

Housing and Communities Overview and Scrutiny Panel – 22 January 2025

Condensation, Damp and Mould Policy for Housing (Landlord Services)

Purpose	For Review
Classification	Public
Executive Summary	This report introduces a new Condensation, Damp, and Mould Policy for Housing (Landlord Services), which details how Tenant reports of damp, mould or condensation will be managed, and the maintenance of the Council's Housing stock to prevent and react to such issues. The new proposed Policy is attached at Appendix 1.
Recommendation(s)	That the Panel consider the proposed Condensation, Damp, and Mould Policy and make recommendations to the Portfolio Holder for Housing and Homelessness.
Reasons for recommendation(s)	The Council is committed to providing an effective and compliant maintenance service in response to its statutory responsibilities, ensuring our homes are safe, warm, and decent, protect the value of our housing stock and provide high levels of tenant satisfaction.
Ward(s)	All
Portfolio Holder(s)	Cllr Steve Davies – Housing and Homelessness
Strategic Director(s)	Richard Knott – Housing and Communities
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Introduction and background

1. This report deals with the maintenance of the Council's housing stock and introduces a new Condensation, Damp, and Mould Policy for Housing (Landlord Services).
2. The new social housing regulatory regime, implemented through the Social Housing Residents' Charter, the introduction of Tenant Satisfaction Measures (TSMs), the new Social Housing Regulation Act 2023 and new Consumer Standards, places greater emphasis on tenant safety, and brought about a range of new significant measures to improve the services provided to tenants by registered providers. All registered providers now report annually to the Regulator of Social Housing on a wide range of matters, including performance with statutory compliance measures.
3. The Housing Maintenance Teams, operate under a suite of policies covering the core statutory compliance areas as follows:-
 - HLSPOL01 Fire Safety
 - HLSPOL02 Gas Safety
 - HLSPOL03 Legionella
 - HLSPOL04 Lifts and Lifting Equipment
 - HLSPOL05 Maintenance and Repairs
 - HLSPOL06 Playground and Play Equipment
 - HLSPOL07 Electrical Safety
 - HLSPOL08 Void and Mutual Exchange
 - HLSPOL09 Control of Asbestos
 - HLSPOL10 Control of Contractors
 - HLSPOL11 Mobility Scooters

Damp, Mould and Disrepair

4. The Housing Ombudsman Service published its Spotlight Report on damp and mould in October 2021 following the death of Awaab Ishak and sent an open letter to all member landlords on 29 November 2022. A further Spotlight Report was published in February 2023, alongside guidance on Pre-Action Protocol for Housing Conditions Claims and service complaints.
5. Awaab's Law forms part of the government's White Paper pledge to reduce non-decency in rented homes by 50% by 2030. Awaab's Law entered its national consultation phase on 9 January 2024 for 8 weeks and the outcome of which will help shape a level playing field on response standards for all disrepair within the housing sector.

6. The key proposals set out within the consultation include:-
 - a) Timescales for initial investigations of potential hazards (*within 14 calendar days*);
 - b) Requirements to be placed upon landlords to provide written summaries of investigation findings (*within 48 hours of investigation*);
 - c) Timescales for beginning repair works (*within 7 days of written summary being issued, where a hazard poses a significant risk to the health and safety of the resident*);
 - d) Timescales for completing repair works (*within a reasonable period – meaning repairs are not unreasonably delayed and evidence provided where delays to repairs are necessary*);
 - e) Timescales for emergency repairs (*within 24 hours*);
 - f) The circumstances under which properties should be temporarily decanted to protect residents' health and safety (*hazard that poses a significant and imminent, risk of harm or danger, and the property cannot be made safe within the specified timescales*); and
 - g) Requirements to be placed upon landlords to maintain adequate record keeping throughout repair works.
7. The Council is committed to providing safe, secure, and comfortable homes for all our Housing tenants and recognises that damp caused by defect, or unmanaged excessive condensation can lead to subsequential mould growth, and the impact this has on health and wellbeing.
8. Whilst the Council awaits the outcome of the government's consultation, the repair response periods set out within the proposed Policy align with our current reactive maintenance response categories set out below, which are not too dissimilar to those proposed in the consultation and will be kept under review.

