



New Zealand College of Midwives

TE KĀRETI O NGA KAIWHAKAWHANAU KI AOTEAROA

22nd October 2018

Healthy Homes Guarantee Act 2017 Regulations: Healthy Homes Standards

FEEDBACK FROM

New Zealand College of Midwives
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The New Zealand College of Midwives is the professional organisation for midwifery. Members are employed and self-employed and collectively represent 90% of the practising midwives in this country. There are around 2,900 midwives who hold an Annual Practising Certificate (APC). These midwives provide maternity care to, on average, 60,000 women and babies each year. New Zealand has a unique and efficient maternity service model which centres care around the needs of the woman and her baby.

Midwives undertake a four-year equivalent undergraduate degree to become registered followed by a first year of practice program that includes full mentoring by senior midwives. The undergraduate curriculum meets all international regulatory and education standards. Midwives are authorised prescribers in relation to their Scope of Practice as determined by the Midwifery Council.

Midwives provide an accessible and primary health care service for women in the community within a continuity of carer model as Lead Maternity Carers. Midwives can also choose to work within secondary and tertiary maternity facilities, providing essential care to women with complex maternity needs.

The College offers information, education and advice to women, midwives, district health boards, health and social service agencies and the Ministry of Health regarding midwifery and maternity issues. Midwives interface with a multitude of other health professionals and agencies to support women to achieve the optimum outcome for their pregnancies, health and wellbeing.



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College of Midwives
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Healthy Homes Standards
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Healthy Homes Guarantee Act 2017 Regulations - Healthy Homes Standards

The New Zealand College of Midwives (the College) welcomes the opportunity to provide feedback on the Healthy Homes Guarantee Act 2017 Regulations - Healthy Homes Standards. We understand that the feedback is based on five proposed healthy home standards for rental homes; heating; insulation; ventilation; moisture ingress and drainage; and draught –stopping, and also the timing and phasing of landlord compliance with the standards.

The College considers that midwifery input for this consultation is of great value as Lead Maternity Carer (LMC) midwives see women and their whānau regularly during their pregnancies, and also home visit until newborn babies are up to six weeks old. This world leading LMC midwifery care is based on a partnership and relational continuity model and the important and skilled work carried out by midwives across New Zealand, makes a difference for children, whānau and communities. Midwives are the only group of health professionals who regularly visit women and their whānau in their own homes, or place of abode. This enables a primary gaze on the impact of housing, or sub-standard housing, on women's health, their pregnancies, labour, birth and the post-birth period, alongside the impact on the health and wellbeing of the newborn infant. Health services and health promotion activities are likely to be less effective where there are conditions of, sub-standard housing conditions, hardship and poverty, despite the best of intentions of health professionals.

The College feedback on this consultation is below. We have addressed the reasons why healthy homes and regulatory measures are critical in the first section, and in the appendix we have answered some of the questions from the consultation document.

Feedback

- 1.0 The College, in partnership with the organisation, Maternity Equity Action (MEA) is undertaking a survey of midwife members to ascertain their experiences of women clients who are homeless, living in unsafe, sub-standard, cold, damp and inadequate housing, and experiencing poverty and hardship.
- 2.0 Previous narratives, collected from midwives around Aotearoa New Zealand, have been disturbing as they have contained evidence of the serious disadvantages and hardship experienced by some pregnant women, and new mothers with infants. The narratives also highlighted the potential health risks women and infants face. For example:
- *Cold run down houses and many with floor boards collapsing and no decent bathrooms/toilets and kitchens.*
 - *Sleeping in cold tin garages with sheets as doors and curtains, run down wooden windy houses, with windows and doors that no longer shut.*
- 3.0 The College is heartened to see the issues of poverty, housing, and regulatory standards for healthy homes being addressed by this government. Poverty is obviously a significant factor in terms of inadequate, unhealthy and unsuitable housing.
- 4.0 Boston and Chapple have highlighted New Zealand's previous ongoing failure to significantly address poverty and material hardship, and noted that the situation for poor children in 2013 was no better than in 2008.¹ Boston and Chapple also point out that a combination of policy changes and societal trends, have led to dramatic increases in child poverty, that effective policies to tackle this problem are long overdue, and that there are no signs that economic growth has helped to resolve this issue.
- 5.0 The Families and Whānau Status Report 2016, highlights how financial and psychological stressors impact on the ability of families to function well.² The stress of unsafe and unhealthy living environments and the highly likely deterioration in physical, spiritual, and psychological health places an unacceptable burden on pregnant women, and women with newborn infants and young children.

