

Damp and Mould Policy

Residential buildings

Owner: Deputy Director of People

Responsible for Delivery: Head of Facilities Management

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1. Introduction

This policy sets out the council's approach, processes and responsibilities for the control of damp and mould in its residential accommodation.

The council aims to provide a consistently high-quality repairs and maintenance service to provide a well-functioning and safe environment, and is concerned with ensuring tenants do not experience ill health or other effects caused by the presence of damp and mould.

There is a clear link to our our Housing Promise pledges that:

"We will make sure you have a safe home by putting you and your needs at the heart of what we do."

This policy should be read in conjunction with tenancy agreements, lease agreements and our other housing policies and strategies where relevant.

2. Policy aims and principles

The overall aim of this policy is to contribute to the efficient and effective management of damp and mould in the council's housing stock.

- To provide and maintain dry, warm, and healthy homes for tenants
- To adopt a data-led, proactive approach to identify those high-risk areas for damp and mould within the council's housing stock
- To promote understanding of the council's legal responsibilities and mutual obligations in relation to damp and mould
- To ensure tenants are listened to as soon as they have concerns over damp and mould
- To enact remedial work quickly to prevent ill health and harm from damp and mould
- To ensure tenants have access to and/or are provided with comprehensive advice and guidance on managing and controlling damp and condensation
- To focus on working in partnership with tenants to ensure a safe and healthy internal environment is provided
- To undertake effective investigations and implement all reasonable remedial repairs and improvements to eradicate damp including managing and controlling condensation
- To ensure the Locality Service is supported by relevant training for operational staff and the policy is be supported by detailed procedures and agreed practices applied uniformly

- To comply with all statutory and regulatory requirements and with best practice relating to the provision of this service
- To maximise the available budgets to deal with damp and condensation problems

3. Our approach to damp and mould

The below outlines our approach, response and the systems we have in place to tackle damp and mould in our housing stock.

Our proactive approach

We will carry out stock condition and HHSRS (Housing Health and Safety Rating System) surveys to our housing properties, these will be carried out on a recurring quinquennial (5-yearly) cycle. The identification of damp and mould will be captured, scored and actioned appropriately under the HHSRS.

These surveys will be prioritised using feedback on our stock to enable us to target those needing surveying first.

We will have monthly working group meetings to monitor progress and outcomes of the surveys between the Strategic Assets team and the Technical Locality team.

From these meetings we can target those properties that need attention including those that need immediate action following discussion or linked to longer-term plans being formulated across our stock such as those linked to energy efficiency.

All data from the stock condition and HHSRS surveys will be fed into the asset management module of our housing system (NEC).

This is entered by stock condition surveyors in the Technical Locality team using a mobile device that seamlessly interfaces with the data set in our system.

This data forms the basis for our five-year work delivery plans and financial 30- year investment plans.

Where we have category 1 or high scoring category 2 hazards (bands D and E) identified in our properties, our HHSRS surveys will detail the remedial action recommended to bring the rating score to an acceptable hazard level of F to J.

This will be dealt with by our Technical Locality teams liaising with contractors and tenants, interfacing with our Case Services team where required.

The category 1 and 2 hazards are directly concerning, but not limited to, 'Health threats due to dust mites, mould or fungal including mental and social wellbeing health threats associated with damp, humid and mouldy conditions', as referenced

from government HHSRS documentation (Housing Act 2004 – Housing Health and Safety Rating System)

In addition to the above, we will feature articles in our newsletters and communication with tenants on damp and mould and how they can report this to us.

This will be led and co-ordinated by our Housing and Community service with technical input from our Technical Locality teams.

We recognise that the challenges around the current cost of living risks increasing the numbers in fuel poverty which could result in an increase in those experiencing damp and mould in their homes.

As part of the council's response to this, we will take a number of steps including signposting residents to sources of help and support.

Furthermore, we will lead on the development of a district-wide multi-agency forum with representation from statutory services and the voluntary sector to develop a local action plan.

Our reactive approach

Where our tenants complain, we receive service requests or where our Locality officers on routine visits come across issues with damp and mould, we will strive to actively listen and take prompt action.

We will roll out further training across our Locality teams with core competent oversight in our Technical Locality teams for specialist HHSRS surveys.

When an issue with damp and mould is reported or spotted, we will conduct a HHSRS survey targeted at the damp and mould hazard.

