



Regulator of
Social Housing

Damp and mould in social housing

Learning the lessons

28 June 2023

Foreword

Social housing tenants deserve homes that are safe and of a decent standard and rely on their landlords to look after homes effectively and meet requirements designed to protect them from harm. The tragic death of toddler Awaab Ishak demonstrates the very serious harm that can come from living with untreated damp and mould. That is why in December 2022, we wrote to all large social housing landlords asking them to set out the extent of damp and mould in the homes they manage and how they are tackling this issue.

The evidence we collected shows that most tenants live in homes that are largely free from damp and mould and that the majority of landlords are able to deal with damp and mould effectively.

However, landlords cannot afford to be complacent.

There are lessons to be learned about tackling damp and mould effectively, and this report sets out the features of better and weaker responses to damp and mould issues. I encourage boards, councillors, and management teams to read it carefully and ask themselves challenging questions about how they could make improvements to what they currently do.

As well as tackling damp and mould issues, it is vitally important that landlords look at how they manage the condition and quality of their tenants' homes in the round. How landlords ensure the safety of their tenants against the full range of requirements will continue to be a key focus of our regulation as we prepare to carry out new inspections from April 2024.

Fiona MacGregor
Chief Executive

1. Introduction

- 1.1. The tragic death of toddler Awaab Ishak in Rochdale and the subsequent coroner's report, which found damp and mould in his home contributed to his death demonstrates the importance of landlords dealing effectively with damp and mould and the potential consequences of not doing so. It is crucial that landlords deliver an effective response to complaints of damp and mould and wider issues of poor conditions of tenants' homes. Following the coroner's report, we asked all large registered providers of social housing to submit evidence to us about the extent of damp and mould in their homes and their approach to tackling it. In February 2023, we reported the initial findings ¹ from the responses.
- 1.2 Most landlords' responses demonstrated that they:
 - are taking damp and mould seriously
 - identify and address cases of damp and mould in tenants' homes
 - have made improvements in how they handle damp and mould cases over the last year.
- 1.3 However, a minority of responses lacked the evidence needed for us to have confidence about whether they address issues of damp and mould appropriately. These responses did not necessarily mean the landlords had poor approaches but did mean that we needed to look more closely at what they are doing to tackle damp and mould effectively.
- 1.4 This report outlines the findings from the initial survey, our follow up with landlords where we needed more information, our wider work on stock condition and from cases considered through our reactive regulation.

¹ <https://www.gov.uk/government/publications/damp-and-mould-in-social-housing-initial-findings>

2. Our follow up engagement

2.1. We received 386 responses to the initial survey. Most landlords gave assurance they had the mechanisms and procedures in place for monitoring and responding to issues of damp and mould in their homes. However, we received a number of poor responses and a number of landlords indicated a comparatively high prevalence of issues of damp and mould in their stock. We followed up with those landlords. Where landlords respond quickly to identified problems and resolve them, having a higher prevalence of homes with damp and mould is not necessarily a cause for concern. Our focus in particular has been where either a landlord gave poor response or where it was not clear that a landlord manages damp and mould issues well. We followed up with a range of landlords following our initial survey.

Poor responses to our initial request for evidence

2.2. 55 landlords submitted poor responses to our initial request for evidence. We asked for further information on their approach to managing damp and mould and the extent of its prevalence in homes. In the additional information these landlords supplied, we found that, despite their weak initial response, most are taking their responsibilities to tackle damp and mould seriously.

2.3. The majority provided more detail in their response to our follow up request than they had done in the first survey. Others could point to improvements in governance, how they respond to tenants' damp and mould complaints, and how they manage stock condition since their first submissions in November. Several organisations had damp and mould policies signed off by their governing bodies which were not in place at the time of the initial survey. As a result of the follow up exercise, we concluded that for the majority of these landlords no further regulatory action was necessary.

2.4. However, eight local authority landlords did not provide an adequate response. Examples of weaknesses in their approach included:

- not having comprehensive and up to date stock condition surveys and data
- not having a clear process to deal with damp and mould in their homes or
- not being able to demonstrate they knew the number of cases of damp and mould in their homes.

2.5. We are continuing to engage with these landlords. If we take any regulatory action against those landlords, we will report this in due course.

- 2.6. In addition, since the coroner's report, we have received 12 self-referrals from landlords for a potential breach of the Home Standard due to damp and mould and 38 referrals from other sources. We are investigating these through our standard regulatory processes. If those investigations result in a finding that a landlord has breached the Home Standard with the potential for serious detriment to tenants, we will report that in a regulatory notice.

High prevalence of damp and mould

- 2.7. 11 landlords reported over 50 category 1 HHSRS (Housing health and safety rating system) damp and mould hazards in homes they manage. We wrote to these landlords requesting further details on their plans to address those cases, which they provided. Where necessary, we will follow up further with these landlords to ensure that they are carrying out their plans.
- 2.8. 53 landlords reported over 100 category 2 HHSRS damp and mould hazards in homes they manage. We will review their progress in managing these cases as part of our ongoing regulation of these landlords.

