



Damp & Mould Policy

Document Control

Title	Damp & Mould Policy
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Regulatory Framework	Outlined within the contents of the Policy

Revision History

Date	Version	Author	Comments
2 nd December 2022	0.1	Dan Crossley Lee Winterbottom	Draft policy out of consultation with service managers for feedback
6 th December 2022	0.2	Dan Crossley Lee Winterbottom	Present to SMT\EMT for Approval
23 rd January 2023	0.3	Dan Crossley Lee Winterbottom	Shared with Tenants Voice Panel for comment
16 th February 2023	0.4	Dan Crossley Lee Winterbottom	Approved at Customer Services Committee

Consultation and distribution

Type	Details
Consultation	SMT\EMT\Board\Customer Services Committee
Distribution	Company Wide

Purpose of the policy:

'We are clear about how we will deal with damp and mould'

This policy sets out our approach to dealing with damp and mould in council homes and communal spaces that we maintain. It covers the services we provided to tenants who rent their home under a tenancy agreement.

For leaseholders, we will meet the responsibilities as set out in terms of the lease.

The key principles of the policy are:

- **Zero tolerance approach to the occurrence and resolution of damp and mould**
- **No blame Culture – 'It's not a lifestyle issue'**
- **Everyone's Responsibility – All staff have a duty to address**
- **Being Pro-active – Acting to fully remedy, via investment works**
- **Providing easy access to services – For reporting issues and making a complaint**

Through listening to our tenant's, building safety has been identified as their number one priority. This is further emphasised by the Regulator for Social Housing and the Housing Ombudsman as an area of critical importance.

Health and Safety of our tenants is a key priority for Berneslai Homes, this is defined in our Strategic Plan and addressed in this policy, through a series of both reactive and proactive approaches.

Under the Housing Health and Safety Rating System (HHSRS), damp and mould cases are categorised as Category 1 (CAT1) hazard, which is the highest, most serious form of hazard classification.

Damp and mould issues in homes can have a serious impact on the health and well-being of the occupants and cause damage to property. We aim to do everything we can to make sure our tenants stay safe, healthy, and well in their homes.

This policy sets out our approach to dealing with damp and mould in council homes and communal areas, both reactive and pro-active. It covers the services we provided to tenants and acknowledge that different properties, often of different ages, require different approaches by Berneslai Homes.

Statutory Obligations:

'We take responsibility and understand our obligations'

Berneslai Homes (as delegated by BMBC) has a statutory obligation Under Section 11 (1) (a) of the Landlord and Tenant Act 1985 (LTA). The act states that the:

"Structure and exterior of the dwelling-house" as well as "the supply of water, gas and electricity" and "heating and heating water" need to be kept in working order.

As part of our duty of care to tenants, we must repair the defect to the structure\exterior of the property which is resulting in damp.

The key responsibilities a landlord has when there are damp issues is to make sure a correct diagnosis is obtained and to carry out the treatment. damp is a mandatory repair under the HHSRS. This also stresses that landlords must ensure mould doesn't affect a tenant's physical and mental health.

Mould is a fungus which is known to cause breathing difficulties. Tenants who suffer from asthma or rhinitis conditions, or are taking any cancer treatment, may suffer serious health problems if exposed to it.

Other key legal and regulatory references are set out below:

- Defective Premises Act 1972
- Environmental Protection Act 1990
- Landlord and Tenant Act 1985 (Section 11)
- Housing Act 2004
- Decent Homes Standard 2006
- Equality Act 2010
- Home Standard, Regulator of Social Housing 2015
- Homes (Fitness for Human Habitation) Act 2018
- Pre-Action Protocol for Housing Conditions Claims (England) 2021

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Defining Damp and Mould and its Causes:

'We will identify the root causes of any damp and mould'

Damp

Dampness is an excess of moisture that can't escape from a structure, which may go on to cause significant damage to the building such as collapsed ceilings and rotten timber elements.

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 dampness persists, or water has formed into a visible covering.

There are four main causes of dampness in homes in England. It is important to understand the difference between them because they each need different solutions:

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.

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 extremely uncommon but is generally the result of a problem or fault with the home, which requires repair.

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.