Where this results in a category 1 or high scoring category 2 hazards (bands D and E) being identified, the HHSRS survey will detail the remedial action recommended to bring the rating score to an acceptable hazard level of F to J.

This will be dealt with by our Technical Locality team liaising with contractors and tenants, liaising with our Case Services teams where required.

4. Relevant legislation and guidance

The following is a list of the current legislation that is directly applicable to this policy:

- Landlord and Tenant Act 1985
- Commonhold and Leasehold Reform Act 2002
- Defective Premises Act 1972

- Environmental Protection Act 1990
- Right to Repair Regulations 1994
- The Housing Acts 1985 & 1996
- Housing Act 2004 – Housing Health and Safety Rating System
- Homes (Fitness for Human habitation) Act 2018

Other legislation will be indirectly applicable and adhered to such as the Control of Asbestos Regulations 2012, Health and Safety at Work Act 1974, Equality Act 2010 and Data Protection Act 2018.

The following internal documents act in conjunction with this policy:

- HRA Business Plan *(to be reviewed in 2023/24)*
- Housing Asset Management Strategy (2023 - 2028) *(in development)*
- Tenancy Management Policies
- Tenancy Policy
- Tenancy agreements

5. Policy detail

5.1 What is damp, mould and condensation?

Damp and mould issues are generally caused by:

- High levels of moisture in the air (known as relative humidity)
- Condensation, which occurs when moist air meets a colder surface like a wall, window, mirror etc. The air is no longer able to hold the moisture and tiny drops of water appear. It also occurs in places where the air is still, like the corners of rooms, behind furniture or inside wardrobes
- Lack of residual temperature within the property due to it being insufficiently heated
- A lack of effective natural or mechanical ventilation being present within the home
- Penetrating damp caused by moisture coming into the house through leaking or cracked pipework, a damaged roof, blocked guttering, gaps around window frames and/or cracked or defective rendering and brickwork
- Rising damp is due to a defective (or non-existent) damp course. This will leave a 'tide mark' up to a metre above the floor. Fixing rising damp is a job for a qualified contractor

What is mould and where does it come from?:

Black Mould is a type of fungus that grows and develops in damp or humid conditions. Depending on how serious the mould problem is, it can vary in appearance.

Examples of minor black mould issues found in the home:



Examples of major black mould issues found in the home:





It starts to produce spores - these allow mould to keep reproducing and growing and if not treated correctly, may lead to health issues.

Most damp and mould occurs because of condensation and that not being combatted effectively.

Damp and mould can also be caused due to consistently high levels of water or moisture entering the fabric of the building.

What are the health effects from damp and mould?

- An increased risk of experiencing respiratory symptoms
- An increased risk of respiratory infections
- Problems relating to allergic rhinitis and asthma from contact with mould spores
- Risk to those already suffering comorbidities such as skin problems, eczema and general allergies
- Increased risk to the elderly, young children and those with autoimmune conditions and weakened immune systems (from cancer and other diseases)

5.2 What to do if you Identify potential damp and mould

Everyone has a responsibility to report damp and mould. This includes but isn't limited to:

- Tenants
- Officers
- Contractors

Any potential damp or mould issues should be reported immediately via the following channels:

- Website – [Report a Repair](#)
- Tel - 01227 862000 if unable to use the website, staff will then complete a webform on the tenants behalf

5.3 Help and advice available

Help and advice is available to tenants for damp & mould issues by contacting the council who will arrange an appointment with a visiting officer from our Locality team.

Information is also available via our website as part of [Keeping your Home Safe](#).

Further information on damp and mould is available to tenants as a leaflet [Tenants Damp A5 Leaflet](#).

It is recognised that some damp and mould issues may be a result of an inadequately heated home where tenants can't afford to keep the heating on to an acceptable level to combat condensation issues in cold homes. Further information is available via our website on helping with the cost of living, [Help Paying Bills](#).

5.4 Damp and mould responsive repairs

Damp and mould responsive repairs are defined in this policy as requests which are received from the tenant, leaseholder, and/or stakeholder, where the defect has been identified.

