

Damp and Mould Policy

1. Introduction

Cromwood Housing Group is committed to maintaining its homes to a high standard which adds value to the homes and their surroundings. Maintaining high quality, secure homes can improve the lives of our customers and achieve high levels of customer satisfaction. Our homes give people the space and security to create meaningful lives and the foundation to build the best possible life. This policy has been written to ensure that wherever possible, residents are not adversely affected by the causes of damp and mould and drives forward an agenda of proactive action to tackle/manage the causes of damp and mould.

This policy and associated procedure take into account the requirements set out in section 42 of the Social Housing (Regulation) act 2023 known as Awaab's Law, requiring social landlords to address health hazards, specifically damp and mould, within set timeframes.

This Policy has been developed to sit alongside and complement our Housing Management Policy. We want to do everything we reasonably can to make sure our residents stay safe, healthy and well in their homes. Damp and mould are issues which can have a serious impact on the health and well-being of our residents, and cause damage to homes.

This policy sets out our approach to dealing with damp and mould in our homes and communal areas. It covers the services we provide to customers who rent their home under a tenancy agreement and those who occupy under a licence.

2. Background & Causes

Awaab's Law has been introduced as a result of a two-year-old names Awaab Ishak becoming ill and subsequently dying as a result of respiratory condition caused by prolonged exposure to excessive mould in their home. The mould had been repeatedly reported to the landlord (Rochdale Boroughwide Housing) and was not dealt with.

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 of the time and can quickly grow, on surfaces where dampness persists or water has formed, into a visible covering.

Excessive mould growth caused by damp can be dangerous, because it releases spores into the air that can trigger allergies and respiratory problems in some people, particularly those with underlying health conditions, it can also in extreme cases cause damage to building materials, furnishings and residents belongings.

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

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. Who is responsible for the repair depends on where and why the leak happens.
- 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 or caused by external ground levels bridging the DPC. This will usually be the landlord's responsibility.
- Penetrating damp appears because of a defect in the structure of the home, such as damaged brickwork, missing roof tiles, damaged or missing mastic around windows, 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. Who is responsible for the repair depends on what the fault is and where it happens.
- Condensation is the most prevalent type of dampness and is caused by excessive moisture in the air (water vapour) inside the dwelling coming into contact with a colder surface, such as a window or wall. The drop in temperature causes the moisture in the air to condense on the cold surface in the form of water. It is usually found in kitchens, bathrooms and bedrooms that are not properly ventilated, 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.

3. Legal requirements

It will be a legal requirement from October 2025 for all social landlords to comply with Awwab's Law, as set out in section 42 of the Social Housing (Regulation) act 2023, and will require landlords to investigate reports of damp and mould within specified timeframes to establish the cause, seriousness and find a solutions to the problem. In addition, Landlords will be required to provide a written report of their findings to the resident, which must contain details of the solution offered and timescales.

There are also 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.

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- Be in a reasonable state of repair.
- Have reasonably modern facilities and services, and
- Provide a reasonable degree of thermal comfort.

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. The Landlord and Tenant Act does not define “fit for human habitation”, but consideration should 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.

4. Policy

The key points of this policy are the following: -

- Only acquire properties which have no inherent damp and mould problems and have an EPC rating of C or better.
- Provide dry, safe homes for our residents which are free from any hazards.
- Comply with legislative, regulatory and contractual (including tenancy and lease) obligations
- Treat residents reporting damp and mould with empathy and respect; we will not prejudge the cause of the damp.
- Take responsibility for diagnosing and resolving damp and mould in a timely and effective way in accordance with Awaab’s Law.
- Support residents on resolving damp and mould where they result from the use of the home, and provide our residents with appropriate, clear, sensitive, practical and accessible advice
- Where affordability is a contributory factor, provide support, advice and signposting residents for specialist support.
- Communicate with our residents clearly and regularly regarding any actions we plan to take and any actions our residents are advised to take concerning damp.
- Ensure staff are trained to enable them to spot potential causes of damp, mould and condensation so they can advise residents, 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 and give consideration to residents age and vulnerabilities when determining urgency of repairs
- Undertake effective investigations and implement all reasonable remedial repair solutions and improvements to eradicate damp including, managing and controlling condensation.
- Ensure that customers have access to and/or are provided with comprehensive advice and guidance on managing and controlling damp and condensation.
- Comply with all statutory and regulatory requirements and with best practice relating to the provision of this service.
- Maximise the available budgets to deal with damp and condensation problems.

- Ensure that the fabric of our property is protected from deterioration and damage resulting from damp and condensation.
- Proactively tackle/manage the causes of damp and mould through robust procedures, analysis and service delivery.
- Enhance the living conditions of our residents.
- Enhance the understanding of our stock in relation to damp and mould and have proactive programmes for managing this issue.
- Ensure that our retrofit programmes have a consideration of the impact of damp and mould.
- Reduce the risk of expensive legal disrepair claims.
- Reduce the risk of reputational damage

5. Key actions to manage risk

- Effective and timely Inspection and diagnosis
- Investigations to consider all possible causes before solution identified
- Implementation of new procedures to support compliance with Awaab's Law
- Provision and use of appropriate equipment to both investigate and resolve the problem giving consideration to resident's vulnerabilities.
- Logging of and management of cases
- Reinspection of cases within appropriate timescales to ensure solution has been effective
- Training of staff and use of qualified contractors
- Planned programmes of work
- Educational and informative information provided to customers and other stakeholders
- Liaising with other Registered Providers, Environmental Health and Energy Advice Agencies to seek, share and adopt best practice.
- Appropriate budgets in place to prevent and tackle damp and mould issues.

6. Data

- Data will be managed within I.T. system (CCMS). Intelligence led planned programmes will be formed using historical repairs data, Energy performance information and know areas of fuel poverty.
- Recorded on the complaint register if applicable.

7. Training

Induction and refresher training will be provided for all staff and contractors to make sure they are aware of this policy and the requirements of Awaab's Law. All managers will receive specific training to provide the skills and knowledge to comply with the policy and associated procedures.

We will ensure that all of our staff and contractors have training to raise awareness of and create a good understanding of damp and mould issues, their impact and are aware of the internal processes in place to remedy.

8. Monitoring and Reporting

Actions taken and impact as a result of this policy and its procedures will be reported to the organisation via the Strategic Director

9. Equality analysis

Cromwood Housing Group is committed to a policy of fair and equal treatment for all customers, employees and applicants, regardless of religion, sexual orientation, age, class, racial origin, sex, disability or marital status. This policy has been subject to an equality analysis.

10. Legislation and regulation

Summary of key legal and regulatory references:

- Defective Premises Act 1972
- Environmental Protection Act 1990
- Landlord and Tenant Act 1985(Section11)
- Housing Act 2004
- Decent Homes Standard 2006
- Equality Act 2010
- Safety & Quality Standard 2024
- Homes (Fitness for Human Habitation) Act 2018
- Pre-Action Protocol for Housing Conditions Cases (England) 2020
- Social Housing (Regulation) act 2023 (Awaab's Law)