

## Response ID ANON-PEGT-J24N-E

Submitted to Local authority returns form: damp and mould in private rented properties  
Submitted on 2023-01-27 16:56:13

### Introduction

#### Details:

1 Please provide the full name of your local authority:

Answer:  
Sheffield City Council

2 Please provide an email address of a named person we can contact with any further queries:

Answer:  
darryl.smedley@sheffield.gov.uk

3 Approximately how many private rented sector properties are in your area currently?

Answer. Please provide a number. If you cannot answer, please write 'NA':  
60000

4 What data sources do you normally use to inform your knowledge of the quality and condition of the privately rented stock in your area?

b) Stock modelling, d) Estimate based on general knowledge of local housing stock, f) Other: e.g. licensing schemes(s), council tax, please provide details (below)

Answer (option - f):  
Licensing scheme

5 Approximately what number of full-time equivalent (FTE) do you have in your housing enforcement team? In answering, please provide the number of all staff working on private rented sector standards, enforcement and licensing, including how many FTE Environmental Health Officers are carrying out enforcement, plus those that work in administrative and managerial roles, but not including legal resource. Also please do not include staff who only work on MEES. Where a staff member works on MEES alongside other housing enforcement, please include them in your FTE numbers.

Optional:  
Total – 26.5 - Enforcement Officers – 13.6, Liaison Officers (administration) – 7.4, Managers – 5.5 (this includes 1 Service Manager and, 4.5 Team Managers)

6 Do you run any Selective and/or Additional Licensing schemes in your area?

Selective

7 If you do run any licensing schemes, approximately how many properties are covered by your scheme(s)? Please break down by each individual Selective/Additional licensing scheme

Optional:  
Current Selective Licences - 443 licences, Completed Selective Licence designation – Page Hall (completed 21st April 2019) - 313 licences. Sheffield City Council has introduced 2 Selective Licensing Schemes: Page Hall Selective Licensing Scheme, this included the licensing of 313 homes. This Licensing Schemes was approved by Sheffield City Council Cabinet meeting and, commenced on 22 April 2014 and was completed on 21st April 2019. A review of the Selective Licensing Scheme was undertaken with a published report in October 2019. This can be found on the Council's Website. The total number of licenses issued was 313. The implementation of a Selective Licensing scheme along parts of London Road, Abbeydale Road and Chesterfield Road from 1 November 2018 was approved by Cabinet on 20 June 2018. This has involved the licensing of 443 homes. This scheme will end on 1st November 2023. A full review of the scheme will take place post completion and the finding will be reported to the Council's Housing Policy Committee.

### Prevalence of damp and mould

8 Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 1 damp and mould hazards?

%:  
n/a

9 What data sources do you normally use to come to the assessment provided in question 8?

a) Stock condition survey

Other please specify:

n/a

10 Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 2 damp and mould hazards?

%:

n/a

11 What data sources do you normally use to come to the assessment provided in question 9?

a) Stock condition survey

Other please specify:

n/a

12 If you have not collected the information requested or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

Answer:

We have recently completed a stock condition survey which has provided some results at archetype level, but this survey was based on modelled data and did not specifically give the level of detail we need on the prevalence of damp and mould. However, we are investigating whether we are able to revisit the BRE model data and obtain Damp and Mould detail that would support our approach. Our attempts to use corresponding data sets like excess cold and fuel poverty to try and locate areas where damp and mould are more likely to be prevalent have only been partially successful. We could undertake a review of previous enforcement data/ cases but this is resource intensive so are exploring alternative solutions. We are exploring the potential to carry out a stock condition/stock modelling survey which will be concentrated on damp and mould in 2023. This would give us data which would inform us on prevalence and location across the city. The only way to provide the level of data required is to carry out 100% stock condition survey or, more detailed Archetype survey and this is something that the Council is keen to undertake, however, the resources required and financial cost without Government support means this is unaffordable. If this could be supported by Government, then this would enable us to have in place a robust Asset Management system for all Private Rented homes in the city as a baseline. Once we have this baseline established a robust plan can be put in place as to how we can improve conditions. This would enable us to implement a routine annual stock condition survey approach to keep information up to date. Based on our experience, stock profile, archetypes and the significant number of private rented properties in the city we expect that the data will show a high prevalence of damp and mould once modelling is completed. The Council is replacing its IT systems for Housing during 2023 and this will replace the Private Sector Housing Data System. Once the new System is in place (contract awarded) this will enable the full breakdown of household, property and condition data at archetype and address level.