On report of a defect we will:

- Complete a property inspection - this may include taking damp and humidity measurements, we will aim to complete this within five working days from the initial report. We will make reasonable attempts to access the property to carry out any inspection and subsequent works
- We will evaluate the results of the inspection and identify any factors that may lead to damp and mould growth to establish the cause of the problem. We may install a temporary data logger to help with investigating what the potential causes could be. The data logger is the council's property and must not be touched or removed once installed. Residents must allow council officers access to install and collect the device. We will evaluate the results of the inspection and data logger (if installed) and identify any factors that may have led to damp and mould growth
- If the outcome of the inspection shows that condensation is causing the problem, we will liaise with the tenant and evaluate what mitigations we can put in place to remedy the situation and/or to support them in heating and ventilating their home. If fuel poverty is identified as a factor then we will offer support through help with the cost of living.
- If damp is found to be present and identified as a defect to the property, we will carry out repair works to areas that are the responsibility of the council. Where this requires complex work, we will keep tenants informed of actions being taken to bring about an effective solution.
- Where extensive works are required, the council may need to move the tenants out of their home whilst these works are completed.

- Provide tenants with a damp and mould information leaflet to support them in avoiding damp and mould in their properties.

On completion of any work, an officer from the council's Technical Locality team will inspect the work and determine whether they have been completed successfully. If they are satisfied, then the job will be signed off. If they are not happy with the standard or quality of the work, then the contractor will be asked to return and rectify the issue.

Any works will be reinspected within a 12-month period to reconfirm that they have been successful. This will be a physical site inspection.

5.5 The council's responsibilities as landlord

The council is responsible for maintaining the property to avoid penetrating damp, rising damp, structural cold bridging and the provision of adequate effective heating and ventilation systems to the property.

The council is responsible for carrying out remedial action in relation to the structure and mechanical and electrical fixed systems.

The council is responsible for insulating the property and in accordance with the Decent Homes Standard and Homes Fit for Human Habitation where any lack of adequate and effective insulation would give rise to any of the following:

- Excess Cold as a Category 1 hazard under the HHSRS (Housing Health and Safety Rating System)
- Damp & Mould as a Category 1 hazard or a high scoring category 2 hazard (bands D&E)
- EPC values below that of the standard required to rent a residential property, below a band E (F&G)

The council is responsible for the repair and maintenance to the structure of all its blocks of flats and maisonettes.

Where reactive repairs or major works are identified to the structure or communal areas at the block, leaseholders who reside within the block, will be contacted by the council.

They will then be consulted in accordance with the Section 20 consultation procedures in instances where the individual leaseholder contribution cost will be in excess of £250.

The council's responsibilities include but are not limited to:

- Proactively looking for damp and mould
- Ensure budgets are available to deal with damp and mould

- Ensuring the housing stock is invested in and well maintained
- Ensure there are suitable processes in place to allow residents to raise any repairs
- Ensure a contractor is in place to deal with any repairs
- Provide a suitable heating system
- Provide adequate ventilation
- Provide adequate insulation
- Deal with any reports of damp or mould timely, adequately, and efficiently
- Investigate reports of damp and mould timely, adequately, and effectively
- Ensure the contractors undertaking the works are doing so timely, adequately, efficiently, and effectively
- Ensure the works completed have been successful
- Provide literature and guidance on how to reduce damp and mould
- Ensure damp and mould is dealt with in a timely manner to prevent ill health and effects to tenants
- Ensure staff are trained and informed to deal with damp and mould

5.6 Contractor responsibilities

Contractor responsibilities will be dependent on the contractual agreement in place with the council.

Dependant on the contract the contractor's responsibilities include but are not limited to:

- Ensure residents are effectively communicated with throughout the process
- Ensure that operatives and contractors undertaking the works are doing so timely, adequately, efficiently, and effectively
- Provide the necessary tools and materials to be able to undertake the works adequately, efficiently, and effectively
- Escalating any no access issues to the council immediately
- To inspect the general areas of the site on which he is working for evidence of other disrepair, maintenance requirements, other building fabric or structural problems. Any such evidence shall immediately be reported to the council for further instruction

5.7 Tenants' responsibilities

Mould can be caused by condensation and may adversely affect your health and our property. Tenants will be provided with information and guidance on how to prevent mould growth by reducing the amount of condensation within their homes.

Where the damp and mould issue is a defect to the property and the landlord's responsibility, the council will carry out all repair work including redecoration.

To report a repair, tenants should do this via the normal route for them and [Report a Repair](#) on our council website.

