



Clarion Housing Group's self-assessment against the Housing Ombudsman's 26 recommendations in its spotlight report: **It's not lifestyle.**



Introduction

In October 2021, the Housing Ombudsman published a spotlight report called “It’s not lifestyle” into sector-wide resident complaints about condensation, damp and mould. The report made 26 recommendations for social landlords.

The following month, Clarion presented a condensation, damp and mould action plan to its Housing Association Board - the result of a project that had been commissioned by the Group Executive Team in August 2021. This plan answered all of the recommendations in the Housing Ombudsman’s spotlight report and gave a two-three year timeline for full implementation.

In November 2022, the coroner’s inquest into the tragic death of two year old Awaab Ishak, in Rochdale, concluded that Awaab died of a respiratory condition caused by mould. Immediately, the leadership of Clarion agreed that this was a watershed moment for the sector, and a case such as Awaab’s must never be repeated again. The decision was taken to accelerate the condensation, damp and mould action plan and widen the scope to include persistent leaks, which can so often prove to be the root cause of damp and mould. The accelerated action plan was approved by Clarion’s Group Board the same month.

This report sets out Clarion’s self-assessment against each of the 26 recommendations made by the Housing Ombudsman in its spotlight report. Building on the spotlight report, the Housing Ombudsman has since identified ten key tests for governing bodies to evaluate its organisation’s response to damp and mould, and highlighted areas that need continued focus: legal proceedings, fairness, good governance and continued learning. We are currently reviewing the 10 further points, with a view to developing a way to test ourselves against these.

Chapter 1: From reactive to proactive



1 Landlords should adopt a zero-tolerance approach to damp and mould interventions. Landlords should review their current strategy and consider whether their approach will achieve this.

Clarion Action

We have reviewed and changed our approach to condensation, damp and mould (CDM) but also widened this out to look at leaks that are unresolved at first appointment. Our new approach starts with five principles; **we must respond in an urgent and timely manner** to any report of leaks, condensation, damp and mould (LCDM), **we must fully investigate & treat the root cause of every reported LCDM case in an urgent and timely manner**, in the event of an extensive case **we must temporarily move the household whilst we complete our treatment of the property, we must keep complete & extensive records of each case**, including photographic records during each visit, **we must keep the customer updated at every stage of the repairs journey** and provide a single point of contact. Our new approach to LCDM has five strands; Proactive case review, Reactive case management, Proactive identification, LCDM plan and disrepair improvement plan.

Completion date: Complete



2 Landlords should consider whether they require an overall framework, or policy, to address damp and mould which would cover each area where the landlord may be required to act. This would include any proactive interventions, its approach to diagnosis, actions it considers appropriate in different circumstances, effective communication and aftercare.

Clarion Action

We are developing a policy alongside our new approach and this has been informed by the views of 134 residents who were consulted on a draft. Our guiding principles help to shape the policy. There are also supporting policies that we will review namely; No access policy, decant policy and allocations policy.

Completion date: March '23

3 Landlords should review the accessibility and use of their systems for reporting repairs and making complaints to 'find their silence'.

Clarion Action

We have opened up a dedicated phone line, email address and digital channels to report LCDM cases. We have written to every customer to remind them how to report LCDM, repairs, complaints and to the Housing Ombudsman. We have made our communications widely accessible, including language translations. We will also assign resident liaison officers (RLO) to the LCDM cases, so that customers have regular proactive contact from us. We will also assign a named surveyor to act as a case owner for each LCDM case.

Completion date: Complete



4 Landlords should identify opportunities for extending the scope of their diagnosis within buildings, for example by examining neighbouring properties, to ensure the response early on is as effective as possible.

Clarion Action

This will be part of our proactive identification workstream. We will use our repairs data, stock condition data, remote monitoring and staff/contractor visits to more holistically tackle LCDM issues. We have also started a program of 'Property MOT's', which will target high priority properties.

Completion date: Complete



5 Landlords should implement a data driven, risk-based approach with respect to damp and mould. This will reduce over reliance on residents to report issues, help landlords identify hidden issues and support landlords to anticipate and prioritise interventions before a complaint or disrepair claim is made.

Clarion Action

Building on the answer above, we will create an LCDM case database. We will use this to prioritise investment, interventions and also proactive customer support.

Completion date: May '23

6 Where properties are identified for future disposal or are within an area marked for regeneration, landlords should proactively satisfy themselves that residents do not receive a poorer standard of service or lower living conditions, that steps are taken to avoid homes degrading to an unacceptable condition and that they regularly engage and communicate with these residents.

