



Damp, Mould and Condensation Policy

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1.0 Introduction

- 1.1 As a landlord, Gateshead Council is responsible for the maintenance and repairs to homes, communal blocks, and other properties we own and manage. This includes domestic and non-domestic properties to ensure they remain safe for tenants and building users.
- 1.2 We are committed to providing safe, healthy, energy efficient and comfortable homes for our tenants. This policy enables us to diagnose, respond to and effectively manage reports of damp, mould and condensation within our properties.
- 1.3 We recognise the impact that damp, condensation, and mould can have on tenants, including distress, inconvenience and concerns about health and wellbeing. It is also important that tenants report any issues, so we can work quickly to help resolve the problems. We proactively encourage tenants to report issues of damp and mould and provide multiple accessible platforms for tenants to access the repairs service.
- 1.4 This policy outlines Gateshead Council's approach to the prevention, management and rectification of instances of damp and mould in council owned homes.
- 1.5 Gateshead Council will implement a data-led approach to damp, mould and condensation by conducting effective investigation of issues of damp, mould and condensation and carrying out effective repairs to eradicate it.
- 1.6 We will arrange an inspection for properties where a tenant reports damp and mould. The inspection may identify defects and disrepair in the property. In this instance repairs and remedial work will be arranged. However, this may not identify a defect that is not immediately apparent on inspection but is otherwise attributable to defects in the construction or refurbishment of the property. The defect may be concealed and may only be apparent at a later date. This is commonly known as a latent or inherent defect.
- 1.7 A specialist team will take direct control of all cases of severe mould. All severe cases will be assessed to determine if there is an immediate health risk to the tenant(s). If required, alternative accommodation arrangements may be made while remedial works are undertaken and in line with the Decant Policy.
- 1.8 We will ensure that the appropriate resources, skills, systems, and procedures are in place to support this policy. This will ensure that Gateshead Council continues to be compliant with the Decent Homes Standard.
- 1.9 This policy and supporting procedures are living documents that will consider the recommendations of the Housing Ombudsman Service Report - Spotlight on: Damp and Mould (published October 2021). This includes our approach to effective diagnosis, proactive interventions, appropriate actions (specific to the needs of the tenant), effective communication, and aftercare.

2.0 Scope

- 2.1 This policy applies to all Gateshead Council social housing tenants, employees, including contractors and consultants delivering services on our behalf.
- 2.2 The scope of this policy covers how Gateshead Council and Council tenants can jointly control, manage, and eradicate damp, mould, and condensation. This includes:
- Identifying the types of damp: rising, penetrating and condensation damp, including internal leaks.
 - Identifying Gateshead Council's responsibilities for dealing with damp, mould, and condensation.
 - Identifying the tenants' responsibilities for dealing with damp, mould and condensation.
 - Offering guidance, advice, and assistance throughout the process to all tenants living in a council property.

3.0 Aims and Objectives

- 3.1 This policy aims to assist in the delivery of damp, mould and condensation related repairs that will enable us to achieve our policy objectives including to:
- Clearly define how we will manage damp, mould and condensation found within the properties we own and manage
 - Ensure the council provides and maintains healthy homes for our tenants.
 - Ensure that tenants are treated in a fair and consistent way.
 - Provide advice and guidance on managing damp, mould and condensation.
 - Re-enforce our zero-tolerance approach to damp, mould and condensation.
 - Undertake effective investigations and implement all reasonable remedial repair solutions and improvements to eradicate damp, mould and condensation.
 - Protect the fabric of our properties from long term damage caused by damp, mould and condensation and improving the energy efficiency of homes.
 - Enhance the understanding of the housing stock in relation to damp, mould and condensation and have proactive programmes to identify and manage this issue.
 - Ensure compliance with all statutory and regulatory requirements including best practice regarding the provision of this service.
- 3.2 We will work in partnership with tenants to ensure:
- The process of reporting an issue of damp and mould is straightforward and easily accessible for all tenants.
 - That tenants who report damp and mould within their home are treated with respect and empathy.
 - That tenants have access to comprehensive advice, information, and guidance on managing and controlling, damp, mould and condensation.