The tenant's responsibilities include but are not limited to:

- Reporting damp and mould as soon as it becomes apparent
- Always allowing access to inspect and complete remedial works
- Following guidance provided by the council and/or contractor
- Keeping the property adequately heated
- Keeping the property adequately ventilated
- Using any provided designated spaces to dry clothes appropriately

5.8 Training

We will ensure all our staff and contractors have training to raise awareness and create a good understanding of this policy.

We will ensure all our staff, other relevant council staff (visiting officers) and contractors have training to raise awareness of and create a good understanding of damp and mould issues, related issues (ie health), cases and measures to combat these.

We will understand our stock and the archetypes and components of properties that are likely to suffer from damp and mould, with adequate building pathology training on appropriate remedial measures.

We will provide our officers with equipment to assess dampness in properties and the training to use the equipment.

5.9 Right to Repair

The council will operate within the statutory requirements of the Right to Repair Scheme offering appointments to accommodate the tenant needs to ensure we attend within the prescribed right to repair guidelines.

If the council fails to carry out the qualifying repair within the set timescale, the tenant may be entitled to compensation and request that an alternative contractor is used by the council.

The Right to Repair scheme only covers small, urgent or routine repairs costing up to £250 which are likely to jeopardise the health or safety of the tenant.

5.10 Rechargeable works

Any repairs to a property required because of the wilful actions of a tenant or as a result of neglect and cannot be classed as fair wear and tear, will be charged for by the council in accordance with the Recharge Policy.

5.11 Contents insurance

The council actively encourages tenants to take out household contents insurance to cover contents damaged by damp and mould.

Where the tenant wishes to make a claim they will need to talk to their insurance company in the first instance.

5.12 Proactive engagement

It is imperative there is effective communication between the council, residents and the contractors working on the council's behalf when it comes to damp and mould.

All three stakeholders have a key role to play in the reporting, managing and mitigating damp and mould within council properties.

This contact will be logged and recorded accordingly by Case Service officers.

The council will promote messages around the looking for and reporting of damp and mould as soon as possible. This could be via social media, email, leaflets etc.

The council will look to make every contact count when it comes to looking for damp and mould.

This includes proactively looking for damp and mould during any visit within the property. This includes but isn't limited to:

- Stock condition surveys
- Tenancy visits
- Repairs post inspections

5.13 Operational Monitoring

As well as providing safe and suitable homes, we also need to ensure our homes are not detrimental to our tenants' health and wellbeing.

We have been actively managing and understanding the challenges we have within our homes around disrepair, damp, mould and condensation.

We will create a range of remedial solutions which can be implemented quickly and easily, minimising disruption to tenants.

Through our asset data and repairs history, we will identify property archetypes or trends to avoid future disrepair cases and develop longer-term plans to implement preemptive maintenance.

We will investigate the use of technology such as sensors which can monitor levels of carbon dioxide, damp and component life, to provide real-time insight into the compliance and performance of our properties.

This will allow us to formulate clear management and resolution plans..

6. Appeals and complaints

If a tenant is dissatisfied with any decision made about a damp and/or mould problem in their property, they have the right to request a review.

Reviews will be carried out by a relevant service manager.

If a tenant is not satisfied with the review decision they may register a complaint through the council's formal Complaints Procedure.

Tenants who want to make a general complaint or comment can also use this procedure. Details are available from any council officer or online.

If tenants remain dissatisfied with the outcome of the complaint, the case can be considered by the Housing Ombudsman for an independent review.

Our complaints policy can be found on our website [here](#).

7. Communication and consultation

CCC recognises the importance of communicating with its tenants and will:

- Provide clear and comprehensive advice and information to tenants
- Highlight the health effects from damp and mould within communications and the importance of reporting the issue to council staff
- Contact tenants to confirm when the work will be carried out and what this will entail
- Keep tenants informed of progress maintaining an oversight of the damp mould issue
- Inform tenants and explain why works may or may not be required linked to the rectification of the damp and mould issue
- Consult in person with tenants regarding major works and explain the scope of the works and how long it will take to complete
- Where appropriate, provide tenants with choices as to remedial measures and subsequent repairs and decoration
- Work with healthcare professionals on individual cases where specialist healthcare input is needed.

CCC will actively promote this policy, advice and where to seek help through a range of channels including (but not limited to) leaflets, posters, newsletters and the CCC website.

