



Housing Damp and Mould Policy

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Classification: Public

Document Location

This document is held by Tamworth Borough Council, and the document owner is the Head of Repairs.

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Revision History

Revision Date	Version Control	Summary of changes

Approvals Creation and Major Change

Name	Title	Approved

Approvals Minor Change and Scheduled Review

Name	Title	Approved

Approval Path

Major Change

Originator

Owner

Housing and Homelessness Advisory Board

CMT

Cabinet

Action

Consultation

Consultation/Approval

Formal Approval

Minor Change

Owner

Housing and Homelessness Advisory Board

Executive Director

Submission

Consultative Group

Delegated Approval

Document Review Plans

This policy/ procedure will be reviewed on a 3 yearly basis unless it has:

- 26 A monetary value included within it, in which case an annual review will be required, and/ or
- 27 A legislative change is required as directed by government.

Distribution

The document will be made available under the Housing section of the main Tamworth Borough Council website and will be linked from the Tenant Portal

Security Classification

This document is to be published and available to the public.

BACKGROUND

The Council recognises the impact that damp, mould and condensation can cause on the health and wellbeing of tenants. Tackling damp and mould when it arises, and preventing issues where possible, is a priority. The aim is to eradicate damp and mould wherever possible.

The Council treats all reports of damp and mould seriously and understands the health implications it may have if left untreated, particularly to some of the most vulnerable members of the community. These health risks include respiratory problems and/or other conditions that impact on the immune system as well as having an impact on the mental health of its tenants.

This policy has been developed to specifically address the problems associated with damp and mould highlighted in the Ombudsman's report, 'Spotlight on Damp and Mould – It's not Lifestyle' and the guidance issued by Government in September 2021. The Council has adopted a zero-tolerance approach to damp and mould, ensuring that work is done to proactively identify and address issues where they may arise, and respond quickly and thoroughly when reports of issues are made.

SCOPE

This Damp and Mould Policy ('the Policy') sets out how Tamworth Borough Council ('the Council') will address and respond to reports of damp and mould in Council properties. Specifically, this policy covers how the council will:

- Work proactively to prevent damp and mould occurring in properties.
- Ensure that any repairs or improvements to properties are cost effective, sustainable and meet affordability objectives, whilst responding to the requirements for decarbonisation
- Implement processes designed to:
 - Ensure a suitable and sufficient response to initial reports of damp or mould.
 - Identify the cause of damp occurring in homes.
 - Order remedial works where required.
 - Provide advice or other assistance to residents.
 - Increase awareness for residents through a range of communications and information on how to manage/prevent condensation in their home.
- Ensure staff and contractors have adequate training and knowledge of the causes of damp and mould and potential solutions (or advice).
- Have relevant and useful performance information reporting to enable us to review damp and mould related repairs, target proactive remedial work and targeted interventions such as information campaigns and website content.
- Comply with legal and regulatory requirements.

This Policy applies to:

- All tenants who rent their homes under a Tamworth Borough Council tenancy agreement or licence.
- All leaseholders where the property defect falls under the Council's responsibility within the terms of their lease.

AIMS AND OBJECTIVES

The key aim of this policy is to raise awareness of the issues surrounding damp and mould for those living in the Council's housing properties and to set out the Council's zero-tolerance approach to addressing and resolving reports of damp and mould in its tenanted and leasehold properties.

The key objectives for the Council are:

- To proactively prevent damp and mould occurring in properties wherever possible.
- To ensure that repairs to alleviate damp (for example work to guttering and drains, replacing tiles etc.) are carried out as quickly and efficiently as possible to minimise impact on the health of the resident and damage to the structure, fixtures and fittings of the property.
- To raise awareness of issues relating to damp and mould, to ensure tenants are able to report concerns easily and in a way that suits them.
- To provide access to information in a variety of formats and access to support to help residents prevent and reduce risks of damp and mould in their homes.
- To ensure that there a number of methods enable residents to easily report damp and mould, and that those reports are investigated in a timely manner.
- To work with residents to reduce the number of complaints and disrepair claims regarding damp and mould, and where these occur ensure that they are investigated in a timely manner.
- To ensure all tenants are treated in a fair, respectful, empathetic and consistent way.
- To ensure that accurate records of damp and mould are available and are used to inform any response to tenants further reports.
- To ensure that an assessment of the likelihood of damp and mould occurring in a property is assessed as part of the void works and lettable standard.

