

**REDDITCH BOROUGH COUNCIL**

Executive Committee named m

14<sup>th</sup> January 2025

**Damp and Mould Additional Resources**

Relevant Portfolio Holder	Councillor Bill Hartnett
Portfolio Holder Consulted	Yes
Relevant Head of Service	Assistant Director of Environmental and Housing Property Services
Report Author	Job Title: Andrew Rainbow / Mike Walsh email: andrew.rainbow@bromsgroveandredditch.gov.uk Contact Tel: 1678
Wards Affected	All Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Communities which are safe, well maintained and green Finding somewhere to live
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Executive Committee RESOLVE that:-**

- 1) Subject to approval of recommendation 2, Members approve the contents of the Damp and Mould Business Case and the establishment of a Damp and Mould Team.**

**The Executive Committee is asked to RECOMMEND that;-**

- 2) £115,770 be released from the HRA budget for the financial year 2024/25 to cover the costs of the new team and that thereafter the costs summarised at paragraph 4.3 of the report of £463,078 be met from the HRA budget.**

**2. BACKGROUND**

- 2.1 The death of Awaab Ishack on 21 December 2020 due to a severe respiratory condition as a result of prolonged exposure to mould in the family home, prompted a campaign for the introduction of “Awaab’s Law”.
- 2.2 Following the subsequent coroner’s report and public outcry the government announced plans to make major changes to the law on damp and mould. “Awaab’s Law”, was introduced through the Social Housing Regulation Act 2023 which received the royal assent in July 2023. The new legislation regarding tenants affected by damp and mould

requires landlords to investigate and repair reported health hazards within specified timeframes

- 2.3 Although the primary legislation has been enacted, further details of the exact scope of the new regime will only become clear once secondary legislation has been introduced. This was originally expected by the Autumn of 2024 but has been delayed following the change of government. Based on the contents of a public consultation carried out by the previous government in January 2024, it is possible that the final version of Awaab's Law will be wider than the original expectation and could cover other housing health hazards in addition to damp and mould.
- 2.4 In anticipation of the legislative changes, social housing providers are being advised to review the level of specialist support they have in place to deal with damp and mould repairs. This support will need to cater for the new statutory timescales to be introduced for responding to complaints and completing repairs.
- 2.5 Housing Property Services have made great efforts to minimise the growing problem of damp and mould over the last few years acting within the limited resources available. However, in light of the new law the council will need to improve its delivery of repair services and ensure action is taken to comply with the appropriate timescales. Accordingly, this report sets out the need for additional resources to enable these new demands to be met.

### **3. OPERATIONAL ISSUES**

- 3.1 Members are referred to the business case attached at Appendix 1. This business case proposes the employment of a dedicated "Damp and Mould" team to address the prevalent issue of mould and dampness in council homes and to ensure that the council can meet the challenging timescales to investigate and remedy issues that have been set out in Awaab's Law.
- 3.2 The introduction of this specialised team aims to provide timely, efficient, and high-quality repair services to improve the living conditions of residents and prolong the lifespan of council properties. The proposed team will consist of skilled trade professionals trained in identifying, assessing, and remedying damp and mould problems. Their specialisation in this area will result in more effective solutions, ultimately reducing the recurrence of issues and lowering long-term maintenance costs for the council.
- 3.3 Investing in a damp and mould team aligns with the council's commitment to providing safe and habitable homes for residents.

Proactively addressing these issues, can contribute to improving residents' quality of life, health outcomes, and overall satisfaction with their housing arrangements.

- 3.4 There are a variety of applications that can be employed and to different property types design, there are a mix of applications such as Mechanical, electrical and non-mechanical, no one element will fix the problem. The team must assess the building to understand the root cause before they can repair.
- 3.5 As set out on pages 3 and 4 of the business case (and based on the 2024 consultation exercise) social housing providers will be expected to meet very strict deadlines for processing and responding to complaints about damp and mould. The anticipated time limits are set out in the table below.

Stage 1	Notification of complaint by tenant
Stage 2	Investigation of potential hazard to be carried out by landlord within 14 days
Stage 3	Landlord to provide a written summary of the investigation within 48 hours of completion of investigation.
Stage 4	If hazard poses a “significant risk to the health and safety of the resident” landlord to commence work within 7 days of the written summary being provided
Stage 5	Works to be completed within a “reasonable time” – no definition given of what a “reasonable time” would be.

- 3.6 As detailed on pages 5 and 6 of the business case, having reviewed the current staffing levels, it is anticipated that recruitment to extra posts would be needed to enable the proposed time limits to be complied with. The full detail is set out in the business case and summarised below:-

**Trade requirement**

- 3 x multi trade decorators
- 2 x multi trade builders
- 1 x scheduler/administrator

With regard to supervision, it has been identified that there is capacity in the current structure that can undertake this additional element.