8. Performance monitoring

To ensure that the council is continually monitoring the service delivery, we will monitor completion of works by reporting on the following Key Performance Indicators (KPIs) relating to damp and mould:

8b	HHSRS (Homes Fit for Human Habitation): Collective number of Cat 1 hazards (A,B,C) and high scoring Cat 2 hazards (D,E) for damp & mould	Specifically under HHSRS scoring for: 1. Damp and Mould Growth
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KPI monitoring information is presented to the Scrutiny Sub Committee on a six-monthly basis and looked at by senior managers on a quarterly basis so that there is effective oversight of damp and mould issues.

Contractor meetings will be held in accordance with the monitoring of those contracts under the appropriate lead contracts officer.

The council's Resident Engagement Panel (REP) will also receive six-monthly updates.

9. Equality and diversity

Through the management of this policy, CCC aims to treat all tenants fairly and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and/or marital status.

To enable all tenants to have clear information and equal access to our services, CCC will publish this policy in a range of languages and formats and/or through a range of media, where appropriate, upon request.

Where there is a barrier to accessing information about the service, extra effort will be made by CCC staff and its representatives to ensure the tenant understands the process.

This may involve asking a relative or third party for help, or employing translation interpretation services if necessary.

All council policies aim to address the general duty of the Public Sector Equality Duty (A requirement on Public Bodies within the Equality Act 2010) to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010

- Advance equality of opportunity between people from different groups and foster good relations between people from different groups

We will comply with all statutory and regulatory requirements and with best practice relating to the provision of this service, treating tenants in a fair and non-discriminatory way, in accordance with the Equalities Act 2010.

10. Policy monitoring and review

CCC recognises the importance of working in partnership with our tenants and stakeholders to develop and continually improve our services and raise standards.

To demonstrate this CCC is committed to:

- Monitoring completed work through the use of customer satisfaction surveys to ensure we maintain performance and help inform future service improvements
- Publishing information in relation to CCC performance against the aims and standards set out in this policy
- Complying and learning from Comments, Complaints and Compliments when a tenant wishes to complain or make a comment about any aspect of the process
- All tenants, leaseholders and stakeholders being involved and consulted in the development of the service and its operational procedures
- Ensuring that through supervision, monitoring and feedback from tenants, leaseholders and stakeholders, the service is continuously improved

This policy and any associated procedures will be reviewed at least every three years.

The review will ensure that a comprehensive service is being offered that meets the delivery needs.

The policy will also be reviewed in accordance with any future legislative changes as and when they occur or if the policy is deemed to be unfit for purpose and/or no longer reflects changing needs.

Monitoring of performance and satisfaction in dealing with damp and mould issues will be used to inform future policy review in this area. All reviews will consider whether:

- The current policy adheres to legislative and regulatory requirements, and reflects good practice
- The aims and objectives of the policy are being met
- The current policy outcomes meet the needs and requirements of our customer base
- Service users are aware and understand the policy and believe it to be fair and consistent

11. Roles, responsibilities and authority

The **Deputy Director of People** retains overall responsibility for the implementation of this policy.

The **Head of Facilities Management** is responsible for the operational delivery of this policy and the associated procedures and will monitor this policy and its effectiveness.

Supported by **Head of Housing and Community, Locality and Case** as the support services to the commissioning client service.

12. Personal data and information sharing

Personal data will be collected by the Council as part of the tenancy management process using powers to meet the Landlord and Tenant Act 1985, Housing Act 2004 and Homes (Fitness for Human habitation) Act 2018.

The lawful basis for processing will be Article 6(1)(c) of UK GDPR is Legal Obligation, whereby *“processing is necessary for compliance with a legal obligation to which the controller is subject.”*

For matters which are facilitative, incidental or conducive to the statutory obligations we rely upon Article 6(1)(e) of UK GDPR, Public Task - *where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller’.*

Personal information may also be shared with other parties -

- Where there are overriding legal, social or public interest considerations, for example there is a risk of seriously harm to the person themselves or to others if the information is not disclosed
- Where the information is required by a local authority department or external auditors to carry out a statutory function
- Where the information is required by the police as part of a criminal investigation

Information may also be disclosed in response to Councillor or MP enquiries in the course of their duties. Care will be taken to only disclose information that is proportionate to the enquiry.

Further information about how the council will process personal data can be found in the Council’s privacy notice published on the website. Service specific privacy notices can also be found here.

<https://www.canterbury.gov.uk/strategies-and-policies/privacy-notice>