STRATEGIC CONTEXT

This Policy and its delivery is compatible with the following Council policies and documents:
Tenancy Agreement – a contract between a tenant and the Council setting out the legal terms and conditions of the tenancy.

- Repairs and Investment Policy – sets out how the Council will provide a repairs service to tenants. The policy also sets out the tenants' responsibilities for maintaining their home.
- Compensation Policy – sets out the conditions where the Council may consider making a monetary payment as a gesture of goodwill where service delivery failings cause exceptional inconvenience, stress or disturbance.
- The Council's Compliments, Comments & Complaints Procedure
- Lettable standard - sets out the minimum standard properties will meet when they are let to new tenants including the identification of matters likely to lead to damp and mould.
- This Policy and its delivery is also compatible with the following legislation:
- Landlord and Tenant Act 1985, Section 11 – requires the landlord to keep the property in good repair. The Council will respond to and fix repairs which are required to address damp and mould.
- Housing Act 2004, Housing Health and Safety Rating System (HHSRS) – sets out the system used by local authorities to assess the condition of its stock and to ensure its housing meets the Decent Homes Standard.
- Decent Homes Standard – as published by the Government.
- Housing Act 2004, Part 1 – requires the local authority to take into account the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions.

- Environmental Protection Act 1990 – states that when the condition of a property causes someone to become ill or a sick person to deteriorate, the courts will normally be satisfied that it is prejudicial to health. Damp and mould are defects which are considered prejudicial to health.
- Defective Premises Act 1972 – sets out the duty of care to carry out repairs, ensuring that all individuals who could be affected by relevant defects are reasonably safe from personal injury or damage to their property resulting from defects.
- Safety and Quality Standard (part of the Regulator of Social Housing Consumer Standards) – requires registered providers to provide a cost-effective repairs and maintenance service and meet all applicable statutory requirements that provide for the health and safety of all occupants.
- Homes (Fitness for Human Habitation) Act 2018 – includes a requirement for residential rented accommodation is provided and maintained in a state of fitness for human habitation; and for connected purposes.
- Children Act 2004, Section 11 – sets out the duty to have regard to the need to safeguard and promote the welfare of children.
- Social Housing Regulation Act 2023 (including Awaab's Law) – the safety and quality elements set out the Landlords obligations in relation to providing a safe home which includes specific obligations relating to damp and mould.

CAUSES OF DAMP

Condensation is defined as moisture which is spread through the air or which collects on a solid substance, typically with detrimental or unpleasant effects. Mould is a natural organic compound that develops in damp conditions and will grow on damp surfaces. This is often noticeable and present in situations where condensation is present.

Everybody produces moisture in their everyday activities, such as cooking and washing. Excess moisture can lead to condensation which can lead to issues of damp and mould if left untreated. Condensation happens when moisture in the air comes into contact with a cold surface, e.g. windows, creating water droplets.

Causes of condensation may be due to:

- Excess moisture– for example, pans do not have lids on when cooking and drying washing inside the property without adequate ventilation
- Lack of ventilation – for example, windows are not opened, trickle vents are closed, extractor fans are not used, furniture is placed too close to external walls
- Inadequate heating resulting in the property repeatedly being below 21 degrees Celsius
- Defective insulation, for example where insulation has become dislodged in lofts
- Insufficient insulation, for example causing cold bridging or causing external walls and ceilings to be cold.
- Overcrowding, for example, insufficient bedrooms for the number of occupants.

