

Title of meeting:	Cabinet
Date of meeting:	25 th June 2024
Subject:	Response to Housing and Social Care Scrutiny Review
Report by:	James Hill, Director of Housing, Neighbourhood & Building Services
Cabinet Member:	Councillor Darren Sanders, Cabinet Member, Housing and Tackling Homelessness
Report Authors:	Sally Scattergood, Assistant Director Housing Adam Hardwick, Assistant Director Building Services Steve Groves, Head of Building Maintenance
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of the report is to set out the response of officers to the Housing and Social Care Scrutiny Panel's recommendations arising from a scrutiny review into the response of the Local Authority and Landlords in the city to the issue of damp and mould in social housing and in the private rented housing.

2. Recommendations

- 2.1. That the Panel is thanked for its work in undertaking the review and the resulting report; and
- 2.2. That Cabinet notes the panel's report and recommendations as set out in Appendix A to this report, together with the officer responses to the recommendations as set out in 4.4 of this report.

3. Background

- 3.1. The Housing and Social Care Scrutiny reviewed the response of the Local Authority and Landlords in the City to the issue of damp and mould in social housing and private rented housing.

3.2. The Panel's review was undertaken over the course of several meetings between July 2023 and February 2024.

3.3. The review included receiving evidence from:

- 3.3.1. Local authority officers from the Housing Management team, Building Services and Private Sector Housing teams
- 3.3.2. Housing Associations and Housing Association tenants
- 3.3.3. Private Rented Sector Landlords and Tenants

3.4. By way of written evidence the panel received the following:

- 3.4.1. Letter from Secretary of State on rented property standards
- 3.4.2. Letter to CEOs of large registered social housing providers
- 3.4.3. Letter to CEOs of large registered social housing providers
- 3.4.4. Initial response to Department for Levelling Up, Housing & Communities
- 3.4.5. Local authority returns for damp and mould in private rented sector
- 3.4.6. Registered Social Landlord damp and mould return.
- 3.4.7. PCC Housing staff bulletin
- 3.4.8. Damp and mould leaflet for PCC tenants

3.5. The written evidence can be found in the appendices to the scrutiny panel's report.

3.6. The Scrutiny Panel's review report can be found in full at Appendix A.

4. Reasons for recommendations

4.1. The scrutiny panel made ten recommendations in total. The recommendations can be found at Appendix A and are shown on pages 20 - 21 of the panel's report.

4.2. Prior to the scrutiny review the Local authority initiated an internal review of practice and formed a damp and mould working group to oversee the review. The Local Authorities internal audit team also were asked to audit the local authorities housing service practice. The findings from that work and the scrutiny panel report will be used to change and enhance practice. The internal audit report agreed actions were.

- 4.2.1 Recommendation to seek approval from the Housing & Tackling Homelessness Cabinet for a damp and mould policy was approved on 22nd February 2024
- 4.2.2 Recommendation that a standardised new template to record information has been incorporated into the guidance.
- 4.2.3 Recommendation that records relating to complaints maintained to ensure an auditable record has been implemented.
- 4.2.4 Recommendation hierarchy system is used to determine any issues has been implemented.

- 4.3. The Local Authority housing service brought forward an updated Damp and Mould policy which was agreed by Housing Cabinet on the 22nd February 2024. The report noted at that time the ongoing work of the scrutiny panel and agreed to further change the policy if necessary, following the conclusion of the Housing and Social Care scrutiny panels review.
- 4.4. The Housing and Social Care Scrutiny Panel's recommendations are shown in appendix A. The following shows how they will be taken forward:
 - 4.4.1 Recommendation 2 has already been actioned in the new policy.
 - 4.4.2 Recommendations 3, 4 and 5 will be incorporated into the housing services work plan for 2024/25
 - 4.4.3 Recommendations 6, 7, 8, 9 and 10 will be taken forward by the Damp and Mould working Group and will form part of the work plan for the Private Sector Housing team.
 - 4.4.4 For recommendation 7 the private sector housing team will also use a Landlord Bulletin to promote good practice to landlords and engage the PDPLA to also promote good practice
- 4.5 The scrutiny panel has also made recommendations 8 - 9 which seek to change the practice of other RSL (housing associations). The local authority is not able to mandate change but as recommendation 8 notes the Local authority chair a forum of social housing providers and that will be used to promote the findings of the panel and influence change in practice where appropriate.

