



# Damp, Mould and Condensation Policy

## 2024-27

### Version Control

Version	Changes	Approval Stage	Date
1	Original Draft	Internal	30/10/2024
2	-	Tenants/Public Consultation	Completed
3	-	Head of Service sign off	1/11/2024
4	Final	Leadership Team	5/11/2024

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<b>Relevant Legislation</b>	<ul style="list-style-type: none"><li>• Defective Premises Act 1972 (s4)</li><li>• Landlord and Tenant Act 1985, Section 11 – Repairs and Maintenance</li><li>• Environmental; Protection Act 1990 (s79 Statutory Notice)</li><li>• Housing Act 2004 which introduced the Housing Health and Safety Rating System (HHSRS)</li><li>• Equality Act 2010</li><li>• Building Regulations 2013: Approved Document C (Site preparation and resistance to contaminants and moisture)</li><li>• Homes (Fit for Human Habitation) Act 2018</li><li>• Social Housing (Regulation) Act 2023</li></ul>
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## **1.0 Purpose of the Policy**

- 1.1 This policy details Cannock Chase District Council Housing's (the Council) approach to how the risk of damp, mould and condensation is managed and how the Council will respond to reports of damp, mould and condensation within its housing stock, received from tenants and leaseholders, or which become apparent to the Council staff as part of their daily duties. Such occurrences of damp and condensation can lead to mould growth and subsequent detriment to the Council's assets and tenants. the Council will aim to proactively manage the risk through:
- Cyclical surveying of its stock
  - Reactive repairs
  - Planned preventative investment
  - Providing information and guidance to tenants
- 1.2 It is important that causes of damp and condensation, the root causes, are diagnosed and understood to effectively remediate, this includes a proactive approach to addressing reports and providing relevant information and signposting for tenants where appropriate.
- 1.3 In addition to providing a safe home environment to our tenants, the Council are to comply with all relevant legislation not just restricted to such legislation identified herein this policy.
- 1.4 This policy forms part of our wider organisational commitment to driving a positive health and safety culture amongst staff and contractors. It will be saved on our shared drive and distributed to all relevant members of staff.

### **Aims**

- To provide clear lines of responsibility within the Council for the management of damp and condensation related issues
- To specify individual responsibilities in the management of damp and condensation
- To clarify the approach to damp and condensation
- To clarify the method of reviewing and monitoring damp and condensation reporting
- To establish a clear, accessible process to enable tenants to report damp and condensation issues
- To tailor responses to ensure the individual needs of tenants are taken into consideration
- To maintain a safe environment for tenants and employees within all the Council properties, and for the prevention of potential damage to the Council's assets.
- To provide assurance to the Council that measures are in place to identify, manage and mitigate risks associated with damp and condensation.

## **2.0 Scope of Policy**

- 2.1 This document should be used by all employees, tenants, and stakeholders of the Council to understand the obligations placed upon the Council to maintain a safe

environment tenants and employees within the homes of each tenant and within all buildings.

- 2.2 This policy applies to all buildings within the Council's Housing Revenue Account portfolio where the Council have the responsibility to maintain the asset.

### **3.0 Consultation**

- 3.1 Consultation has taken place with the following. Their feedback has been considered and the policy update:

- Tenant Engagement Focus Group
- Housing Maintenance Inspection Team
- Tenancy Service Manager, Chief Internal Auditor & Risk Manager, Housing Property Services Manager, Assistant Manager Compliance and Assistant Manager Asset Management
- Senior Leadership Team

The Equality and Diversity Impact Assessment has been undertaken and shared as part of the consultation process.

### **4.0 Background and Context**

- 4.1 Mould and damp are caused by excess moisture. Moisture in buildings can be caused by leaking pipes, rising damp in basements or ground floors, or rain seeping in because of damage to the fabric of the building, roof or around window frames.

A newly built home may be damp if the water used when building it is still drying out – for example, in the plaster on the walls. Excess moisture indoors can also be caused by condensation.

If mould or damp are evident, it is important to find out why there is excess moisture in a home. When the root cause of dampness is identified, steps can then be taken to repair to eradicate the cause or take steps to limit the moisture in the air.

- 4.2 Damp and Mould related health outcomes may affect people regardless of age or current health; the elderly and children are most at risk.

- 4.3 The main types of Damp are:

- Rising Damp – movement of moisture from the ground rising up through the structure of the building through capillary action.
- Penetrating Damp – water penetrating the external of a structure or internal leaks causing damage to the internal surfaces or structure.
- Condensing Damp – moisture held in warm air coming into contact with cold surfaces, subsequently condensing and causing water droplets

- 4.4 Mould is a natural organic compound that develops in damp conditions and will only grow on damp surfaces. It is often noticeable and present in situations where condensation damp is present.

- 4.5 Poor housing conditions can result in frequent absence from work and/or school due to ill-health, resulting in under-achievement and attaining less earning power.

- 4.6 In October 2021 the Housing Ombudsman issued a report to social landlords, recommending that they adopt a zero-tolerance approach to damp and mould. The report recognised the challenges for landlords tackling these issues, and identified best practice and twenty-six items for landlords to implement including:
- Greater use of intelligence and data to prevent issues
  - Adopting a consolidated policy for actions it may be take based on diagnosis
  - Reviewing communication with tenants to improve tone
  - Improve access to complaints to resolve issues, including alongside disrepair claims, and learn from them
- 4.7 Social Housing (Regulation) Act 2023, that received Royal Assent on 20 July 2023 further strengthened the law to force Social Landlords to investigate and fix serious problems including damp & mould within strict time limits and the Regulator of Social Housing put in place revised Consumer Standards on 1 April 2024.

