



Welwyn Hatfield Borough Council Damp and Mould Policy

August 2023

Owner

Welwyn Hatfield Borough Council

Version Date

August 2023

Next Review Date

August 2026

**Links to Regulatory Standards –
Economic / Consumer Standards**

Home Standard - Repairs and maintenance

Registered providers shall meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

**Tenant Involvement and Empowerment
Standard - Customer service, choice and
complaints**

Registered providers shall provide tenants with accessible, relevant and timely information about progress of any repairs work.

Outcomes for Customers

- Will be provided with clear information about how to manage damp and mould in their home
- Will be told the outcome of any damp and mould assessments
- Will have their individual circumstances taken into account when we decide on any works that are required to their home
- Will receive appropriate home loss and/or disturbance payments, in line with our decant policy, if they need to move out their home while work is undertaken

1. Introduction

- 1.1 Welwyn Hatfield Borough Council (WHBC) aims to provide high quality homes which contribute to sustainable neighbourhoods and communities. We take cases of damp and mould seriously and are taking a zero tolerance approach. To achieve this, we aim to manage reports of damp and mould, or contributing factors (such as condensation) in a proactive way. This may be through the completion of reactive repairs, planned works or in some cases by providing advice and information to customers on measures they can take to help manage damp and mould through changes to the way they use their home.
- 1.2 The key objectives of this Policy are to are to comply with relevant legislation (specifically the Landlord and Tenant Act, 1985, Housing Health and Safety Rating System within the Housing Act 2004 and Decent Homes Guidance).
- 1.3 We have a moral and legal duty to ensure that we:
- Provide good quality homes, with reference to Section 5 of the Governments Decent Homes Guidance and the standards set by the Regulator for Social Housing (the Regulator)
 - Have an efficient and effective repairs and maintenance service
 - Have a clear and reasoned approach to planned maintenance and repairs to residents' homes and communal areas that also takes account of future sustainability
 - Establish and maintain good working relationships with residents that are based on trust and that take into account individual needs and financial factors
 - Establish reliable partnerships with other organisations to ensure that any services provided by them on our behalf are effective and good quality
 - Ensure that we achieve ongoing compliance with all applicable legislation
 - Have an effective complaints process where our performance falls below the agreed standard, or the resident's expectation of what we should do. This will give residents the opportunity to have their voice heard and have their complaint resolved.

2. Definitions and Scope

- 2.1 This policy is designed to cover reports of damp and mould received by WHBC from residents or someone acting on their behalf. It is set within the context of the Repairs and Maintenance Policy. WHBC will provide a range of options to address reports of damp and mould. These may vary from home to home, depending on the cause, property type, construction method, property age and other factors.
- 2.2 The term 'resident' mainly refers to tenants who rent homes from us.
- 2.3 Leaseholders and Shared Owners have different obligations with regards to maintaining their homes and should refer to their individual lease for more guidance. The Council has repairing obligations to leaseholders in respect of the external structure of flat blocks and will undertake appropriate

investigations when required to ensure that no defect in the structure is the cause of damp or mould.

2.4 This policy therefore outlines how we will:

- Comply with legal and regulatory requirements
- Implement processes designed to:
 - Ensure a suitable and sufficient response to initial reports of damp, mould or condensation
 - Identify the cause of damp occurring in homes where this is our responsibility
 - Take steps to address the damp and mould where required; such as ordering remedial works
 - Keep the resident informed of the remedial works and timescales
 - We will follow up with the resident at 1 and 6 months on conclusion of the damp and mould case to ensure no recurrence
 - Provide advice or other assistance to residents, where there is condensation present in their home
 - Increase awareness for residents through a range of communications and information on how to manage/prevent condensation in their home
- Ensure staff have adequate training and knowledge on levels of damp, mould and condensation awareness
- Have relevant and useful performance information reporting to enable us to review damp and mould related repairs and target proactive remedial work and targeted interventions such as information campaigns and website content
- Ensure that any components we install as part of our repairs and maintenance service are cost effective, sustainable and meet affordability objectives, whilst responding to the requirements for decarbonisation

3. Specifics of the Policy

WHBC's Responsibilities

- 3.1 To ensure that we maintain the structure of our homes in good repair as set out in our Asset Management Strategy.
- 3.2 Maintain the heating, sanitation and service installations of rented homes where these have been installed by us or where we have adopted responsibility of these through relevant policies (i.e. adaptations to homes; or through previous tenant improvements).
- 3.3 It is WHBC's responsibility to provide tenants with the information they need to work their heating and hot water systems efficiently; along with information to help them to minimise condensation.