Damp also occurs when a fault in the building's basic structure lets in water from outside. This may result in:

- Rising damp – This occurs if there is a problem with the damp proof course and/or damp-proof membrane. This is a barrier built into floors and walls to stop moisture rising through the house from the ground. The usual evidence of rising damp is a 'tide mark' on the walls that shows how high it has risen and is sometimes accompanied with a musty smell.
- Penetrating damp – This occurs if water is coming in through the walls or roof, or through cracks. It can be identified by a discolouration of internal walls or ceilings, the presence of tidemarks, blown or blistered plaster and rusted nails in skirting boards and floor timbers.

Causes of penetrating damp may be due to:

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- Defective components – for example, external wall doors and windows, roof coverings.
 - Defective or blocked rainwater gutter and pipes.
 - Defective or leaking internal waste pipes, hot and cold water and heating systems.
 - Water ingress through brickwork, leaks or defective design of the structure.
 - Flooding.

COUNCIL RESPONSIBILITIES

The Council will undertake a detailed property inspection at least once every five years as part of its Stock Condition Survey process, these surveys will include a full Housing Health and Safety Ratings System [HHSRS] survey that identifies hazards within a property including hazards relating to damp and mould. Any category 1 & 2 hazards will be dealt with immediately. {annual inspections requirements}

The Council will undertake a full HHSRS survey upon handover of every void property to ensure that the property is free from Category 1 & 2 hazards and to ensure that any issues likely to contribute to occurrences of damp and mould have been addressed prior to a property being occupied by a new tenant.

If repairs are identified as a result of the proactive surveys, these will be ordered in line with the Repairs and Investment Policy.

The information from the planned surveys will inform the planned approach to maintenance and improvement works. Using the data from the surveys the Council will coordinate a range of planned works to help reduce the risk of damp and mould and the likelihood of condensation occurring. This work may include:

- Improving insulation both internally and externally
- Upgrading/installing of mechanical extracts with humidistat control
- Upgrading/installing of wet/dry heating system
- Installing external wall insulation
- Replacing roofs upgrading loft insulation where required and ensuring that roofs have adequate ventilation.
- Replacing windows or doors
- Other energy efficiency improvements.

To facilitate these works, the investment plans for the Housing Revenue Account will prioritise Decent Homes Standard and ensure adequate resources are allocated to Energy Efficiency measures.

The Council will work proactively to offer advice to tenants on recognising, reporting and preventing damp and mould. Information will be provided to all tenants when they sign their tenancy agreement. Tenants will also be able to access information on the website. Further, paper copies of the leaflets will be made available for tenants if they prefer.

In-order-to help vulnerable tenants the Council will maintain a programme of support including advice on benefits, potential savings and referrals into appropriate services, including those providing energy advice and signposting to other available support where appropriate.

To ensure that issues of damp and mould are recognised and addressed as quickly as possible, the Council will deliver a rolling programme of training to staff, within the Council and will ensure that any contractors working in tenants home have suitable training to enable them to identify risks from damp and mould. This training will include information on how to identify damp and mould issues, how to report issues and where tenants can access support. Repairs and Investment staff will receive technical training on how to assess and treat issues.

Where a report about damp and mould is made, the Council will investigate and arrange a prompt repair. The immediate action taken at this stage typically involves having the affected area cleaned and treated with anti-fungal paint. If the cause of the damp and mould is due to

a failed component, for example as a result of perished sealant or leaking pipes, these repairs will be ordered and completed in line with the Repairs and Investment Policy. See Damp & Mould process below.

If the damp and mould issues are serious or recurring, the Council will undertake a survey of the property. The survey may include inspections of adjacent properties or communal areas if required. Once the source of the damp and mould is identified full remedial works are ordered. Where required the Council will commission a specialist contractor to undertake surveys or complete necessary works. All works will be completed in a timescale agreed and shared with the tenant. The Council will make use of historic data to aide in assessing and addressing likely causes of damp and mould.

Where overcrowding is identified as a possible cause of damp and mould the Council will seek to work with the tenant to resolve the overcrowding issue in the most appropriate manner and in line with the prevailing allocations policy.

In some cases, the works required to rectify damp and mould can be significant and disruptive. The tenant may also be vulnerable or at high risk of the negative health impacts of damp and mould. In these cases the Council will work with the tenant to identify suitable alternative accommodation while the works are undertaken. The Council will facilitate any move and will ensure that the tenant is kept fully informed of the programme and progress of works.

