



# Ashfield District Council

## Housing Operations Damp and Mould Policy

TBC 23 – Version 1

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 1 of 10	

**CONTENTS**

**PAGE**

2. Principles and Aims of the Policy ..... 3

3. Legislation, Regulations and Guidance ..... 4

4. Types of Damp Covered by the Policy ..... 5

5. Responsibilities ..... 6

5.1 The Council’s Responsibilities ..... 6

5.2 Tenants Responsibilities ..... 8

6. Monitoring Arrangements ..... 10

7. Equality Impact Assessment ..... 10

8. Review ..... 10

9. Version Control ..... 10

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Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 2 of 10	

## Introduction

- 1.1 Ashfield District Council aim to provide high quality services for our tenants and aim to provide homes that are free from damp and mould.
- 1.2 With the high the cost of gas and electricity many tenants find themselves in fuel poverty, especially during the winter months. Homes that are not adequately heated or ventilated are more likely to suffer from increased condensation and indoor dampness and subsequently mould growth.
- 1.3 It is estimated that 10 – 50% of homes in the UK are affected by damp. Social Housing properties and low income communities, with the potential for overcrowding and lack of heating and ventilation, experience a higher proportion of damp and mould than the national average.
- 1.4 The Regulator of Social Housing and the Housing Ombudsman have been active in producing reports and guidance on what is expected from Social Housing providers to ensure they provide homes that are free from harmful mould and are safe to live in.
- 1.5 Property attribute may also be a determining factor.

## 2. Principles and Aims of the Policy

### 2.1 The key principles and aims of the Policy are:

- To ensure we provide and maintain dry, warm, healthy homes for our tenants.
- To identify any trends in particular property types or construction types that are more susceptible to dampness and mould production.
- To ensure that the fabric of our property is protected from deterioration and damage resulting from damp and mould.
- Repairs to alleviate damp are carried out as quickly and as efficiently as possible to minimise damage to the fabric, fixtures and fittings of the property.
- Provide staff with the skills to identify and differentiate between signs for damp and condensation and understand the causes and remedies.
- Comply with all Statutory and Regulatory requirements and sector best practice.

We will achieve these aims by:

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 3 of 10	

- Attending to reports of damp and mould (via customer, third party or employee) as a matter of urgency in order to determine the cause of the damp or mould.
- Ensure tenants have access to and/or are provided with advice and guidance on the reasons why mould may be forming and provide information and assistance on changes that could be implemented to reduce condensation in their home.
- Plan and produce asset investment programmes of improvement works to increase the thermal efficiency, improved heating and ventilation of properties, ensuring they meet the Decent Homes standard.
- Support and inform customers and employees about the health risks of living in damp and/or mouldy homes.
- Publicise damp and mould remediation work that we can do and signpost customers to any other support they may be able to access.
- Ensure all properties that have substantial remediation works for damp and mould are contacted a reasonable amount of time (normally within 6 months) following completion to ensure the works have been successful.

### 3. Legislation, Regulations and Guidance

3.1 There are legislative requirements setting out what is considered to be a decent home. The Decent Homes Standard was updated in 2006 to take account of the Housing Health and Safety Rating System (HHSRS). According to the Standard, 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.

3.2 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. While it did not create new obligations for Landlords, it required Landlords to ensure their properties are fit for human habitation at the beginning of, and throughout, the tenancy.

3.3 The Landlord and Tenant Act defines that Your Landlord must make sure that your home is 'fit for human habitation', which means that it's safe, healthy and free from

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 4 of 10	

things that could cause you or anyone else in your household serious harm. For example, if a house or flat is too cold and can't be heated, this can affect health. Consideration should also be given to repair, stability, freedom from damp, internal arrangement, natural lighting, ventilation, water supply, drainage and sanitary conveniences, facilities for preparation and cooking of food, the disposal of wastewater and any prescribed hazard. The Act also strengthened tenants' means of redress where Landlords do not fulfil their obligations, with the expectation that if tenants are empowered to take action against their Landlord, standards will improve.

3.4 The Legislation is also supported by the Council's Tenancy Agreement and Tenants Handbook, conditions which all tenants and their visitors must comply with.

3.5 Guidance is available on the Council's website, the tenants handbook, included periodically in the newsletter to tenants, during the sign-up process and upon request.

#### **4. Types of Damp Covered by the Policy**

##### **4.1 Rising Damp**

The movement of moisture from the ground rising up through the structure of the building through capillary action.

