



## **COMMUNITIES SCRUTINY COMMITTEE**

### **Tuesday 16th January 2024**

You are invited to attend the next meeting of **Communities Scrutiny Committee**, which will be held at:

**Council Chamber - Civic Offices**  
on **Tuesday 16th January 2024 at 7.00 pm**

**Georgina Blakemore**  
**Chief Executive**

**Democratic Services Officer:** Laura Kirman  
lkirman@eppingforestdc.gov.uk

**Members:** Councillors A Patel (Chairman), J Lucas (Vice-Chairman), M Markham, C McCann, S Murray, R Brookes, J Jogia, Caroline Pond, R Sharif, S Yerrell, J Lea and W Marshall

### **SUBSTITUTE NOMINATION DEADLINE: 6.00PM**

**This meeting will be broadcast live and recorded for repeated viewing.**

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#### **1. WEBCASTING INTRODUCTION**

The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be recorded live and will be capable of repeated viewing (or another use by such third parties).

Therefore, by entering the Council Chamber and using the seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.”

#### **2. APOLOGIES FOR ABSENCE**

To be announced at the meeting.

To report non-attendance before the meeting, please use the [Members Portal webpage](#) to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the [Council's website](#), at the bottom under 'Contact Us'.

**3. SUBSTITUTE MEMBERS**

To report the appointment of any substitute members for the meeting.

**4. DECLARATIONS OF INTEREST**

To declare interests in any item on this agenda.

**5. NOTES OF PREVIOUS MEETING (Pages 3 - 5)**

To agree the notes of the meeting of the Select Committee held on 26 September 2023.

**6. WORK PROGRAMME (Pages 6 - 8)**

To consider, comment and propose any amendments to the Work Programme, for consideration and approval by The Overview and Scrutiny Committee,

**7. QUALIS PROPERTY SOLUTIONS PERFORMANCE REPORT (Pages 9 - 17)**

To consider the Qualis Property Solutions 2023/24 year end performance and business update.

**8. DRAFT CONDENSATION, DAMP AND MOULD POLICY (Pages 18 - 41)**

To consider and provide comment for Cabinet on the proposed Condensation, Damp and Mould Policy.

**9. HOME OWNERSHIP STRATEGY 2023/24 TO 2028/29 (Pages 42 - 55)**

To consider and comment on the Draft Home Ownership Strategy 2023/24 to 2028/29.

**10. INDEPENDENT LIVING FOR OLDER PEOPLE STRATEGY, 2023 TO 2028 (Pages 56 - 73)**

To consider and comment on the Independent Living for Older People in Epping Forest Strategy 2023/24 to 2028/29 and the annual delivery plan.

**11. HRA BUSINESS PLAN**

Report to follow.

**12. DATES OF FUTURE MEETINGS**

To note that the next meeting of the Communities Scrutiny Committee will be held at 7.00pm on 5 March 2024.

## EPPING FOREST DISTRICT COUNCIL COMMUNITIES SCRUTINY COMMITTEE MEETING MINUTES

Tuesday 26 September 2023, 7.00 pm - 9.10 pm

### Council Chamber - Civic Offices

<b>Members Present:</b>	Councillors A Patel (Chairman), J Lucas (Vice-Chairman), R Brookes, S Murray and R Sharif
<b>Other Councillors:</b>	Councillors R Balcombe, N Bedford, J Parsons, S Patel, J Philip, H Whitbread, J H Whitehouse and C Whitbread
<b>Other Members (Virtually):</b>	Mr Wyn Marshall
<b>Apologies:</b>	Councillor(s) J Jogia, C McCann, M Markham, Caroline Pond, S Yerrell and R Baldwin
<b>Officers In Attendance:</b>	Surjit Balu (Interim Director of Housing and Property), Rebecca Moreton (Corporate Communications Officer), Wendy Cockbill (Young Persons Assistant), Vanessa Gayton (Culture & Community Team Manager), Michelle Pickett (Community Engagement Officer), Gill Wallis (Community, Culture & Wellbeing Service Manager), John Taphouse (Interim Head of Asset Management) and Christopher Walsh (Service Manager (Housing Needs and Management))
<b>Officers In Attendance (Virtually):</b>	Vivienne Messenger (Democratic Services Officer)
<b>Guests: Community Champions</b>	Lorraine Page, Sue Sowerby, Dawn Stokes, Roxanne Smith, Julie Willis, Lynne Moir and Sue Smith

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### [A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)

#### 10 WEBCASTING INTRODUCTION

The Chairman reminded everyone present that this meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

#### 11 SUBSTITUTE MEMBERS

There were no substitute members present at the meeting.

#### 12 DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Members' Code of Conduct.

#### 13 NOTES OF PREVIOUS MEETING

Mr W Marshall raised concerns as he had not received notification of the previous meeting of the Committee. The administrative issue had been rectified and a response to his query would be requested.

**Resolved:**

That the notes of the previous meeting of the the Committee held on 27 June 2023 were agreed as a correct record

**14 WORK PROGRAMME**

The amended work programme was noted and agreed.

**15 ASSET BASED COMMUNITY DEVELOPMENT - COMMUNITY CHAMPIONS**

The Community, Culture & Wellbeing Service Manager, G Wallace, highlighted that the Community underpinned the delivery of outcomes and objectives of the Health and Wellbeing Strategy, and that the Community Development and Wellbeing Team had adopted an Asset Based Community Development (ABCD) methodology that enabled residents and the community to improve things locally. The Community Champions initiative was a tangible example of this approach and been successfully adopted and implemented by the Council to positive effect. The refreshed Estate Ambassadors initiative was another example of the ABCD methodology being implemented by the Council.

The Community Development Team, gave an overview of the Community Champions scheme, including how these important community representatives were recruited, their networks, support, and training. The Community Champions had volunteered 3360 hours over the year and raised over £21,000 of funding. A presentation detailing the work of the Community Champions projects was shown to the Committee.

Two of the Community Champions, Lynne Moir and Sue Smith, provided the Committee with details of their experiences, funding raised and projects they had been involved with and outlined the benefits for the community from these projects.

The Committee thanked officers and the Community Champions for their presentation.

Mr Marshall confirmed that the finalised name for the Estate Ambassadors would be confirmed in due course.

The Community Champions clarified they were pro-active in identifying projects in the community and this avoided duplication with other agencies. They worked collaboratively and would signpost members of the community to other agencies on a case-by-case basis. Community transport was identified as an area that could be improved especially if there was a change of venue for an event.

The officers confirmed that support for the Community Champions was contained with existing staffing resource.

**Resolved:**

The Committee commended the work of the Community Champions and valued their input, energy and effort in supporting and moving communities forward. The commitment and effort of EFDC officers were also commended.

**16 LANDLORD COMPLIANCE POLICIES**

The Committee were advised of the five compliance policies: electrical safety, fire safety, gas safety, lift safety and water hygiene. These policies had been prepared with the assistance of external consultants. Two amendments as suggested by The Tenant's and Leaseholders'

Panel had been incorporated into the fire safety policy. The Service was already working to the policy.

The Committee:

- received confirmation that the policies complied with legal requirements and conformed with good practise.
- acknowledged the importance of these compliance policies.

Mr Marshall suggested that when reintroduced Housing News could be used to inform of events and initiatives relating to the compliance policies.

**Resolved:**

The Committee commended the report and compliance policies to Cabinet for approval.

**17 SOCIAL HOUSING ANNUAL LETTINGS REPORT 2022/23**

The Committee were advised this report presented an annual position statement in line with irrelevant standards. The Service Manager (Housing Needs and Management), C Walsh presented the detailed content of the report.

A detailed response to questions from Cllr Murray was provided at the meeting. This was circulated to members of the Committee.

**Resolved:**

The Committee commended the report to Cabinet.

**18 EFDC HOUSING ALLOCATION SCHEME - FIRST YEAR REVIEW**

The Committee were advised by Service Manager (Housing Needs and Management), C Walsh that the report reviewed the main changes were made to the Housing Allocations Scheme in 2022. The recommendation of the report was that an end date of 25 September 2025 should be introduced for applicants with preserved rights to move from a flat to a house under the previous allocations scheme. There were no changes recommended for medical, homeless households, lacking one bedroom or sharing accommodation, or to bedroom sizes banding within the Housing Allocation Scheme 2022.

The Committee

- received confirmation that there had been issues with the turnaround of voids, but this had been rectified.
- were advised that there was a high probability that the 102 tenants with preserved rights would be able to move from a flat to a house
- were reminded that applicants tended to have more complex needs than a single dimension such as age.
- reminded that change was made in September 2022 and that the recommended change was about bringing parity into the system.

**Resolved:**

The Committee provided comment on the draft cabinet report.

**CHAIRMAN**

**Communities Scrutiny Committee Work Programme 2023/24**  
**Chairman: Councillor A Patel**

	Item	Date	Progress/Comments	Lead Officer
<b>27 June 2023</b>				
1	Resident Involvement Strategy	27 June 2023	Introduction and approval to progress to Cabinet C/F from Stronger Communities Select Committee Work Programme: Recommended to Cabinet	Surjit Balu
2	Housing Repairs Value for Money	27 June 2023	Value for Money (Exempt Report)	Andrew Small
		26 Sept 2023	Update from Strategic Director	
<b>26 September 2023</b>				
3	Housing Allocation Scheme	26 Sept 2023	12-month review of the Housing Allocation Scheme	Surjit Balu
4	Annual Lettings Report	26 Sept 2023	To scrutinise allocations and lettings performance for 22/23 C/F from Stronger Communities Select Committee Work Programme 2022/23	Surjit Balu
5	Safer Streets	19 March 2024	<i>C/F from Stronger Communities Select Committee Work Programme.</i> <b>MOVED- to align with the dedicated police and community safety meeting.</b>	Caroline Wiggins
6	Landlord Compliance Policies Fire Safety Policy Gas and Heating Policy Lift Safety Policy Water Safety Policy Electrical Safety Policy	26 Sept 2023	To review compliance policies that are a regulatory requirement and form part of the Council's wider organisational commitment to driving a health and safety culture amongst staff Status and contractors.	Surjit Balu

	Item	Date	Progress/Comments	Lead Officer
7	Asset Based Community Development – Community Champions	26 Sept 2023		G Wallis
<b>16 January 2024</b>				
8	Qualis Property Solutions Performance Reporting		Presentation on Housing Repair Performance (Qualis)	Surjit Balu / Ben Johnson (Qualis)
9	<b>New item</b> Home Ownership		Pre- Cabinet scrutiny	Surjit Balu
10	<b>New item</b> Older person Strategy		Pre – Cabinet Scrutiny	Surjit Balu
11	<b>New item</b> damp and mould policy on the forward plan		Pre- Cabinet Scrutiny	John Taphouse
12	HRA Business Plan			Surjit Balu
<b>5 March 2024</b>				
13	Customer Services (Overall satisfaction)		To receive an update on improvements to this Key Performance Indicator. Deferred to 5 March	Susan Lewis
14	Epping Forest Health and Wellbeing Strategy		Annual Report Deferred to 5 March	Gill Wallis
15	Annual Housing performance report		Report on annual housing KPI's including compliance around the Building Safety Act <i>C/F from Stronger Communities Select Committee Work Programme</i>	Surjit Balu
16	Tenant Satisfaction Measures		<i>C/F from Stronger Communities Select Committee Work Programme 2022/23</i>	Surjit Balu
<b>19 March 2024</b>				
17	Presentation from the District Commander for Epping Forest and Brentwood		Annual Report	Caroline Wiggins
18	Community Safety Partnership		Annual report and review of the district Strategic Intelligence Assessment	Caroline Wiggins

	Item	Date	Progress/Comments	Lead Officer
<b>To be consider in the next municipal Year 2024/25</b>				
	Housing Repair Value for money	tbc	Recommendation item 8 minutes 27 June 2023 Further work to be undertaken/ annual benchmarking commissioned and reported to this scrutiny.	





Quality...It's what we stand for

# 2023/24 Year End Performance & Business Update

# Agenda

1. Achievements
2. Challenges
3. End of Year Performance 2022/23
4. Business Plan & Next 12 Months



# Key Achievements

- **Mobilised 9 work streams**, in 2022/23 boiler installations, GM and Aids and Adaptations.
- **Below inflation prices increases**, in 2022/23 and 2023/24, helping to reduce costs in the HRA.
- **Independently benchmarked** as median performance and cost.
- **Five Apprenticeships**, offered to the local community.
- **Strong customer satisfaction** with 93% of our customers happy with the service we provided in 2022/23.