Resident's Responsibilities

- 3.4 The resident is responsible for ensuring no damage occurs to their home as defined by the Tenancy Agreement.
- 3.5 Any damp or mould should be reported to the Council by residents for investigation.
- 3.6 Residents will be provided with information and guidance on minimising condensation in their home and this should be followed.

4. Process Overview

Proactive

- 4.1 WHBC will proactively assess the condition of its properties on a rolling programme, including for damp and mould, by conducting surveys. Category 1 and 2 hazards will be captured during these routine stock condition surveys (SCS) carried out by in-house and external surveyors.
- 4.2 WHBC will also utilise Energy Performance Certificate (EPC) data to understand the extent of vulnerability to damp and mould. EPC data is held in Orchard Assets, along with our Assets data. This will also provide a clear view of the retrofit interventions needed to improve our EPC ratings, and thereby the comfort and efficiency of the home.
- 4.3 Our investment plans will be reviewed each year against stock condition data, complaint trends, any repeat damp and mould cases and our Asset Grading model, to ensure we address any adverse performance trends etc. This will inform investment programmes such as loft insulation, windows etc.
- 4.4 Where WHBC undertakes retrofit works to improve performance of the property it will adhere to PAS 2035 principles, thereby ensuring a whole house retrofit approach avoiding the unintended consequence of damp caused by badly planned interventions.
- 4.5 WHBC will take every opportunity – voids stage, mutual exchanges, tenancy health checks etc. – to proactively address issues driving damp and mould cases.
- 4.6 We also expect other council staff and contractors that might be visiting council homes or contacting residents, to be aware of and report any damp and mould issues to us. We provide training to raise their awareness of these issues and the need to report them.
- 4.7 We will regularly review with customers our customer communications regarding damp and mould to ensure it meets the needs of all customer groups and shares lessons learnt.

Reactive

- 4.8 When a report of damp, mould or condensation is received, our staff will ask a few questions to try to identify possible causes and any vulnerabilities or individual needs of the resident some causes may be obvious – such as leaking gutters or overflows. In these cases, remedial repairs will be ordered in line with our repairing timescales
- 4.9 Where the cause is not immediately obvious, a surveyor or Specialist Contractor will visit the home to carry out an inspection. We will offer an appointment when the resident first reports the issue, within 5 days. We will prioritise cases that are considered urgent within this timescale.
- 4.10 The purpose of the inspection is to identify the cause of the dampness, for example whether the issue is damp related (e.g. rising or penetrating damp) or condensation related.
- 4.11 During the visit, findings will be recorded and where a report is produced, a summary of this will be provided to the resident once this is available.
- 4.12 If the issue is identified as condensation-based, WHBC will provide information and guidance to the resident. This information will include a discussion on the possible causes of condensation and some solutions that may help. In most cases, once these measures have been in place for a few weeks, the issue is reduced or eliminated.
- 4.13 If the issue is identified as building related, the remedial works will be identified and scheduled appropriately based on the survey recommendations. The resident is informed of the works that will be undertaken and the timescales.
- 4.14 For cases where there are repeated reports of damp, mould and condensation and/or where there is a dispute or no resolution; or where the visit identifies so, we may use specialist equipment to identify the cause.
- 4.15 We will ensure no blame is attached to any damp and mould case and language and actions reflect an appropriate and non-judgemental approach.
- 4.16 If there is reason to suspect that the damp and mould issue is more widespread than one property, WHBC, will review adjacent or neighbouring properties.
- 4.17 After a satisfactory conclusion of a damp and mould case we will follow up at the 1 month and 6 month stage to ensure no recurrences.
- 4.18 A diagram of the process is provided in Appendix 1.