Category	Target	Response
E	3 hours	Emergency Response to make safe/temporary repair only
U	24 hours	Urgent Prevent suffering undue inconvenience or further damage to property
P	5 working days	Priority These are repairs that may affect the comfort of residents and likely to cause damage to the property if not carried out as a priority
R	20 working days	Routine Includes all other minor repairs
PW	90 working days	Programmed Works Major items of replacement or requiring weather or safety dependent work planning

9. In the 12-month period commencing Autumn 2022, the Housing Service received 546 reports of damp/mould, and in the current 12-month period commencing Autumn 2023, a further 400 have been received.
10. Over the past 18 months, significant effort has been made to tackle reports of damp and mould, with new procedures already implemented which respond effectively to the initial report, cause identification, resulting repairs and where necessary, delivery of new preventative educational guidance and ongoing support to our tenants. This has included initial commissioned specialist cleaning services.
11. The key processing activities in our effort to tackle reports of damp and mould are set out below: -
 - a) Customer Contact Triage Workflow;
 - b) Triage Risk Matrix to determine response priority;
 - c) Triage script;
 - d) Website MS Form for e-reporting;
 - e) Automated email responses built into Touchpoint for Customer Services;
 - f) Training for key staff in damp and mould identification and prevention and regular topic feature in staff briefings and team meetings;
 - g) Database to record, track, and monitor outcomes of reports and insight on repeat reporters;

- h) Use of independent professionals when warranted in complex cases.

Resident support

- 12. The Council's Housing Service have published damp, mould, and condensation guidance documents to support council tenants spot the early signs of damp and mould and how to reduce and manage problems caused by condensation in their home.
- 13. Information for residents is available in digital format on our dedicated damp, mould, and condensation web pages, or hard copy to support our tenants' preferences and included within property packs for all new tenancies.
- 14. Our Tenants can report concerns regarding damp, mould, or disrepair in a number of ways, including via telephone, email or online via our damp and mould report questionnaire e-form. More information can be found here:-
 - a) [Damp, mould, and condensation - New Forest District Council](#)
 - b) [Condensation, Damp, and Mould Guide](#)
 - c) [Managing moisture in your home guide](#)
 - d) [Damp and mould report questionnaire](#)
- 15. It will be the case that some reports of mould will not be due to a property defect. After a review, and this is the case, our Officers are trained to provide support to help the household reduce condensation in the home. A range of external resources to support tenants are also signposted within the Policy at Annex 6.

Corporate plan priorities

- 16. The Council is committed to its legal and moral obligations as a Landlord of social housing. Everyone is vulnerable to the health impacts of damp and mould and every Tenant has the right to a warm, secure, and decent home and to be treated with dignity and fairness.
- 17. This Policy supports the Council's Corporate Plan themes of People and Future New Forest objectives in helping those in our communities with the greatest need, meeting housing needs, being financially responsible and designing modern and innovative services to empower our residents to live healthy, connected and fulfilling lives.

Consultation undertaken

18. Consultation has taken place with a wide range of housing officers, including the tenant engagement team, in shaping the new Condensation, Damp, and Mould Policy. Consideration has been given to national best practice, Ombudsman reports, Regulatory Notices, and the learning from 2 years of reports and response.
19. The Tenant Involvement Group have received regular service updates on our approach in dealing with reports of damp and mould, and in shaping our tenant guides and content published in Hometalk. The Policy was presented to the Tenant Involvement Group on 9 December 2024 and received positive feedback.
20. Following Panel Members consideration it is intended that the new Condensation, Damp, and Mould Policy for Housing (Landlord Services) is formally adopted thereafter by Portfolio Holder for Housing and Homelessness Decision.