Condensation is the most prevalent type of dampness and is caused by moisture in the air (water vapour) inside the dwelling encountering a colder surface, such as a window or wall. The drop in temperature causes liquid 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 generally. It is also found in areas of low air

circulation such as behind wardrobes and beds, especially when they are pushed up against external walls.

All homes in England can be affected by condensation because the climate is often cool and wet. Normal household activities also constantly release moisture into the air. Good practice in the home minimises and alleviates condensation, and in many cases will prevent it causing dampness and persistent mould. However, on occasion the root cause can be a problem that requires a repair or an improvement to the home. In others, a different solution may be needed (for example, in cases of severe overcrowding).

Our Commitment to Tenants:

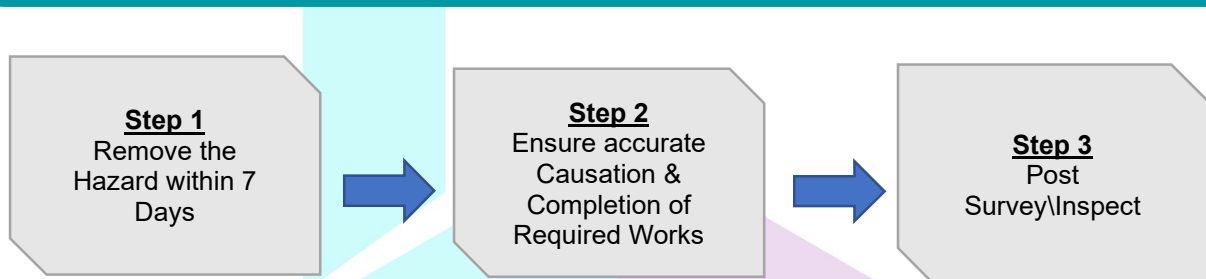
'We will be clear on what we need to do and how quickly'

In line with our organisational culture and values - Tenant First, Can Do and Curious - we will do everything we can to make sure we:

- Provide dry, warm, healthy, and safe homes for our tenants 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 tenants reporting damp and mould with empathy and respect
- Take responsibility for diagnosing and resolving damp and mould in a timely and effective way
- Support tenants in resolving damp and mould in a way that is appropriate to the problem
- Communicate with our tenants clearly and regularly regarding any actions we plan to take and any actions our tenants are advised to take
- Ensure staff are trained to enable them to spot potential causes of damp, mould, and condensation so they can advise tenants, diagnose problems, and provide solutions
- When applying this policy, make reasonable adjustments for people who have a disability and will take into account the provisions of the Equality Act 2010

Our Approach:

‘We take responsibility to resolve the issue’



Pro-Active approach

- We will take action to identify homes that may be at risk of developing problems with damp and mould - We will use data (stock condition, EPC and Geographic Information System (GIS) mapping) to help us understand the potential in relation to damp and mould and where appropriate use technology to monitor and reduce the risk and occurrence
- We will use the investment programme and asset management strategy to ensure we take steps to remove the root causes of damp and mould growth - We will mitigate any increased risks of damp and mould by investing in ‘fabric first’ principles, by improving thermal efficiency, when decarbonising the council’s homes and making sure that adequate ventilation and heating systems are installed and maintained
- When a property becomes vacant, and prior to re-letting, we will identify and remedy any issues which may cause damp through our ‘voids standard’ works - Our engaged tenants will carry out ‘mystery shopping’ to ensure standards are maintained
- We will provide information on our website, and through other communication channels such as social media and newsletters to raise awareness about the causes of damp and mould. This will include details about how everyday activities in the home can generate condensation and what tenants can do to help prevent damp through, for instance, ventilation, controlling the build-up of moisture and adequate heating. Where there is mould growth, we will provide advice on how this will be treated - We actively encourage tenants to report repair requests and log complaints where required.

