



CLARION
HOUSING

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

UPDATED NOV 2023



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: December 2022



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've created an LCDM policy which has been approved by our engaged residents. We've also completed reviews of our no access, decant and allocations policies in respect of the management of LCDM.

Completion date: September 2023



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: December 2022



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: April 2023



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

We now have a single system which records all cases of LCDM and can be used to prioritise investment, interventions and proactive customer support.

Completion date: May 2023



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've made changes to our ways of working to ensure that we can produce management plans for residents setting out what we'll be doing to resolve the issues in their home.

Completion date: October 2023



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've strengthened the checks on mutual exchanges and introduced a pause to progression of mutual exchanges where a survey for LCDM has not been completed. This will allow us to ensure that any LCDM issues are resolved before the incoming tenant completes the exchange.

Completion date: September 2023



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: December 2022



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: December 2022



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: August 2023



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've held our first resident focus groups and are using feedback from this to improve our ways of working and our communication with customers.

Completion date: October 2023



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 now have a single system where we store all records relating to the case including photos, reports and evidence of readings from devices used to identify the presence of damp.

Completion date: May 2023



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

We'll make 2 attempts to visit our properties where LCDM is reported. We'll send text messages confirming appointment times and will also send reminders the day before the visit. Where access is still not gained, we'll make a further attempt to contact the customer to see whether access can be agreed. Failure to secure access after this will be managed through our group "no access" policy.

Completion date: May 2023



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

All staff have had training, specialists have had more extensive training and we'll continue to monitor this as the capabilities around diagnosis and treatment evolve.

Completion date: May 2023



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

Clarion Action

We've re-evaluated our approach to the initial response to reports to ensure that we're reaching the most extensive cases and vulnerable customers quickly. We've taken guidance from the NHS and the Department for Levelling Up Housing & Communities to shape this.

Completion date: May 2023



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

We've put in place clear guidance on how to identify and report LCDM for our staff and our contractors. Reminders on the approach are issued regularly.

Completion date: October 2023



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 will agree with the customer the method and frequency of communication providing bespoke updates to this plan.

Completion date: May 2023



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

Completion date: June 2023



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: December 2022



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

We've put in place a new prioritisation approach to ensure that we're visiting the most affected properties and most vulnerable residents as quickly as possible.

Completion date: May 2023



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 arrange a decant if one is required.

Completion date: December 2022



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: December 2022



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: December 2022



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: December 2022



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: October 2023

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 a review of our tone and approach and used our learnings to create an internal communication management cascade and training for our staff. We have a staff training video and have set expectations for our staff through our internal communications.



Completion date: March 2023