In a small number of incidences, when the Council becomes aware of issues in properties, but is not able to gain access to the property to undertake repair then in these instances, the Council will take a proactive stance and seek to gain access by engaging the tenant. Where this fails, legal action will be taken in the form of injunctions to gain access in line with the Tenancy Policy.

This policy will be reviewed with the Tenants Consultative Group with actions and progress being reported to the Housing and Homelessness Advisory Board. The policy will be updated to take account of new and emerging issues, good practice and legislative changes.

TENANT RESPONSIBILITIES

The responsibilities of tenants are set out in the Tenancy Agreement and include the requirement to:

- report any repairs that the Council is responsible for as soon as possible.
- give the Council, or its contractors, access to the property, provided a minimum of 24 hours' prior written notice has been given, in order to do the following:
 - inspect or survey, for any reason, the property or an adjoining property
 - carry out any repairs, servicing, treatment, modernisation, replacement or Improvement works; or safety inspections,
 - deal with any other matter for which the Council is responsible including inspecting the condition of the property and to ascertain who is living there.

Whilst the above requirements for tenants are set out specifically in the Tenancy Agreement, there are small, practical actions tenants can take to prevent and reduce any conditions that can lead to condensation, damp and mould. These include (and are set out in the information leaflets supplied):

- Managing humidity levels in the home and maintaining these at a healthy level. This can be achieved by keeping levels of moisture to a minimum, for example, covering pans when cooking, drying washing outside and keeping the kitchen or bathroom door closed when cooking or bathing.
- Adequately heating rooms – ideally between 18 and 21 degrees celsius.

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- Keeping the property well ventilated, for example, opening windows when cooking or bathing, turning on and ensuring that the extractor fan is working, keeping trickle vents in windows open, and allowing air to circulate around furniture.
 - Informing the Council if their household circumstances change, particularly if someone moves into the property.

Where damp and mould has been identified in a property the Council's trained technical staff will provide room by room advice and guidance on how to reduce the risks associated with mould growth. Tenants should endeavour to follow all advice and guidance issued by the Council on managing and controlling damp, mould and condensation. Tenants will also be provided with relevant information on using heating and ventilation system efficiently.

Leaseholders have different obligations with regards to maintaining their homes and should refer to their individual lease for more guidance. However, the Council will always provide relevant guidance and advice where possible and the advice contained within the Damp and Mould leaflet remains relevant.

HOW TO REPORT DAMP AND MOULD

Signs of either of damp and / or mould may be reported via the repairs call centre on 0800 183 0044 by email at repairs@tamworth.gov.uk or through the MyHousing account in the tenant portal.

COMPLAINTS

The Council actively encourages all customer feedback about its services, and uses complaints, comments and compliments to review and improve its services.

A complaint is an expression of dissatisfaction however made, about the standard of service, actions or lack of action by the council, its own staff or those acting on its behalf (contractors), affecting an individual resident or group of residents.

If a customer is dissatisfied with a service that has been provided, they can make contact via:-

- Complete a Comments, Compliments and Complaints form via our MyTamworth customer portal.
- Telephone 01827 709709.
- Email tellus@tamworth.gov.uk
- Write to us at Marmion House, Lichfield Street, Tamworth, Staffordshire, B79 7BZ.
- Ask any member of staff to assist.

The customer has the right to challenge the response to their complaint via the appeals process. Further information on how the Council processes its complaints can be found in the compliments, comments & complaints policy.

