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## **Damp and Mould Policy**

**SER-POL-17a**

**Version 1.1**

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**Date approved: 20<sup>th</sup> June 2023**

**Approved by: Parent Board**

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## **1. Introduction**

- 1.1 In October 2021, the Housing Ombudsman issued “Spotlight on Damp and Mould”, which highlighted the approach they expect social landlords to take when dealing with damp.
- 1.2 This Policy has been developed to supplement our Responsive Repairs and Voids Policies and to raise awareness about this important issue.
- 1.3 This is an interim Policy that will be reviewed and revised during 2023 as our approach to tackling damp and mould evolves and we learn more from our tenants, other housing providers and specialists about what works.

## **2. Legislative Requirements**

- 2.1 The Decent Homes Standard was updated in 2006 to take account of the Housing Health and Safety Rating
- 2.2 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, and
  - Provide a reasonable degree of thermal comfort.
- 2.3 The Homes (Fitness for Human Habitation) Act 2018 amended the Landlord and Tenant Act 1985, with the aim of ensuring that all rented accommodation is fit for human habitation. The Act requires landlords to ensure their properties are fit for human habitation at the beginning of, and throughout, the tenancy.

## **3. Roles and Responsibilities**

- 3.1 Table 2 provides clarity relating to the primary responsibility for complying with the Damp and Mould Policy as detailed below:

**Table 2: Primary Responsibility Detail**

Primary Responsibility Detail	
<b>The Southway Housing Trust Board</b>	Responsible for ensuring and reporting of regulatory landlord compliance

<b>Executive Director – Homes and Communities</b>	Statement of general policy and arrangements
<b>Assistant Director of Asset Management</b>	Overall and final responsibility for delivery of the policy
<b>Contracts Manager</b>	Day to day responsibility to ensure delivery in accordance with the policy

## 4. Causes of Damp and Mould

- 4.1 Dampness is an excess of moisture that can't escape from a structure, which can also go on to cause significant damage to the building.
- 4.2 Mould is a type 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 there is dampness or water .
- 4.3 There are four main causes of dampness in homes which each need different solutions:
  1. **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 the touch and stays damp regardless of the prevailing weather conditions. It is the result of a problem or fault with the home, which requires repair.
  2. **Rising damp** is caused by water rising from the ground into the home. 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 only affect basements and ground floor rooms, it will be present all year round but can be more noticeable in winter. It is uncommon but is generally the result of a problem or fault with the home, which requires repair.
  3. **Penetrating damp** appears because of a defect in the structure of the home, such as damaged brickwork, missing roof tiles, loose flashing or leaking rainwater goods. These defects allow water to pass from the outside to the 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 damp to the touch. It is the result of a problem or fault with the home, which requires a repair.

4. **Condensation** is the most prevalent type of dampness and is caused by moisture in the air (water vapour) inside the dwelling coming into contact with a colder surface, such as a window or wall. The drop in temperature causes water to form on the surface and then soak in. It is usually found in kitchens, bathrooms, the corners of rooms, on north facing walls and on or near windows – all places that either tend to have a lot of moisture in the air, or to be cold. It is also found in areas of low air circulation such as behind wardrobes and beds, especially when they are against external walls. All homes can be affected by condensation because the climate is often cool and wet. Normal household activities also constantly release moisture into the air.

## **5. Health and Wellbeing**

- 5.1 Tenants and other occupiers living in homes with damp and mould may be more likely to have respiratory problems, allergies, asthma, and other conditions that impact on their immune system. There are also other broader impacts on the mental health, education and career prospects of residents living with damp and mould.

## **6. The Housing Ombudsman's Approach**

- 6.1 The Housing Ombudsman has made it clear that social housing providers must listen to tenants and take seriously their complaints, including using the organisation's complaints processes to mitigate against any potential future legal action or costly disrepair cases.
- 6.2 The Ombudsman will require social housing providers not to dismiss reports of dampness and stating lifestyle as the cause.
- 6.3 The Trust will work towards ensuring that services for our tenants are designed and delivered in line with the Ombudsman's recommendations in the October 2021 Spotlight report.

## **7. The Southway Approach**

- 7.1 We want to do everything we reasonably can to make sure our residents stay safe, healthy and well in their homes. Damp and mould are issues which can have a serious impact on the health and well-being of our residents, and cause damage to homes.