Clarion Action

This was one of the lessons we learned and published in our report following the issues at our Eastfields estate. We will actively invest in our homes and services until the last person is rehoused. We now have an asset management plan alongside every regeneration scheme and proposal.

Completion date: Complete



7 Landlords should avoid taking actions that solely place the onus on the resident. They should evaluate what mitigations they can put in place to support residents in cases where structural interventions are not appropriate and satisfy themselves they are taking all reasonable steps.

Clarion Action

We will provide support and guidance to all of our residents. Some general guidance is provided on our website but we will also create bespoke LCDM management plans for customers where required.

Completion date: May '23

8 Together with residents, landlords should review the information, materials and support provided to residents to ensure that these strike the right tone and are effective in helping residents to avoid damp and mould in their properties.

Clarion Action

We have completed this review and produced new materials, which we consulted residents on, incorporating their views into the final versions.

Completion date: Complete



9 Landlords should be more transparent with residents involved in mutual exchanges and make the most of every opportunity to identify and address damp and mould, including visits and void periods.

Clarion Action

We check for damp at mutual exchange home inspections before approving the exchange but will strengthen this to specify a room by room check and advise the incoming tenants of our findings and any required action. For other visits we will be relaunching the 'make every visit count' principles of reporting concerns and more proactively asking about damp and mould. Void periods present an opportunity for Clarion Response to measure damp levels, remove mould and take appropriate action.

Completion date: July '23

10 Landlords should ensure their strategy for delivering net zero carbon homes considers and plans for how they can identify and respond to potential unintended consequences around damp and mould.

Clarion Action

We predominantly take a worst first, fabric first approach to our net zero carbon strategy targeting our most fuel poor homes. We have adopted the PAS2035/2030 framework to delivering our retrofit works, ensuring that works are designed to mitigate damp and mould including air tightness, cold bridging, adequate ventilation strategy and remote monitoring equipment (Switchee).

Completion date: Complete



Chapter 2: From inferring blame to taking responsibility



11 Landlords should review, alongside residents, their initial response to reports of damp and mould to ensure they avoid automatically apportioning blame or using language that leaves residents feeling blamed.

Clarion Action

We are completing this review and we are creating an internal communication, management cascade, training for our staff and we have a staff training video. Part of the LCDM action plan includes looking at holding regular focus groups for residents to have some discussions around causes of damp and mould, how Clarion deals with them and feedback on how we could improve or adapt our approach based on lessons learned. This could also include exploratory questions around what they learnt about their own behaviours and what they did to help make things more manageable.

Completion date: May '23

12 Landlords should consider their current approach to record keeping and satisfy themselves it is sufficiently accurate and robust. We would encourage landlords to go further and consider whether their record keeping systems and processes support a risk-based approach to damp and mould.

Clarion Action

We have a principle: We must keep complete and extensive records of each case, including photographic records during each visit. These will be stored centrally, logged against each case and eventually will be logged on our CRM system.

Completion date: May '23

13 Landlords should ensure that their responses to reports of damp and mould are timely and reflect the urgency of the issue.

Clarion Action

This is one of our principles. We are introducing a new faster response time for new LCDM repairs cases. We will assign a case manager to each persistent case and an RLO, who will proactively call each customer to check how visits went and advise on next steps. The case manager will provide regular, bespoke updates to each customer and a case will never be left for more than 10 working days without a customer update.

Completion date: May '23

14 Landlords should review the number of missed appointments in relation to damp and mould cases and, depending on the outcome of any review, consider what steps may be required to reduce them.

Clarion Action

Any missed appointment will be followed up by the RLO and/or case manager.

Completion date: May '23

15 Landlords should ensure that their staff, whether in-house or contractors, have the ability to identify and report early signs of damp and mould.

Clarion Action

An 'every visit counts' campaign will be run aimed at any member of staff/supply chain that visits our homes as part of their remit. We will make it easy for staff/suppliers to report concerns.

Completion date: July '23

16 Landlords should take steps to identify and resolve any skills gaps they may have, ensuring their staff and contractors have appropriate expertise to properly diagnose and respond to reports of damp and mould.

Clarion Action

We have already trained all our surveying staff and we have created an all staff training video for LCDM. Further recruitment, training and communication is planned.

Completion date: May '23



17 Landlords should ensure that they clearly and regularly communicate with their residents regarding actions taken or otherwise to resolve reports of damp and mould. Landlords should review and update any associated processes and policies accordingly.

Clarion Action

This is one of our principles. We will assign a case manager to each case and an RLO. The RLO will proactively call each customer to check how visits went and advise on next steps. The case manager we provide regular, bespoke updates to each customer and a case will never be left for more than 10 working days without a customer update.