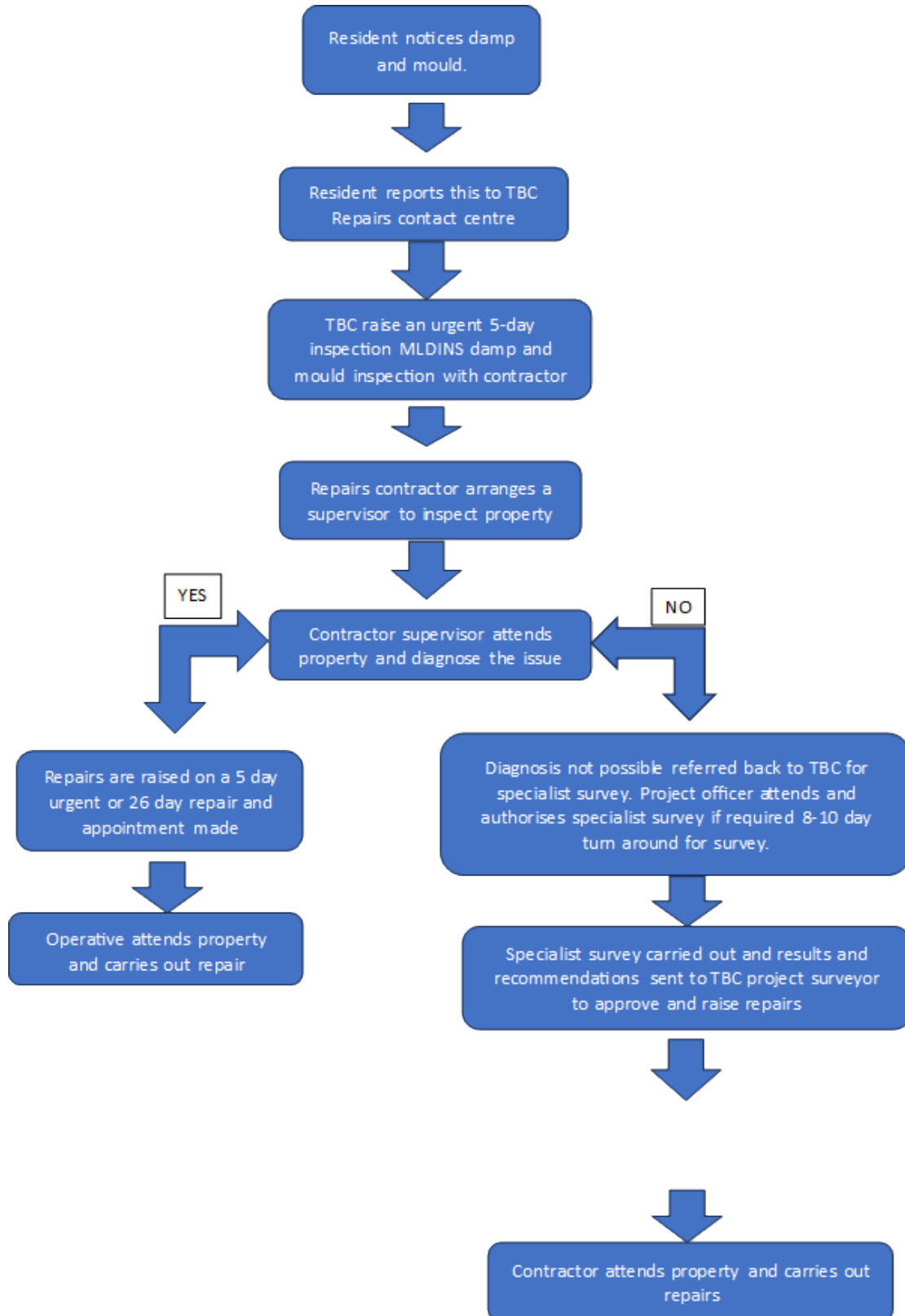
The Council will never unreasonably refuse to escalate a complaint through all stages of the Complaints procedure. If a complaint is refused escalation, the Council will explain the clear and valid reasons for taking that course of action and also set out the customers' right to take this decision to the Housing Ombudsman.

MONITORING AND REVIEW

The Council will continue to monitor the number of damp, mould and condensation related complaints received and number of repairs carried out to fix the issues that are causing damp and mould. Information on volume and performance relating to damp and mould will be reported to the Housing & Homelessness Advisory Board on a regular basis.

This policy will be reviewed every three years, or sooner, in the event of major legislative or operational changes.

PROCESS MAP



EQUALITIES, DIVERSITY AND ENVIRONMENTAL

See Community Impact Assessment