- That we provide regular updates to tenants regarding advice and actions taken to resolve reports of damp and mould.
- To assess the use of the decant policy and procedure to support tenants in cases where major works are appropriate.

4.0 Regulatory Standards, Legislation and Approved Codes of Practice

- 4.1 **Regulatory Standards** - We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England. The new consumer standards were introduced on 01 April 2024 and detail the four consumer standards which landlords are required to comply with, including:
- Regulator of Social Housing's (RSH) regulatory framework and consumer standards for social housing in England. The four new consumer standards are:
 - The Safety and Quality Standard.
 - The Transparency, Influence and Accountability Standard.
 - The Neighbourhood and Community Standard.
 - The Tenancy Standard.
- 4.2 This policy is written in the context of the legal and regulatory requirements Gateshead Council is required to work. Gateshead Council will comply with relevant legislation and regulation including (but not limited to):
- Social Housing (Regulation) Act 2023 (including Awaabs' Law - Section 42).
 - The Housing Act 1985.
 - The Homes (Fit for Human Habitation) Act 2018.
 - The Landlord and Tenant Act 1985 (Section 11 - Repairs and Maintenance).
 - The Housing Act 2004 - Housing Health and Safety Rating System (HHSRS).
 - Environmental Protection Act 1990.
 - Defective premises Act 1972.
 - The Decent Homes Standard.
 - Equality Act 2010.
 - Health and Safety at Work etc. Act 1974.
- 4.3 Gateshead Council will take all reasonable measures to ensure compliance with the applicable legislation. This will be monitored via performance data and by regularly reviewing policies and procedures to ensure that they remain effective.
- 4.4 Failure to fulfil our landlord responsibilities may result in action by the Regulator of Social Housing and/or determinations and fines from the Housing Ombudsman.
- 4.5 The legislation listed within this policy was considered (at the time) to be relevant to the development of this policy. Thereafter, there may be new or amended legislation, case law and regulatory or other legal requirements that will be considered and the policy reviewed and amended accordingly.

- 4.6 We will keep this policy under review, and respond to changes in legislation, regulation, as well as continuing to implement emerging good practice, including the Decent Homes Standard and implementing the proposals of Awaab's Law regarding timescales for investigative and remedial works.
- 4.7 Other related policies and procedures include:
- Equality and Diversity Policy.
 - Repairs and Maintenance Policy.
 - Tenancy Agreement.

5.0 Obligations

- 5.1 Following a report of damp, condensation, or mould in a tenanted property, we will:
- Provide advice and support to tenants.
 - Investigate to determine the root cause of damp, mould and condensation through a robust and extensive internal and external inspection of the property and, if appropriate, neighbouring properties.
 - Diagnose the root cause of damp and deliver effective solutions, dealing with the cause of the damp, not just the symptoms to ensure a Right First-Time fix.
 - Carry out remedial repairs and actions in accordance with the tenancy agreement or lease.
 - Refer to specialist damp contractors where there is evidence of defective damp proof courses.
 - Refer when appropriate to external agencies such as Social Care and debt management agencies for additional support to the tenant (where tenants have advised on vulnerabilities e.g. income and health issues).
- 5.2 We will inform the tenant of the findings, advice and actions from the inspection.
- 5.3 A full inspection of all empty properties will always be carried out to identify any signs of damp or mould and repairs carried out prior to a new tenant moving in.
- 5.4 We also carry out stock condition surveys on our tenanted properties, which assist us to identify issues, including damp, mould and condensation and support us to anticipate and prioritise interventions before a complaint or disrepair claim is made. These surveys assist us in highlighting if a particular area or house type requires preventative works before problems arise.

Identifying and treating the issue

- 5.5 We will visit a tenant's home within 14 calendar days when they report damp, mould or condensation to us.
- 5.6 We will provide a written summary of the investigation within 14 calendar days. Following the investigation a summary report will be issued to the tenant (within 48 hours of conducting the investigation). The report will include; when the investigation was conducted, who carried out the investigation, any follow-up works required and the timescales of when the hazard will be addressed.

