



# DAMP, MOULD AND CONDENSATION POLICY FOR COUNCIL TENANTED PROPERTIES

This Damp, Mould and Condensation Policy sets out how Dartford Borough Council will address and respond to reports of damp, mould and condensation in Council properties.

2023

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## 1. INTRODUCTION

- 1.1. This Damp, Mould and Condensation Policy ('the Policy') sets out how Dartford Borough Council ('the Council') will address and respond to reports of damp, mould and condensation in council properties.
- 1.2. The Council recognises the importance of addressing the problems damp and mould can cause and of having preventative measures in place to tackle and reduce issues surrounding condensation in its properties.
- 1.3. The Council treats all reports of damp and mould seriously and understands the health implications it may have. This includes respiratory problems or other conditions that impact on the immune system.<sup>1</sup> It may also have an impact on mental health if left untreated.
- 1.4. A recent [Housing Ombudsman spotlight report on damp and mould](#) (October 2021) highlighted the seriousness of dealing effectively with damp and mould in properties, following a high number of complaints from tenants that certain landlords did not act appropriately to deal with these issues.
- 1.5. Although the Council has always been committed to tackling damp and mould in its properties, this policy has been developed to specifically address the problems associated with damp and mould highlighted in the Ombudsman's report to cover each area where the Council as a landlord may be required to act. This includes any proactive interventions, the approach to diagnosis, actions considered appropriate in different circumstances, effective communication and aftercare.

## 2. AIMS AND OBJECTIVES

- 2.1. The key aim of this policy is to raise awareness of the issues surrounding damp, mould and condensation and to set out the Council's pro-active approach to addressing and resolving reports in its properties.
- 2.2. The key objectives for the Council are:
  - To take a zero-tolerance approach to damp and mould
  - To raise awareness of landlord and tenant responsibilities on damp and mould
  - To provide and maintain dry, warm and healthy homes for all tenants and reducing the number of homes with damp and mould
  - To ensure responsive repairs to alleviate damp (for example work to guttering and drains, replacing tiles etc.) are carried out as quickly and efficiently as possible to minimise damage to the structure, fixtures and fittings of the property

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<sup>1</sup> Text taken from <https://www.nhs.uk/common-health-questions/lifestyle/can-damp-and-mould-affect-my-health/>

- To ensure the fabric of properties are protected from deterioration and damage resulting from damp and mould
- To work in partnership with tenants to resolve the issues of damp and mould in their homes. This will include providing tenants with information, materials and support to prevent and help them reduce condensation in their homes
- To reduce the number of complaints and disrepair claims regarding damp and mould
- To ensure the service provided is accessible to all so everyone can easily report damp and mould
- To ensure all tenants are treated in a fair, respectful, empathetic and consistent way

### 3. STRATEGIC CONTEXT

3.1. This Policy and its delivery is intended to be compatible with the following council policies and documents:

- Tenancy Agreement – a contract between a tenant and landlord setting out the legal terms and conditions of the tenancy.
- [Repairs and Maintenance Policy](#) – sets out how the Council will provide a repairs service to tenants. The Policy also sets out the tenants responsibilities for maintaining their home.
- [Vulnerable Adults' Housing Policy](#) – sets out how vulnerable adults, who access the Housing Service, are supported, signposted and referred to other organisations, when they require additional support.
- [Corporate Plan](#) – sets out the strategic direction the Council will take in relation to its powers, functions and responsibilities. The Plan includes a strategic aim to 'facilitate quality, choice and diversity in the housing market, assist in meeting housing need in Dartford and deliver high quality services to service users'.
- [Equality and Diversity Document Framework](#) – sets out how the Council will meet the Public Sector Equality Duty under the Equality Act 2010.
- [Whistleblowing Policy and Procedure](#) – sets out how the Council and its employees should raise serious concerns of improper activity about any aspect of service provision across the Council.
- [Safeguarding Policy](#) – sets out the Council's commitment to safeguard and promote the welfare of children and adults who come into contact with its services and activities.

3.2. This Policy and its delivery is also intended to be compatible with the following legislation:

- **Landlord and Tenant Act 1985, Section 11** – the Council is required to carry out repairs as required to maintain homes. The Council will respond to and carry out repairs which are required to fix damp and mould.
- **Housing Act 2004, Housing Health and Safety Rating System (HHSRS)** – this system is used by local authorities to assess the condition of its stock and to ensure its housing meets the Decent Homes Standard.