¹ Boston, J., Chapple, S. (2015). *The Child Poverty Debate: Myths, Misconceptions and Misunderstandings*. Wellington, Bridget Williams Books, BWD Texts.

² Social Policy Evaluation and Research Unit. (2016). *Families and Whānau Status Report*. Wellington, Superu.
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- 6.0 Hogg et al suggest that the length of time families and infants spend in unsuitable situations, are key factors contributing to a loss of wellbeing.³ They also describe pregnant women and families with dependent children as having 'priority needs'.
- 7.0 Howden-Chapman emphasised that, "income poverty levels are relatively high in Australia and New Zealand compared to most other advanced economies, and the risk of poverty is not distributed evenly. People who are unemployed, sole parents, adults with a disability, and Māori and Pacific people face a higher risk of poverty and are more likely to suffer severe housing deprivation."⁴
- 8.0 High rental costs and poor quality rental accommodation contribute to rising health costs. Howden-Chapman, commenting on the 'Warm Up New Zealand' programme, said that the evaluation of the first 45,000 households in the scheme showed that children in rental houses that were insulated were nineteen per cent less likely to be hospitalised.⁵
- 9.0 The College notes that in the media coverage of a family living in a severely sub-standard and unhealthy rental house in Auckland, the infant in this home has recently been admitted to intensive care with respiratory issues, and that this was reported to be her third admission to hospital over the winter months.⁶ This is only one story but it illustrates why regulatory measures need to be taken to improve rental housing urgently.
10. The New Zealand Human Rights Commission's 'thematic snapshot report' on inadequate housing in New Zealand and its impact on children described the prevalence of New Zealand children living in substandard housing conditions as a major public health and children's rights issue.⁷ This report recommended the introduction of minimum standards for housing in the form of a rental warrant of fitness.
11. The New Zealand Human Rights Commission snapshot to the United Nations Committee on the Rights of the Child also notes that the 2030 UN Agenda for Sustainable

³ Hogg, S., Haynes, A., Baradon, T., & Cuthbert, C. (2015). *An unstable start. All babies count: Spotlight on homelessness*. UK, NSPCC & the Anna Freud Centre.

⁴ Howden-Chapman, P. (2015). *Home Truths: Confronting New Zealand's housing crisis*. Wellington, Bridget Williams Books, BWD Texts.

⁵ Auckland Council. (2016). *Opinion: The hidden cost of our unhealthy rental homes. Part two: Why we need a rental warrant of fitness*. Auckland, Our Auckland. http://ourauckland.aucklandcouncil.govt.nz/articles/news/2016/05/the-hidden-cost-of-our-unhealthy-homes/?utm_medium=social&utm_campaign=20160516&utm_source=facebook&utm_content=news

⁶ Baby living at Auckland 'swamp house' in intensive care. <https://www.stuff.co.nz/auckland/local-news/papakura-courier/107322760/baby-living-at-auckland-swamp-house-in-intensive-care>

⁷ New Zealand Human Rights Commission and He Kainga Oranga / Housing and Health Research Programme. (2016) *Inadequate housing in New Zealand and its impact on children: Thematic snapshot report to the United Nations Committee on the Rights of the Child*. University of Otago, Wellington, NZURC, He Kainga Oranga.

Development. SD Goal 11.1 established a target that requires the NZ Government to realise access to adequate, safe and affordable housing for all people by the year 2030.

12. Kelly et al. (2013) found that among children admitted to Wellington Hospital during a two week period in July 2012 there was a high prevalence of exposure to cold, damp, and overcrowded houses. Māori and Pacific children and children living in socioeconomically deprived areas were more likely than others to be exposed to potential risk factors for childhood hospitalisation.⁸ Of the 106 children admitted to hospital thirty-one were below the age of one year.