##### **4.2 Penetrating Damp (including internal leaks)**

Water penetrating the external structure of the building or internal leaks causing damp, rot and damage to internal surfaces and structure. The cause can be the result of:

- Water ingress due to defective or poor original design / workmanship of the structure.
- Defective components for example roof coverings, external doors and windows.
- Defective or blocked rainwater gutters and pipes.
- Defective or leaking internal waste pipes, hot and cold water and heating systems.
- Flooding due to burst pipes.

##### **4.3 Condensation Damp**

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. This can take two main forms:

- Surface condensation arising when the inner surface of the structure is cooler than the room air.

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 5 of 10	

- Condensation inside the structure (interstitial) is a type of condensation that may occur within an enclosed wall, roof, or floor cavity structure, which can create dampening.

The conditions that can increase the risk of condensation are:

- Inadequate ventilation eg. No opening windows, trickle / background vents and mechanical extraction in bathrooms and kitchens.
- Inadequate heating eg. undersized boilers and radiators not producing enough heat for the size of the property..
- Inadequate thermal insulation eg. Missing or defective wall and loft insulation.
- High humidity eg. presence of rising and penetrating damp.
- Poor building design and construction eg. specific cold areas (bridging) which are integral with the building construction.

Conditions that can lead to condensation are:

- Poor ventilation – not opening windows, blocking up vents, not turning on extract fans and not allowing air to circulate around furniture.
- Poor heating – not heating the whole property.
- Defective insulation – dislodged insulation in lofts.
- High humidity – not covering pans when cooking, drying laundry inside the house and not closing doors when using a kitchen or bathroom.
- Overcrowding – additional moisture naturally produced by humans and also increased activities in the household eg. cooking, bathing etc.
- Long term undetected leaks that may not be easily identifiable such as under floors or behind walls.

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

## 5. Responsibilities

### 5.1 The Council's Responsibilities

5.1.1 The Council shall investigate to determine the cause of damp and condensation and carry out remedial repairs and actions in accordance with the tenancy agreement and repairs handbook in a reasonable timescale. This will be

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 6 of 10	

dependent on the severity and urgency of the problem and on the complexity of the remedial works / actions required.

- 5.1.2 The Council will promote and provide general advice and guidance on how to reduce condensation damp.
- 5.1.3 The Council will ensure that all of our relevant employees have training in relation to damp and mould and are suitable skilled to undertake any remedial works.
- 5.1.4 The Council will inform the tenant of their initial findings of the investigation at the time of their visit (further inspections / surveys may be required for complex cases). This will include identifying the possible causes of damp, recommending effective solutions and all necessary remedial works / actions / enhancements and the estimated timescales to complete the works /measures.
- 5.1.5 When the Council is satisfied that all remedial repairs have been completed and after working with the tenant to exhaust all reasonable efforts to control condensation damp, contact will be made (normally within 6 months) from the Council's Quality Control Officer to ensure no recurrence of the issue.
- 5.1.6 The Council is responsible for maintaining a tenant's home to avoid penetrating and rising damp and for carrying out remedial actions if these do occur.
- 5.1.7 The Council will undertake reasonable improvement works required to assist in the management and control of condensation damp, for example installation of mechanical extract fans, fresh air vents, upgrading existing insulation etc.
- 5.1.8 Remedial works will only be carried out where it is reasonable and practical to do so. The Council will have regard to the constraints of the existing building design and structure and will take a pragmatic approach in finding appropriate solutions.
- 5.1.9 The Council will make good internal surfaces following any remedial work carried out ensuring that surfaces are prepared to a condition ready for the tenant to redecorate as they see fit. The Council will provide advice for suitable decorative options to help prevent a reoccurrence.
- 5.1.10 Mould wash will only be carried out where this is found to be persistent or extensive and cannot be controlled by the tenant.
- 5.1.11 In some cases remedial work may not be necessary and the Council will provide the tenant with guidance, advice and support (where appropriate) on managing and controlling the occurrences of condensation damp.
- 5.1.12 The Council will make reasonable attempts to access the property to inspect and carry out the works.

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 7 of 10	

5.1.13 The Council will need to explore alternative options where it is not able to control condensation damp where it is unreasonable or impractical to do so or if any remedial action would be ineffective, for example:

Poor construction / design (not meeting current construction and living standards) for example:

- Cold bridging areas in the fabric of the building that cannot be eliminated.