- **Housing Act 2004 Part 1** – the Council must take into account the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions.
- **Social Housing (Regulation) Act 2023** – the Council must fix reported health and safety hazards, including damp and mould, within a strict timeframe.
- **Environmental Protection Act 1990** – states that when the condition of a property causes someone to become ill or a sick person to deteriorate, the courts will normally be satisfied that it is prejudicial to health. Damp and mould are defects which are considered prejudicial to health.
- **Defective Premises Act 1972** – the Council has a duty of care to carry out repairs, ensuring that all individuals who could be affected by relevant defects are reasonably safe from personal injury or damage to their property resulting from defects.
- **Home Standard (part of the Regulatory Standards)** – registered providers should provide a cost-effective repairs and maintenance service and meet all applicable statutory requirements that provide for the health and safety of all occupants.
- **Children Act 2004, Section 11** – the Council has a duty to have regard to the need to safeguard and promote the welfare of children.

## 4. CAUSES OF CONDENSATION, DAMP AND MOULD

- 4.1. Condensation occurs when the moisture in the air gets cooler and tiny water droplets appear on surfaces. If left untreated, mould will begin to grow.
- 4.2. Causes of condensation may be due to:
  - Excess Humidity – for example, pans do not have lids on when cooking and drying washing inside the property without adequate ventilation
  - Ventilation – for example, windows are not opened, trickle vents are closed, extractor fans are not used, furniture is placed too close to external walls
  - Inadequate heating
  - Defective insulation i.e. dislodged insulation in lofts
  - Overcrowding
- 4.3. Mould is a natural organic compound that develops in damp conditions and will grow on damp surfaces. This is often noticeable and present in situations where condensation is present.
- 4.4. Damp occurs when a fault in the building's basic structure lets in water from outside. As well as damp created by condensation, there are two further types of damp:
  - **Rising damp** – This occurs if there is a problem with the damp proof course. This is a barrier built into floors and walls to stop moisture rising through the house from the ground. The usual evidence of rising damp is

a 'tide mark' on the walls that shows how high it has risen and sometimes an accompanying musty smell.

- **Penetrating damp** – This occurs if water is coming in through the walls or roof, or through cracks. It can be identified by a discolouration of internal walls or ceilings, the presence of tidemarks, blown or blistered plaster and rusted nails in skirting boards and floor timbers.

#### 4.5. Causes of penetrating damp may be due to:

- Defective components – for example, external wall doors and windows, roof coverings
- Defective or blocked rainwater gutter and pipes
- Defective or leaking internal waste pipes, hot and cold water and heating systems
- Water ingress through brickwork, leaks or defective design of the structure
- Flooding – for example, due to burst pipes

#### 4.6. Cold Bridging

A cold bridge is an area of the home which has a significantly higher heat transfer than the surrounding area. This is typically where there is either a break in the insulation, less insulation or the insulation is penetrated by an element with a higher thermal conductivity. During colder periods this can result in additional heat loss at these points. Further, there is a greater risk of condensation forming, which can lead to mould growth. Below is a list of areas, where commonly cold bridging can occur:

- Window and door openings
- Lintels
- Cavity Walls
- Floors
- Flat roofs
- Pitched roofs

In many cases, the cold bridge has been in situ since the construction of the building. Where possible, the Council will look to reduce the impact of these cold bridges during planned maintenance works, e.g. installation of new roofs (and see Section 5).

## 5. COUNCIL RESPONSIBILITIES

### 5.1. The Council continues to coordinate a range of planned works to help reduce the risk of damp and mould and the likelihood of condensation occurring. This work may include:

- Improve insulation both internally and externally
- Upgrade/Installation of mechanical extracts with humidistat control

- Upgrade/Installation of wet/dry heating system
- External Wall Insulation
- Replacement Roofs with breathable felt
- Replacement Windows
- Other energy efficiency improvements to maintain the Government's Decent Homes Standard (see <https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>.) This Standard is currently being reviewed by government.

5.2. The Council is responsible for maintaining the structure of its properties to avoid penetrating and rising damp or carry out remedial action if these do occur.

5.3. The Council will effectively diagnose and evaluate what measures it can put in place to support tenants in cases where structural/repairs interventions are not appropriate.

## **6. AWAAB'S LAW**

6.1. The introduction of Awaab's Law through the Social Housing (Regulation) Act 2023 will be taken into account by the Council as part of its responsibilities in reducing the risk of damp and mould.

6.2. Awaab's Law requires social housing landlords to fix reported health and safety hazards within a strict timeframe, including taking immediate action on dangerous damp and mould in tenant's properties, or rehousing tenants where a home cannot be made safe.

6.3. The details of the requirements to be introduced through Awaab's Law and the timeframes for which landlords are required to investigate hazards and make repairs are yet to be set. The Council will ensure that all guidance is followed and the timeframes introduced as part of Awaab's Law are adhered to.