3. Findings from our regulation

- 3.1. This section summarises our findings from the initial survey, the follow up with landlords who provided a poor initial response and our reactive work. It shows a mixed but improving picture. Most landlords are taking the issue seriously and taking action to respond. A small number still have improvements to make and could strengthen their approach further.
- 3.2. While the picture is incomplete, our best estimate from the initial survey was that fewer than 0.2% of social homes have the most serious damp and mould problems, 1-2% have serious damp and mould problems, and a further 3-4% have notable damp and mould. Analysis of the information provided in our follow up survey is in line with this initial assessment.
- 3.3. Some of the common features from landlords who demonstrated a comprehensive understanding and response to damp and mould and property condition are outlined below.

Better governance

Effective organisations demonstrated strong board and councillor oversight of stock condition, including damp and mould, with regular progress reports made to governing bodies. Boards and councillors had assured themselves that effective processes are in place for tenants raising concerns about damp and mould. There was a damp and mould policy in place, with stated timescales for response, with the landlord taking clear ownership of the issue.

Better stock condition data and systems

High-performing landlords managed their data well, sharing it across the organisation, including using tenant data from a range of sources. They held accurate and up to date property condition information, based on comprehensive stock condition surveys. They had an effective survey validation process, potentially including external data validation. Their stock condition surveys included all aspects of the Decent Homes Standard² (DHS), including an assessment of category 1 and often category 2 hazards under the HHSRS.

Some of the best responses we received showed landlords using other data sources to feed into the overall picture on stock condition, including responsive repairs requests

² Decent Homes Standard guidance [[A decent home: definition and guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/a-decent-home-definition-and-guidance)]

and complaints. They took a more proactive approach by looking at other similar properties once damp and mould had been identified in a home.

Their responses stated they had accurate and up to date information on their tenants, including potential vulnerabilities and language requirements – for example through undertaking a regular tenant census.

Better operational approach to managing damp and mould

Effective organisations demonstrated a strong focus on understanding the current condition of tenants' homes. For example, all staff visiting tenants at home were given training on damp and mould identification. Some landlords established a specialist team to respond to damp and mould issues, working to specific response times and with clear key performance indicators (KPIs), which they reported to senior management and governing bodies. Most organisations used specialist damp and mould contractors where needed.

Effective landlords looked at a range of measures to treat damp and mould. They offered tenants temporary accommodation whilst work was being carried out where needed. Some landlords visited tenants three and six months after the repairs were completed, to ensure that the damp and mould in the home had not returned.

Most landlords had a clear process in place for tenants to report damp and mould in their homes, with an escalation process where necessary, keeping tenants up to date with progress. Effective landlords put tenants' needs at the heart of the process, with a particular focus on any potential vulnerabilities. They had information on their websites to provide advice to tenants and used other ways to inform tenants, such as newsletters.

- 3.4. A small number of landlords were not able to demonstrate a comprehensive understanding of and response to issues of damp and mould. In addition to not demonstrating the stronger features outlined above, some of the themes identified in the weaker response are outlined below:

Weaker governance

Some boards or councillors had limited governance or oversight of stock condition in general and of damp and mould in particular. Governing bodies received insufficient information about the quality of their stock. In some cases, the landlord did not have a specific damp and mould policy in place and overall governance of the landlord's response was not clear. Some reports to governing bodies on disrepair cases were not looked at in the wider context of what those cases said about stock condition, repairs performance and tenants' experiences more generally.

Weaker stock condition data and systems

Some poor responses included reference to out-of-date property data or incomplete stock condition surveys, with little or no validation of surveys. Some demonstrated an over-reliance on cloned data. Some stock condition surveys did not consider all aspects of DHS compliance, and did not assess for hazards under HHSRS.

Weaker operational approach to managing damp and mould

Some poor responses referred to responding to complaints of damp and mould without anyone looking at the tenant's home or establishing the cause of the issue – for example only providing tenants with advice on cleaning down surfaces.

- 3.5. We encourage all landlords to continue to review their approach to damp and mould and stock condition and the importance of governing bodies having oversight of this.