# Key Achievements



- **Local employer** with 40% of staff living in the Epping district and 55% living in Essex or nearby neighbouring areas, created \ recruited over 100 local jobs.
- **Provided additional value** through our community benefit initiatives such as, estate litter pick days and supporting employment events.
- **Improved technology** which includes call back and webchat feature in our customer services centre.



# Key Challenges

## Key Challenges Over the Period:

- Global Pressures, Cost inflation, Materials supply, Sub-contractors
- Increase in Demand and Speed of Repairs
- Skills and Recruitment / Retention
- Rapid Growth and Resources
- Sub-Contractor performance (first 6 months) in Voids.



## 2022/23 Performance (Year End)

Measure	21/22 Year End	22/23 Target	Q1	Q2	Q3	Q4	22/23 Year End
Customer Satisfaction	93%	92%	92%	92%	94%	93%	93%
First Time Fix	86%	85%	87%	84%	83%	84%	85%
Productivity	3.4 jobs	4 jobs	4	4	4	4.1	4.1 jobs
Repairs (Completions on time)	84%	90%	84%	86%	84%	82%	84%
All Voids Returned in Target	93%	90%	26%	64%	87%	92%	67%
Planned Maintenance Programme on time	N/A	95%					95%
Electrical Testing	N/A	600					585
Gas Compliance	99.6%	100%	99.8%	99.5%	99.9%	99.9%	99.9%
Gas handed over on time (40 days)	N/A	95%	96%	93%	96%	98%	95%

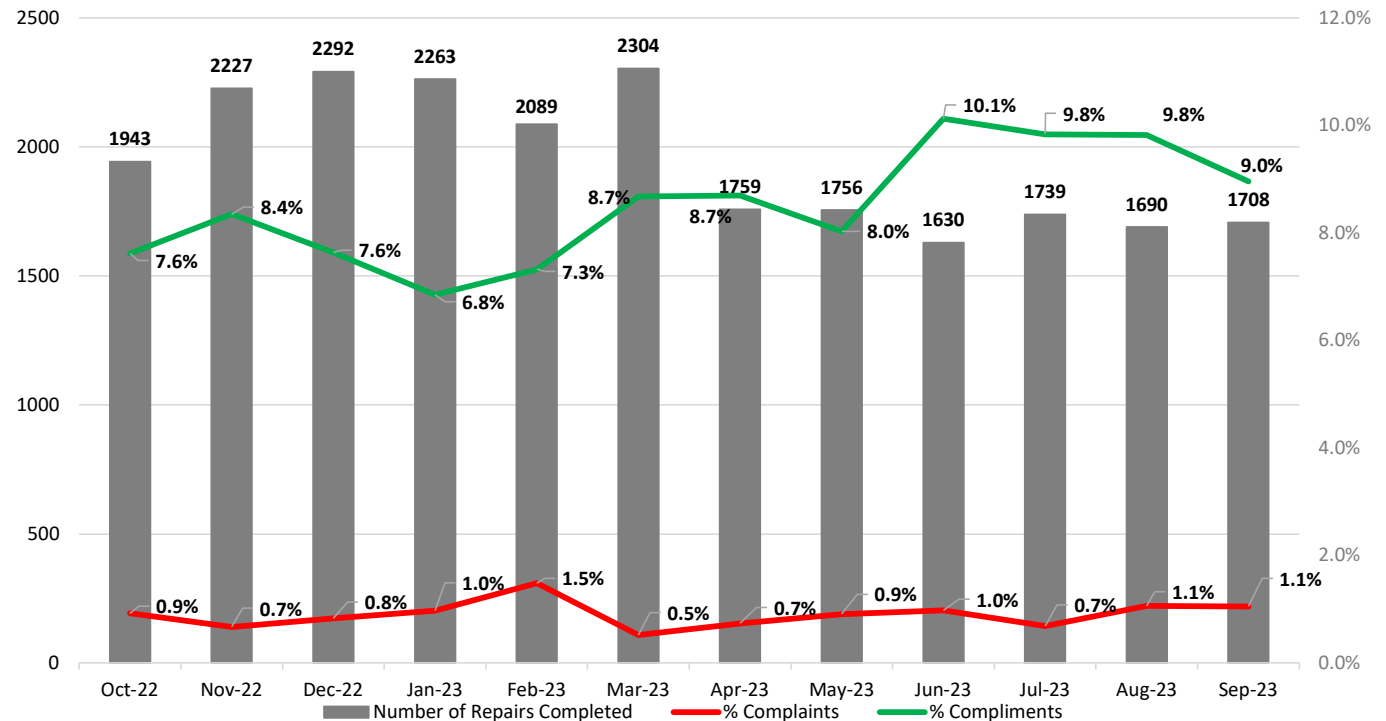
# Complaints and Compliments (End of Year)



Number of Repairs vs % Complaints: Oct 22 - Sep 23

- Complaints YTD

- Formal 128
- Informal 86
- Total = 214



Compliments YTD = 2033

Complaints relate to

- Length of time to complete repairs
- Material supply issues

Key Actions:

- Additional staff recruited in Contact Centre
- Planning Team Leader added to the structure, starts this month
- WIP team to deal with catchup repairs

# Business Plan & Next 12 Months



**Over the course of the 4-year Business Plan, Qualis Property Solutions will deliver the following six corporate objectives outlined below:**

Page 16

Enhance the customer experience

- Upper quartile performance
- My Qualis

▪ Increase community investment

- Projects and initiatives
- Apprenticeships

▪ Continue to develop a great place to work.

- Training and development
- IIP accreditation





# Business Plan & Next 12 Months



**Over the course of the 4-year Business Plan, Qualis Property Solutions will deliver the following six corporate objectives outlined below:**

- Remain financially strong and grow the business.

- Supporting the council

- Enhance our partnerships

- Materials supply
  - Education providers

- Continue to decarbonise our business.

- Fleet
  - Carbon Audit



# Agenda Item 8

## Report to Communities Scrutiny Committee

**Date of meeting: 16/01/2024**

**Portfolio:**

Housing and Strategic Health Partnerships (Cllr Holly Whitbread)

**Subject:** Condensation, Damp and Mould Policy

**Officer contact for further information:**

John Taphouse, Interim Head of Asset Management (jtaphouse@eppingforestdc.gov.uk)

**Democratic Services Officer:**

L Kirman: email: [DemocraticServices@eppingforestdc.gov.uk](mailto:DemocraticServices@eppingforestdc.gov.uk) tel:01992 564243)

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**Recommendations/Decisions Required:**

To consider and comment on the draft Cabinet paper and the proposed Condensation, Damp and Mould policy.

**Report:**

1. Cabinet will be asked to approve the proposed Condensation, Damp and Mould policy. This policy, together with the draft covering Cabinet paper, are attached.
2. The Scrutiny Committee are asked to consider and comment on the draft paper and policy ahead of presentation to Cabinet.

**Reason for decision:**

To agree any amendments to the draft Cabinet paper and condensation, damp and mould policy prior to presentation to Cabinet.

**Options considered and rejected:**

Not applicable.

**Consultation undertaken:**

The Tenant's and Leaseholders' Panel reviewed the proposed policy on 2<sup>nd</sup> January 2024. Comments included:

- Section 8.2 – The Panel noted that more complex cases will need Housing Officers, Surveyors or Specialists to inspect to correctly diagnose the problem and specify the solution. This is incorporated in the latest version of the policy (attached).
- Fuel poverty - The Panel asked whether there is anything more we could do about fuel poverty. The proposed policy covers our energy efficiency retrofit programme and working with tenants to help them access income they are entitled. They discussed the possibility of establishing a hardship fund (e.g. from income generated from exporting excess energy generated from solar panels). This may be considered for a subsequent version of the policy.

- Overcrowding – The Panel asked if overcrowded households would be prioritised for rehousing.
- Preventative maintenance – The Panel emphasised the point in section 8.1 concerning the importance of planned works to prevent water ingress.
- Communications – The Panel asked officers to ensure messages about preventing condensation and mould also targeted leaseholders and sub-tenants. As well as including leaflets with rent statements, they should go with service charge statements and be displayed on noticeboards.
- Progress reporting – The Panel asked to be updated on progress in tackling condensation, damp and mould every six months.

### **Resource implications:**

There are no additional resource requirements to comply with this policy.

### **Legal and Governance Implications, Relevant Statutory Powers:**

Adherence to the recommended policy will provide assurance that EFDC are compliant with our statutory obligations under the Landlord and Tenant Act 1985, the Housing Act 2004 and the Social Housing (Regulation) Act 2023.

Implementation of this policy will reduce the potential liability of EFDC from claims of legal disrepair brought by tenants of EFDC.

### **Corporate Plan Implications:**

The Condensation, Damp and Mould policy supports the following key objectives of the Corporate Plan:

- Stronger place - We will protect and enhance our green spaces for future generations while providing decent, safe homes to meet all our needs.
- Stronger communities - We will work with our partners to achieve wellbeing and health equity for all our residents.

### **Background Papers:**

The draft Cabinet paper and the proposed condensation, damp and mould policy.

### **Risk Management:**

The biggest risk is that the policy is not embedded in working practices. This risk is mitigated by implementing a robust condensation, damp and mould tracker. This will enable us to see that we are actively identifying cases of condensation, damp and mould and dealing with them effectively. We will also run regular campaigns on managing humidity in the home and encouraging tenants to report instances of condensation, damp and mould.

### **Equality:**

An Equality Impact Assessment was carried out and there was no adverse impact on any protected characteristic group.

**Key Decision:** (if required):

# **DRAFT Report to the Cabinet**

**Report reference:** C-00?-2023/24

**Date of meeting:**



**Epping Forest  
District Council**

**Portfolio:** Housing and Strategic Health Partnerships (Cllr Holly Whitbread)

**Subject:** Condensation, Damp and Mould Policy

**Responsible Officer:** Surjit Balu, Interim Director for Housing  
(sbalu@eppingforestdc.gov.uk)

**Democratic Services Officer:** )

## **Recommendations/Decisions Required:**

To adopt the Condensation, Damp and Mould Policy.

## **Executive Summary:**

Condensation, damp and mould in homes can create risk to health due to increased prevalence of house dust mites, mould or fungal growths. Young persons aged 14 years or under are one of the most vulnerable groups impacted by the health risks associated with condensation, damp and mould, but all people can be at risk.

in December 2020, two-year old Awaab Ishak died from a respiratory condition caused by extensive mould in the one-bedroom flat in Rochdale where he lived with his parents. The failings that led to Awaab's death has highlighted the importance of managing and preventing condensation, damp and mould effectively.

Amendments to the Social Housing (Regulation) Act 2023 introduced 'Awaab's Law'. This requires landlords to fix reported health hazards and provides greater powers to the Regulator of Social Housing to ensure housing providers are managing condensation, damp and mould effectively.

Landlords were already under obligations to ensure the homes they let are free from the hazards created by damp and mould. This includes The Housing Act 2004, The Landlord and Tenant Act 1985 and the Decent Homes Standard.

Fuel poverty is exacerbating the problem as tenants on low incomes reduce heating, or even turn their heating system off altogether. As the landlord, we need to do all we can to support our tenants in keeping their homes warm and dry. This will include improving the energy efficiency of homes through measures such as insulation and installing energy efficient heating and ventilation. We can also support with advice on managing humidity levels within their home.

This policy follows the advice of Housing Ombudsman Spotlight Report: It's Not Lifestyle (October 2021). The central theme of this report is that landlords must take responsibility for the issue.

*"It is crucial that landlords avoid paternalistic attitudes, automatically apportioning blame or using language inferring blame on the resident"* Housing Ombudsman  
Spotlight Report: It's Not Lifestyle (October 2021)

## **Report:**

The proposed policy is attached to this paper. The key features of the policy are that:

- We will provide dry, warm, healthy, and safe homes for our tenants.
- We will investigate the cause of any condensation, damp and mould and carry out remedial repairs.
- We will take responsibility for proactively diagnosing and resolving condensation, damp and mould in a timely and effective way.
- We will deal with the cause, not just the symptoms.
- We will enhance our understanding of our assets in relation to condensation, damp and mould and have proactive programmes for managing this issue.
- We will take every opportunity to check for condensation, damp and mould and promote ways our residents can report condensation, damp and mould.
- We will treat tenants reporting condensation, damp and mould with empathy and respect and will not prejudge the reason for any issue.
- We will promote and provide general advice and guidance to tenants on how to manage damp and condensation in their homes.
- We know that some residents cannot afford to heat their homes adequately due to fuel costs and their income levels. We will work with residents to ensure that they are receiving the income to which they are entitled, engaging with third party support groups and organisations as appropriate.
- Where homes are overcrowded, humidity will tend to be higher, and this increases the likelihood of condensation. We will work with the resident and explore solutions available in EFDC's Housing Allocations Scheme which may include moving to a more suitable home if this is available and appropriate.
- We will track cases of condensation, damp and mould to ensure that they are resolved effectively.