5. Integrated impact assessment

- 5.1. An IIA is not required as the recommendations do not require impact assessment. The Local Authorities housing service Damp and Mould policy has a separate IIA.

6. Legal implications

- 6.1. There are no legal implications arising directly from the specific recommendations and officer responses set out in the report, but legal support can be provided as may be necessary in connection with the implementation of recommended initiatives.

7. Director of Finance's comments

- 7.1. Implementation of the various initiatives outlined in the report will be subject to available budget provision.

Signed by:

James Hill
Director of Housing, Neighbourhoods and Building Services



Appendices:

Appendix A: Extract from the Scrutiny Management Panel Report and Recommendations

The full report can be accessed via the PCC website:

<https://democracy.portsmouth.gov.uk/documents/s51049/Review%20into%20damp%20and%20mould%20in%20social%20and%20private%20rented%20housing.pdf>

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Damp and Mould Policy	Agenda for Cabinet Member for Housing and Tackling Homelessness on Thursday, 22nd February, 2024, 10.00 am Portsmouth City Council
Housing and Social Care Scrutiny Panel review into the response of the local authority and landlords in the city to the issue of damp and mould in social housing and private rented housing	Report date published 13 March 2024 https://democracy.portsmouth.gov.uk/documents/s51049/Review%20into%20damp%20and%20mould%20in%20social%20and%20private%20rented%20housing.pdf

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

Signed by:
Cabinet Member for Housing and Tackling Homelessness

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Appendix A - Extract

HOUSING AND SOCIAL CARE SCRUTINY PANEL REVIEW INTO THE RESPONSE OF THE LOCAL AUTHORITY AND LANDLORDS IN THE CITY TO THE ISSUE OF DAMP AND MOULD IN SOCIAL HOUSING AND PRIVATE RENTED HOUSING

Date published: 13 March 2024

Under the terms of the Council's Constitution, reports prepared by a Scrutiny Panel should be considered formally by the Cabinet or the relevant Cabinet Member within a period of eight weeks, as required by Rule 11(a) of the Policy & Review Procedure Rules.

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Recommendations The panel made the following recommendations:

1. To request the Leader and the Chief Executive to thank James Hill, Jo Bennett, Martyn Collins, Michael Conway, Antonia Craze, Mark Fitch, Steve Groves, Adam Hardwick, Clare Hardwick, Meredydd Hughes, Gemma Moreau and Sally Scattergood for their work in supporting the review.
2. To continue promoting the approach of damp and mould being everyone's responsibility and check energy performance data to target and prevent possible damp and mould problems.
3. To put copies of House Talk in all councillors' pigeonholes so they are aware of the advice PCC gives tenants and leaseholders on damp and mould.
4. To put information and advice on damp and mould in stairwells of PCC properties.
5. To give leaflets on damp and mould to councillors in areas with more social housing so they can give them to tenants who might need or benefit from them and to community leaders so they can disseminate information to residents who might be hard to reach, ensuring that leaflets and communications are accessible to residents who do not have English as a first language or have visual impairments.
6. To raise awareness of what PCC can do to help housing association and private sector tenants, for example, Switched On Portsmouth, LEAP, HNAS.
7. To put information on PCC's website that landlords can use in tenancy packs.
8. To raise or suggest at the regular forum with RSL providers some sort of standing agreement on getting consent to share information from tenants to help speed up dealing with complaints.
9. To suggest providers have a dedicated phone line to deal with complaints rather than contact centres.
10. To lobby for damp and mould to score more highly on the Housing Health & Safety Rating System and for more protection for private tenants, for example, an end to no-fault evictions.