4. Wider stock condition lessons

- 4.1. The quality of stock condition information held by landlords is vital both to providing a high-quality service to their tenants and maintaining their asset base. This is something we have been highlighting in the annual Sector Risk Profile³.
- 4.2. A key component of our regulatory assurance comes from the annual stability check. This focuses on indicators of financial robustness and considers evidence of any significant changes in the risk profile of all private registered landlords owning more than a thousand social housing units.
- 4.3. In the 2022 stability check we looked in more detail at providers whose forecast major repairs spend was particularly low, or who reported a high level of DHS failures. We engaged with 69 landlords who had:
 - reported a fall in repairs and maintenance expenditure compared with their forecast,
 - had a comparatively high level of DHS non-compliance or
 - a lower quartile expenditure on repairs and maintenance.
- 4.4. We found that generally those landlords we followed up with were effective at developing financial projections based on stock condition data, especially to ensure key components such as boilers are replaced within the timescales set in the DHS. The response from some landlords did not satisfy us that they had accurate recent data or focused on all aspects of DHS compliance as part of stock condition surveys and some Boards did not appear to have oversight of DHS compliance. Damp and mould is one of the reasons a home can fail the DHS.
- 4.5. The lesson that landlords should take from our review is that governing bodies should have a good understanding of the condition of their stock, including investment requirements. This should be underpinned by up to date and accurate data, including from stock condition surveys. There should be a link between stock condition data and the forecast and actual expenditure on repairs and maintenance.
- 4.6. Landlords and their governing bodies need to know which of the homes they manage currently meet the DHS. A comprehensive understanding will use all the information they have available, such as stock condition surveys, repairs requests, complaints, to understand whether HHSRS category 1 and category 2 hazards have arisen and to identify failure against any of the four DHS criteria. External advice and validation may

³ [Sector risk profiles - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

be beneficial for providing assurance on the quality and accuracy of stock condition data.

- 4.7. Landlords must ensure that DHS compliance reported through the Statistical Data Return (SDR) and Local Authority Housing Statistics (LAHS) accurately reflects current stock condition. Any category 1 hazard (including damp and mould) must be appropriately reported as a DHS failure and dealt with as a priority to mitigate any risk to tenants.
- 4.8. We are expanding the data we collect on stock condition. There are new questions on DHS and energy efficiency that we have collected through the 2023 SDR. We may follow up on SDR data through direct regulatory engagement where necessary. We will also use the information we collect to inform our assurance work in the 2023 stability check.
- 4.9. Landlords cannot provide an effective service to tenants unless they know their stock and we will continue to take action where landlords have poor stock condition information. We have previously made regulatory judgements and served regulatory notices where poor stock condition information is a feature and will continue to do so wherever necessary. In the last 12 months, 19 landlords have been downgraded or deemed non-compliant with our standards where stock condition related issues were a prime factor in the decision. This included issues with damp and mould, health and safety failures and failure to meet the Decent Homes Standard.

5. Conclusions and looking ahead

- 5.1. Maintaining homes that are safe and in good condition is a core function of all social landlords. Landlords should consider the issues raised in this report as part of effective management of damp and mould and overall stock condition which ensures homes are well maintained and any concerns are addressed quickly. The condition of their homes and quality of repairs services are the main ways residents judge the performance of their landlord. Effective asset management is a fundamental part of good customer service and drives levels of customer satisfaction.
- 5.2. High quality, comprehensive and up-to-date stock condition information is the foundation of strong asset management. Landlords cannot improve the quality of the homes tenants live in if they do not know what condition they are in and what investment they need. In conjunction with this, landlords need to understand the needs of their tenants, such as potential vulnerabilities and considering language or literacy barriers in reporting issues, so that they can triage these cases appropriately.
- 5.3. We will be continuing to scrutinise landlords' performance on stock condition, damp and mould and DHS compliance, including through the new regulatory inspections being introduced from April 2024, and our existing regulatory tools.
- 5.4. Our focus for IDAs in 2023 will include ensuring that governing bodies understand their organisation's approach to stock condition surveys, why it is suitable for its stock characteristics and how it picks up and responds to DHS failure and hazards. We will want to understand how survey data is used to formulate operational and financial asset management plans, including that properties meet DHS, and that those plans are being implemented as intended.
- 5.5. There will also be greater external scrutiny. Comparative repairs performance and tenants' views on the services they receive from their landlord will be published annually from summer 2024, with the first round of Tenant Satisfaction Measures.
- 5.6. Expectations on landlords to provide good quality homes to their tenants and deal with any problems quickly continue to increase. Subject to legislation, we expect to be undertaking consultation on the new consumer standards in the summer. The standards are due to be launched before April 2024 as part of our proactive regulatory approach. They will set out our expectations for landlords including on stock condition requirements, which will be assessed as part of the new regulatory inspections. The government has committed to reviewing the Decent Homes Standard and is expected to consult on an updated standard in due course.

- 5.7. Landlords also need to prepare for new provisions being introduced as part of the Social Housing (Regulation) Bill, which will place more responsibilities on landlords to respond to complaints about damp and mould and other hazards quickly and inform their tenants about how to complain.
- 5.8. Landlords should consider the issues raised in this report, and prepare for the forthcoming regulation of consumer standards, to ensure they have a good approach to maintaining their assets, tackling damp and mould in their homes and ensure that the homes they provide are safe and decent.



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The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.