

Housing Damp and Mould Policy

Thurrock Council

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Aims and Purpose

The purpose of this policy is to outline the approach Thurrock Council and partners will take to resolve issues of damp and mould within the borough. The policy covers a range of tenure types, including council-owned homes, leasehold properties in council-owned blocks, and homes in the private sector. Although it is recognised the process may be different between tenures, the overriding response and approach will remain the same.

The policy aims to ensure a considered and effective response to reports of damp and mould, such as:

- the language used when addressing issues of damp and mould
- working with internal and external partners for a holistic solution
- proactively resolving underlying causes of damp and mould
- following recommendations made by both the Ombudsman and Central Government

This policy is implemented with the support of and consideration to the following partners:

- Assets, Repairs and Compliance
- Tenancy Management
- Homeownership Service
- Private Housing Team
- Finance
- Public Health
- Legal
- Children's Services
- Adult Social Care
- Housing Repair and Maintenance Contractors
- Housing Ombudsman
- Temporary Accommodation
- Health Partners through the NHS

Although this policy directly relates to damp and mould, there are several wider documents that both support and drive this policy:

- Housing Strategy
- Asset Management Strategy
- Repairs Policy
- Thurrock Joint Health and Wellbeing Strategy
- Better Care Together Thurrock: The Case for Further Change

Corporate Context

The council's vision is for Thurrock to be **an ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.**

Sitting alongside the vision are the three corporate priorities of People, Place and Prosperity.

People – a borough where people of all ages are proud to work and play, live and stay.

This means:

- high quality, consistent and accessible public services which are right first time
- build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
- communities are empowered to make choices and be safer and stronger together

As part of the people priority, it is essential residents have access to high quality services which are right first time. Although there are several strategies and policies across the Council which ensures this is possible, the Housing Damp and Mould Policy plays a pivotal role in ensuring best practice is embedded within the Housing service.

Place – a heritage-rich borough which is ambitious for its future.

This means:

- roads, houses and public spaces that connect people and places
- clean environments that everyone has reason to take pride in
- fewer public buildings with better services

Prosperity – a borough which enables everyone to achieve their aspirations.

This means:

- attractive opportunities for businesses and investors to enhance the local economy
- vocational and academic education, skills and job opportunities for all
- commercial, entrepreneurial and connected public services

As part of the place and prosperity priorities, it is recognised having access to housing which protects residents is a key foundation for living a fulfilling and healthy life. By having an effective approach to damp and mould, the Council can ensure homes within Thurrock are safe and suitable to live in, allowing residents to thrive within Thurrock.

Legislation, Regulation and Best Practice Framework

- Homes (Fitness for Human Habitation) Act 2018
- Housing Act 1985
- Landlord and Tenant Act 1985 (S11)
- Housing Act 2004 (HHSRS)
- Decent Homes Standards
- Environmental Protection Act 1990
- Defective Premises Act 1972
- Children Act 2004 (S11)
- Health and Safety at Work Act 1974
- Regulator of Social Housing – Home Standard
- Housing (Suitability of Accommodation) 2012

National Context

Over the past 18 months, there has been a significant culture change for damp and mould.

In October 2021 the Housing Ombudsman published a [spotlight report on damp and mould](#) in recognition of the complexities of damp and mould for both landlords and tenants. The report identified 26 recommendations to assist social landlords with the management of damp and mould within its housing stock, presented across four key themes:

- from reactive to proactive
- from inferring blame to taking responsibility
- from disrepair claims to resolution
- from complaints to a learning culture

The spotlight on damp and mould intensified with the sad passing of Awaab Ishak, whose death was attributed by the unresolved presence of damp and mould within his home. Awaab's death has spurred a call for further change in relation to damp and mould, specifically greater regulation, stronger tenant empowerment and more meaningful action from landlords.

In the coming months it is anticipated the Social Housing Regulation Bill will lead to big changes in the expectation of landlords and damp and mould:

- Awaab's Law to provide tenants with more rights and protection
- the HHSRS being reviewed and updated
- introduction of a Private Rented Landlord Ombudsman
- national Damp and Mould Standard

Local Context

The council seeks to provide good quality housing for current and future residents, delivering continuous improvements and maintenance to the properties in Thurrock.

There is an ongoing need to invest in the council's housing stock to ensure the integrity of the asset is maintained so that the council fulfils its duty to provide residents with quality and affordable homes. The council is also committed to working alongside landlords operating in Thurrock to ensure those living in the private rental sector also have access to quality and affordable homes.

The issues around damp and mould and delivering successful solutions through remedial work, partnership working with multi-agencies and our residents is a priority to the council.

Section 1 - Understanding Damp and Mould

Building Fabric

The fabric of a building is any structure, surface, fixture or fitting associated internally or externally with a property.

Rising damp

The movement of moisture from the ground rising up through the structure of the property through capillary action.

