



Lancaster City Council

Housing and Property: Repairs and Maintenance

Damp & Mould Policy

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Prepared by:	DG
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Approved by	JW
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1. Introduction, Aim and Policy Objectives

- 1.1. Lancaster City Council (LCC) is a responsible landlord that aims to provide and maintain Council housing properties to the highest possible standards. We will embrace a zero-tolerance approach to the presence of hazardous levels of damp and mould that could pose a risk to the health or safety of our tenants, occupiers or visitors.
- 1.2. LCC will comply with all Legislative and Regulatory requirements expected of a responsible social housing provider.
- 1.3. This policy ensures our approach to responding to and monitoring all reports of damp and mould will be consistent and recognises the impact that exposure could have on our tenants' lives. We will prioritise any response that may be needed where a vulnerability issue has been identified, which may be impacted by prolonged exposure to damp or mould. .
- 1.4. A key objective of this policy is to ensure that our Cabinet, Senior Leadership Team (SLT), Chief Officer (Housing and Property) employees, partners and tenants have clarity on our legal and regulatory obligations. This policy will provide a framework for employees and partners to operate within to ensure all obligations as a responsible landlord are complied with.
- 1.5. The aim of this policy is to ensure that :-
 - All homes and assets are maintained to the highest standard.
 - All homes are warm, safe, and comfortable.
 - The highest standard of customer satisfaction is achieved.
 - Tenants are aware of our service standards.
 - **We recognise and prioritise the diverse needs and vulnerabilities of our tenants.**
 - We will adhere to all relevant landlord, regulatory and statutory compliance obligations.
 - All homes will as a minimum comply with the Governments Decent Homes Standards and any subsequent amendments to these standards.
 - We will be fully compliant with the Regulatory requirements set by the Regulator of Social Housing, specifically the Safety and Quality Standard with reference to the Quality of Accommodation and Repairs and Maintenance.
 - All works undertaken by directly employed staff and external contractors are in accordance with specifications and quality standards prescribed for any repairs, maintenance or improvement activity. There is a duty on all those who undertake works to our homes to complete all works in a professional and competent manner using quality materials
 - All staff and contractors are trained and aware on how to recognise, manage and identify solutions to damp, mould and additionally condensation in Council housing properties.
 - All voids prior to letting will be free of damp and mould. Any rectification works will be carried out whilst the property is void. Appropriate works will also be carried out (where needed) to improve the property energy efficiency and reduce the incidence of damp or mould in the future.
 - All properties where a mutual exchange is proposed must be inspected to identify if there are any visible signs of damp/mould and remedial works subsequently programmed for completion.

- 1.6. This policy will be reviewed and updated to ensure compliance with all current relevant statutory provisions and any subsequent amendments to legislation.

2. Scope

- 2.1. This policy sets out our approach on responding to and managing reports of damp and mould and applies to all properties where LCC has a repairing obligation.
- 2.2. This policy will comply with the landlord's responsibilities and obligations specified within the appropriate tenancy or leasehold agreement.
- 2.3. This policy will cover how LCC will respond to all reports of damp and mould. It is imperative that all staff involved in processing and undertaking repair requests have an awareness and understanding of both the landlord and tenant obligations specified within individual tenancy agreements
- 2.4. This policy will ensure there is a consistent, robust and methodical approach when responding to reports of damp and mould.
- 2.5. All reports of damp and mould will be created as a "case" that can be tracked and reported on at each stage of the specified process. We will ensure all tenants have access to and are offered detailed advice and guidance on how damp, mould and condensation can be controlled.
- 2.6. LCC will never assign blame or imply a tenant's "lifestyle" is responsible for the presence of damp and mould in their home. However, as detailed in 2.5 we will be clear in communicating any measures that could be taken by tenants to support resolving or preventing damp and mould.
- 2.7. LCC will adhere to a 6- stage process to record and monitor the progress of all damp and mould cases reported. The 6 stages are:-
 - Stage 1 – Registration of a case
 - Stage 2 – Acknowledgement to the tenant a case has been registered
 - Stage 3 – Inspection process
 - Stage 4 – Outcome of inspection and production of a customer report
 - Stage 5 – Undertaking and completion of works
 - Stage 6 – Post inspection regime and future monitoring
- 2.8 Further details relating to each stage will be outlined in this policy.