## Enforcement Questions: complaints

13 Please tell us what steps you take when you receive a complaint about damp and mould from a private rented sector tenant. Where relevant, please refer to or provide links to any enforcement policies you have in place (e.g. on enforcing category 2 hazards) and any guidance you might provide for tenants experiencing damp and mould issues.

Optional:

A robust system is in place for the management of reports of disrepair and enquiries are recorded and monitored. Performance of complaints is reported regularly as part of Council governance arrangements. A Private Sector Housing Liaison Officer will be assigned to work with the customer and will verify the detail so that action can be taken to resolve the incidence of disrepair/ damp. This will then be assigned to an Enforcement Officer who will arrange to visit the property to carry out a HHSRS inspection of the property. We also provide customers with information about damp and mould via Information Leaflets (that can be made available in multiple languages or access to translation) that gives advice to tenants on how to manage moisture in their homes until repairs by their landlord can be completed. Officer action will depend on the particulars of the case which may include location, cause and severity. This could lead to formal enforcement action through an Improvement Notice or Emergency Remedial Action and could also result in an insanitary or unsuitable referral to our Housing Solutions Team (Homeless Services). It is not uncommon for these actions to run concurrently as they are not mutually exclusive. Our priority is to ensure that tenants are safe, their home is habitable, free from excess cold, damp and mould, disrepair and to assess the suitability of the homes to household. We do not have a policy on Category 2 hazards but have an instruction to Officers that details general guidance on the issue and we also provide robust training programme for the team. Since the Secretary of State issued a Section 3 instruction regarding damp and mould category 2 hazards we have given further instruction to Officers on category 2 hazards specifically related to damp and mould. Though this was very similar to the general category 2 instruction that has been in place for several years. We have established a cross-tenure Damp and Mould Taskforce, chaired by the Director of Housing that also reports into the Council's Housing Policy Committee. This meeting is attended by Public Health, Environmental Protection, Council Housing Tenancy & Asset Management Teams, Repairs Services, Private Housing Standards, Communications, Children's Services, Care and NHS. This taskforce aim is to triage information and collective action, is responsible for leading the Local Authority's response to tackling damp and mould and ensuring that all partners are working together to the joint aim of identifying, addressing and rectifying damp and mould hazards with the scrutiny of appropriate performance management reports. Information from the Taskforce utilises all tools available including enforcement but also providing support and advice and a clear communication strategy to raise awareness. We have clear lines of governance reporting to the leader of the Council, Terry Fox, and Chief Exec Kate Joseph to provide regular updates and challenge. We are confident that tenants understand how to access our services either directly to PHS or via other communication channels such as our corporate contact centre. We also have well established, strong links with local Councillors, MPs, Local Area Committee forums, VCF partners, Shelter and other support and advice agencies.

14 Overall, how many complaints relating to housing standards have you received in the last three financial years that reference or relate to damp and mould issues in the private rented sector?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

15 Of the complaints you received that reference damp and mould in the last three financial years, approximately how many resulted in inspections?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2020/2021:

n/a

16 If you have not collected the information requested or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer:

We do not currently have an IT software system that has the capability of recording specific hazard types at first point of customer contact which prevents effective reporting. We are now recording damp and mould complaints that come into the Private Sector Housing Team through our direct phone number and email address.

Therefore, we do not have the information that you have requested for the past 3 years. We are currently in the process of changing our IT software systems that should allow us to record more information across the whole process of private sector housing enforcement. Contractor has been appointed for this implementation and the new system will be in place by end 2023.

Though we are unable to provide this information that does not mean that we are not recording it. The information requested is contained within the digital casefile or electronic word documents but would require individual manual assessment of each file.

We have taken positive steps to resolve this in the interim to enable better reporting of Damp and Mould issues. We are in the process of expanding the system we successfully used on our selective licence area to allow better tracking and reporting information relating to all hazards including damp and mould. This will provide better information in the interim prior to our new IT System implementation.