Penetrating damp

This is where water penetrates the external structure of the property or internal leaks that cause damp, rot and damage to internal surfaces and structure. The cause of this may include:

- water ingress due to defective or poor original design / workmanship of the structure
- defective components for example roof coverings, external wall doors and windows
- defective or blocked rainwater gutters and pipes
- defective or leaking internal waste pipes, hot and cold water and heating systems
- flooding due to burst pipes

Condensation damp

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. The property conditions and features that can increase the risk of condensation include:

- inadequate ventilation, either not in place or not used, such as natural opening windows, trickle vents and mechanical extraction in bathrooms and kitchens
- inadequate heating, such as undersized radiators
- inadequate thermal insulation, such as defective wall and loft insulation
- poor building design and construction, such as specific cold areas (bridging) which are integral with the building construction
- defective insulation, such as dislodged insulation in lofts

The living conditions that can lead to condensation include:

- lack of ventilation – not opening windows, blocking up vents, not turning on extractor fans, not allowing air to circulate around furniture
- lack of adequate heating – not heating the house which can be a result of fuel poverty
- high humidity - not covering pans when cooking and drying laundry inside the house can contribute to this
- lack of space around possessions and storage, that prevents air flow through the property
- overcrowding which can exacerbate contributing factors causing condensation

Mould

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.

Section 2 – Council Owned Properties

Council Responsibilities

The Council shall investigate to determine the cause of damp, mould and condensation in all council owned properties. The Council will carry out remedial repairs and actions including:

- maintaining the fabric of the property, to avoid penetrating and rising damp, carrying out remedial action if these do occur
- maintaining properties in accordance with current government guidance/regulations to help address the causes of condensation occurring
- promote and provide general advice and guidance on how to manage damp and mould
- promoting and delivering training to council staff to effectively understand and deliver this policy
- informing the individual of findings following a contractor visit, including identifying possible causes, recommending effective solutions, all necessary remedial works, and the estimated timescales to complete the works
- make best use of data held to guide our interventions and work proactively with residents
- where the causes of the damp and mould cannot be rectified or done so in a reasonable timeframe the council will look at alternative solutions in line with the current Housing Allocations Scheme
- where the causes of damp and mould are not related to the fabric of the property the council will work alongside partner agencies
- work with landlords and residents to provide and maintain dry, healthy homes for use as temporary accommodation outside of our own stock

Section 3 – Council Tenants and Temporary Accommodation

Council Responsibilities

Thurrock Council and their contracted partners will review all reports of damp and mould. Depending on the severity of the issue one of the following two approaches will take place:

- for severe cases of damp and mould within a property, a survey will take place by a Thurrock Council Building Surveyor – any required repairs identified by the surveyor will take place as a routine repair within the 20-day target time
- minor mould growth caused by condensation and attributed to housekeeping will be addressed under a batch programme following a review by our contracted delivery partners
- following all repairs, a customer satisfaction survey is sent out which gives the opportunity to raise concerns of damp and mould

Tenant Recommendations and Responsibilities

- maintain the property in a good state of repair
- regularly check for and clean signs of mould as soon as they are discovered
- report evidence of damp and mould to the Council as soon as they are discovered, and faulty equipment that will hamper the management of damp and mould
- allow access for inspections and for the carrying out of remedial works
- to attempt to keep the presence of moisture to a minimum e.g., covering pans when cooking, drying laundry outside where possible, keeping the bathroom door closed when bathing and kitchen door closed when cooking
- adequately heating rooms
- keep the house well ventilated e.g., opening windows when cooking and bathing, turning on and ensuring that the extractor fan is working if applicable, keeping trickle vents in windows open, and allowing air to circulate around furniture
- keep the council informed of any changes to your household which has led to overcrowding so the best support can be given.

How to report any concerns regarding damp and mould

Council Tenant

- via the phone on 0800 074 0169 or via email: repairs@thurrock.gov.uk
- directly to your Tenancy Management Officer, including specific reference to damp and mould during tenancy audits

Temporary Accommodation

- email ta@thurrock.gov.uk or call 01375 652 652 to report issues of damp and mould, an Accommodations Officer will then report the issue to Mears and progress the repair
- For timeframes, please see appendix 1

Section 4 – Thurrock Council Leaseholders

Council Responsibilities

Where the council has identified the cause of damp and mould is relating to the fabric of the building please see section 2 – council owned properties for details.

Where the council has identified the cause of damp and mould is not relating to the fabric of the building the council will:

- refer to partner agencies for support in alleviating the main causes
- raising invoices for chargeable works carried out

Leaseholder Responsibilities

- to report to the Council as soon as they are discovered, evidence of rising and penetrating damp
- allow access for inspections and for the carrying out of remedial works
- to keep the property in a good state of repair
- regularly check for and clean signs of mould as soon as they are discovered

How to report any concerns regarding damp and mould

- via the phone on 0800 074 0169 or via email: repairs@thurrock.gov.uk
- For timeframes, please see appendix 1

Section 5 – Temporary Accommodation

Private Sector

The Council will provide support and assistance to ensure the individual is able to raise concerns or issues relating to damp and mould. If the landlord does not respond in a satisfactory manner, further support will be provided as below:

Council Responsibilities

- work with landlords, owners, and residents to provide and maintain dry, healthy homes for use as temporary accommodation outside of our own stock
- advise individuals of who their landlord is and how to report issues
- support individuals when an issue has been raised, ensuring repairs and measures are being taken by the landlord
- work with individuals and landlords to take appropriate action to rehome if the issue is unable to be rectified whilst living at the property or is detrimental to health in line with the current Housing Allocations Scheme

Resident Responsibilities

- heating and ventilating the property adequately throughout the term of their tenancy
- wiping down condensation on windows and treating any areas of mould growth which appear using a fungicidal treatment

- the tenant is expected to give the landlord reasonable access to obtain quotes and carry out the works
- items of disrepair need to be reported in a reasonable time frame

How to report any concerns regarding damp and mould

- directly to the landlord whilst making the Accommodations Officer at the Council aware
- For timeframes, please see appendix 2

Section 6 - Private Rental Sector Tenants

The Council will provide support and assistance to ensure the individual is able to raise concerns or issues relating to damp and mould. If the landlord does not respond in a satisfactory manner, further support will be provided as below:

Council Responsibilities

- we will work with landlords, owners, and residents to provide and maintain dry, healthy homes for our residents
- we shall investigate complaints to determine the cause of damp and mould, notifying the landlord and tenant of the findings to make sure their property is safe and free from hazards
- under section 4 of the Housing Act 2004, the Private Sector Housing Team must carry out an inspection if disrepair is brought to its attention. If category 1 hazards are identified under the Housing Health and Safety Rating System (HHSRS) a course of part 1 action must be taken.
- ensure relevant staff understand the aims of this policy and can support and deliver it
- where the causes of damp and mould are not related to the fabric of the property the council will work alongside partner agencies

Resident Responsibilities

- heating and ventilating the property adequately throughout the term of their tenancy
- wiping down condensation on windows and treating any areas of mould growth which appear using a fungicidal treatment
- the tenant is expected to give the landlord reasonable access to obtain quotes and carry out the works, Private Housing service may be withdrawn if access is continuously refused by the tenant
- items of disrepair need to be reported in a reasonable time frame

How to report any concerns regarding damp and mould

- items of disrepair need to be reported to the landlord in the first instance before contacting the Private Sector Housing Team for assistance
- Private housing residents can use the [e-form](#), via phone 01375 652391 or via email at private.housing@thurrock.gov.uk or well.homes@thurrock.gov.uk
- For timeframes please see appendix 2

Monitoring, Measuring and Review

There are a number of ways in which the damp and mould policy will be monitored and measured:

- resident engagement such as tenant satisfaction measures
- complaint process
- political scrutiny
- use of data systems such as repairs and asset management

This policy will be reviewed every 3 years, or in line with the following:

- changes in legislation and regulation
- recommendations from the Housing Ombudsman
- in response to learning from monitoring and measuring
- adopting best practice from other local authorities

Version Control

Version Details

Author	Claire Devonshire and Robyn Riseborough
Owner	Ewelina Sorbjan
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Approved by	CLlr Barry Johnson
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Version	-
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Amendment Record

Version Number	Date	Summary of changes
1.0	-	Original version

Appendix 1 – Approach for Thurrock Council Properties

- Tenants and Thurrock council leaseholders raise a repair directly with Mears to report an occurrence of damp and/or mould.
- If this is the first report of damp and mould Mears will attend the property within five working days to carry out an inspection
- If any follow-on works are identified, they will be completed by Mears within 15 working days
- If this is a repeat occurrence and Mears have attended the property within the last six weeks this will be escalated to a Mears supervisor for a review of the previous treatment.
- If there is a re-occurrence which is longer than 6 weeks but within a three year period a desktop review will be carried out and the tenant/leaseholder will be advised if a surveyor needs to attend.

Appendix 2 – Approach for Private Rental Sector

- each case will be treated individually, with no assumptions being made on the cause even where similar cases have been seen before
- an officer shall contact the tenant in the first instance to gather further information and to give advice, we aim to do this within 5 working days
- an inspection shall then be arranged and a HHSRS assessment undertaken
- a Part 1 consultation notice shall be drafted after the inspection and served on all interested parties giving them 21 days to respond to the proposed action. If agreed with the landlord, works can progress informally without the need for formal part 1 action to be taken. If no proposals are agreed or if insufficient progress is made, part 1 enforcement action shall be taken by the Private Sector Housing Team.
- there is a discretion to take a course of part 1 action for category 2 hazards
- if after 21 days of issuing an informal schedule of works there is no reasonable progress by the landlord to carry out the works within a reasonable period, formal enforcement will be taken straightaway
- if the landlord fails to comply with an enforcement notice we shall consider works in default, including obtaining quotes, carrying out the necessary works and recovering the fees from the owner
- if the tenant is a housing applicant, the Private Sector Housing Team can contact Housing with a recommendation to award an appropriate banding