3. Definitions

- 3.1. **Damp:** is an excess of moisture that cannot escape from a structure, which can also go on to cause considerable damage to the building. There are several main causes of dampness in homes, each will require different solutions.
- 3.2. **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 the time. It can grow quickly on surfaces where dampness persists, or water has formed into a visible covering.

- 3.3. **Rising damp:** is water that rises through the fabric/brick walls of a building after being absorbed from the surrounding ground.
- 3.4. **Penetrating damp:** is when water penetrates the fabric of the building from the outside to the inside, for example because of a leaking overflow or blocked gutters.
- 3.5. **Condensation:** occurs when warm, moist air touches a cooler surface such as tiles, windows or walls. If left for a prolonged period, it can cause damp and/or mould. A ventilated and heated property and use of extractor fans can assist with preventing condensation from forming.
- 3.6. **Housing Health and Safety Rating System (HHSRS):** places a legal duty on landlords to assess and regularly review the condition of their properties to ensure they are safe and free from hazards. This includes issues relating to damp and mould.
- 3.7. **Awaab's Law:** Clause 42 of the Social Housing (Regulation) Act 2023 inserts into social housing tenancy agreements an implied term that will require social housing landlords to comply with new requirements to be detailed in secondary legislation (awaiting to be formalised).

4. Regulatory Standards, Legislation and Guidance

- 4.1 LCC must ensure it complies with a range of Legislative and Regulatory standards in particular the Regulator of Social Housing's Regulatory framework and consumer standards for social housing in England.
- 4.2 In addition, LCC must ensure it complies with:
 - Homes (Fitness for Human Habitation) Act 2018 – in particular, S9A which states a home “Is fit for human habitation at the time the tenancy is granted or otherwise created, including any common parts of the building” and “Remains fit for human habitation throughout the term of the tenancy”.
 - Safety and Quality Standard – April 2024
 - Social Housing (Regulations) Act 2023 – **Note Awaab's Law was introduced in July 2023 as part of this Act.**
 - Landlord and Tenant Act 1985 S11
 - Defective Premises Act 1972
 - Housing Act 2004 – **Housing Health and Safety Rating System (HHSRS)**
 - The Environmental Protection Act 1990
 - The Health and Safety Act 1974 and supporting codes of practice.
 - The Secure Tenants of Local Housing Authorities (Right To Repair) 1994
- 4.3 The principal guidance applicable to this policy is:
 - A Decent Home – The Decent Homes Standard requires homes to be in a reasonable state of repair, have reasonably modern facilities and services, and provide a reasonable degree of thermal comfort.
 - Safety and Quality Standard
 - HHSRS Guidance for Landlords and Property Related Professionals
 - Construction (Design and Management) Regulations 2015
- 4.4 LCC will publicise and promote this policy to ensure all tenants are encouraged to report any hazard that may impact on the enjoyment of their home.

5. Principles & Stage 1 & 2

Reporting Damp and mould

- 5.1. We will ensure that the process for reporting issues relating to damp and mould (and any other HHSRS issue) is simplified and easily accessible for tenants.
- 5.2. If there are any vulnerability or medical issues of a household member these will be prioritised when determining the timescale for the appropriate (or escalated) response required.
- 5.3. Vulnerability issues will include any known allergies, asthma, cardiovascular disease, COPD, Cystic Fibrosis, mental health condition, other lung diseases or weakened immune system.
- 5.4. Tenants or their representatives can report repairs using a range of options including phone (to the Customer Services Team) e-mail, on-line, direct to a member of staff or contractor working in a tenant's home.
- 5.5. With the exception of tenants contacting the Customer Services team direct, (or whilst staff/contractors are in the home) all other options utilised to report damp, or mould will require a call back to the tenant. This is to ensure all factors relating to occupiers (vulnerability or medical) of the household are captured. This will ensure there is a consistent approach to recording and dealing with all reports of damp and mould. Further, it will also ensure that priority is accorded for responding to members of households who are likely to be more impacted by the prevalence of damp or mould
- 5.6. Ideally the recommended option is for tenants to contact Customers Services direct to ensure as much information as possible can be captured during a telephone conversation with a trained member of our Customer Services Team. The conversation with the tenant or representative will involve capturing the following under **Stage 1 and 2** of the overall process:-
 - Confirmation of preferred contact number or e-mail address.
 - Home address where damp/mould is present.
 - Check to confirm if an existing problem or not over the previous 12 months.
 - Details of the problem and location within the home
 - Vulnerabilities and/or medical factors that may be impacted by the presence of damp or mould.
 - Agreeing an appointment date/time to undertake a pre-inspection or to arrange emergency repair(s).
 - Selecting an inspection slot from the appointment diary
 - Confirming the appointment by text message or e-mail – if neither option available, by letter.
 - All relevant details will be captured on a bespoke on-line Granicus form that will be emailed to the RMS Damp & mould inbox and a case created on the damp and mould tracker. Further information regarding the tracker is detailed in this policy Section 10.
- 5.7. All details captured by Customers Services on the “Damp and Mould” Granicus form will be uploaded to the appropriate property record on the NECDM system.