### **Scrutiny Comments**

To be added following Scrutiny Committee in January.

### **Resource Implications:**

This policy will be implemented within the existing budget and staffing resources.

### **Legal and Governance Implications:**

Adherence to the recommended policy will provide assurance that EFDC are compliant with our statutory obligations under the Landlord and Tenant Act 1985, the Environmental Protection Act 1990 and the Housing Act 2004

The Social Housing (Regulation) Act 2023 provides the Regulator with powers to set strict time limits for social landlords to fix reported health hazards within specific timeframes and provides greater powers to the Regulator of Social Housing to ensure housing providers are managing condensation.

Implementation of this policy will reduce the potential liability of EFDC from claims of legal disrepair brought by tenants of EFDC.

### **Safer, Cleaner and Greener Implications:**

This policy will assist the prevention of health issues caused by condensation, damp and mould in the homes provided by EFDC.

### **Consultation / Scrutiny Undertaken:**

The Tenant's and Leaseholders' Panel reviewed the proposed policy on 2<sup>nd</sup> January 2024. Comments included:

- Section 8.2 – The Panel noted that more complex cases will need Housing Officers, Surveyors or Specialists to inspect to correctly diagnose the problem and specify the solution. This is incorporated in the latest version of the policy (attached).
- Fuel poverty - The Panel asked whether there is anything more we could do about fuel poverty. The proposed policy covers our energy efficiency retrofit programme and working with tenants to help them access income they are entitled. They discussed the possibility of establishing a hardship fund (e.g. from income generated from exporting excess energy generated from solar panels). This may be considered for a subsequent version of the policy.
- Overcrowding – The Panel asked if overcrowded households would be prioritised for rehousing. EFDC's Housing Allocations Scheme allows applicants to be prioritised to band B if they are 'occupying insanitary or overcrowded housing which poses a serious health hazard'.
- Preventative maintenance – The Panel emphasised the point in section 8.1 concerning planned works to prevent water ingress.
- Communications – The Panel asked officers to ensure messages about preventing condensation and mould also targeted leaseholders and sub-tenants. As well as including leaflets with rent statements, they should go with service charge statements and be displayed on noticeboards. We should also use social media.
- Progress reporting – The Panel asked to be updated on progress in tackling condensation, damp and mould every six months.

**Background Papers:**

Condensation, Damp and Mould Policy.

**Risk Management:**

Implementation of this policy will reduce the risk of health issues caused by condensation, damp and mould.

**Equality:**

An Equality Impact Assessment was carried out and there was no adverse impact on any equality group.

# Condensation, Damp and Mould Policy



<b>Name</b>	Condensation, Damp and Mould Policy
<b>Owner</b>	Director of Housing
<b>Last Review</b>	January 2024
<b>Next Review</b>	January 2026
<b>Resident Consultation</b>	Tenants' and Leaseholders' Panel 2 January 2024
<b>Equality Impact Assessment</b>	Completed - no adverse impact on any protected characteristic group
<b>Board Approval</b>	TBC

<b>Strategic Lead</b>	<b>Director of Housing</b>
<b>Sign</b>	_____
<b>Date</b>	_____
<b>Chair of Board</b>	<b>CLlr Chris Whitbread</b>
<b>Sign</b>	_____
<b>Date</b>	_____



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## 1.0 Introduction and Objectives

- 1.1 Epping Forest District Council (EFDC) is committed to maintaining our homes to a high standard and to make sure our residents stay safe, healthy, and well in their homes. Condensation, damp and mould are issues which can have a serious impact on the health and well-being of our residents and can cause damage to both our assets and to items stored within them.
- 1.2 This policy sets out our approach to dealing with reported cases of damp and mould in our tenanted homes and all communal areas within the EFDC portfolio. It covers the services we provide to customers who rent their home under a tenancy agreement and those who occupy under a licence. Different properties, often of different ages, need to be managed differently by EFDC and by those in occupation. For leaseholders, we will meet the responsibilities as set out in terms of the individual lease.
- 1.3 Our objectives in respect of condensation, damp and mould are to:
- Actively identify cases of unreported (silent data) condensation, damp and mould through standard visits supported by all departments of EFDC and partner organisations.
  - Actively identify properties at risk using data analysis, including silent data, from repairs and other visits.
  - Manage all identified cases of condensation, damp and mould in a fair and consistent way and treating all tenants with respect and dignity in all communications.
  - Work in partnership with residents and leaseholders to resolve identified issues and understand how to reduce condensation, damp and mould issues so that residents are better able to manage their home effectively themselves, including the communication of concerns.
  - Work with EFDC's partner, Qualis Property Services, to undertake effective investigations and implement all reasonable remedial repair solutions and improvements to eradicate condensation, damp and mould, including managing and controlling condensation.
  - Ensure that tenants have access to and/or are provided with comprehensive advice and guidance on managing and controlling condensation, damp and mould by way of effective communication.
  - Use the data collected, by way of a tracker of reported cases to continually improve our service provision.
  - Design our energy efficiency retrofit programme to resolve existing problems of condensation, damp and mould. Retrofit works are to be designed to minimise the likelihood of future problems through improved insulation, cost-effective heating and adequate ventilation.
  - Comply with statutory requirements and deliver best practice.

- Maximise the available budgets and ensure that they are used effectively and efficiently to deal with damp and condensation problems, including appropriate resources and training for employees.
- Ensure that the fabric of our properties is protected from deterioration and damage resulting from damp, condensation and mould.

## 2.0 Scope

- 2.1 This policy has considered and incorporated the recommendations made in the Housing Ombudsman Service Report – Spotlight on: Damp and Mould – October 2021 and the key success factors outlined in their update report published in February 2023.
- 2.2 This policy outlines EFDC’s approach to identifying and managing condensation, damp and mould, including proactive and reactive investigations; planning of resources in anticipation of periods of higher demand; budget management to reduce instances of condensation, damp and mould; ensuring staff have the correct competence and equipment to assess cases; and our resident engagement and complaints procedures.
- 2.3 The scope of this policy covers how the council’s Property team, Tenancy & Estates team and partners, can jointly control, manage, and eradicate condensation, damp and mould with our tenants. This includes:
- All EFDC residential tenanted properties, including emergency and temporary accommodation.
  - How we identify, diagnose and eradicate the various types of damp (including rising, penetrating and condensation damp, including traumatic dampness from internal water leaks etc).
  - Identifying both EFDC and tenant’s responsibilities for dealing with condensation, damp and mould.
  - Offering guidance, advice, and assistance throughout the process to all tenants living in EFDC homes.
  - In situations where the Council will not be able to undertake works to rectify condensation damp and will look at alternative policies and procedures as appropriate, including occupancy and temporary decanting of tenants to carry out complex works. We will continue to offer advice, support and education if condensation is a contributory factor as well as actionable treatments or improvements, including additional ventilation, insulation and mould wash treatments as appropriate.
- 2.4 This policy will be made available and will be published as required to be transparent. The policy will apply to Qualis Property Solutions (EFDC’s housing repairs partner), all EFDC employees, contractors, subcontractors, consultants, and staff.

### 3.0 Causes of and risks from damp, mould and condensation

- 3.1 Condensation, damp and mould can create risk to health due to increased prevalence of house dust mites, mould or fungal growths resulting from dampness and/or high humidities. The government's guidance on the Housing, Health and Safety Rating System states that the hazard of condensation, damp and mould includes threats to mental health and social well-being which may be caused by living with the presence of damp, damp staining and/or mould growth.
- 3.2 Young persons aged 14 years or under are one of the most vulnerable groups impacted by the health risks associated with condensation, damp and mould, but all people can be at risk. Both the detritus from house dust mites and mould spores are potent airborne allergens. Exposure to high concentrations of these allergens over a prolonged period will cause sensitisation of atopic individuals (those with a predetermined genetic tendency to sensitisation) and may sensitise non-atopic individuals. Once a person is sensitised, relatively low concentrations of the airborne allergen can trigger allergic symptoms such as rhinitis, conjunctivitis, eczema, coughs and wheezes. For a sensitised person, repeated exposure can lead to asthma, or respiratory distress and it appears that the severity of the asthma, or distress intensifies with increased humidity, house dust mite and mould levels.
- 3.3 Both house dust mites and moulds flourish in damp or humid conditions, and their growth is also influenced by temperature. Where relative humidities are within the optimum range (ranges between 30 – 50%), increasing temperatures results in reduction in the dust mite population. However, where there are high humidities, outside the optimum range, increasing temperatures can result in increased mite populations and mould growth. Moulds can grow when the indoor relative humidity persistently exceeds 70%.
- 3.4 Mould is a category of fungus. It spreads through spores, which are invisible to the naked eye but are in the air around us all the time and can quickly grow on surfaces where dampness persists, or water has formed into a visible covering.
- 3.5 Dampness is an excess of moisture that cannot escape from a structure or material, which can escalate to cause significant damage to the building resulting in collapsed ceilings, rotten timber elements such as windows and doors and other structural deficiencies.
- 3.6 There are four main causes of dampness in homes in England. It is important to understand the difference between them as they each require different solutions:
- 3.7 **Water leaks** from defective supply and waste pipework (especially in bathrooms and kitchens) can affect both external and internal walls and ceilings. The affected area looks and feels damp to

- 3.8 the touch and stays damp regardless of the prevailing weather conditions. It is the result of a problem or fault with the home or building, which requires repair. Who is responsible for the repair depends on where and why the leak happens. Responsibilities are detailed within the Tenants Handbook, given to every tenant at sign up and available on the EFDC website. EFDC's usual approach will be to resolve the leak, to prevent a risk to the resident or others, and to recover the costs if the leak is found to be outside of the EFDC responsibility.
- 3.9 **Rising damp** is caused by water rising from the ground into the home or building. Water gets through or around a defective damp proof course (DPC) or passes through the masonry that was built without a DPC. Rising damp will usually only affect basements and ground floor rooms. It will be present all year round but can be more noticeable in winter. It is generally the result of a problem or fault with the fabric of the property, which requires remedial works. This will be EFDC's responsibility.
- 3.10 **Penetrating damp** is usually found to be a defect in the structure of the home or building, such as damaged brickwork, missing roof tiles, loose flashing or leaking rainwater goods to name a few. Defects allow water to pass from the outside of the property to the internal floors, walls, or ceilings. Penetrating damp is far more noticeable following a period of rainfall and will normally appear as a well-defined 'damp-patch' which looks and feels wet or damp to the touch. It is the result of a problem or fault with the property, which requires a repair. Who is responsible for the repair depends on identifying what the fault is and the cause. EFDC's approach will be to resolve the penetrating dampness, either through direct action or through working with others if a third party is causing the problem. We will do this to prevent a risk to the resident or others and will seek to recover the costs if the cause of the dampness is not our responsibility following the investigation process.
- 3.11 **Condensation** is a common contributory factor in the diagnosis of dampness and is caused by internal excess moisture in the air (water vapour) meeting a colder surface, such as a window or wall. The drop in temperature causes liquid to form on the surface and then soak in. It is predominantly found in kitchens, bathrooms, corners of rooms, on north facing walls and on or near windows – all places that either tend to attract a lot of moisture in the air or are colder generally. It is also found in areas of low air circulation such as behind wardrobes and beds, especially when they are pushed up against external walls. Condensation can be caused in several ways, and we will investigate and aim to find the root cause to identify actions to resolve or eradicate the issues.
- 3.12 All homes in England can be affected by condensation because the climate is often cool and wet. Normal household activities also constantly release moisture into the air. Ventilating the home (through extractor fans, trickle vents or opening windows) reduces condensation, and in many cases will prevent it causing dampness and persistent

mould. However, on occasion the root cause can be a problem that requires an EFDC repair or an improvement to the property. In others, a different solution may be needed (for example, in cases of severe overcrowding), which will require the involvement of other teams or third-party organisations.

- 3.13 The occupation of the property will be considered, including the make-up of the residents when carrying out any evaluation or assessment of the property. Vulnerabilities, if identified, such as long term or short-term disabilities, illnesses or medical conditions will be assessed for assistance with remedial works, if the risk is found to be outside of EFDC's liability. Financial vulnerability will be identified and assistance offered as appropriate; this may be via third party organisations or support groups.