Key requirements include responsibility on Landlord to ensure tenant have ability to;

- Know how your landlord is performing, including on repairs, complaints, and safety, and how it spends its money, so you can hold it to account.
- Have complaints dealt with promptly and fairly, with access to a strong ombudsman who will give you swift and fair redress when needed
- Be treated with respect, backed by a strong consumer regulator, and improved consumer standards for tenants
- Have your voice heard by your landlord, for example through regular meetings, scrutiny panels or being on its board.
- Have access to help from Government, if tenants want it, for you to learn new skills to ensure your landlord listens
- Have a good quality home and neighbourhood to live in, with your landlord keeping your home in good repair

## 5.0 Policy Detail

The Council are committed to:

- a) Offering advice and assistance to tenants living in our properties, including
  - information on thermal comfort,
  - preventing excessive condensation through daily activities
  - engaging with the Council's staff and Partners for advice and guidance
  - providing sustainability and money advice for tenants who are being subjected to potential fuel poverty.
- b) Complying with legal and regulatory requirements.
- c) Implementing arrangements designed to ensure that:
  - Suitable and sufficient response to initial reports of damp or condensation with effective reporting and inspection regimes.
  - the Council will identify the cause of damp occurring in its property and order remedial works where required within set repair categories, including advice and assistance to the tenants where there is condensation present.
  - There is increased awareness for tenants through communication and information on how to combat condensation.

- There are adequate levels of basic damp and condensation awareness and staff competency through effective training programmes.
- There is adequate review of damp and condensation performance information within the Council Assets to inform targeted interventions such as information campaigns.
- Components are installed as part of the responsive repairs and maintenance service and planned investment programmes are cost effective and meet sustainability and affordability criteria.

## 6.0 Responsibility Under this Policy

### Landlords Responsibility

- 6.1 Within legislation the Council as the landlord is responsible for keeping the structure of our assets in good repair in addition to maintaining heating, sanitation, and service installations. the Council is responsible for those installations that are fitted by us, or which have been adopted by us.
- 6.2 Ensure diagnosis and repairs are ordered aligned with those detailed in the Council's Repairs & Maintenance Policy:

Category	Response Time
Emergency	Within 24 Hours
Urgent Repairs	Within 3 Working Days
Essential Repairs	Within 5 Working Days
Routine Priority	Within 38 Working Days

- 6.3 In respect of reported Damp and Mould the following timescales will apply:

Repair Action/Category	Response Time
Investigate a report	Within 14 Days
Commence works once Identified	Within 7 Days
Emergency Repairs/Hazards	Within 24 Hours

- 6.4 We will carry out a robust 6-stage process for the management of any follow-up works or inspections required will be provided for in the Council housing repairs management system as outlined below.
- Stage 1 - Works order raised – capture property address/report made by/date.
  - Stage 2 - Acknowledgement – Telephone call/letter to tenant advising of scheduled timescales.
  - Stage 3 - Inspection – by/date
  - Stage 4 - Outcome - production of schedule of works including advice given.
  - Stage 5 - Repairs carried out and completion of works.

- Stage 6 - Monitoring – agreed re-visit period and outcome. Undertake internal desktop audits to 100% of all damp and mould case outcomes following reinspection.

This policy complies with the principles of GDPR and the Council's Data Protection Policy, any personal information relating to tenants affected by this policy will be stored on the Council systems which are compliant with GDPR.

## **Tenant Responsibility**

- 6.5 The tenant is responsible for ensuring no damage occurs to the Council assets in line with their responsibilities as detailed within the tenancy agreement. As such, tenants will be provided with information and guidance on minimising condensation in their home.

Tenants can report repairs in a variety of ways:

- Telephone
- In person at the Council Housing office
- In writing, by letter/note
- To any Housing Officer if they call to your area
- Email - at [Housing.repairs@cannockchasedc.gov.uk](mailto:Housing.repairs@cannockchasedc.gov.uk)
- Online - using InterFinder

Outside office opening times only emergency repairs can be reported via telephone.

## **7.0 Risk Management**

- 7.1 Delivering the framework and actions set out in this policy, the Council will comply with the requirements of legislation detailed in the Housing Act 2004, the Landlord and Tenant Act 1985, Social Housing (Regulation) Act 2023 and the Regulator of Social Housing Consumer Standards 1 April 2024.

## **8.0 Key Roles and Responsibilities**

- 8.1 The Cabinet have ultimate responsibility for ensuring compliance with the consumer standard and ensuring tenants are safe in their homes.
- 8.2 The Cabinet have the responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation)
- 8.3 The Head of Housing & Corporate Assets has strategic responsibility for the management of damp and mould. They will oversee the implementation of this policy.
- 8.4 The Housing Repairs & Maintenance Manager has operational responsibility for the management of damp and mould and will be responsible for overseeing the delivery of these programmes.
- 8.5 The Tenancy Management team will provide support where gaining access to properties is difficult and the legal team will assist and facilitate any legal access processes, as necessary.

## 9.0 Performance Reporting

- 9.1 The undertaking of damp and mould management in line with the policy will, through the procedure document set out the KPI measures and reports required to be provided to the Head of Housing & Corporate Assets on a monthly basis.

Progress on inspecting, undertaking works, recording and management of the damp and mould process will be the responsibility of the Maintenance Inspectors Team reporting directly to the Housing Maintenance Manager.

A monthly update to the Housing Maintenance Manager for upward reporting will include key performance indicator (KPI) measures linked to timescales.

A quarterly update will be provided to Head of Housing & Corporate Assets as part of the KPI performance information.

## 10.0 Approval

Strategic Lead: Nirmal Samrai, Head of Housing and Corporate Assets

Sign/Date



01/11/2024 (Prior to Leadership Team approval on 05/11/2024)

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## 11.0 Contact

To find out more about this policy please contact:

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