13. Cold homes and fuel poverty have been identified as factors in health and social inequalities that could be alleviated through energy efficiency interventions.⁹ Grey et al. discuss the common ground of worry of the “heat or eat dilemma and financial stress” dominant particularly in energy inefficient households. This discussion highlights the potential adverse health impact of fuel poverty which for pregnant women or new mothers with babies and children may result in significantly poor health outcomes.

14. The Marmot Review Team note that there are “three possible ways to move the majority of the population out of food poverty”, and improving the energy efficiency of homes is described as one.¹⁰ The Marmot Review Team looked at the social benefits of improved housing and found that increased durations of living in inadequately heated accommodation is significantly associated with having multiple negative outcomes for children.

15. Poor housing conditions were independently associated with low birthweight and preterm low birthweight infants in a study by Vettore et al.¹¹ This negative effect of social indicators on fetal development and the health outcomes of mothers and their children due to poor housing conditions is of concern to the College.

16. In terms of residential dampness and mould, and the association with illness, there are numerous studies identifying health risks. Fisk et al. found that dampness and mould have been associated with adverse respiratory effects,¹² and Mason et al. found that damp and mouldy housing could be identified

⁸ Kelly, A., Denning-Kemp, G., Geiringer, K., et al. (2013). Exposure to harmful housing conditions is common in children admitted to Wellington Hospital. *The New Zealand Medical Journal*, 126(1387):108-126.

⁹ Grey, C. N. B., Schmiedr-Gaite, T., Jiang, S., Nascimento, C., & Poortinga, W. (2017). Cold homes, fuel poverty and energy efficiency improvements: A longitudinal focus group approach. *Indoor and Built Environment*, 26(7):902-913.

¹⁰ Marmot Review Team. (2011). *The health impacts of cold homes and fuel poverty*. London, Marmot Review Team, Friends of the Earth, England, Wales and Northern Ireland.

¹¹ Vettore, M. V., Nogueira da Gama, S. G., de Almeida Lamarca, G., Schilithz, A. O. C., & do Carmo Leal, M. (2010). Housing conditions as a social determinant of low birthweight and preterm low birthweight. *Rev Saude Publica*, study presented at the International Epidemiological Association meeting in Cork, Ireland, 2007.

¹² Fisk, W. J., Eliseeva, E. A., & Mendell, M. J. (2010). Association of residential dampness and mold with respiratory tract infections and bronchitis: a meta-analysis. *Environmental Health*, 9(72):1-11.

as major exposure issues in the indoor environment in New Zealand linked to respiratory problems.¹³ Mason et al. report an estimated 31.8% of New Zealand adults were living in a house with dampness and mould in 2014/2015, and state that although the health burden due to dampness and mould has not been estimated for NZ, a review estimated that 16-28% of current asthma in NZ children and adults was caused by this in 2000.

17. In 2017 a report on Māori renter's views on renting in the Wellington region by Berry et al. was published.¹⁴ This report paid attention to the health impacts of substandard housing and identified disparities between the socioeconomic status of Māori and Pākehā which contributed to inequalities in housing and renting which affected the total wellbeing of the Māori population. A significant finding across all interviews was the descriptions of rental properties being cold. A common theme that emerged was dampness. Poor housing quality was reported to be "rampant" in the findings of this study. Study participants also disclosed their reluctance to speak out against landlord for fear of negative repercussions.

18. Berry et al. support the implementation of a housing warrant of fitness as a potential significant step towards addressing the inequalities that Māori renters face, and state that this honours the Treaty of Waitangi under the third principle, protection, or Oritetanga, which relates to equal opportunity and work to ensure that Māori have the same level of care and resources as the rest of New Zealand.

Conclusion

The College considers that all avenues to alleviate inequity and to address issues of poverty, low income, and substandard housing are critical, particularly where the health and wellbeing of mothers, infants and children and their whānau are concerned. We do not consider that disparities in health are acceptable, or that they are unable to be prevented or eliminated. Substandard housing places an unacceptable burden on pregnant women, and women with newborn infants and young children.