- 5.8. Depending on the responses to the questions detailed on the Granicus form these will determine the response time for a pre-inspection, emergency repair(s) or an urgent move to temporary accommodation.
- 5.9. The Granicus form has been designed to apply “weighting” to responses to ensure priority is given to those reports of damp and mould which are likely to have the greatest impact on household members. Customer Services Staff completing the Granicus form have no influence over the “weighting” and this contributes towards a consistent and fair approach when dealing with reports.
- 5.10. The Granicus form will be e-mailed to the RMS Damp & mould in-box, and relevant details transferred to the damp and mould tracker. A “case” will be created on the tracker. To ensure we continually improve the process it is anticipated that the Customer Services Team will (by March 2025) be able to input details direct into the tracker at “point of call”. This will be determined on the basis that the current “tracker” remains Fit for Purpose.
- 5.11. Appointments for **Stage 3** of the process will be determined following completion of the Granicus “Damp and Mould” form. This may determine that emergency repairs will be required, and these will be arranged for completion within 24 hours. Appointments for an inspection will be mutually agreed with the tenant and arranged to be undertaken within 3, 5 or 7 working days.
- 5.12. In the event of “Eyes and Ears” (this statement refers to any member of Council Housing staff undertaking a home visit for whatever purpose) or a contractor identifies the presence of damp or mould whilst in a tenant’s home, the Customer Services Team will be contacted. The tenant will then follow the same process as outlined. Where possible we should not rely on the tenant to contact the Customer Services team when a member of staff or contractor have left their home.
- 5.13. LCC will explore and implement a range of initiatives enabling tenants to report the presence of damp/mould “on-line” and provide the option to also arrange an appointment for an inspection.

6. Stage 3 – Inspection process

Responding to reports of damp, mould or condensation / or other HHSRS hazards–

- 6.1. Lancaster City Council will ensure it fully complies with all Government Directives/changes in legislation, Housing Ombudsman recommendations, and the Regulator of Social housing with regards to timescales to pre-inspect and undertake any remedial works.
- 6.2. In particular, Awaab’s Law which was initially introduced in the Social Housing Regulation Act 2023 and will require all registered providers of social housing to investigate and fix reported health hazards within specified timescales.
- 6.3. A minimum of 2 attempts will be made to gain access within 14 days of the initial report of damp/mould. In the event access has not been gained within 14 days attempts should continue

to engage with the tenant to arrange access. A case will not be cancelled if access can not be gained. It is essential all attempts to engage with a tenant is evidence and captured in the damp/mould tracker. If a third attempt has failed to gain access a case should be escalated to Housing Management for additional support/attempts to gain access. Legal interventions will be progressed if access can not still be gained.