**4. FINANCIAL IMPLICATIONS**

4.1 From 01/04/23 to 31/03/2024 the Repairs and Maintenance team received reports of damp and mould from 373 properties. These ranged from small, isolated patches to issues that affected the whole property. Of the 373, 45 jobs had to be outsourced to an external contractor. These were a range of larger and small scale works that the team could not complete in house that were mould treatments only. This was at a cost of £66,634.38, averaging £1480.76 per property.

4.2 If the team were to have outsourced all of this work to a contractor instead of delivery in house, then the cost based on the numbers of reports of damp and mould received is estimated to have been approx. £552,343.28. This would have been for mould treatments only. If ancillary works such as plastering, carpenters and builders work were to be included, then the figures would be significantly higher as noted below.

4.3 The cost to bring this work in house is as follows: -

Labour (inc on costs) £252,696.00 made up of : -

- 5 x tradespersons paid on grade 6 SCP 24 £219,080.00
- 1 x admin paid on grade 4 SCP 10 £33,616.00

Materials (estimated) £150,000.00

PPE, training & equipment (estimated) £10,000.00

Vehicles (estimated) £50,382.00

**Total £ 463,078.00**

This is an estimated cost based on quotations and data for the last 12 months.

4.4 Based on the estimated costs of going to an external contractor to undertake the works based on last year's data it is estimated that the costs would be £650,000. This includes labour and material costs of building works carried out by our internal workforce on jobs completed by contractors that were mould treatments only. Accordingly, providing this service in house would enable the provision of safe and habitable

homes for residents and in addition would yield a potential saving of approximately £187,000.00.

- 4.5 It should be noted that the new damp and mould service would be HRA funded.

## **5. LEGAL IMPLICATIONS**

- 5.1 The relevant legislation is the Social Housing (Regulation) Act 2023 which made amendments to the Housing and Regeneration Act 2008. Further guidance is also set out in the government publication “Understanding and Addressing the Health Risk of damp and mould on the home” which was published in September 2023.
- 5.2 As explained at paragraph 2.3, the introduction of the Social Housing (Regulation) Act 2023 lays the foundations for introducing Awaab’s law, but the new law requires the introduction of secondary legislation which to date has not happened. The government consultation carried out in January 2024 gives an indication of the details the government were considering at the time. The full scope of the housing health hazards that may be covered remains to be seen. However, the industry expectation is the damp and mould response times will be as set out in this report.
- 5.3 Registered Social Landlords are being strongly advised to review and update their service provision and response times in advance of the secondary legislation being introduced so as to be fully prepared for the changes. Under the new system tenants will not be required to provide medical evidence to support their claims, and where there is uncertainty over the extent of a hazard, landlords are being advised to err on the side of caution and complete the repairs identified.
- 5.4 In the event that the Council is not able to meet the deadlines set out in paragraph 3.4, tenants would have recourse to complain to the Housing Ombudsman. It is not entirely clear at this time how the two regimes of the new requirements under Awaab’s law and the existing civil law remedies for Housing Disrepair will interact with each other.

## **6. OTHER - IMPLICATIONS**

### **Relevant Strategic Purpose**

- 6.1 Investing in a mould and damp team aligns with the Council's commitment to providing safe and habitable homes for residents.

**Climate Change Implications**

- 6.2 Mould, damp and condensation are common problems in many buildings, often linked to poor ventilation, water ingress, and temperature differences due in part to climate change. There are 10 factors that can contribute to mould and damp. Each is a root cause and must be addressed moving forward.

**Equalities and Diversity Implications**

- 6.3 Damp and mould can have a greater impact on some of the council's more vulnerable tenants. The implementation of a dedicated damp and mould resource should have positive impacts relating to the following protected characteristics:

- Age: very young and older tenants are more likely to be affected by damp and mould issues, so prompt resolution would be beneficial.
- Pregnancy and maternity: pregnant women and their babies could be at greater risk from the impact of damp and mould, so prompt resolution is beneficial.
- Disability: tenants with a disability may be unable to resolve damp and mould issues without assistance. There are also certain health conditions which would be protected under the disability characteristic of the Equality Act that are at a greater risk from the damp and mould (including skin conditions, respiratory conditions or those with a weakened immune system), so early resolution would benefit these tenants.

- 6.4 If approved, a full Equality Impact Assessment will be undertaken on the service to be provided and the standards it will follow.

**7. RISK MANAGEMENT**

- 7.1 The risks identified in relation to this report are as follows:

- There is a risk to the health and welfare of council tenants arising from the Council not being able to deliver a speedy and effective repair service.
- There is a risk that tenants will not allow access to tradespersons attending to carry out surveys or repairs. This will have to be properly documented and records kept of efforts to gain access.
- The new timescales as set out in paragraph 3.4 will be more challenging to comply with and there is a risk that they will not be met. This risk is being mitigated by reviewing the service and

seeking approval for the introduction of a damp and mould team to make the service more resilient and able to comply with statutory timelines.

- There is a risk to the Council's reputation from failing to properly prepare for the new legislation; these risks are being mitigated by the steps in this report.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 Damp and Mould business case.