## **7. TENANT RESPONSIBILITIES**

7.1. To prevent and reduce any conditions that can lead to condensation and damp/mould. This includes:

- Managing humidity levels in the home and maintaining a healthy humidity level. Most homes will have a humidity level of around 40-60%. This can be achieved by keeping levels of moisture to a minimum for example, covering pans when cooking, drying washing outside and keeping the kitchen or bathroom door closed when cooking or bathing.
- Adequately heating rooms – ideally between 18C and 21C.
- Keeping the property well ventilated, for example, opening windows when cooking or bathing, turning on and ensuring that the extractor fan is working, keeping trickle vents in windows open, and allowing air to circulate around furniture.

- 7.2. To report any repairs for which the Council is responsible, such as repairs which need to be carried out to eliminate damp and mould in their home (see section 7).
- 7.3. To report issues of damp, mould and condensation to the Council, including faulty equipment that will hamper the management and control of damp, mould and condensation (see Section 7).
- 7.4. Follow all advice and guidance issued by the Council on managing and controlling damp, mould and condensation. The advice and guidance can be found [here](#).

## **8. HOW TO REPORT DAMP AND MOULD**

- 8.1. If damp and mould is visible, tenants should report this **as soon as possible** by telephoning 01322 343800 or by emailing [repairs@dartford.gov.uk](mailto:repairs@dartford.gov.uk)
- 8.2. If a damp or mould issue is reported to the Council a pre inspection of the property will be arranged to diagnose the cause of the issue. The Council may also arrange for a mould wash kit to be delivered. A detailed damp and mould procedure will be also developed, alongside this Policy, to set out fully how the Council will respond to these issues at an operational level.

## **9. REDUCING AND TREATING CONDENSATION**

- 9.1. Tenants can take a number of steps to prevent and reduce condensation building up in their homes, such as keeping all rooms ventilated by opening windows slightly and maintaining a low background heating of around 16-17C in cold weather. More information on preventing condensation can be found [here](#).
- 9.2. During the pre-inspection, the Council's trained technical staff will provide room by room advice and guidance on how to reduce the risks associated with mould growth.
- 9.3. The Council will monitor homes that suffer from condensation and will contact affected tenants during the summer months to determine if the condensation issue still exists.
- 9.4. Where mould has grown, caused by condensation, the Council will provide tenants with mould wash kits to clean the area. Where tenants may need assistance to carry out this task because of, for example, age or disability the Council will instruct its contractor to complete the mould wash for them.

## **10. COMPLAINTS**

- 10.1. If tenants are not satisfied with the service they have received, the Council's [Corporate Complaints Procedure](#) can be followed. Complaints leaflets are also available from the Council offices.

- 10.2. The [Housing Ombudsman](#) can be contacted if further advice and support is needed on making a complaint to the Council.

## **11. DATA PROTECTION**

- 11.1. The UK GDPR and the Data Protection Act 2018 regulate the processing of information relating to individuals, which includes the obtaining, holding, using or disclosing of such information.
- 11.2. The Council needs to collect and use certain types of information about its tenants in order to carry out its everyday business and to fulfil its objectives and its statutory functions.
- 11.3. The Council's:
- [Data Protection Policy](#) sets out how it will protect special category and criminal convictions personal data;
  - [Housing Services \(Landlord and Tenant\) Privacy Notice](#) explains that the Council collects personal information to administer its housing (landlord and tenant) services.

## **12. EQUALITY AND DIVERSITY**

- 12.1. The Council is committed to welcoming and valuing diversity, promoting equality of opportunity and tackling unlawful discrimination in accordance with the Equality Act 2010. The Council, in delivering this Policy, will have regard to the Public Sector Equality Duty and ensure that no individual is discriminated against based on their sex, sexual orientation, marital status, pregnancy and maternity, gender reassignment, race, religion, belief, disability or age.
- 12.2. The Public Sector Equality Duty is a duty on the Council and that responsibility cannot be delegated to a contractor/service provider and is a continuing duty.
- 12.3. This Damp, Mould and Condensation Policy has been subject to a Customer Access Review, to assess the impact it will have on equality. The review found that the policy provides a transparent, proportionate, fair and consistent approach to ensure that condensation, damp and mould can be effectively managed and controlled. The Customer Access Review can be viewed [here](#).

## **13. MONITORING AND REVIEW**

- 13.1. The Council will continue to monitor the number of condensation related complaints received and number of repairs carried out to fix the issues that are causing damp and mould.
- 13.2. This policy will be reviewed every three years, or sooner, in the event of major legislative or operational changes.

If you or anybody you know requires this or any other council information in another language, please contact us and we will do our best to provide this for you. Braille, Audio tape and large print versions of this document are available upon request.



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