- 6.4. A home visit to undertake a pre-inspection will be carried out within 3, 5 or 7 working days and confirmed by text message when originally reported to the Customer Services team. Response times are determined upon completion of the Granicus "Damp and Mould" form at Stage 1 and 2 of the process.
- 6.5. All Repairs & Maintenance Services (RMS) staff or specialist surveyors and contractors undertaking inspections to identify and remedy damp or mould in a home will have the skills, knowledge and appropriate qualifications to do so. Where additional skills, training or qualifications are required for RMS staff to demonstrate sufficient competency these will be undertaken within 12 months of this policy implementation date.
- 6.6. An initial pre-inspection will be undertaken by the RMS Maintenance Inspector. It may be subsequently determined that an external surveying specialist is required to support the diagnosis of cause/remedial works needed.
- 6.7. Following confirmation of an appointment by text message, e-mail or letter further advice will be available for tenants/occupiers by selecting a link within the body of a message. Providing the advice is followed, it will facilitate a full inspection of the affected area and property (internally and externally). This may involve furniture and personal belongings being moved to the centre of a room or other room.
- 6.8. The inspection process will involve both visual and use of specialist damp meter detection equipment. Meter readings will not be the sole factor taken into consideration when assessing if damp or mould is present in a property. Images may also be captured of affected areas and will provide supporting evidence of before/after remedial works have been undertaken.
- 6.9. All details relevant to the pre-inspection will be captured by the RMS Maintenance Inspector using an on-line survey form. Information collated will form the basis of a report which will be provided to the tenant/occupier following the pre-inspection.
- 6.10. The purpose of the inspection process is to determine the root cause of damp or mould growth. If it is determined the root cause is damp a schedule of remedial works will be prepared. However, if the root cause is determined to be condensation and no remedial works are required to remedy the problem, appropriate advice, guidance and information leaflets will be provided.
- 6.11. Where appropriate, "signposting" will be provided for further information, and the tenant may obtain further advice and support from the Council Housing Energy Support Officer.
- 6.12. If following the inspection process major/intrusive remedial works are required, that may necessitate a temporary move to suitable alternative accommodation to enable works to be undertaken safely, appropriate RMS staff will liaise with the Void Co-ordinator to source a

temporary or permanent move. This will depend on the urgency and severity of the damp and mould present in the current property and its impact on household members vulnerability.

- 6.13. All Pre-inspections/surveys will be assessed against the HHSRS and will be given a Category 1 (Severe), Category 2 (Moderate) or typical rating.
- 6.14. All void properties will be inspected to ensure any visible signs of damp or mould requiring remedial works are undertaken during the period the property is void. All voids handed back for letting purposes will be post inspected and signed documentation provided detailing the property is free of damp or mould at that point in time.

7. Stage 4 - Outcome of inspection and production of a report

- 7.1. Complex cases which may involve significant remedial works may require temporary rehousing to enable works to be undertaken. The RMS Maintenance Inspector will complete the temporary rehousing form and liaise with the Council Housing Void Co-ordinator regarding the estimated timescale for completion of works, the type of accommodation required, location and family composition.
- 7.2. Financial assistance will be provided where appropriate and in accordance with the temporary rehousing process.
- 7.3. If the outcome of the pre-inspection determines no remedial works are required (condensation is apparent) the tenant/ occupier must be informed by the RMS Maintenance Inspector. Any appropriate advice must be provided relating to heating and ventilating the home in addition to providing information leaflets (how to reduce condensation in the home).
- 7.4. If the tenant is concerned about heating costs and their ability to pay fuel bills the RMS Maintenance Inspector (with the tenant's agreement) will make a referral to the Council Housing Energy Support Officer.
- 7.5. Within 3 days of an inspection a tenant will be provided with a report which will detail the outcome. This report will include details relating to:-
 - Who undertook the inspection – name, job title and relevant qualifications
 - Date of the inspection
 - The underlying cause(s) of the defect resulting in damp/mould
 - Proposed works to remove an immediate hazard (mould)
 - Details of any works that may be programmed for completion at a date to be confirmed
 - Where possible a date/time when works will be undertaken to remove the immediate hazard. This information may be provided to the tenant by way of a further communication as it will be dependant of the availability/suitability of resources who will undertake remedial works.
- 7.6. The report will be provided to the tenant where appropriate via e-mail or posted/hand delivered within 48 hours of the inspection taking place. LCC will explore a range of options to ideally provide the inspection report in a digitalised format which will be capable of being printed whilst the RMS Maintenance Inspector is in the property.

- 7.7. Images of affected areas requiring works/property condition will be captured during the inspection process. These images will support not only the identification of the potential causes of damp/mould but also provide usual evidence relating to before/after remedial works.
- 7.8. All inspection reports and images will be uploaded to NECDM for a particular property and the damp/mould tracker updated to record the date of inspection and remedial works required.