Types of Damp

- 4.19 For the purpose of this policy three main types of damp are included, and are defined as Rising Damp, Penetrating Damp and Condensation Damp:

- **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.
 - Condensation inside the structure (interstitial) where vapour pressure forces water vapour through porous materials (e.g., walls), which then condenses when it reaches colder conditions within the structure.
- **Rising Damp** - The movement of moisture from the ground rising up through the structure of the building through absorption.
 - **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, for example:
 - Water ingress due to defective or poor original design/workmanship of the structure
 - Defective components for example roof coverings, external wall 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

4.20 The conditions that can increase the risk of condensation are:

- Inadequate ventilation e.g., natural opening windows and trickle/background vents and mechanical extraction in bathrooms and kitchens
- Inadequate heating e.g. undersized boilers and radiators, draught stripping
- Inadequate thermal insulation. e.g., missing, or defective wall and loft insulation
- High humidity e.g., presence of rising and penetrating damp
- Poor building design and construction – specific cold areas (bridging) which are integral with the building construction

4.21 The conditions that can lead to condensation are:

- Poor ventilation – not opening windows, defective fans, blocking up vents not turning on extract fans, not allowing air to circulate around furniture
- Poor heating – not heating the house, which can be a result of fuel poverty

- Defective insulation –dislodged insulation in lofts
- High humidity - not covering pans when cooking and drying laundry inside the house can contribute to this
- Overcrowding

4.22 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. Complaints and Compensation

5.1 We take damp and mould seriously and aim to identify the cause and resolve these issues as soon as possible. However, we understand that there might be times when residents are not satisfied with our actions and may wish to use our [complaints procedure](#). We will, however, continue to work to resolve the issues. We will continue to deal with your complaint through our complaints procedure, even if a Pre-Action Protocol for Housing Conditions Claims or legal action has been instigated.

5.2 Complaints and compensation for works, decant and disturbance are considered under a separate Policy should this apply.

5.3 If a resident indicates that damage has been caused to their personal property, such as furniture or clothes, photographs will be taken, and residents reminded that reasonable action must be taken to mitigate any losses. There is no automatic right to compensation for damage in these circumstances, so minimising the amount of damage caused, by, for example, cleaning goods or storing them in areas with more air flow, is advisable. The Council may offer some assistance in this respect at its discretion.

5.4 There is a separate process for claims for personal injury or property damage, details of which can be found on the Council's website <https://www.welhat.gov.uk/council/compensation-claims>

5.5 Any out-of-pocket expenses incurred by the resident as a result of managing the damp and mould, need to be discussed with us and agreed in advance where possible. This might, for example, include additional gas and/or electricity used for running any special equipment. If this is likely, this will be explained to the resident and a payment will be made to compensate them for these costs relating to the use of the equipment.

5.6 In certain circumstances, residents may have recourse under the Landlord and Tenant Act 1985, the Housing Act 2004 and the Homes (Fitness for Human Habitation) Act 2018 to challenge Landlords, and requests under this legislation are outside of this Policy, including requests for recompense. In all cases where compensation is claimed, we will use the information from our onsite inspections and testing to assess the validity of the claim. Claims for compensation are handled by our insurance officer and insurer.

6. Major Works

- There may be circumstances in which it might be necessary to require the household members to vacate their permanent home. These might include, for example, when major structural repairs, refurbishments or improvements are required to the property, which would pose considerable risk to the wellbeing of the household, should they remain in occupation
- It is considered necessary due to the vulnerability or age of the residents

6.1 Should moving out be necessary, our Decant Policy will be followed, or priority may be given via our Allocations Policy if a permanent move is deemed necessary.

7. Communication

7.1 We will keep the resident informed of any findings, works to be undertaken and timescales. We will share the survey results carried out by our approved Specialist Contractor if requested.

7.2 For general guidance and information about damp and mould, we may use social media, our website, or newsletter to provide this.

7.3 We have provided a number of videos and publications available through our website relating to damp and mould.

8. Performance Management

8.1 We will make records of information from conversations, inspections and testing and these will be kept in our information management system.

8.2 Our Property Maintenance and Climate Change team will review information relating to damp and mould. Weekly operational meetings are held with our contractor to review and progress cases of damp and mould and agree actions on more complex cases. This is then reported into the strategic damp and mould group.

8.3 Complaints are circulated weekly to Managers to ensure that they are progressing them within the complaint handling timescales.

8.4 We review our disrepairs cases on a weekly basis in the property maintenance services team and on a monthly basis with the legal team. Any lessons learnt from cases of disrepair are shared with the repairs team to ensure improvements are made where required.

9. Review

9.1 This policy will be reviewed every three years or following significant legislation and/or regulatory change.

Please see the attached damp and mould process map.

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