#### Enforcement Questions: category 1 damp and mould hazards

17 Approximately how many inspections have you undertaken overall in the last three financial years?

Answer - 2019/2020:

1527

Answer - 2020/2021:

579

Answer - 2021/2022:

1107

18 Thinking now ONLY about all of the inspections that you undertook as a result of complaints, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

n/a

Answer - 2020/2021:

n/a

Answer - 2021/2022:

n/a

19 Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:  
Selective Licensing – 14 HMO – n/a

Answer - 2020/2021:  
Selective Licensing – 0 HMO – n/a

Answer - 2021/2022:  
Selective Licensing – 5 HMO – n/a

20 Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:  
0

Answer - 2020/2021:  
0

Answer - 2021/2022:  
0

21 Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:  
n/a

Answer - 2020/2021:  
n/a

Answer - 2021/2022:  
n/a

22 If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer:

We do not have an IT software system that has the capability of searching for specific hazards. We are currently in the process of changing our IT software that should allow more report search functions that will facilitate our ability to draw out statistics to provide to external bodies but also to help inform decision making at a service level.

Though we are unable to provide this information that does not mean that we are not recording it. The information requested is contained within the digital casefile or electronic word documents but would require individual manual assessment of each file.

We have taken positive steps to resolve this in the interim to enable better reporting of Damp and Mould issues. We are in the process of expanding the system we successfully used on our selective licence area to allow better tracking and reporting information relating to all hazards including damp and mould. This will provide better information in the interim prior to our new IT System implementation.

#### Enforcement Questions: category 2 damp and mould hazards

23 Thinking now ONLY about all the inspections that you undertook as a result of complaints, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:  
n/a

Answer - 2020/2021:  
n/a

Answer - 2021/2022:  
n/a

24 Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:  
Selective Licensing – 9 HMO – n/a

Answer - 2020/2021:  
Selective Licensing – 0 HMO – n/a

Answer - 2021/2022:  
Selective Licensing – 3 HMO – n/a

25 Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:  
0

Answer - 2020/2021:  
0

Answer - 2021/2022:  
0

26 Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:  
n/a

Answer - 2020/2021:  
n/a

Answer - 2021/2022:  
n/a

27 If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.

answer:

We do not have an IT software system that has the capability of searching for specific hazards. We are currently in the process of changing our IT software that should allow more report search functions that will facilitate our ability to draw out statistics to provide to external bodies but also to help inform decision making at a service level.

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We have taken positive steps to resolve this in the interim to enable better reporting of Damp and Mould issues. We are in the process of expanding the system we successfully used on our selective licence area to allow better tracking and reporting information relating to all hazards including damp and mould. This will provide better information in the interim prior to our new IT System implementation.

## Enforcement action

28 Please provide the figures for all formal and informal enforcement action taken on damp and mould hazards:

Answer - 2019/2020:  
n/a

Answer - 2020/2021:  
n/a

Answer - 2021/2022:  
n/a

29 Please provide the figures for improvement notices issued in relation to damp and mould hazards:

Answer - 2019/2020:  
19

Answer - 2020/2021:  
7

Answer - 2021/2022:  
18

30 Please provide the figures for civil penalty notices issued in relation to damp and mould hazards:

Answer - 2019/2020:  
3

Answer - 2020/2021:

4

Answer - 2021/2022:

2

31 Please provide the figures for prosecutions pursued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

3

Answer - 2021/2022:

0

32 Please provide the figures for successful prosecutions in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

3

Answer - 2021/2022:

0

## Wider context

33 Please rank in priority order (1 - the highest impact / 6 - the least impact) how the following have had an impact on enforcement action relating to damp and mould in your area

Optional - a) Capacity of your local authority. i.e. resource and funding hindering capacity to take enforcement action relating to damp and mould.:

1

Optional - b) Experience and expertise in the local authority. i.e. a lack of officers with experience, for example, experience pursuing prosecutions or expertise within the team including, for example, legal expertise.:

5

Optional - c) Strategic prioritisation of private rented sector enforcement. i.e. competing priorities leading to relatively lower prioritisation of enforcement action or proactively enforce.:

3

Optional - d) The regulatory/ legal framework for enforcement activity. i.e. too much complexity in legislation.:

2

Optional - e) Issues with gathering or providing evidence. i.e. tenants reluctant to provide statements or difficulties gathering the requisite evidence for issuing a fine or prosecuting.:

6

Optional - f) Limited data on the private rented stock. i.e. difficulties identifying private rented properties or insufficient resource to map out private rented stock.:

4

34 Please say why you have ranked the items on question 31 in this order

Optional:

We have marked question a) 1 as it has the largest impact and biggest barrier for the service. The inability to meet the increasing demand of people needing our intervention and the impact of growing caseloads on officers should not be understated. The Private Sector Housing Team is a small team of experienced and qualified officers that understand and have the competences and capability to successfully manage its responsibilities and, collaboration with other Council teams to ensure the regulations are delivered whilst also providing good service to customers and support for Landlords. PRS is the fastest growing sector in the city and alongside other new regulatory responsibilities resources are stretched. Question b) is marked as a 5 as it has less impact than the other factors as we believe we have a team of officers with experience in prosecution and financial penalties as well as the other areas of housing enforcement. We are also a team with a diverse age range and therefore do not have problems that some Local Authorities have relating to having a majority older workforce. Question c) is marked as 3 as though the competing priorities is a problem, prioritisation based on risk and regulatory compliance alongside safety of residents is a consideration for the service and enables balanced service delivery. However, it would be untrue to say that statutory mandatory work doesn't take priority over proactive enforcement. We have marked question d) 2 as the new legislation over the last ten years in combination with the upcoming legislation is leading to a bloated overly complicated framework for housing enforcement. We would welcome the introduction of Decent Homes in the Private Rented Sector as long as this is mandatory as this could assist with achieving clear standard and this would require the service to build up a team of experienced officers to ensure compliance is achieved. Private Rented Ombudsman is increasing the complexity

of enforcement and jurisdiction into an already busy field of housing enforcement. We would welcome working directly with Government to undertake a serious consideration of a complete overhaul of legislation, with the purpose of simplification/amalgamation of powers which we believe must be considered. We have marked question e) as 6 the least impact as we do not often have problems in relation to gathering evidence. The exception to this would be in relation to illegal eviction cases as tenants can be reluctant to give statements or can disengage by the time the case is heard in court. Question f) is marked as 4 as it does create problems especially when we would like to look at carrying out proactive enforcement in a particular area. However, we manage this limitation using our knowledge of the local stock as well as carrying out targeted inspections prior to implementing schemes like Selective Licensing.

35 Does the Housing Health and Safety Rating System (HHSRS) allow for an effective assessment of how serious and dangerous damp and mould is in people's homes?

Yes

36 If not, what changes should be made to the HHSRS, to the system for categorising hazards or to enforcement powers under the Housing Act 2004?

Optional:

37 What other measures would help you to better prioritise addressing housing enforcement issues such as damp and mould?

Optional:

We would welcome a conversation with Government on the need for dedicated funding to be made available for a limited period to address the demands on the introduction of new regulation and priorities like damp and mould to enable us to tackle Rogue Landlords in our City. Additional resource ringfenced for Council's Private Housing Standards Team with a commitment to keep this funding in place for the significant future will enable us to establish a stable team and infrastructure which will address significant issues in the PRS. Without this investment in resources, it will be difficult for us to respond to the scale of demand across the city. It will limit our ability to carry out proactive inspections and we will not be able to directly assist with tackling damp and mould in the way in which we would like.

The requirement for new legislation to assist with damp and mould enforcement is not the required measure as we feel that there is sufficient legislation including a range of enforcement notices/orders that allow us to take appropriate action. The issue remains that without adequate funding and resources to investigate complaints or to carry out targeted schemes we are only able to inspect a small amount of the total housing in Sheffield.

Areas where new legislation may be of benefit would be a mandatory landlord register with appropriate funding and powers to ensure that it is complied with. A light touch opt-in system without a robust approach to enforcement would impact on its effectiveness as the worst landlords would just avoid registering.

The implementation of Decent Homes to private sector housing must ensure that it is effective and results in increasing standards in the private rented sector and not providing similar legislation that duplicates the current legislation framework. Every new piece of legislation must ensure it is necessary and effective as it is being added to a complex and busy field of housing enforcement.

A streamlined Selective Licensing system that allows Local Authorities more autonomy as well as reducing the burden regarding gathering evidence and setting up the scheme. We fed into the government's review of Selective Licensing and feel that many of the issues that were identified still need rectifying.

A review of financial penalties should be carried out by central government with plans to implement changes that help tackle problems around the burden of appeals, route/costs of recovery and implementation of a single centralised financial penalties policy to avoid the problems with every authority using their own policy.

The shortage of experienced qualified Environmental Health Officers has had a huge impact on our ability to recruit which has a direct consequence on filling empty posts and whether we can carry out pro-active schemes that require additional staff. This has led to our department recruiting multiple Apprentice Environmental Health Officers which has a financial burden on the department over the course of their study. Stability of funding to support the training of new Environmental Health Officers would allow us to continue to commit to recruiting apprentices in the long-term.

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