Alongside improvements in health and wellbeing is the very real advantage of making significant positive changes that can contribute to sustainability and to the reduction of climate change impact

The College supports the intent of the five proposed standards for healthy homes which are heating, insulation, ventilation, moisture and drainage and draught stopping. We welcome this focus on healthy homes, and regulatory standards for rental accommodation, and consider this a critical part of a very

¹³ Mason, K., Lindberg, K., Read, D., & Borman, B. (2018). The importance of using public health impact criteria to develop environmental health indicators: The example of the indoor environment in New Zealand. *International Journal of Environmental Research and Public Health*, 15(1786):1-22.

¹⁴ Berry, J., Cairns, L., Court, K., et al. (2017). *Kimihia Ngā Whare Māori Ōranga Pai /Towards Healthy Māori Rental Housing: Māori renter's views on renting in the Wellington region*. Department of Public Health, Department of Medicine, University of Otago, Wellington. 376 Manchester Street / PO Box 21106 Edgeware Christchurch / Telephone (03) 377 2732 / Facsimile (03) 377 5662 / Email nzcom@nzcom.org.nz

overdue investment in health, welfare, and equity. Any costs to the Government for the development of this important initiative will be offset by reduced health care costs both in the short and long-term.

Thank you for the opportunity to contribute to this discussion document.

Yours sincerely

Carol Bartle

Policy Analyst

New Zealand College of Midwives

Appendix One: Feedback on the consultation questions

1.

Options Summary: location of the heating device in a rental home	
Option One (status quo)	Living room only (includes kitchen and dining room if open plan rental home)
Option Two	Living room (includes kitchen and dining room if open plan rental home) and bedrooms
Questions for your feedback:	
	Do you support option one or two for the location of heating devices that landlords must provide in rental homes? Please explain your reason.

The College supports option 2 as it is most likely to result in a warm dry home for tenant families. Families with babies and young children will require bedroom heating during the winter months in most if not all regions of New Zealand.

2.

Options Summary: indoor temperature that heating devices should be sized for in a rental home	
Option One	Heaters that landlords provide must be capable of achieving an indoor temperature of at least 18°C in rooms applicable to the heating standard
Option Two	Heaters that landlords provide must be capable of achieving an indoor temperature of at least 20°C in rooms applicable to the heating standard
Questions for your feedback:	
	Do you support option one or two above on whether landlords should provide heating devices that are capable of reaching 18°C or 20°C in room(s) covered by the heating standard? Please explain.

The College supports option 2 as this best meets the objectives for warm and dry rental housing for tenants.

3.

Options Summary: heating devices landlords should provide in rental homes	
Option One	Landlords only provide (fixed) heating devices in cases where portable electric heaters are insufficient to heat the required rooms
Option Two	Landlords must provide fixed and portable heating devices to heat the required rooms
Questions for your feedback:	
	Do you support option one or two for heating devices to be provided by a landlord in a rental home?

The College supports option 2 as this is most likely to meet the objective of a warm and dry home for tenants. Installation of appropriate heat pumps could be viewed as an investment

for the landlord also, as a dry and warm rental home that is not damp is less likely to require as much ongoing maintenance.

4.

Questions for your feedback:	
	Do you agree that a class of acceptable heating devices is created for those devices that are efficient, healthy and affordable for the heating standard? Please explain.
	Do you agree that the heating devices listed above (unflued heaters, open fires etc) should be not acceptable for the heating standard? Please explain.
	What other types of heating, if any, do you think should be acceptable or not acceptable in the heating standard? Why?

The College agrees that an acceptable class of heating devices should be created. Unflued gas and kerosene heaters are in very common usage by families experiencing fuel poverty, and there is evidence that these forms of heating create indoor pollution hazards. Pregnant women and infants are at high risk of negative health effects. This is another reason why appropriate heating in bedrooms should be provided, to avoid the use of unflued heating in sleeping spaces.

5.