Financial and resource implications

21. An annual budget funded by the HRA is required to support this policy and this will be agreed as part of the Council's annual budget setting process.
22. There is a need to ensure that appropriate resources are in place as the death of Awaab Ishak demonstrates the severity of the issue if it is not properly managed. The Council has already put in place additional resources to bring about improvements and strengthen the Council's approach to disrepair reports via a dedicated task force of customer services triage lead, inspector, and trade responders.

Legal implications

23. Awaab's Law entered the statute book through Clause 42 of the Social Housing (Regulation) Act in July 2023. Awaab's Law effectively inserts into social housing tenancy agreements a term (called an implied term) that will require landlords to comply with new requirements, to be set in detail through secondary legislation. This means all registered providers of social housing will have to meet these requirements and, if they fail to do so, tenants will be able to hold their landlords to account by taking legal action through the courts for a breach of contract.
24. The Council's complaints procedure aligns with the Housing Ombudsman's Complaint Handling Code, meaning we are able to deal with Pre-Action Protocol letters alleging disrepair through the complaints process. Pre-Action Protocol rules govern the conduct of

the parties and what steps should be taken before issuing a claim. This process will support Tenants to resolve issues raised quickly and effectively and will mitigate the risk of litigation and unreasonable costs claims.

Risk assessment

25. The new policy recognises and acknowledges the serious impact damp and mould can have on people, both physically and mentally, and seeks to remedy this at the earliest opportunity.
26. Certain individuals may be at increased risk of the health impacts of damp and mould exposure, and through our health needs risk-based approach we will identify and prioritise those individuals most at risk and prioritise our resources to respond accordingly.
27. The Council foster a collaborative partnership culture to support our tenants and seek to resolve issues raised swiftly. This collaboration supports our tenant engagement strategic priorities of '**listening to our tenants**', '**putting tenants first**', '**knowing our tenants**', and '**how we communicate with tenants**', to ensure everything we aim to achieve is supported by the tenants' voice, and those who will implement the actions.
28. In certain limited circumstances, it will not be possible for the Council to meet the timescales set out within the new policy for reasons beyond our control, but we will take all reasonable steps to do so.

Environmental / Climate and nature implications

29. The Council will implement data collection and insight measures, making every contact count to assist with informing us of the possible risks to our properties so that we can undertake proactive measures and prevent repeated visits or reparation work.
30. In certain cases, we will seek to install environmental sensors within our properties to monitor and provide actionable insights into indoor environmental conditions, providing real-time data for analysis and decision-making for improving energy efficiency.

Equalities implications

31. The new policy recognises and acknowledges the serious impact damp and mould can have on people, both physically and mentally, and seeks to remedy this at the earliest opportunity.

32. Certain individuals may be at increased risk of the health impacts of damp and mould exposure. This could be due to health-related or age-related vulnerabilities, or because they are less able to report and act on guidance related to damp and mould or fall with groups that are more likely to live in a home with damp and mould.
33. While damp and mould poses a risk to anyone's health and should always be acted on quickly, it is particularly important that damp and mould is addressed with urgency for those more vulnerable to significant health impacts. The new policy sets out the Council's approach to identify vulnerable residents, in order to prioritise our response within our available resources.

Crime and disorder implications

34. There are no crime and disorder implications arising directly from this report.

Data protection / Information governance / ICT implications

35. The Council will respond proactively, sensitively and with urgency when engaging with residents following a report of damp, or mould, to identify the severity and potential risk posed to tenants.
36. The Council will not place any requirement on residents who are suffering from health conditions to seek and share evidence from a regulated healthcare professional.

Conclusion

37. The new Condensation, Damp, and Mould Policy sets out the Council's approach in dealing with reports of damp and mould within our homes and our responsibilities as Landlord to achieve statutory legislative requirements, clearly defines roles and responsibilities and the framework to support residents, in order for them to hold us to account.

Appendices:

Appendix 1 - HLSPOL18
Condensation, Damp, and Mould
Policy for Housing (Landlord
Services)

Background Papers:

None.