## **4.0 Roles and Responsibilities**

- 4.1 EFDC's Cabinet has overall governance responsibility for ensuring this policy current and fully implemented to ensure full compliance with relevant legislation, regulatory standards and the requirements of other stakeholders such as the Housing Ombudsman Service. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 4.2 For assurance that this policy is operating effectively in practice, the Cabinet will receive regular updates on its implementation, condensation, damp and mould performance and any non-compliance. The Cabinet will support with financial requirements to meet the policy, which may include approval for resources or approval for improvement projects based on collected data and requirements.
- 4.3 The Senior Leadership Team (SLT) will receive monthly performance reports by way of data tracking, including trend analysis, in respect of condensation, damp and mould and ensure compliance is being achieved effectively. They will also be notified of any non-compliance issue identified with recommendations for improvement.
- 4.4 The Director of Housing holds strategic responsibility for the management of condensation, damp and mould, and for ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 4.5 The Head of Asset Management holds operational responsibility for the management of condensation, damp and mould cases and will be responsible for overseeing the operational delivery of remedial programmes.
- 4.6 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any support or other tenancy management processes as necessary.

## **5.0 Legislation, Guidance and Regulatory Standards**

- 5.1 **Legislation** - The principal legislation applicable to this policy is:

- The Housing Act 2004
- The Landlord and Tenant Act 1985 as amended by The Home (Fitness for Human Habitation) Act 2018
- Social Housing (Regulation) Bill
- This policy also operates within the context of additional legislation (see Appendix 1).

5.2 **Guidance** – The principal guidance applicable to this policy is:

- The Decent Homes Standard 2006.
- The Housing Health and Safety Rating System (HHSRS) – September 2023
- Housing Ombudsman Spotlight on Damp and Mould: It’s not lifestyle - October 2021 and February 2023 update.

5.3 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing’s regulatory framework and consumer standards for social housing in England; the Home Standard is the primary one applicable to this policy. The Social Housing (Regulation) Bill will change the way social housing is regulated and may result in future changes to this policy.

5.4 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the relevant local authority under the Housing Act 2004, the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974 and the Construction (Design and Management) Regulations 2015; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; and via a regulatory notice from the Regulator of Social Housing.

## 6.0 Obligations

6.1 The Housing Act 2004 requires that properties must be free from Category 1 HHSRS hazards, including damp and mould, and excess cold. Category 1 hazards (band A-C) mean a property does not meet the legal minimum standard for housing condition, and action must be taken to reduce the risk to that which would be expected of a property of that age and type. The government has directed local authorities in November 2022 to have regard to ‘high scoring Category 2 hazards (band D and E) for damp and mould when considering enforcement action.

6.2 The Landlord and Tenant Act 1985 as amended by the Homes (Fitness for Human Habitation) Act 2018 requires that properties must be fit for human habitation, including being free of dampness prejudicial to the health of occupants, and category 1 HHSRS hazards.

6.3 The Decent Homes Standard requires that for a home to be considered ‘decent’ it must:

- Meet the current statutory minimum standard for housing.
  - Be in a reasonable state of repair.
  - Have reasonably modern facilities and services.
  - Provide a reasonable degree of thermal comfort.
- 6.4 Amendments to the Social Housing (Regulation) Bill to introduce ‘Awaab’s Law ‘received Royal Assent becoming law in July 2023, this provides powers for the Regulator to set timescales for landlords to fix reported health hazards. The timeframes have not been published at the time of writing this policy but are suggested to be: 14 days to investigate and 7 days to complete urgent repairs.

## **7.0 Statement of Intent**

- 7.1 We will provide dry, warm, healthy, and safe homes for our tenants which are free from any serious hazards.
- 7.2 We will investigate the cause of any damp, mould and condensation and carry out remedial repairs and actions in accordance with the tenancy agreement and the principles within this policy.
- 7.3 We will build a data profile of our stock to enhance our understanding of our assets in relation to condensation, damp and mould and have proactive programmes for managing this issue. This will include taking every opportunity to check for condensation, damp and mould and promoting ways our residents can report condensation, damp and mould. We will analyse stock condition data to identify at risk homes and monitor these through inspections and, where appropriate, remote sensors. This will enable silent data to be collected and proactively actioned to reduce the risk within the EFDC stock portfolio.
- 7.4 We will ensure the fabric of our homes is protected from deterioration and damage resulting from damp. Proactive cyclical inspections and programmes based on collected data, ad hoc inspections, visits and reports.
- 7.5 We will ensure our homes have effective and affordable heating and insulation, and that they are maintained in good condition, to meet the requirements set out in the Decent Homes Standard. Identifying through collected data any properties that would benefit from inclusion in upcoming retrofit programmes.
- 7.6 We will take responsibility for proactively diagnosing and resolving condensation, damp and mould in a timely and effective way. Including the training of staff to appropriate levels to support the policy.
- 7.7 We will ensure our retrofit programme includes measures to prevent condensation, damp and mould.



- 7.8 We will ensure our reporting systems and processes are accessible and treat residents reporting condensation, damp and mould with empathy and respect and will not prejudge the reason for any issue.
- 7.9 We will diagnose the cause of damp correctly and deliver effective solutions based on the ethos of dealing with the cause of the damp not just the symptom and wherever possible 'fixing first time'.
- 7.10 We will operate an open and transparent complaints process which is proactively and effectively communicated to residents and stakeholders.
- 7.11 We will ensure our tenant engagement strikes the right tone and provides support to residents to help them to avoid condensation, damp and mould in properties.
- 7.12 We will promote and provide general advice and guidance to tenants on how to manage damp and condensation in their homes.
- 7.13 We will maximise available budgets to deal with condensation, damp and mould issues.
- 7.14 We will ensure our staff are trained to identify potential issues with condensation, damp, mould, and condensation, so they can advise residents, diagnose problems and provide solutions.
- 7.15 We will inform the tenant of the findings of the investigations following a home visit or inspection. This will include identifying the possible causes of damp, recommending effective solutions and all necessary remedial works, actions or enhancements and the estimated timescales to complete the works or measures. This will be communicated to the tenant, and we will keep them up to date with their enquiry through the process from identification to completion.
- 7.16 We will ensure that only competent contractors are employed to carry out works, and that tenant's possessions are adequately protected during any works.
- 7.17 Where properties may be earmarked for disposal, we will take steps to ensure that they do not regrade to an unacceptable condition and regularly engage with tenants living in them.

## **8.0 Dealing with damp, mould and condensation**

- 8.1 We will take a proactive, data led approach to dealing with condensation, damp and mould and proactively manage risk through external cyclical surveying of stock, reactive repairs, planned preventative investment and providing advice and guidance to residents. We will ensure data from other teams (e.g. through tenancy visits) is incorporated into our knowledge of condensation, damp and mould.
- 8.2 We will continue to promote resident reporting of any issues to us as soon as possible after noticing a problem. When we receive a report, an operative will attend the property to determine the cause and seek to resolve the immediate issue. In some

- cases, they may need to further diagnose the problem. Finding out what's causing condensation, damp and mould isn't always straightforward and it could be due to a combination of factors. A Housing officer, Surveyor or a Specialist may attend where required. Any required repairs will be dealt with in accordance with our Responsive Repairs Policy or within a programme of work led by the Asset Team.
- 8.3 Where damp is as a result of condensation, we will work with our residents to take appropriate measures to eradicate the damp and mould occurring. This may include advice about how to control moisture levels or increase ventilation or heating, so that relative humidity is kept within the optimum range for comfort and prevention of dust mites and mould spores. Remedial repair works will be undertaken as appropriate.
- 8.4 When we are satisfied, following engagement with the tenant, that all reasonable efforts in managing condensation, damp and mould have been undertaken and this has not been successful, we will visit the property and investigate further involving other teams as appropriate; this may include Housing Allocations, Tenancy & Estates to discuss available options or action.
- 8.5 We will keep residents informed of the outcome from any property inspections, diagnosis of issues and the timetable of works, where these are required. This includes an explanation why work is needed and what work might will be done. If any changes to the programme of works are needed, we will keep the tenant informed. Where work is not required, residents will be informed, and we will explain the reason why no further work is needed and the steps that can be taken.
- 8.6 We will undertake necessary reasonable and practicable improvement works to assist in the management and control of condensation, damp and mould, for example by the installation of mechanical ventilation or fitting additional insulation. We will have regard to any constraints of the existing building design and structure and will take a pragmatic approach to finding appropriate solutions.
- 8.7 When a severe or recurring condensation, damp or mould issue is identified we will undertake a comprehensive risk assessment; this may result in a range of actions to support the resident depending on their circumstances. This may include the provision and funding of dehumidifiers; the installation of positive pressure, mechanical or passive ventilation systems; dry lining walls or applying mould resistant coverings – these measures will be used as appropriate, on a case-by-case basis.
- 8.8 For more complex cases, and especially where more intrusive building work is required and/or there is a serious health risk to the resident or a member of their household, we may require them to move out of their home either on a temporary or permanent basis. We will consider the individual circumstances of the resident and engage with them as part of our decision-making process and provide appropriate support to find suitable alternative accommodation. We will ensure that appropriate checks are carried out at the alternative property to ensure it is suitable for the resident.

- 8.9 Our tenancy (and leasehold) agreements require customers to allow us (including appointed partners and contractors) access to their home to carry out works at the agreed appointment time. If we are unable to gain access and the integrity of the property, its fabric and/or the safety of the customer or those in the vicinity of the property is compromised, we will engage with the resident to identify the reasons for no access and if required take appropriate action should an alternative not be found. For example, this may include but is not limited to a reliable friend or family member being available, assisting the tenant to find a suitable advocate or obtaining an injunction for access as a last resort.
- 8.10 We will make good internal surfaces following any remedial work and will ensure that surfaces are prepared to a condition ready for the tenant to redecorate or provide assistance to bring the home back to the original decoration. This may be by providing decorating vouchers, approving a recharge to the tenants rent account to ensure that the works are completed.
- 8.11 We will carry out fungicidal / mould treatments in the following circumstances:
- To remove significant mould growth where this has been caused by a property defect or deficiency.
  - Where we have been at fault by not resolving a repair or defect in accordance with our repairs and maintenance policy, and the delay has enabled mould to grow.
  - Where:
    - we have established that the property is suffering from condensation which is not due to any property defect or required repair, or other issue for which we are responsible; and
    - we have exhausted options for heating and ventilation support; and
    - where the treatment is necessary to help the tenant to be able to then manage the symptoms of condensation.
- 8.12 Where we determine that remedial work is not necessary, we will provide additional support and advice to the tenant to help them manage and control dampness caused by condensation.
- 8.13 We will make reasonable attempts to access the property to inspect and carry out the works and will require the tenant to provide us with access in accordance with the terms of our tenancy agreement. We will engage with the tenant to find an alternative before resorting to legal recourse for access.
- 8.14 In line with our Compensation Policy, we will pay compensation if we fail to deliver the service we have committed to. This includes where furniture or belongings have been damaged, and/or distress and inconvenience has been caused, as a result of our service failure. Each case will be considered individually, taking into account the degree and impact of the service failure, and the individual circumstances of the resident and their household.

- 8.15 When a property becomes vacant, and prior to re-letting, we will identify and remediate any issues that may cause damp and any of the symptoms of or consequential damage arising from condensation, damp and mould. This may include ensuring doors and windows are serviceable and can effectively ventilate the property, ensuring extractor fans are working well, as well as applying mould treatments where necessary.
- 8.16 We will survey void properties to assess the suitability for inclusion in retrofit works or improvement works to future proof the EFDC stock. Ensuring that works completed will enhance the SAP rating to an acceptable level.

## **9.0 Data and Records**

- 9.1 We will ensure our approach to record keeping is accurate and robust.
- 9.2 We will maintain a core asset register of all properties we own or manage, with component and attribute data against each property.
- 9.3 We will operate a robust process to manage all changes to our asset holdings, including bought properties, property acquisitions and asset disposals.
- 9.4 We will keep all records, warning notices and remedial work records for at least six years and for the duration that we own and manage the property. We will have robust processes and controls in place to maintain appropriate levels of security for all repairs, inspection, condensation, damp and mould related data and records.

## **10.0 Resident Engagement and Support**

- 10.1 We will establish a resident engagement strategy and communication programme to support residents in their understanding of condensation, damp and mould, including how to report issues and our complaints procedure. The engagement will begin at tenancy sign up where expectations will be set as per our policies and procedures and will be communicated through electronic means and distributed materials throughout the course of EFDC's lifetime.
- 10.2 This will assist us in maximising access to assess risks and take remedial action, encourage, and support residents to report any concerns about condensation, damp and mould, and help us engage with vulnerable and silent residents.
- 10.3 We will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on our website.
- 10.4 We will give residents advice on how to prevent condensation, damp and mould and what they should do to remove mild cases of mould and manage condensation. However, we recognise that not every resident will be able to resolve condensation, damp and mould themselves. We will provide appropriate support in such cases in relation to the specific circumstances and the individual resident's needs.