Options	Ceiling requirements	Underfloor requirements
Option One (status quo + continue)	Insulation installed before 1 July 2016 must be replaced or 'topped up' if below: <ul style="list-style-type: none"> • minimum R-value of 1.9, or 1.5 if in a building of high thermal mass construction 	Insulation installed before 1 July 2016 must be replaced or 'topped up' if below: <ul style="list-style-type: none"> • 0.9
	Installed from 1 July 2016 + continue from 1 July 2019: <ul style="list-style-type: none"> • 2.9 if the home is located in zones 1 or 2 • 3.3 if located in zone 3 	Installed from 1 July 2016 + continue from 1 July 2019: <ul style="list-style-type: none"> • 1.3
Option Two (akin to "2001 Building Code")	Existing insulation must be replaced or 'topped up' if below: <ul style="list-style-type: none"> • 1.9 if the home is located in zones 1 or 2 • 2.5 if located in zone 3 	Existing insulation must be replaced or 'topped up' if below: <ul style="list-style-type: none"> • 1.3
	All new insulation installed must be at least: <ul style="list-style-type: none"> • 2.9 if the home is located in zones 1 or 2 • 3.3 if located in zone 3 	All new insulation installed must be at least: <ul style="list-style-type: none"> • 1.3
Option Three (akin to "2008 Building Code")	All existing and new insulation must be at least:: <ul style="list-style-type: none"> • 2.9 if the home is located in zones 1 or 2 • 3.3 if located in zone 3 	All existing and new insulation must be at least: <ul style="list-style-type: none"> • 1.3

Questions for your feedback:

	Which of the options (one, two or three) for the minimum level of insulation required do you support? Please explain.
	Do you agree that the exceptions set out in the 2016 regulations should continue under the proposed insulation standard (e.g. when it is not reasonably practicable to install insulation)? Please explain.
	Do you think any other requirements for insulation should be included in the standard and, if so, what?
	Would any of the above options inhibit future innovation and/or flexibility? If so, how?

The College supports option 3 as this will result in the insulation of a greater number of rental homes which will have a greater positive effect on population health. Tenants forced to make the impossible choice between heating their homes and buying sufficient food, will also incur reduced costs from heating which in turn will support food purchases. This option supports both short and long-term population health, and this represents an investment in New Zealand citizens and a commitment to supporting families who are experiencing financial hardship.

Questions for your feedback:

	Do you agree landlords should show compliance with the insulation standard by retaining particular records? If so, which records should be retained? Please explain.
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The College supports measures to ensure compliance with agreed standards and do not consider that retaining information about installation dates, levels of insulation, and competence of the assessor will be a hardship for landlords.

6.

Option Summary: Appropriate ventilation for landlords to provide

Option One (status quo)	Every bathroom has at least one window that directly opens to the outside air unless other adequate means of ventilation are provided to the satisfaction of the local authority Each habitable room has at least one window that directly opens to the outside air unless other adequate means of ventilation are provided to the satisfaction of the local authority Every room which is not a habitable room shall be provided with such window or windows as the local authority may consider necessary for adequate ventilation
Option Two	Extractor fans installed in rooms with a <i>bath or shower</i> , and living rooms, dining rooms, kitchens, and bedrooms have windows that can be opened for the entry of air unless an exemption applies
Option Three	Extractor fans installed in rooms with a <i>bath or shower or indoor cooktop</i> , and living rooms, dining rooms, kitchens, and bedrooms have windows that can be opened for the entry of air unless an exemption applies

Questions for your feedback:

	Do you support option one, two or three to provide adequate ventilation in rental homes? Please explain.
	What other forms of ventilation should be considered acceptable, or not included in the standard as acceptable? Please explain.
	Do you agree that exemptions should be available for certain rental homes from requiring openable windows?
	Would any of the above proposed options for ventilation prevent future innovation and / or flexibility? If yes, how?

The College supports option 3 as this is the one most likely to lead to achievement of warm and dry rental homes. Reducing damp and mould issues will have significant positive health effects.

7.