Completion date: May '23

18 Landlords must ensure there is effective internal communication between their teams and departments, and ensure that one individual or team has overall responsibility for ensuring complaints or reports are resolved, including follow up or aftercare.

Clarion Action

We will communicate our new approach to the organisation, including roles and responsibilities. Every case will be assigned a case owner and a resident liaison officer and the LCDM team will case manage any complaints through to resolution.

Completion date: April '23

19 Landlords should ensure that their complaints policy is effective and in line with the Complaint Handling Code, with clear compensation and redress guidance. Remedies should be commensurate to the distress and inconvenience caused to the resident, whilst recognising that each case is individual and should be considered on its own merits.

Clarion Action

Our complaints policy is compliant with the Complaints Handling Code and a copy of this is on our website. We treat each individually and ensure we keep our customers informed, manage their expectations and provide a fair and reasonable resolution. We will consider additional resolutions and compensation if things go wrong and will ensure action plans are in place to put things right.

Completion date: Complete



Chapter 3: From disrepair claims to resolution



20 Landlords need to ensure they can identify complex cases at an early stage, and have a strategy for keeping residents informed and effective resolution.

Clarion Action

Each new case will be attended quickly by a multi trade operative (MTO). If a LCDM case cannot be resolved at first visit, the case will be assigned to a case owner and a RLO. The assigned cases will be tracked through our systems.

Completion date: May '23

21 Landlords should identify where an independent, mutually agreed and suitably qualified surveyor should be used, share the outcomes of all surveys and inspections with residents to help them understand the findings and be clear on next steps. Landlords should then act on accepted survey recommendations in a timely manner.

Clarion Action

Surveyor cases: We have good internal expertise but from time to time we will engage with third party experts, where specific expertise is required or because we require a second opinion. In such cases we would share outcomes of surveys and inspections with our residents and we would act on recommendations in a timely manner.

Legal Disrepair cases: We appoint a joint expert with a shared fee responsibility. The expert will attend a joint visit and work to an agreed draft Scott Schedule whilst onsite. The surveys are fed back to the instructing solicitor and then the claimants solicitor will share and agree the findings with their client. The claimants solicitor will agree a schedule of work with their client, we will agree a start date and a arrange a decant if one is required.

Completion date: Complete



22 Where extensive works may be required, landlords should consider the individual circumstances of the household, including any vulnerabilities, and whether or not it is appropriate to move resident(s) out of their home at an early stage.

Clarion Action

This is one of our principles and we have also further enhanced our decant policy. Our decant policy has always been to move people temporarily where extensive works are required.

Completion date: Complete



23 Landlords should promote the benefits of their complaints process and the Ombudsman to their residents as an appropriate and effective route to resolving disputes.

Clarion Action

We have recently written to every customer to remind them how to report LCDM, repairs, complaints and to the Housing Ombudsman. We have made this clear on our website and will also remind customers in writing through certain types of communication. This was previously undertaken between September and November 2021 and all customers received a letter and leaflet on how to make a complaint and report a repair.

Completion date: Complete



24 Landlords should continue to use the complaints procedure when the pre-action protocol has commenced and until legal proceedings have been issued to maximise the opportunities to resolve disputes outside of court. Landlords should ensure their approach is consistent with our jurisdiction guidance and their legal and complaint teams work together effectively where an issue is being pursued through the complaints process and protocol.

Clarion Action

We have clearly set out in our complaints policy that we will progress and resolve customer enquiries and complaints until court proceedings have been initiated. We work with our legal team to ensure our approach is compliant with the Housing Ombudsman and their jurisdiction guidance.

Completion date: Complete



Chapter 4: From a complaints to a learning culture



25 Landlords should consider how best to share learning from complaints and the positive impact of changes made as a result within the organisation and externally. Systems should allow the landlord to analyse their complaints data effectively and identify themes, trends and learning opportunities.

Clarion Action

We have completed a complaints review and one of the recommendations is to develop our systems to improve learnings. The development will provide real time and retrospective learnings. We provide learnings on all cases that are determined by the Housing Ombudsman currently including, reasonable redress. We follow up on every piece of poor feedback that we receive from customers through our 'On My Way' real-time messaging service for repair appointments within 24 hours and we follow up on all poor Trust Pilot ratings. Learnings from poor feedback are used to shape our service.

Completion date: May '23

26 Landlords should ensure they treat residents reporting damp and mould with respect and empathy. The distress and inconvenience experienced by residents in this area is some of the most profound we have seen, and this needs to be reflected in the tone and approach of the complaint handling.

Clarion Action

We have completed this review and we are creating an internal communication, management cascade and training for our staff. We have a staff training video and we will also be setting expectations for our staff through our internal communications.

Completion date: March '23