- 10.5 We know that some residents cannot afford to heat their homes adequately due to fuel costs and their income levels. We will work with residents to ensure that they are receiving the income to which they are entitled, engaging with third party support groups and organisations as appropriate.
- 10.6 Where homes are overcrowded, humidity will tend to be higher, and this increases the likelihood of condensation. We will work with the resident and explore solutions which may include moving to a more suitable home if this is available and appropriate.
- 10.7 We aim to resolve complaints as quickly as possible without residents needing to resort to disrepair claims and legal action. We will follow guidance in the Housing Ombudsman’s Complaint Handling Code to take action to put things right without waiting for the complaints procedure to be completed. We will engage with the Housing Ombudsman Dispute Support Team for guidance if required.
- 10.8 Where legal action is taken, we will follow the Pre-Action Protocol for Housing Conditions Claims so that we may resolve the dispute outside of court to help ensure issues are resolved quicker for customers. Where legal action has started this will not stop agreed actions or repairs from being carried out.

## **11.0 Competent Persons**

- 11.1 Our operational staff and contractors will have the appropriate skills and knowledge to identify and diagnose signs of condensation, damp and mould, and discuss with residents how to manage concerns. All visiting staff will be encouraged to look out for signs of condensation, damp and mould whenever they visit a tenants home.
- 11.2 The Head of Asset Management and Contracts will hold the relevant qualifications to manage the trained and qualified operational staff. If additional training is required this will be undertaken with the support of the Director of Housing and the approval of the Cabinet within their strategic roles, as set out in this policy.
- 11.3 We will check our contractors hold the relevant qualifications and accreditations when we procure them for the work that they are contracted to do, and thereafter on an annual basis.

## **12.0 Training**

- 12.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; condensation, damp and mould awareness training; and on the job training for those delivering planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.
- 12.2 We will share learning from complaints and the positive impact of changes made as a result within the organisation and externally, to promote a learning culture.

## 13.0 EFDC Performance Reporting

13.1 We will report robust key performance indicator (KPI) measures for condensation, damp and mould. These will be provided to EMT monthly and to the Board on a quarterly basis via the Audit and Assurance Committee. As a minimum, we will report:

### The Report will include:

- The total number of domestic properties within the EFDC Stock.
- Number of properties reporting condensation, damp and mould
- Of the reports of condensation, damp and mould how many surveyed
- Of the reports of condensation, damp and mould how many are confirmed category 1 HHSRS damp and mould hazards.
- Of the reports of condensation, damp and mould how many are confirmed category 2 (band D and E) HHSRS damp and mould hazards;
- Number of properties visited with potential HHSRS hazards (not Cat 1 or 2).
- Number of properties with live disrepair claims.
- Number of properties with works orders for condensation, damp and mould works.
- Completed works orders for condensation, damp and mould works.
- Number of properties with complaints for condensation, damp and mould
- Number of complaints for condensation, damp and mould which have been closed with an 'upheld' status (partial or fully upheld);
- Number of properties subject to enforcement action for access to carry out inspections or works.

### Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Anticipated impact of corrective actions; and
- Progress with completion of repairs works.

### 13.2 Partner Contractor Performance Monitoring

EFDC's partner repairs contractor will provide a Damp and Mould Tracker which will form the basis of the EMT and Board reports. The condensation, damp and mould tracker will include information on:

- Number of reports of condensation, damp and mould
- Number of condensation, damp and mould surveys carried out.
- Number of Properties surveyed that have Cat 1 Hazards
- Number of Properties surveyed that have Cat 2 Hazards
- Number of Properties surveyed / visited that have HHSRS hazards (not Cat 1/2)

- Number of Properties that have been referred to EFDC Property Assets for further survey.
- Number of raised works following condensation, damp and mould survey
- Number of completed works following condensation, damp and mould survey.
- Number of Properties with no access following condensation, damp and mould report
- Number of days from report of condensation, damp and mould to inspection
- Number of days from Inspection to Schedule of works
- Number of days from SOW to works completed.
- Number of properties identified with condensation, damp and mould with no initial condensation, damp and mould report following alternative repair visit.
- Number of post inspections carried out following condensation, damp and mould works.
- Number of properties where a 2<sup>nd</sup> report of condensation, damp and mould has been made.

## 14.0 Quality Assurance

14.1 We will ensure there is a programme of post inspections in place to ensure the quality of repair work that is carried out to address condensation, damp and mould. This will be:

- 100 per cent of repairs for works to address the root cause or symptoms of condensation, damp and mould;
- 100 per cent of all works carried out following complaints of condensation, damp or mould.
- 100 per cent of all works carried out to resolve disrepair claims.

14.2 We will also revisit residents who have had a confirmed case of condensation, damp and / or mould to ensure that our repairs has resolved the issue. This visit will take place between three and six months after the completion of the repairs undertaken for condensation, damp and mould. Contact may be made by telephone or email if only verbal advice or guidance was required to assess if a physical visit is required.

14.3 We will carry out an independent audit of our approach to identifying and addressing condensation, damp and mould at least once every two years prior to the Policy review, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction, or changes required to the Policy or Procedures.

## 15.0 Significant Non-Compliance and Escalation

15.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk

to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of an EFDC employee becoming aware of it.

15.2 Any non-compliance issue identified at an operational level will be formally reported to the Director of Asset Management in the first instance, who will agree an appropriate course of corrective action with the Head of Asset Management and report details of the same to the EMT.

15.3 In cases of serious non-compliance, EMT and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

## 16.0 Glossary

16.1 This glossary defines key terms used throughout this policy:

- **HHSRS:** the Housing Health and Safety Rating System. This is the Government’s prescribed approach to the evaluation of the potential risks to health and safety from any deficiencies identified in dwellings. There are 29 HHSRS hazards, including the hazard of damp and mould.
- **Category 1 HHSRS hazard:** the most serious hazards, which mean that the property fails to meet the legal minimum standard for property condition. Where a local housing authority becomes aware of a property with a category 1 hazard they have a duty to take enforcement action, for example by serving a notice to require the risk to be reduced.
- **Category 2 HHSRS hazard:** these are less serious hazards; the local housing authority has the power to take enforcement action but is not obliged to.



## **Appendix 1 - Additional Legislation**

This policy also operates within the context of the following legislation:

- Defective Premises Act 1972
- Health and Safety at Work Act 1974
- The Occupiers' Liability Act 1984
- Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Building Regulations 2010 (England and Wales)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Equality Act 2010

Guidance and other related information:

- Housing, Health and Safety Rating System (HHSRS) Operating Guidance, 2006
- Pre-action Protocol for Housing Condition Claims (England) 2021
- Housing Ombudsman Spotlight Report: It's not lifestyle (November 2021/ February 2023)

## **Appendix 2 – Related Policies**

- Compensation Policy
- Complaints Policy
- Decants Policy
- Disrepair Policy
- Diversity & Inclusion Policy
- Health & Safety Policy
- Maintenance of Empty Homes Policy
- Reasonable Adjustments Policy
- Responsive Repairs Policy

# Agenda Item 9

## Report to Communities Scrutiny Committee

**Date of meeting: 16<sup>th</sup> January 2024**

**Portfolio:** Property & Housing (Cllr Holly Whitbread)

**Subject:** Home Ownership Strategy 2023/24 to 2028/29

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### Recommendations/Decisions Required:

Recommendation 1 – To consider and comment on the Draft Home Ownership Strategy 2023/24 to 2028/29

### Report:

#### Introduction

This report introduces the **Home Ownership Strategy 2023/24 to 2028/29**, attached as Appendix A to this report.

The Council has not previously had a formally agreed Home Ownership Strategy and it is good practice within the social housing sector to have such a strategy that covers:

- The sale of council residential properties
- The calculation of and collection of service charges from our leaseholders
- The provision information to solicitors
- Supporting Section 20 consultation for planned works where needed.

#### The Requirement for a Home Ownership Service

The Right to Buy is governed by the Housing Act 1985 (as amended) and gives certain tenants the right to buy their home with a discount based on their length of tenancy. Most tenants of secure and fixed term tenancies will qualify for the Right to Buy, a few categories of property (e.g., our Independent Living Schemes) are exempt.

The legislation sets out deadlines for responding to Right to Buy applications and for key stages of the process and this Strategy and our Home Ownership Team ensure:

- Ensuring adequate procedures exist in order to fulfil all statutory and council requirements
- EFDC meets legislative requirements

- That we provide applicants with accurate information to aid their decision-making
- That we ensure all activities regarding leasehold properties follow the property lease and current legislation
- That we provide a full and prompt service to applicants and existing leaseholders
- That we calculate service charges using accurate information
- That we apportion any charges fairly between leaseholders and the Council.

### Background

Between 1 April 1977 and 1 April 2023, the Council received 12,314 applications to purchase council stock under the Right to Buy legislation, from which 6,492 properties were sold. [These figures also include properties that were sold on a voluntary basis over the same period, however, this is no longer council policy.]

The maximum discount has been increased regularly the current maximum discount for the district as of April 2023 is £96,000. Leasehold properties qualify for up to 70% discount and freehold (houses and bungalows) up to 48% from the sale price, subject to the current maximum of £96,000.

The table below shows the number of RTB applications and completions over the last decade and is taken from the Strategy (pages 5 and 6):

Financial year	No. of RTB applications	Of which completed
2010 - 2011	27	9
2011 - 2012	23	7
2012 - 2013	73	13
2013 - 2014	88	53
2014 - 2015	68	46
2015 - 2016	98	20
2016 - 2017	82	46
2017 – 2018	71	42
2018 – 2019	49	23
2019 - 2020	46	22
2020 - 2021	45	14
2021 – 2022	33	30
2022 - 2023	26	16
<b>Total</b>	<b>729</b>	<b>341</b>

As at 31<sup>st</sup> March 2023, the Home Ownership Team manage service charge accounts for 1089 leasehold properties. Each of the 1089 properties have an ongoing service charge account and a major works service charge account, amounting to 2,178 accounts in total being managed by the Home Ownership Team.

The work of the Home Ownership Team and administration process is supported by an IT module/system. The team also works closely with Housing, Property, and legal teams to investigate applications, prevent fraud and ensure due process is robustly followed.

**Options considered and rejected: None**

**Consultation undertaken:**

The Strategy has been formulated in consultation with representatives of the Epping Forest District Tenants and Leaseholders' Panel and sets out how the Home Ownership process will be delivered over the next five years.

The Strategy was formally presented to EFDC Tenant and Leaseholder Panel on 5<sup>th</sup> December 2023. The panel were supportive of strategy and noted this as being a good piece of work, The Panel made no specific amendments to the strategy.

**Resource implications:**

The team consists of 4.4 FTE including the Team Manager.

There are no additional resource requirements within the scope of this report.

**Legal and Governance Implications, Relevant Statutory Powers:**

The legislative requirements are set out in Section 3 of the Strategy.

**Corporate Plan Implications:**

The Strategy aligns with the higher-level Corporate Plan strategic aims and the Housing Strategy 2023-2027 key priorities: Stronger Communities, Stronger Place and Stronger Council.

**Background Papers:** None

**Risk Management:** N/A

**Equality:**

An Equality Impact Assessment for the Home Ownership Strategy 2023/24 to 2028/29 has been completed and is available on request.

**Key Decision:** (if required): None.



**Epping Forest  
District Council**

# Home Ownership Strategy

2023/24 to 2028/29

**Housing and Property Services**



## Contents

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## 1. Aims and objectives

- 1.1. The purpose of the Home Ownership Strategy is to administer the sale of council residential properties, and to manage the calculations and collection of leasehold service charges, in an efficient and effective manner.
- 1.2. The Home Ownership Team will also provide detailed information to Solicitors acting for homeowners who are selling their leasehold property on the open market, where the council are the freeholders. The team will support Section 20 consultation for planned major works on Council owned blocks, including regeneration sites. In addition, the Team will ensure accurate calculation for service charges for HRA stock where a service to the block is provided.
- 1.3. This aim will be achieved by:
  - Ensuring adequate procedures exist in order to fulfil all statutory and council requirements
  - Monitoring performance against those requirements
  - Providing applicants with accurate information to aid their decision-making
  - Following best practice relating to all aspects of the management of public services
  - Ensuring that all activities relating to leasehold properties follow the terms of the lease and current legislation
  - Calculating service charges using accurate information and apportioning as necessary any charges fairly between the leaseholders and the Council
  - Continually reviewing all aspects of the procedure and implement improvements wherever possible
  - Consultation with customers and the Epping Forest Tenants and Leaseholders' Panel.
- 1.4. This Strategy aligns with the higher-level Corporate Plan strategic aims and the Housing Strategy 2023-2027 key priorities:
  - Strategic aim one: Stronger Communities
  - Strategic aim two: Stronger Place
  - Strategic aim three: Stronger Council

The Council will provide for an efficient Home Ownership Service in order to meet its objectives to create stronger communities, stronger place and a stronger council.