Option Summary: Moisture ingress and drainage	
Option One (status quo)	Landlords continue to meet the requirements of the Building Code, Residential Tenancies Act and the Housing Improvement Regulations
Option Two	Landlords provide efficient drainage and guttering, downpipes and drains and ensure that the subfloor has a ground moisture barrier, unless there is already adequate subfloor ventilation
Questions for your feedback	
	Do you support option one or two above to address the problems identified with moisture ingress and inadequate drainage in New Zealand rental homes? Why/Why not?
	Do you think other requirements for moisture ingress and drainage should be included in the standard? If so, what?
	Do you agree with the proposed exemptions? Do you think there are other homes that should also be exempt?
	Would any of the above options inhibit future innovation and/or flexibility? How do you suggest this could be overcome?

The College supports option 2 as this is most likely to meet the objectives of drier rental homes and reduce the numbers of unacceptable damp and mouldy living conditions.

8.

Option: Draught stopping	
Option One (status quo)	Landlords are required to ensure walls and ceilings of every habitable room, bathroom, kitchen or kitchenette, hall and stairway shall be sheathed, plastered, rendered or otherwise treated and shall be maintained to the satisfaction of the local authority. Every floor shall be kept in a good state of repair free from crevices, holes and depressions
Option Two	Landlords to stop any unnecessary gaps or holes that cause noticeable draughts and a colder rental home, and: <ul style="list-style-type: none"> • are 3 millimetres or greater in and around windows and doors, walls, ceilings, floors and access hatches • block any decommissioned chimneys and fireplaces.

Questions for your feedback:	
	Do you support option one or two above to stop draughts and create warm and dry rental homes? Why?
	Do you think other requirements for draught stopping should be included in the standard? If so, what?
	Would any of the above options inhibit future innovation and / or flexibility? If so, how?
	Should the regulations specify any exceptions to this standard? If so, what?

The College supports option 2 as this will reduce the numbers of rental homes which are draughty and cold. Achieving warmer and drier rental housing will support improved population health.

9.

Option	Implementation
Option One	Landlords must comply with the standards within 90 days of the start or renewal of a tenancy
Option Two	A single date is chosen for when all landlords must comply with the standards
Option Three	The implementation dates are staggered for the standards either by <ul style="list-style-type: none"> • Standard • Rental home location

Questions for your feedback:

	Do you support option one, two or three above for the date that landlords need to comply with the standards for their rental homes? Why/why not?
	For option one, do you think 1 July 2021 is the appropriate commencement date? Why / why not? Do you agree landlords should be given a grace period of 90 days between the start of a tenancy and when they need to comply?
	For option two, do you think 1 July 2022 is an appropriate date to allow landlords, industry and government with sufficient time to comply with the standards? If not, which date do you think would be appropriate, and why?
	For option three, which approach do you think is an appropriate way to stagger implementation (by standard or location)? Do you have an alternative approach to staggering implementation that you think we should consider?
	Is there a feasible compliance date option that has not been considered? Please explain

The College supports a requirement that leads to improvements in rental housing as soon as possible, so therefore we feel that option 1 is likely to achieve this aim better. We also support landlords receiving government support to achieve these improvements as and if necessary. The College would also recommend an earlier start date for commencement. If the information for landlords is comprehensive and comprehensible then a long lead in time to understand obligations is unlikely to be necessary. Staggering compliance over five years also seems unnecessary given the urgency to improve rental housing.

10.

Questions for your feedback

	What are the most important considerations in developing a tool to help tenants understand and landlords to comply with the heating standard?
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The College supports the development of an on-line webpage to support landlords to understand the requirements of each standard, and to assist them with the information necessary to achieve the healthy homes standards.

At the same time tenants also need to be able to access information to enable them to assess the standard of their rental accommodation. This could be the same website with separate areas for tenants and landlords.

The most important considerations are that the information should be easily accessible with a website that is easy to understand, user-friendly, and easy to navigate, that the information about the website is widely disseminated and advertised, and that the information is available in Māori and English and also a range of relevant other languages.

The translations will need to be based on New Zealand population needs, and include resources that are appropriate to the NZ refugee and migrant population. Consideration also needs to be given to those who are unable to, or do not access on-line resources.

User friendly easy to access resources could be advertised and be made freely available in a number of public venues, including public libraries. Literacy needs should be taken into account.