

WELWYN HATFIELD BOROUGH COUNCIL  
CABINET HOUSING PANEL – 19 MARCH 2025  
REPORT OF THE EXECUTIVE DIRECTOR (RESIDENT SERVICES AND CLIMATE  
CHANGE)

DAMP AND MOULD POLICY - REVISION

**1 Executive Summary**

- 1.1 The purpose of a damp and mould policy is to cover proactive interventions, our approach to diagnosis of damp and mould, undertaking remedial actions and effective communication with residents.
- 1.2 The Government have recently announced that they will be introducing 'Awaab's Law' in a staged approach. From October 2025, landlords will be required to investigate and fix damp and mould within a certain time period and to undertake emergency repairs within 24 hours. From 2026 this will be extended to other serious hazards and then in 2027 this will be applied to the remaining hazards in the Housing Health and Safety Rating Scheme (HHSRS).
- 1.3 We have undertaken an interim review of the Damp and Mould policy, but given the recent announcement, we will undertake a further review once the Awaab's Law requirements are known, which will be before October 2025.

**2 Recommendation(s)**

- 2.1 Cabinet Housing Panel are asked to note and agree the revised Damp and Mould Policy.
- 2.2 If Cabinet Housing Panel unanimously agree the Damp and Mould Policy, that the Panel agree that the decision to approve the policy be taken by the executive member using their delegated powers.

**3 Explanation**

Introduction

- 3.1 The importance of tackling damp and mould was highlighted in November 2022 following the tragic death of a toddler; Awabb Ishak, due to his exposure to mould caused by dampness in his home rented from Rochdale Boroughwide Housing (Association). This initiated a much greater focus on damp and mould in the social rented sector.
- 3.2 The Housing Ombudsman undertook a spotlight report into damp and mould in 2021 as it had seen an increased rate of damp and mould complaints being upheld and findings of maladministration from complaints raised by tenants in social housing. The ombudsman followed this up with a further report in 2023, and have recently produced another report of findings from severe maladministration cases from how damp and mould has been dealt with by some landlords.

- 3.3 On 6 February 2025, the Government announced that new legislation will be brought forward requiring social landlords to investigate and fix damp and mould in their housing within certain timescales (not yet specified) from October 2025, as well as repair all emergency hazards within 24 hours.
- 3.4 In 2026, Awaab's Law requirements will expand to apply to a wider range of hazards such as excess cold and excess heat; falls; structural collapse; fire, electrical and explosions; and hygiene hazards. From 2027, the requirements will expand to the remaining hazards as defined by the Housing Health and Safety Rating Scheme (HHSRS); excluding overcrowding. The full list of hazards can be found in schedule 1 to the Housing Health and Safety Rating System (England) Regulations 2005.

### Damp and Mould Policy

- 3.5 The Policy (Appendix A) explains the Council's approach is to provide high quality homes. We take cases of damp and mould seriously. To achieve this, we aim to manage reports of damp and mould, or contributing factors (such as condensation), in a proactive way to meet our legal and moral duties.
- 3.6 In this regard, the policy outlines how we will 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
  - Take steps to address the damp and mould where required; such as undertaking mould washes and ordering remedial works
  - Keep the resident informed of the remedial works and timescales
  - 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
- 3.7 The Policy includes a process map outlining how we deal with damp and mould in Appendix 1 of the Policy.
- 3.8 The Policy has been reviewed, and minor amendments have been made which are shown in tracked changes.

### Implications

#### **4 Legal Implication(s)**

- 4.1 Whilst there is no specific legal requirement to provide a Damp and Mould Policy, provision of a Damp and Mould Policy is a (strong) recommendation of the Housing

Ombudsman in their spotlight report in October 2021 and the follow up report in February 2023.

- 4.2 However, there are Regulatory Standards set the by Regulator of Social Housing which social landlords must meet. These include the Safety and Quality Standard such that accommodation should meet the Decent Homes Standard, ensure the health and safety of tenants and have an effective repairs and maintenance service.

## **5 Financial Implication(s)**

- 5.1 There are no direct financial implications from this Policy. All expenditure is within agreed existing budgets.

## **6 Risk Management Implications**

- 6.1 The Housing Ombudsman's spotlight reports explain that Councils would need to justify why they believed it was unnecessary to have a damp and mould policy. Failure to have a policy might lead to findings of fault in any complaint investigation undertaken by the Housing Ombudsman.
- 6.2 Failure to adequately tackle damp and mould issues could cause harm to tenants, could give rise to complaints and findings of fault by the Housing Ombudsman and cause reputational damage to the Council.

## **7 Security and Terrorism Implication(s)**

- 7.1 There are no direct implications from this report.

## **8 Procurement Implication(s)**

- 8.1 There are no direct implications from this report.

## **9 Climate Change Implication(s)**

- 9.1 There are no direct implications from this report.

## **10 Human Resources Implication(s)**

- 10.1 There are no direct implications from this report.

## **11 Health and Wellbeing Implication(s)**

- 11.1 Effective management of damp and mould in our council homes will contribute positively towards the safety, health and wellbeing of our tenants.

## **12 Communication and Engagement Implication(s)**

- 12.1 There are no direct implications from this report. It is essential that we communicate well with tenants who report damp and mould issues to us and keep them updated with works required.

## **13 Link to Corporate Priorities**

- 13.1 The subject of this report is linked to the Council's Corporate Priorities: Homes to be proud of, Run an effective council and Together, create opportunities for our communities.

## **14 Equality and Diversity**

- 14.1 An Equality Impact Assessment (EqIA) has been undertaken for this review as there are only minor amendments that do not impact protected characteristics.
- 14.2 The EqIA completed for the Policy in 2023 found that the policy is likely to positively benefit individuals that are older and younger and those with disability.

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Appendix A – Damp and Mould policy