The Housing Strategy Priorities that this strategy specifically helps deliver are:

  - Priority 2: Ensuring quality, safety, and high standards
  - Priority 3: Promoting health, wellbeing, and independence
  - Priority 4: Facilitating economic growth and regeneration
  - Priority 5: Protecting and enhancing the environment
- 1.5. We believe that providing this essential service, of coordinating the Right to Buy process along with the day-to-day management of leaseholders, is a key part of delivering sustainable communities and improving the quality of life of our residents.

## **2. Introduction**

- 2.1. This Strategy gives direction to the Home Ownership Service and links to the strategic framework of our council. It will convey clear and consistent messages about our service ethos to staff, tenants, leaseholders and other stakeholders.
- 2.2. This Home Ownership Strategy draws upon the previous Home Ownership Housing Service Strategy 2015. This revised strategy takes into account changes in levels of discount and the levels of applications and completions.
- 2.3. The Home Ownership process deals with all aspects of any request to purchase. From initial enquiries, through to the completion of formal applications:
  - The identification of the actual property to be sold
  - The verification of the tenants making the application
  - The property valuation
  - Progressing to the completion of the sale and the transfer of ownership of the property to the former tenants, either on a freehold or leasehold basis.
- 2.4. This Home Ownership Strategy has been formulated in consultation with representatives of the Epping Forest District Tenants and Leaseholders' Panel and sets out how the Home Ownership process will be delivered over the next five years.

## **3. Related documents / legislation**

- 3.1. Related documents include:
  - Corporate Plan
  - The Housing Strategy
  - The Resident Involvement Strategy
  - Conditions of Tenancy
  - Tenant Handbook
  - Leaseholder Handbook
  - Associated processes and work instructions.
- 3.2. Statutory requirements - Right to Buy and leasehold legislation is contained within the Housing Act 1985, Part V, (sections 118 – 188 inclusive) as amended. The main provisions include:
  - Right to Buy qualifying criteria
  - Procedure and timescales for the service of statutory notices
  - Valuation of properties
  - Calculation of discounts
  - Appeal procedures
  - Long term leases of properties.
- 3.3. Further leasehold legislation is contained in the Commonhold and Leasehold Reform Act 2002 which deals principally with the rights of leaseholders:
  - Commonhold
  - Leasehold enfranchisement
  - Right to Manage
  - Changes to consultation
  - Demand for rent
  - Forfeiture of lease



- Service charge improvements
- First-Tier Tribunal (Property Chambers) powers
- Consultation under Section 20 of the Housing Act 1985
- Long term contracts
- Major works
- Service and Administration Charges, Leaseholders; Rights and Obligations.
- Human Rights Act 1998 (Articles 6, 8 and 14) - Appeal procedures
- Data Protection Act 1998 and GDPR 2018 - Protection and use of personal data
- Health and Safety at Work Act 1994 - Responsibilities of the Council as employees in respect of Health and Safety Issues
- The Landlord and Tenant Act 1985 - Provisions relating to tenancies and leases.
- The Housing Act 2004 - Incorporated changes to the Right to Buy
- Housing and Regeneration Act 2008 - Incorporated changes to the Right to Buy.

## 4. Background

- 4.1. Since the introduction of the Right to Buy (RTB) in 1980, it has been necessary for the Housing Service to provide staff to support and coordinate the RTB function and leaseholder management process.
- 4.2. Each time a flat or maisonette is sold under the Right to Buy it becomes a leasehold property which is added to our portfolio to manage. Leaseholder stock is continually increasing.
- 4.3. Between 1 April 1977 and 1 April 2023, the Council received 12,314 applications to purchase council stock under the Right to Buy legislation, from which 6,492 properties were sold. These figures also include properties that were sold on a voluntary basis over the same period, however, this is no longer council policy.
- 4.4. The number of sales fluctuates each year and often depends on the financial climate and the maximum level of discount allowed. In April 2012 the Government increased the maximum RTB discount threshold from £34,000 to £75,000. This increase in discount saw applications significantly increase.
- 4.5. Since this time the maximum discount has been increased each year in line with inflation and the current maximum discount for the district as of April 2023 is £96,000. The housing market, the cost of living and particularly the impact on the availability of mortgages led to applications levelling off. EFDC district is a high value area for properties and changes in the housing market impact on the level of RTB applications being received. Our target time for acknowledging receipt of applications is 7 working days, and the statutory requirement is to admit or deny the right to buy in 28 days.
- 4.6. Performance Statistics

The table below shows the number of RTB applications and completions over the last decade:

Financial year	No. of RTB applications	Of which completed
2010 - 2011	27	9
2011 - 2012	23	7
2012 - 2013	73	13
2013 - 2014	88	53
2014 - 2015	68	46
2015 - 2016	98	20

2016 - 2017	82	46
2017 – 2018	71	42
2018 – 2019	49	23
2019 - 2020	46	22
2020 - 2021	45	14
2021 – 2022	33	30
2022 - 2023	26	16
Total	729	341

4.7. The Home Ownership Team currently manage service charge accounts for 1089 leasehold properties as of 31 March 2023. This requires the ongoing provision of leasehold services, the calculation and collection of annual ongoing service charges plus service charges for any planned major works along with all associated queries relating to those issues. Each of the 1089 properties have an ongoing service charge account and a major works service charge account, amounting to 2,178 accounts in total being managed by the Home Ownership Team.

4.8. In addition to service charge forecasts, the Home Ownership Service must assess final accounts and provide these to lessees by no later than 30<sup>th</sup> September each year, and within 18 months of the costs being incurred. If we do not meet these requirements, we cannot recover the costs.

#### 4.9. Current Structure and Resource

The Home Ownership Team consists of 4.4 full time equivalents who together coordinate all activities involved with the sale of council housing stock, the calculating and issuing of all service charge accounts in respect of both ongoing service charges and major works charges and all activity in respect of sales of leasehold properties on the open market.

One full time member of staff manages the team. One full time equivalent concentrates on all aspects of Right to Buy. 2.4 full time equivalent team members deal with all activities relating to leasehold management, sales on the open market and ongoing and major works service charges.

In addition to the above the Home Ownership Team are responsible for de-pooling of all HRA service charges for all council owned blocks where services are provided. A part-time officer has been added to the team to undertake this ongoing annual project.

The Councils vision of regeneration across the district is underway. The first site being Limes Farm Estate. An experienced Section 20 Officer, 1 full-time equivalent (which is funded by each regeneration contract), has joined the Home Ownership Team on an annual contract basis to support such major works projects. Section 20 Consultation with leaseholders is a legal requirement and therefore forward planning is necessary to ensure compliance with legislation. Compliance ensures the Council has a legal right to recharge associated costs to leaseholders. Any breach of Section 20 consultation could remove this right and result in a large financial loss to the Council. Section 20 Consultation has statutory requirements which run over many months.

4.10. Staff from other services provide additional support and scrutiny in respect of sales such as the Corporate Fraud Team, Corporate Support Services, GIS Team, Legal and Finance. The valuations obtained on each property are provided by an outside body.

4.11. The cost of administering the leasehold service is recharged to the leaseholders.

## **5. Client Consultation, Information and Involvement**

- 5.1. The way in which leaseholders will be consulted, informed and involved with regard to the Council's Strategy on Home Ownership is as follows:
- Consultation with the Epping Forest Tenants and Leaseholders' Panel
  - Through the delivery of the Resident Involvement Strategy
  - A Resident Involvement Officer promotes our services
  - Statutory consultation procedures are adhered to when carrying out major repairs or improvements to a block of flats/maisonettes where there are leasehold properties
  - Information published on the Council's website, which includes the Tenants' Handbook and the Leaseholders' Handbook
  - Each RTB applicant is signposted to the Government's online booklet about the implications of purchasing a property
  - Satisfaction surveys of every RTB applicant, sent a week after the offer notice.

## **6. General principles**

- 6.1. An IT system-based module for leasehold management was introduced which allowed a reduction in the amount of paperwork and stopped duplication. The system has allowed greater efficiencies and the provision for leaseholders to pay their service charges via Direct Debit. The system provides an audit trail in all areas and any replacement housing management system will allow for further improvements.
- 6.2. Staff will ensure that the prospective purchaser or leaseholder is responded to promptly and accurately. Where an immediate response is not possible, staff will advise when they will be able to respond or provide details of which service will be able to provide the necessary information.
- 6.3. In addition, Housing Management staff provide some details relating to both property and the purchaser, and Property Assets staff provide on-going information relating to properties sold on a leasehold basis. The Home Ownership team manager is the authorised signatory on right to buy claims along with other Officers with delegated Authority. The Council continues to be responsible for any external or structural work related to leasehold dwellings and the details of the cost of that work must be passed to the leaseholder by the Home Ownership Team.
- 6.4. By law, each leaseholder has to be fully consulted on all major works. Annual service charges are calculated on an estimated basis and charged each month. At the end of the financial year the actual charges are calculated, and accounts raised accordingly. This section carefully monitors the calculation and collections of charges, in respect of the leaseholders.
- 6.5. Procedures will be monitored and reviewed regularly to ensure timescales are met and targets achieved and to implement improvements, wherever possible. Also, to ensure that all procedures fulfil all statutory and council requirements.
- 6.6. At all times it is essential to ensure accuracy of Right to Buy and leasehold calculations. Throughout this process, staff are mindful of the possibility of fraud, both with regard to the actual sale of the property and also fraud that may have been perpetuated in connection with Housing Benefits or Council Tax. Due to the increased level of Right to Buy discount achievable we have increased our fraud investigation processes surrounding this scheme to protect the public purse from fraudulent applications.

## 7. Action plan

7.1. In order to maintain and progress towards our strategic aim of providing an efficient and effective Home Ownership Service an action plan is outlined below:

No.	Action	Deadline	Target/ success measure	Officer accountable
1	Signpost all Leaseholders to the online Leaseholders' Handbook. Hard copy on request.	Ongoing	Leaseholders have continual access to current version.	Home Ownership Officer
2	Inform all new leaseholders they can participate in the Tenants and Leaseholders' Panel.	Ongoing	Information about the Panel communicated to new leaseholders.	Home Ownership Team Manager Tenant Participation Officer
3	Inform tenants annually of their RTB. Housing News	Ongoing	Include annual item in tenant newsletter.	Home Ownership Team Manager Housing Strategy Team Manager
4	Provide a clear summary of leaseholders' rights and responsibilities with service charge bills.	Ongoing	Summary distributed.	Home Ownership Team Manager Home Ownership Officer
5	Ensure strong processes are in place with Corporate Fraud Team.	Ongoing	Processes checked and adjusted regularly.	Home Ownership Team Manager Fraud Team Manager
6	Based on the tenant and leaseholder satisfaction survey in 2023/24 assess the need for further home owner satisfaction work.	Q3 2024/25	Consider the benefits of work to identify improvements in our services for home owners	Home Ownership Team Manager Housing Strategy Team Manager

## 8. Targets (PIs)

- 8.1. The performance for RTB for 2022/23 together with the proposed key targets for the following five years is detailed in the table below:

Key Targets and Performance				
Performance indicator	2022/23 Actual	2022/23 Target	2023/24 Target	2024/25 Target
Average time to respond to RTB 1 (Leasehold, in days). (Acknowledge RTB).	3	7 working days	7 working days	7 working days
Average time to respond to RTB 1 (Freehold, in days). (Acknowledge RTB).	3.64	7 working days	7 working days	7 working days
Average time to accept RTB application (RTB 2) (Leasehold, in days) (Admit or Deny RTB) Legislative requirement - 28 days.	25	28 days	28 days	28 days
Average time to accept RTB application (RTB 2) (Freehold, in days) (Admit or Deny RTB) Legislative requirement - 28 days.	26	28 days	28 days	28 days
Percentage of formal RTB applications formally denied or admitted within statutory timescales.	100%	100%	100%	100%
Service Charge estimates to be sent to lessees by 1 <sup>st</sup> March each year	100%	100%	100%	100%
Final accounts sent to lessees by 30 <sup>th</sup> September each year (and within 18 months of cost incurred)	100%	100%	100%	100%

- 8.2. In view of the legislative targets involved, continual monitoring is essential. The OHMS integrated computer system allowed more detailed and frequent reports for the RTB and leasehold service charges. This should ensure that the provisions of this Strategy. OHMS will be replaced by the Civica housing management system which aims to automate the reporting even further.
- 8.3. Legislated changes, and indeed the rumour of changes, can lead to uneven levels of demand which require management response to avoid the development of any backlog. Therefore, monitoring of workload is essential to ensure customers' demands are met and legislative timescales adhered to.