- 7.2 To effectively prevent and address damp and mould in our homes, we will
- Provide dry, warm, healthy and safe homes for our residents which are free from any hazards
  - Comply with legislative, regulatory and contractual (including tenancy and lease) obligations
  - Ensure the fabric of our homes is protected from deterioration and damage resulting from damp
  - Treat residents reporting damp and mould with empathy and respect and will not prejudge the reason for any issue
  - Take responsibility for diagnosing and resolving damp and mould in a timely and effective way where they result from issues that require repair
  - Support residents and provide appropriate, clear, sensitive, practical and accessible advice
  - Communicate with our residents clearly and regularly regarding any actions we plan to take and any actions our residents are advised to take
  - Ensure staff are trained to spot potential causes of damp and mould and so they can advise residents, diagnose problems and provide solutions

## **8. Preventative action**

- 8.1 We will take action to identify homes that have or may be at risk of developing problems with damp and mould. We will use data on our households and homes to help us understand the risk profile in relation to damp and mould.
- 8.2 We will seek to mitigate any increased risks of damp and mould arising as a result our work to decarbonise our homes.
- 8.3 When a property becomes vacant, and prior to re-letting, we will seek to identify and remedy any issues which may cause damp.
- 8.4 We will provide information on our website, and through other channels, to raise awareness about the causes of damp and mould.

- 8.5 Our staff and contractors will have the skills and knowledge to identify signs of damp and mould and discuss this with residents. Staff will be encouraged to look out for signs whenever they visit a resident's home.
- 8.6 We will use data intelligence and sensitive questioning to establish any characteristics that might potentially require additional support or prioritisation.

## **9. Dealing with damp and mould**

- 9.1 Tenants will be encouraged to report any problems to us as soon as possible after noticing a problem.
- 9.2 Any surveys or repairs that are required will be carried out in line with our Responsive Repairs Policy and will be prioritised based on the severity of the case.
- 9.3 Where damp is a result of condensation, we will work with our tenants to take appropriate measures to prevent the damp and mould occurring.
- 9.4 When a particularly severe or recurring damp or mould issue is identified we will undertake a comprehensive assessment and implement changes needed to resolve the matter on a case-by-case basis
- 9.5 We will keep tenants informed of any property inspections, diagnosis of issues and the timetabling of works, where these are required.
- 9.6 Our tenancy (and leasehold) agreements require customers to allow us (including appointed contractors) access to their home to carry out works at the agreed appointment time. If we are unable to gain access, we will take appropriate action. For example, obtaining an injunction for access.

## **10. Supporting our Residents**

- 10.1 We will give residents advice on how to prevent condensation and what they should do to remove minor instances of mould where appropriate.
- 10.2 We know that some residents cannot afford to heat their homes adequately due to their income levels and rising costs. We will work with residents to ensure that they are receiving the income to which they are entitled.
- 10.3 Where homes are overcrowded humidity will tend to be higher and this increases the likelihood of condensation. In these circumstances, we will work with the tenant and explore solutions.

## **11. Staff Training**

- 11.1 We will ensure that our staff (whether in house or our contractors) have the required skills to diagnose and remedy damp and mould.
- 11.2 We will ensure all front facing staff have the appropriate level of training to recognise and report damp issues for further investigation.
- 11.3 We will ensure all out staff (whether in house or contractors) have the appropriate skills and training to recognise additional support needs across a range of cultures and minority groups.

## **12. Responding to Complaints and Learning Lessons**

- 12.1 We aim to resolve complaints as quickly as possible without residents needing to resort to disrepair claims and legal action. Where legal action is taken, we will continue to carry out any repairs that are damp related and have a detrimental effect on the tenant or their home.
- 12.2 We will learn lessons from damp and mould cases, update our technical approach and how we communicate with residents, to improve future responses.

## **13. Equality and Diversity**

- 13.1 As part of the development of this Policy, an equality impact assessment has been undertaken. This Policy will be applied in a way which ensures equality of treatment for all customers without discrimination, or victimisation on account of any protected characteristic as defined within the Equality Act 2010.
- 13.2 In developing this policy the Trust has considered its public sector equality duties under s149 of the Equality Act 2010, namely the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
  - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## 14. Links to Other Policies

- Repairs Policy
- Empty Homes Policy

<b>POLICY REVIEW HISTORY</b>	
<i>To be completed during each review</i>	
<b>Previous versions</b> (version number – approved by – approval date – title if different)  V1.1 – Parent Board – June 2023	
<b>Date of last EIA:</b>	
<b>Review lead by:</b>	Strategic Director of Property & Development
<b>Main points or amendments made and reasons</b>     	
<b>Next review due:</b>	Q1 2026/27
<b>Approval level:</b>	Parent Board