Non habitable rooms, for example:

- Outbuildings / sheds that have been converted (without written permission) including linking buildings between the house and outbuilding and other add-on structures.
- Unheated / uninsulated semi external toilets and store rooms (remedial options may include removing the facility).

5.1.14 Under certain exceptional circumstances where the tenant is unable to carry out treatment on smaller areas of mould washes or redecoration, the Council will provide support and assistance.

5.1.15 Where internal conditions within a home such as overcrowding and excessive hoarding of personal belongs are having an effect on the health and wellbeing of the occupants, or are preventing inspections or remedial works being carried out, the Council will provide support and assistance to review the tenant's options that may include moving to more appropriate alternative suitable accommodation. Effective remedial action will not be possible in these instances until the situation(s) has been resolved.

5.1.16 If it is unsafe for the occupants to remain in the property while the works are carried out, alternative accommodation arrangements will be made. This may be on a day-by-day basis or a temporary decant to an alternative property. The tenant will be supported through this process to find suitable accommodation.

5.1.17 Where there are concerns over tenants ability to sufficiently heat their home through fuel poverty, the Council will sign post tenants to their Money Management service in an attempt to support tenants with budgeting and maximising their income.

## 5.2 Tenants Responsibilities

5.2.1 The tenant shall immediately report to the Council any evidence of rising and penetrating damp and also faulty equipment that will hamper the management and control of damp and condensation (faulty extract fan, unable to open windows, lack of heating etc.) in accordance with the tenancy agreement conditions and repairs handbook. All matters should be reporting via the Repairs Call Handling Centre on 01623 457999 or via [adcrepairs@ashfield.gov.uk](mailto:adcrepairs@ashfield.gov.uk).

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 8 of 10	



- 5.2.2 The tenant shall regularly check for mould and clean signs of mould as soon as they are discovered and manage condensation damp following the Council's guidance. Tenants can also help reduce the conditions that lead to condensation damp by:
- a) Keeping the presence of moisture to a minimum e.g. Covering pans when cooking, drying laundry outside, keeping the kitchen or bathroom door closed when cooking or bathing.
  - b) Adequately heating rooms – ideally between 18°C and 21°C which will assist to keep humidity levels between 40-60%.
  - c) Keep the house well ventilated e.g. opening windows when cooking / bathing, turning on and ensuring that the extractor fan is working (if applicable), keeping trickle vents in windows open and allowing air to circulate around furniture.
- 5.2.3 Follow all advice and guidance issued by the Council on managing and controlling damp and condensation. This information can be found on Ashfield District Council's website (<https://www.ashfield.gov.uk/housing/repairs-improvements/tenant-repair-responsibilities/damp-mould-condensation/>).
- 5.2.4 If all reasonable efforts have been made to manage and control condensation and mould, and this has not been successful, the tenant should contact the Council for further assistance.
- 5.2.5 If following an inspection / survey, the outcome shows that all reasonable measures are in place for the tenant to adequately manage the condensation damp, further advice and support will be given to the tenant.
- 5.2.6 The Council will work with tenants in all instances to attempt to resolve issues of damp and mould. If the tenant fails to take the advice and reasonable steps to reduce damp the tenant may be recharged for any resulting repairs required which are considered to be as a result of this neglect.
- 5.2.7 Where tenants are considering converting / using non habitable buildings and spaces / rooms they can seek advice and permission from the Council in accordance with the tenancy agreement conditions.
- 5.2.8 Where remedial works and mould wash treatments have been undertaken by the Council, the tenant is responsible for redecoration and the Council can provide advice on suitable decorative products / applications.
- 5.2.9 Allow access for inspections and for the carrying out of remedial works (in accordance with the tenancy agreement).

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 9 of 10	

## 6. Monitoring Arrangements

6.1 The effectiveness of the Policy in terms of delivery and meeting its aims will be routinely monitored by the Damp and Mould task group.

## 7. Equality Impact Assessment

7.1 An EIA screening assessment has been carried out on this policy.

## 8. Review

8.1 The Policy will be reviewed every 3 years and also in direct response to;

- Legislative Changes
- Council strategy or Policy changes

## 9. Version Control

Date	Date Revised	Amendments	Staff involved in the review	Approved by
TBC	V1	New Procedure	Service Mangers and Assistant Directors in the Housing and Asset Directorate	Director – Housing and Assets

Issued:	Date:
Original	TBC 23
Version 1	TBC 23
Page 10 of 10	