ombudsman's '*One year on follow up report: Spotlight on damp and mould – it's not lifestyle*' report published in February 2023.
- 3.2 The Council is also carrying out a self-assessment against the Ombudsman's '*Spotlight on: Knowledge and Information Management (KIM) - On the record*' report published in May 2023. This will also form part of its wider work on data management, systems, and the configuration of new Customer Relationship Management (CRM) software.
- 3.3 The review emphasises the importance of the following as part of the above work:

Recommendation	How it will be taken forward
Greater attention in responding appropriately to individual resident circumstances and vulnerabilities.	This will form part of the Council's ongoing work to develop its policy and procedures
Action to support teams working off one system, or to have good access to property and resident information.	This is under active consideration as part of work to implement Customer Relationship Management (CRM) software.
Improved practice around data management i.e. how data is created, stored and shared and used as information to support service delivery.	This will be looked at as part of the self-assessment against the Ombudsman's Knowledge and Information Management report
Keeping tenants informed of the progress on matters they report, and/ or on matters that impact them	This is central to the work of the dedicated damp and mould team and monitoring to make sure actions are followed up and communicated.
Increased practical application of diversity awareness and consideration of multiple levels or need, vulnerability or disadvantage.	This will form part of the work on the 'enhanced tenant' criteria and the wider housing transformation project.
Ensuring complaint management is compliant with the complaint handling code	The central complaints team confirms adherence to the complaints handling code.
Documenting, embedding and performance managing learning from complaints	This is a key focus of the Council's work with the new Residents' Panel, and also the service improvement workshops it has introduced to work through case reviews carried out following Ombudsman determinations.

END