## Review and monitoring

- 8.4. This Home Ownership Strategy will be reviewed by the Council's Communities Select Committee following five years of operation in consultation with our Tenants and Leaseholders' Panel. Any proposed changes will be referred to the portfolio holder and, if necessary, the Council's Cabinet. However, an earlier review will be undertaken if required, especially in the light of any significant changes in legislation or council policy.

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## Version control

Version no.	Date	Details of changes included in update	Author
1	June 2020	First draft	Home Ownership Team Manager
3	Sept 2020	Final draft	Home Ownership Team Manager
4	August 2023	Revised Draft	Home Ownership Team Manager
5	September 2023	Revised Draft	Home Ownership Team Manager
6	September 2023	Draft for officer circulation	Home Ownership Team Manager
7	October 2023	Final for AGP and Tenant & Leaseholder Panel	Home Ownership Team Manager
8	December 2023	Final for Scrutiny Committee	Home Ownership Team Manager

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December 2023

# Agenda Item 10

## Report to Communities Scrutiny Committee

**Date of meeting: 16<sup>th</sup> January 2024**

**Portfolio:** Property & Housing (Cllr Holly Whitbread)

**Subject:** Independent Living for Older People Strategy, 2023 to 2028



**Officer contact for further information:**

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### Recommendations/Decisions Required:

1. To comment upon and consider the Independent Living for Older People in Epping Forest Strategy 2023/24 to 2028/29 as in Appendix A
2. To comment upon and consider approve the Annual Delivery Plan, summarised within the appendices of the strategy document

### Executive Summary:

The Strategy gives direction and a framework to the Independent Living Service for modernising housing services for older people and, the independent living schemes that we provide.

The Strategy aims to make best use of assistive technology to help older people remain independent for as long as possible.

### Report:

#### 1. Background

What is Independent Living? - The Council's independent living is accommodation for people who are over the age of 60. It is suitable for those who are capable of living on their own but feel more secure with the support of an Independent Living Officer and access to digitally enabled services e.g., Telecare services.

Independent Living Schemes can be the ideal solution for older people who want to keep their independence, without the worry of maintaining a large property. As people age, some older people appreciate living in a smaller, easier to manage self-contained accommodation with added security and the opportunity to make new friends and socialise.

Epping Forest District Council is the largest social landlord in the district providing homes for 11% of households. Housing Associations provide just over 3% of residential premises in the district.



EFDC currently manages 12 Independent Living schemes providing a total of 463 homes, mostly one-bed homes, mainly occupied by single people.

Between the 2011 and 2021 census the population of Epping Forest increased by around 10,300 to around 135,000. The population of people aged over 65 has increased in the same period from 22,550 to 26,269 (around 1.4%), with the biggest increase being in those aged 65 to 74 years.

In response to the changing demographics, needs and aspirations of our older population, and furthering a piece of consultancy carried out in 2022, it is timely and appropriate for EFDC to develop a strategy for our older people service.

The Strategy also contains a high-level delivery Annual Delivery Plan which is to be further developed in 2024.

## **2. Key Objectives of the Strategy**

1. Work towards providing aspirational accommodation for older people
2. Make best use of assistive technology to help older people remain independent for as long as possible
3. To keep the delivery model under review
4. Engage with residents to improve the quality, suitability and desirability of our Independent Living schemes
5. Carry out options appraisals for poorly performing stock in the Asset Management Strategy
6. Future housing provision for older people to be reflected in the Asset Management Strategy and stock condition survey.

## **3. Priorities and Delivery of the Strategy**

The Independent Living for Older People in Epping Forest Strategy aligns with the Councils Housing Strategy.

The strategy contains a series of high-level priorities detailed on pages 5 and 6, these are summarised below. The strategy also contains a more detailed Annual Delivery Plan (Appendix 2, Pages 14 and 15) which, will be continually monitored and, reviewed annually to ensure the objectives of the five-year Strategy are met.

Priorities – to support strategy objectives:

### **Priority 1: Increasing the supply of affordable housing**

Refurbishments of our independent living schemes and changing underused lounges into homes.

### **Priority 2: Ensuring quality, safety, and high standards**

Upgrade our emergency alarm system and procure a new monitoring provider.

### **Priority 3: Promoting health, wellbeing, and independence**

To keep our delivery model for supporting residents under review.

### **Priority 4: Facilitating economic growth and regeneration**

To undertake an options appraisal for poorly performing stock.

## **Priority 5: Protecting and enhancing the environment**

Continue to promote and hold an annual Flowers in Bloom competition.

### **4. Consultation undertaken:**

The Strategy has been formulated in consultation with representatives of the Epping Forest District Council Tenants and Leaseholders' Panel and, sets out how the strategy will delivered over the next five years.

The Strategy was formally presented to EFDC Tenant and Leaseholder Panel on 5<sup>th</sup> December 2023. The panel were supportive of strategy and noted this as being a good piece of work.

Specific comments from the Panel and, through 'chatterbox' sessions at EFDC's Independent Living Schemes include the following, and have been incorporated into the draft strategy:

- We (EFDC) should be clear about how often the support model will be reviewed. We have added, under the section 'Our delivery model' on page 7, a commitment to review the delivery model at least every two years.
- We should include reference to the move to a "stay-put" policy in respect of fire safety evacuation as recommended by both the fire service and through the Fire Risk Assessment (FRA). This will be the approach following completion of fire protection compartmentalisation work. An additional sentence has been included in the paragraphs under Priority 2 on page 5.
- Residents were also keen to see refence to bicycle storage on Independent Living Schemes, this has been added.

### **5. Resource implications:**

There are no additional resource requirements within the scope of this report.

### **6. Legal and Governance Implications, Relevant Statutory Powers: None**

### **7. Corporate Plan Implications:**

The Strategy aligns with the higher-level Corporate Plan strategic aims and the Housing Strategy 2023-2027 key priorities: Stronger Communities, Stronger Place and Stronger Council.

### **8. Background Papers: None**

### **9. Risk Management: N/A**

### **10. Equality:**

An Equality Impact Assessment for the Independent Living for Older People Strategy 2023/24 to 2028/29 has been completed and is available on request.

### **11. Key Decision: (if required): None.**



# **Independent Living for Older People in Epping Forest 2023/24 to 2028/29**

**A housing strategy for older people in  
Epping Forest**

**FOREWORD and VISION** – from portfolio holder

People living longer is a well-known national trend, and the need for suitable housing plus care and support are therefore also increasing. In Epping Forest life expectancy is 84.1 years, higher than the national average (82.8) (based on 2021 census). The incidence of dementia in the district is also higher than the national average, 2.1% versus 0.71 (source ONS; based on people registered with GPs). The demand for independent living is increasing and the need for more specialist housing is an even more pressing issue.

That is why we need this strategy. Our vision is for everyone aged over 60 in Epping Forest to have a choice of quality, accessible and practical housing, plus the care and support services required to remain independent for as long as possible. This will be delivered through a combination of private sector development, redevelopment of independent living schemes, working with our residents and public sector creativity. These choices must be within the financial reach of all current and future older people in the district so they have the information they need to plan for where they would like to live at different stages of their later lives.

We aim to modernise our housing services for older people and the independent living schemes that we provide. We will also make the best use of assistive technology to help older people remain independent for as long as possible.

**Cllr Holly Whitbread Housing and Strategic Health Partnerships Portfolio Holder**

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**FOREWORD and VISION** – from portfolio holder

**Responding to a changing population**

**Consultancy outcomes**

**Our Key Objectives and priorities**

**Our Delivery Model**

**Engaging with residents**

**What is independent living?**

## **DELIVERING THE STRATEGY**

- **Working in partnership with other organisations**
- **Modernising the physical environment of our Independent Living Schemes**
- **Delivery Charge Options**
- **Deliver and modernise telecare equipment to meet Digital Switchover**
- **Maximise opportunities create additional accessible accommodation**
- **Modernise the physical environment and the accessibility of our schemes**
- **Automatic Doors**
- **Mobility Scooter Storage**
- **Digital Inclusion**
- **Flowers In Bloom**

## **CONCLUSION**

**GLOSSARY** – use the one from the housing strategy and amend as needed

**APPENDIX 1:** The National Context

**Appendix 2:** DELIVERY PLAN

**OTHER APPENDICES:** Equality Impact Assessment

## **Responding to a changing population**

Epping Forest District Council (EFDC) is the largest social landlord in the district providing homes for 11% of households. The Council's portfolio of 6,465 properties includes general needs houses flats and bungalows, disability adapted properties, independent living accommodation for older and vulnerable people and hostels for homeless households. Housing Associations provide just over 3% of residential premises in the district.

The Council currently manages 12 Independent Living schemes providing a total of 463 homes, mostly one-bed homes, mainly occupied by single people, and three schemes have a high proportion of bedsits. The total number of specialist homes for older people across the district is around 1,300 in 40 schemes. Between the 2011 and 2021 census the population of Epping Forest increased by around 10,300 to around 135,000. The population of people aged over 65 has increased in the same period from 22,550 to 26,269 (around 1.4%), with the biggest increase being in those aged 65 to 74 years.

## **Review and Intelligence**

In 2022 the Council reviewed the performance and sustainability of our sheltered housing, now re-named as Independent Living following a change in the service delivery model. Based on intelligence and population changes, the need in Epping Forest District Council is estimated at around 720 additional units of housing for older people and, 210 units of housing with care (extra care) in the district.

In reviewing service provision and stock, headline findings include:

- People expect their homes to be somewhere they can socialise with family and friends.
- The need to review our current delivery model to allow for a more flexible support service.
- Many of the EFDC schemes are over 50 years old and have lacked investment to modernise them.
- Some schemes currently have low levels of demand.
- All the schemes show positive financial performance, contributing surpluses to the Council.
- The need to explore options for underused facilities such as the second lounges at 3 independent living schemes.
- Review of the planned investment programme.
- Consideration of redeveloping schemes with studio accommodation.

## **EFDC Key Objectives**

1. Work towards providing aspirational accommodation for older people
2. Make best use of assistive technology to help older people remain independent for as long as possible
3. To keep the delivery model under review
4. Engage with residents to improve the quality, suitability and desirability of our Independent Living schemes
5. Carry out options appraisals for poorly performing stock in the Asset Management Strategy
6. Future housing provision for older people to be reflected in the Asset Management Strategy and stock condition survey.

## **OUR PRIORITIES**

### **Priority 1: Increasing the supply of affordable housing**

Undertaking refurbishments of our independent living schemes to make them more desirable to older people occupying 2/3 bedroom properties, downsizing will free up more of our affordable accommodation for families. It is the quality of homes and service that will encourage tenants to downsize, freeing up much needed family homes.

### **Priority 2: Ensuring quality, safety, and high standards**

In consultation with our residents, upgrade our emergency alarm system and procure a new monitoring provider to ensure we continue to make the best use of assistive technology. In addition, we will adopt a 'stay put' policy as recommended by the Fire and Rescue Service and our Fire Risk Assessor.

Our Independent Living accommodation will be a focus in the Asset Management Strategy (to be finalised early in 2024). This will ensure quality, safety and our high standards continue to be met.

### **Priority 3: Promoting health, wellbeing, and independence**

To ensure our delivery model provides support to those residents that need it, helping them remain independent for as long as possible. To facilitate more social events to help with social isolation and improve general health and well-being. Explore the options for wi-fi in the communal lounges of our independent living schemes and support digital inclusion of our residents.

#### **Priority 4: Facilitating economic growth and regeneration**

To undertake an options appraisal for poorly performing stock with a long-term view to redevelop schemes with studio accommodation.

#### **Priority 5: Protecting and enhancing the environment**

Continue to promote and hold an annual Flowers in Bloom competition to help improve residents' health and wellbeing and enhance the environment in which they live.

#### **What is independent living?**

Independent Living Schemes can be the ideal solution for older people who want to keep their independence, without the worry of maintaining a large property. As people age some older people appreciate living in a smaller, easier to manage self-contained flat, with added security and the opportunity to make new friends and socialise.

The Council's independent living is accommodation for people who are over the age of 60. It is suitable for those who are capable of living on their own but feel more secure with the support of an Independent Living Officer and access to digitally enabled services e.g., Telecare services.