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- All front-line staff and contractors will have the skills and knowledge to identify signs of damp and mould and discuss with tenants how to manage the problem - Staff are trained to look out for signs whenever they visit a tenant's home and clear guidance is given on how to signpost and refer
- All council homes will receive a physical inspection every 12 months pro-actively targeting damp and mould. This will be achieved via Stock Condition Surveys, EPC Surveys, Voids, Heating Checks, Capped Off Properties Checks and Fire Door Inspections
- We will utilise customer insight data from 100% post surveys to all tenants that have reported a repair, raised a complaint or disrepair claim in relation to damp, mould and condensation over the past 12 months on a periodic basis
- We will continue to work with our Tenants Voice Panel and Scrutiny Group ensuring we listen and always see things from a tenant's perspective to help enhance our service offer
- Internet of Things (IOT) technology will be utilised to monitor temperature and humidity in problematic council homes

Reactive approach

- Tenants will be supported and encouraged to report any problems to us as soon as possible after noticing any potential damp or mould issue. When we receive a report, a trained member of the team will attend the property **within 7 days** to determine the cause and seek to resolve the immediate issue, by removing any visible mould. In some cases, they may need to further diagnose the problem to determine the root cause. Sometimes finding out what's causing damp and mould isn't always straightforward and could be due to a combination of factors, that we will then address. Any repairs that are required to be carried out will be dealt with in accordance with our Repairs Policy (Repairs Clarification Document).
- Where damp is a result of condensation, we will work with tenants to take appropriate measures to prevent the damp and mould occurring. This might include advice about how to control moisture levels or increase ventilation or heating, so that moisture levels are controlled within acceptable limits
- When a particularly severe or recurring damp or mould issue is identified we will undertake a comprehensive risk assessment which may result in a range of actions to support the tenant depending on their circumstances, including providing and funding dehumidifiers through our compensation policy, the installation of positive pressure, mechanical or passive ventilation systems, dry lining walls or applying mould resistant coverings, as appropriate, on a case-by-case basis
- We will keep tenants informed of any property inspections, diagnosis of issues and the timetabling of work. This includes explaining why work might be

needed and what work will be required. If any changes to the programme of works are needed, we will keep the tenant informed. Where work is not required, tenants will be informed, and we will explain the reason why no further work is needed

- For more complex cases, and especially where more intrusive building work is required and/or there is a serious health risk to the tenant or a member of their household, we may require them to move out of their home either on a temporary or permanent basis. We will consider the individual circumstances of the tenant. We will ensure that appropriate checks are carried out at the property to ensure it is suitable for the tenant in line with our Decant Policy.

Access to Property

- Our tenancy (and leasehold) agreements require tenants to allow us (including appointed contractors) access to their home to carry out works. If we are unable to gain access and the integrity of the property, its fabric and/or the safety of the tenant or those in the vicinity of the property is compromised, we will take appropriate action. For example, this may include but is not limited to obtaining an injunction for access

Compensation

- In line with our Compensation Policy, we will pay compensation as a result of our failure to deliver the service we have committed to. This includes where distress and inconvenience has been caused. Also, where furniture or belongings have been damaged, damages will be resolved through insurance claims. Each case will be considered on its own merits, considering the individual circumstances of the tenant and their household

Supporting our tenants

- We will give tenants advice on how to prevent damp and what they can do to remove mould. However, we recognise that not every tenant will be in a position to do this. We will provide appropriate support in such cases in relation to the specific circumstances and the individual tenant's needs
- We know that some tenants cannot afford to heat their homes adequately due to their income levels. We will work with tenants to ensure that they are receiving the income to which they are entitled
- Where homes are overcrowded humidity will tend to be higher and this increases the likelihood of condensation. We will work with the tenant and explore solutions which may include the tenant moving to a more suitable home if this is available and appropriate

Staff Training

- We will ensure that all front-line staff (whether in house or our contractors) will have the required skills to recognise damp and the potential for mould, and that our Repairs and Maintenance Surveyors have specialist training and equipment to accurately diagnose causation and ensure appropriate remedial works are completed efficiently and effectively

Responding to complaints and learning lessons

- We aim to resolve complaints as quickly as possible without tenants needing to resort to disrepair claims and legal action. Where legal action is taken, we will follow the Pre-Action Protocol for Housing Conditions Claims so that we may resolve the dispute outside of court to help ensure issues are resolved quicker for tenants
- We will learn lessons from damp and mould cases, update our technical approach and how we communicate with tenants, in order to continually improve



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