8. Stage 5 – Undertaking & completion of works

- 8.1. The immediate priority will be to remove any hazard that poses a risk to the health and safety of occupiers in a property.
- 8.2. Typically, this may include the wash down/removal of mould growth, treatment and redecoration works to a single or several rooms within a property. This approach will ensure any mould spores likely to impact on the health and wellbeing of occupiers is removed as a priority. This work may also be supplemented by additional measures to control the growth of mould spores and damage to décor. These works may include the installation of whole house ventilation systems (Positive Input Ventilation Units – PIVs) which are installed to improve air quality and reduce condensation.
- 8.3. The underlying cause leading to mould growth will require additional works to be undertaken and programmed for completion. These works may include for example the installation of a partial or full Damp Proof Course (DPC) underfloor damp proofing, wall/ceiling insulation and heating installation works. In most cases these works will be programmed to be undertaken on a planned maintenance basis in accordance with timescales detailed in the Repairs and Maintenance policy.
- 8.4. Further to the inspection report provided to the tenant works may be phased to minimise inconvenience for occupiers. The key action under this policy is to ensure any hazard that poses a risk to occupiers is responded to within 21 working days of the initial report of damp/mould. All remedial works should be considered on the basis that “one size does not suit all” – this means a different approach to resolving issues will have to be considered on a case-by-case basis and should avoid trying one option to see if it works before trying the next option. It may be appropriate that a combination of measures and not a singular approach may be required to resolve the underlying issue.
- 8.5. It is imperative that tenants are kept fully informed on the proposed actions and timescales for completion of the works that is considered to be the underlying cause of damp/mould. In the event the medical/vulnerability of an occupier changes planned works will be escalated and brought forward to minimise the impact.
- 8.6. Prior to any works commencing in a property the Asbestos Register must be checked and surveys commissioned where required. The time taken for commissioning asbestos surveys should be factored into the overall time to complete works (ie 21 days from initial report).

- 8.7. Any works undertaken by specialist contractors should be free of defects and where appropriate formal written guarantees should be provided. Only contractors who can demonstrate they have the competency, skills/knowledge and capacity to undertake works should be appointed. Evidence demonstrating competency will be requested from contractors prior to obtaining quotes/estimates for works.
- 8.8. No contractor is to be issued with any works relating to damp/mould unless they have the capacity to complete within the prescribed timescale for works.

9. Stage 6 – Post inspection of works & monitoring

- 9.1. Where possible all works are to be post inspected upon completion. This is to ensure the works specified have been undertaken correctly and to the required standard.
- 9.2. Any works completed by sub-contractors must be post inspected prior to submission of invoice for payment.
- 9.3. Any works completed by sub-contractors or RMS will require the tenant to be visited/contacted (by RMS) to ensure the works have been completed to the satisfaction of the tenant.
- 9.4. Depending on the remedial work undertaken a monitoring regime will be implemented. This may include a visit to the property by the Maintenance Inspector on a frequency of 3, 6, 9 or 12 months. Some works may require an annual check (eg installation of a PIV) to ensure the unit is actually being utilised and all visible signs of damp/mould are no longer apparent.
- 9.5. More substantial works will require frequent visits to ensure that the works undertaken have resolved the underlying cause of damp/mould (eg installation of a DPC).
- 9.6. All completion dates, post inspection visits and monitoring visits/phone calls are to be captured in the damp and mould tracker.

10. Tracker & performance management

- 10.1. A nominated member of RMS will be the “Gatekeeper” for capturing all relevant data in the damp/mould tracker.
- 10.2. The tracker will detail all activity relating to the progress of a case at each point in the 6 -stage process and must be updated on a daily basis.
- 10.3. An end of month dashboard will be produced based on data in the tracker. The dashboard will be circulated to a range of Senior Housing Managers and Chief Officer (Housing and Property). The dashboard will detail monthly and cumulative figures. Any issues of concern will be discussed/considered by this group and may be escalated.

- 10.4. In the event of issues impacting on performance, compliance with this policy or legislative requirements these will be escalated to the Chief Officer (Housing and Property) SLT (Senior Leadership Team) and Cabinet. Typically, such events may include staff shortages, availability of contractors or materials – each have the potential to impact on overall performance and corrective actions may need to be implemented.

11. Advice and Information

- 11.1. A range of advisory leaflets and web-based information will be available for tenants. This guidance will assist tenants to recognise signs of dampness, mould or condensation and what actions they could take to reduce/minimise and how to heat/ventilate their homes.
- 11.2. Additional support for tenants relating to affordability, heating homes and reducing energy bills can be obtained from the Council Energy Support Officer.

12. Review of this policy

- 12.1. This policy will be reviewed/aligned to reflect any explicit requirements when Awaab's Law (or other relevant changes to existing legislation or Regulatory requirements) becomes statute law (Autumn 2025).