We appreciate that older people have different needs, which is why the Council have two kinds of independent living accommodation within the district. An independent living scheme is one block of flats. Grouped dwelling schemes are similar, but the properties are not all together in one block.

One-bedroom flats are the most common type of independent living, although there are still some studio apartments, and one-bedroom bungalows which benefit from their own garden. There are usually some communal facilities, such as a communal lounge, laundry room and a guest room for visiting friends and relatives.

An Independent Living Officer visits residents that need advice and support to remain independent. All the Council's Independent living properties benefit from an emergency alarm system so residents can call for help 24 hours a day, seven days a week. Rents are similar to normal council rents but a 'delivery charge' is included for the support provided by the Independent Living Officer and emergency alarm service.

The advantages of living in our independent living schemes include but are not limited to:

- Greater security (door entry system and CCTV)



- The support of a visiting Independent Living Officer
- An emergency alarm system, 24 hours a day
- Community activities, for those that wish to join in
- Communal facilities including guest room and laundry facilities.
- Improved well-being
- A hub for the local community.

## **Delivering this Strategy**

### **Our Delivery Model**

Our work with residents and considering local data/intelligence, has identified the need to change the delivery model to one that responds to the support needs of current and future residents.

During 2022, through consultation, our residents told us they wanted a more flexible service, moving away from daily welfare checks as a number of residents are active and go out most days. They also wanted peace of mind knowing that when they need support it will be available to them. In April 2023 we introduced a new delivery model, one that is flexible and needs led. Some residents continue to receive a welfare check, these are now targeted to those that need and want them, allowing independent living officers to spend more time with residents with significant needs. A consultation exercise will be undertaken with residents in our independent living schemes during 2023/24 to ensure the new delivery service is meeting our resident's needs. We will review the delivery model at least every two years.

At the time of introducing our new delivery model we also moved away from the term "sheltered housing" as it infers people need looking after. Residents living in our schemes are independent and so the term *Independent Living* has been adopted with staff having the title *Independent Living Officer*.

### **Engaging with residents**

The voice of our tenants will be at the centre of how we develop our services and invest in their homes. We will continue the meetings and surveys that have successfully engaged residents in the past. We will review how the Sheltered Forum meetings bring together the views of residents and work towards having a tenant representative from Independent Living on the Council's Tenant & Leaseholder Panel.

Engagement with residents links to our Resident Involvement Strategy, putting the customer at the heart of everything we do, empowering them to hold their landlord to account, improving communication with residents and working with the wider community.

### **Deliver Model Charge Options**

All residents in our Independent Living Schemes pay a charge for the service provided by the Independent Living Officers and the emergency alarm and monitoring service.

The cost is reviewed annually, and we will carry out a deeper dive into what we can and cannot recover via service charges, including what may be covered through Housing Benefits.

### **Maximise additional accessible accommodation**

3 independent living schemes benefit from having 2 communal lounges, Leonard Davis House, North Weald, Jessopp Court, Waltham Abbey and Buckhurst Court, Buckhurst Hill.

Consultation with residents at these schemes was undertaken and they fully support the idea of turning these underused facilities into much needed accessible accommodation. Subject to available funding we plan to undertake one conversion a year until all completed.

### **Working in partnership with other organisations**

To maximise opportunities and life chances for older people, we will work with other teams across EFDC and other organisations. Through engagement with the local Health and Wellbeing Board, specifically the socio-economic action group, we hope that we can increase opportunities for older people through joint working. There may also be options to bid for funds to develop activities for our tenants.

### **Modernising our Independent Living Schemes**

We acknowledge that much of our independent living accommodation and communal areas and facilities require investment. We also acknowledge the demand for and appeal of some of our accommodation is not as it once was, hence, this strategy setting a of direction of travel.

We therefore have a programme of work to meet the needs and expectations of residents, including:

- A programme to **refurbish all our independent living schemes** to ensure they remain attractive and desirable, not only to existing tenants but to those looking to downsize and those who are on our housing waiting list. Our aim to is refurbish one or two schemes a year, two are already completed at time of writing this strategy, until all have been completed.
- The Asset Management strategy will prioritise the future investment in Independent Living Schemes. We will look at data such as the ease of letting Independent Living homes and

satisfaction data from tenants to ensure we take a data led approach to stock investment. Our priority is to provide housing to local people, to reduce the number of void properties and ensuring our independent living scheme are sustainable for the future.

- **Deliver and modernise telecare equipment** to meet Digital Switchover - Our independent living schemes currently have an analogue telephone system that is about 18 years old. Plus, technology in emergency alarm systems has moved on. The national analogue network is being switched off in 2025 and we will move our service to digital before that happens. To ensure the alarm systems in our independent living schemes continue to provide a reliable service, and meet the needs of our residents, now and in the future, we will upgrade to a digital system.
- We know that **automatic doors** at the main entrance to an independent living scheme are important to our residents as they aid accessibility for people with disabilities, furthermore, they enhance security and are convenient for people carrying baggage. Automatic door systems also ensure that we comply with the relevant regulations of the Equality Act 2010. Over half of our 12 schemes now benefit from automatic doors and over the life of this strategy we aim to install these at the main entrance of all our independent living schemes.
- People purchase **mobility scooters** for several reasons but in the main they allow people to retain their independence. We provide storage for mobility scooters at some of our schemes. It is also inappropriate for these vehicles to be stored in residents' properties because if they are not looked after or charged properly, they are a significant fire risk. We will develop a programme to ensure that all our independent living schemes have appropriate storage with charging points for these vehicles by 2030. We will investigate opportunities for bicycle storage on our schemes as well.
- As part of future viability assessments, we will also consider whether installation of **charging points for electric vehicles** is appropriate.
- **Digital Inclusion** - We are working with OpenReach to develop options for residents in our Independent Living Schemes to access the internet via broadband services. We will explore the options for communal broadband, undertaking a pilot initially at one scheme and then open out to others schemes if that is successful. We will explore funding support through grants for communal broadband installation and we will look to provide training and possibly some equipment to help residents engage with online services.
- The **Flowers In Bloom** competition was one way to combat the loneliness and isolation that had developed in the Covid lockdowns. This had a detrimental effect on the mental

health and physical health of our residents. As soon as the restrictions started to ease, we looked at ways in which we could get the residents together in a safe environment where they could be at a safe distance from each other but close enough to talk. The Flowers In Bloom competition is fun and exciting and encourages residents to be outside, have some exercise and be socially interactive. We will continue this annual competition as long as residents are interested.

## **Conclusion**

The outline delivery plan is at Appendix 2 to this strategy. It will be developed more fully in 2024 and reported annually to the Tenant and Leaseholder Panel. Progress against the delivery plan and this strategy will be reported to Cabinet in 2028/29 and a revised strategy developed if necessary.

The delivery plan will be used to deliver and assess the impact of this strategy and we will monitor activity against deadlines as well as satisfaction through the annual tenant's survey. Turnover and ease of letting properties and return on investment will also be measured.

## GLOSSARY

**Affordable housing** - Housing that is provided for rent or shared ownership for people who cannot afford to purchase a property on the open market.

**Aids and adaptations/assistive technology** - Devices and property adjustments for people with restricted mobility or disabilities, to improve their ability to do things around the home.

**Corporate Plan** - The Council's aspirations for local residents and communities and the principles it will work to.

**Digital Inclusion** - Being able to use digital devices (such as computers or smart phones and the internet).

**The District** - The geographic administrative area covered by Epping Forest District Council.

Housing register - A waiting list of people who qualify for social housing in the district.

**Older person** - For the purpose of independent living, an older person is an applicant aged 60 or over.

**Public health** - Activities coordinated across different organisations to promote good health, prevent disease, and prolong life.

**Social housing** - Homes for rent and associated services for people whose personal circumstances make it difficult to meet their housing needs in the open market.

**Wellbeing** - Being comfortable, healthy, and happy. This may include mental health, satisfaction, a sense of meaning or purpose and ability to manage stress.

## **LINKS AND REFERENCES**

The strategy pays due regard to the following:

**Epping Forest Corporate Plan 2023-2027**

**Epping Forest Health and Wellbeing Strategy 2022-2026**

**The Social Housing (Regulation) Bill**

**The emerging Asset Management Strategy**

### **Related strategies and policies**

The Strategy is linked to the following strategies and policies:

- Housing Strategy 2023-2027
- Resident Involvement Strategy 2022-2027
- Allocations Scheme 2022-2027
- Customer Complaints Policy
- Health Impact Assessment Guidance
- Safeguarding Policy
- Tenancy Policy 2022-2027

### NATIONAL CONTEXT

Over the past five years there has been a number of reports and studies into the provision of care and other services for older people. Age Concern for example are estimating that around 1.6 million people aged 65 or older have unmet needs for care and support.

The Centre for Ageing Better's report *The State of Ageing* ([The State of Ageing 2022](#)) reviewed national data and their conclusions include that "a financially secure and healthy later life is becoming increasingly unlikely for millions of people". There is also a trend for more and more people to be living alone in mid and later life, which has consequences for housing as well as health and care services.

The King's Fund article [What is happening to life expectancy in England?](#) reports that the chances of having a decent old age vary and that the people who are least well-off have the slimmest chance of all. Across England today – depending on where we live and how well-off we are – there are differences of up to ten years in how long we can expect to live and more than 17 years in the time we get in good health without a disabling illness. Almost 1 in 5 homes headed by someone aged 60 or older is in a condition that endangers the health of the people who live there.

In May this year the Department for Levelling Up, Housing and Communities (DLUHC) announced a task force that is to report on how housing for older people can be improved. Their work continues and [KEEP THIS UPDATED UNTIL STRATEGY FINALISED]

The *People at the Heart of Care* white paper ([People at the Heart of Care: adult social care reform white paper - GOV.UK \(www.gov.uk\)](#)) highlight the importance of housing in helping people to live independently in the community. The Government wants local places to join up housing, health and care services, providing more choice in local communities and creating the local conditions to increase the supply of specialist and supported housing.

## APPENDIX 2: ANNUAL DELIVERY PLAN SUMMARY – to be developed in detail n 2024

	<b>Project</b>	<b>Task</b>	<b>Measuring success</b>
<b>1.</b>	Conversion of lounges	Convert unused lounges in IL Schemes to additional Independent Living homes, i.e., accessible flats.	New homes created
<b>2.</b>	Encouraging downsizing	Use marketing and the modernising of our IL schemes to encourage tenants to downsize to independent living options.	2 bed and larger homes becoming available
<b>3.</b>	Review the use of IL schemes with studio style accommodation	Use of local intelligence/data in conjunction with the Asset Management Strategy and the stock condition survey to carry out a viability study at these schemes.	Recommendations for the future of schemes with studio accommodation
<b>4.</b>	Refurbish the communal areas of Independent Living Schemes	Complete 1 to 2 refurbishments per annum	1 to 2 schemes completed per annum
<b>5.</b>	To upgrade all emergency alarm (warden call) systems	Procure new alarm call systems services in advance of Digital Switchover	Installation of new systems in advance of Digital Switchover
<b>6.</b>	To relet the alarm receiving centre contract	Undertake a procurement exercise to establish a new five-year contract	A new contractor in place by the end of 2024
<b>7.</b>	To adapt the IL Delivery service to meet the needs of IL residents, now and in the future	Consult with residents and staff and report to Tenant and Leaseholder Panel	Resident satisfaction with involvement and with the delivery model
<b>8.</b>	Consider the charges for the delivery service	Review what we can charge for	Aspire to the service being cost neutral to EFDC



	<b>Project</b>	<b>Task</b>	<b>Measuring success</b>
<b>9.</b>	Digital engagement	Install wi-fi in the communal lounges of our independent living schemes	Successful installations
<b>10.</b>	Digital engagement	Support residents to become digitally engaged	Resident survey
<b>11.</b>	Continue installing mobility scooter storage at our independent living schemes	Identify all locations where a scooter store can go and develop a programme of installation based on funding and feasibility	Successful store installations where funding exists
<b>12.</b>	Review the need for bicycle storage	We will investigate opportunities for bicycle storage on our schemes as well.	Meeting resident requirements
<b>13.</b>	Identify all schemes where automatic main entrance doors can be fitted and develop a programme of installation	A programme of automatic door installation to be created where the Asset Management Strategy and residents identify a need	Successful installation of automatic doors where funding allows
<b>14.</b>	Develop a programme of scheme activities	Deliver the programme in collaboration with residents	Resident survey
<b>15.</b>	Flowers in Bloom every year	To get more residents involved in the scheme and activities to support their mental and physical health	Annual competition to be run across all schemes