- 5.7 If a hazard is not identified, a written summary is required with findings and the next steps (if any), and repairs will be completed in line with our Repairs and Maintenance Policy.
- 5.8 We will complete the remedial work within 7 calendar days unless a specialist contractor inspection is required. In such cases we will look to complete remedial work within the timescales proposed by the specialist contractor.
- 5.9 We will fix an emergency hazard, such as severe mould, with 24 hours.
- 5.10 We will carry out follow-up inspections on all properties where treatment for condensation related mould has been carried out to confirm that works and mitigating actions have resolved the underlying cause of the damp or mould.
- 5.11 We will conduct a biennial tenancy visit of all properties. During this visit the property will be assessed for evidence of damp or mould.
- 5.12 If arrangements have been made to visit a tenant's home to carry out a repair or safety check, the appointment must be kept wherever possible. We will make reasonable attempts to access the property to inspect and carry out the works. **All logged damp and mould repairs will have evidence of at least three attempts to contact the tenant. Written communication will then be provided to the tenant asking them to contact us to organise a new repair and record each attempt within the NEC Housing System.**

6.0 Statement of Intent

- 6.1 This policy describes how we will proactively manage the potential risks arising from damp, mould and condensation within properties that we manage or own.
- 6.2 In implementing this policy Gateshead Council will:
 - Ensure that all homes managed or owned by Gateshead Council are well maintained and free of damp, mould and condensation by utilising efficient and effective processes, guidance, knowledge and best practice.
 - Ensure the fabric of our properties are protected from deterioration and damage resulting from damp and mould.
 - Undertake effective investigations and implement reasonable remedial repair solutions and improvements to manage damp, mould and condensation.
 - Comply with all relevant statutory and regulatory requirements and guidance.
 - Comply with our repair responsibilities as detailed within the tenancy agreement and the Repairs and Maintenance Policy.
 - Provide a high quality and customer-focused approach to preventing and dealing with damp, mould and condensation.
 - Provide support, advice, and solutions to tenants to help prevent damp, mould and condensation, ensuring that tenants are treated with respect and empathy.
 - Provide tenants with comprehensive and focused advice and guidance on how to manage damp, mould and condensation.
 - Consider tenant's additional support needs and vulnerabilities.

- Maintain regular and effective communication with tenants, following a report of damp and mould being made, providing progress updates from beginning to end - especially on the occasion where an investigation into a case may be complex.
 - Manage all reports of damp, mould and condensation using our Damp, Mould and Condensation Procedure.
- 6.3 This approach will ensure that Gateshead Council continues to meet its legal, contractual, regulatory, and statutory obligations.
- 6.4 Responsibility for addressing damp, mould and condensation in leaseholder and shared owner properties is set out in the terms of the lease. Gateshead Council will meet its responsibilities as set out in the lease but will always provide relevant guidance and advice regarding damp, mould, and condensation.

7.0 Landlord Responsibilities (Gateshead Council)

- 7.1 Section 11 of the Landlord and Tenant Act 1985 places an obligation on Gateshead Council, as a landlord, to maintain the exterior and structure of the property. This includes installations for the provision of water, heating systems, drainage, sanitary appliances and gas and electricity. It ensures a rented property is kept in a good state of repair.
- 7.2 We will provide a range of simple ways for tenants to report instances of damp and mould and take any reports of damp and condensational mould seriously.
- 7.3 We will investigate to determine the cause of damp, mould and condensation and carry out appropriate treatments, remedial repairs, actions, and improvements that will reduce instances of damp, mould and condensation.
- 7.4 We will undertake a property inspection when a repair is reported relating to suspected damp, mould, and condensation.
- 7.5 We will diagnose the cause of damp correctly and deliver effective solutions based on the ethos of dealing with the cause of the damp, and not just the symptom.
- 7.6 We will ensure that only competent operatives are employed to carry out any works and that the tenants' possessions are adequately protected during the works.
- 7.7 We will insulate homes in accordance with the Decent Homes Standard to help reduce the likelihood of condensation occurring.
- 7.8 We will take responsibility for maintaining tenants' homes to avoid penetrating and rising damp, and for carrying out remedial action if these problems occur.
- 7.9 We will undertake reasonable improvement works required to assist in the management and control of damp, mould and condensation.
- 7.10 We will make reasonable attempts to access a property to inspect/complete works.
- 7.11 We will respond to a report of damp, mould and condensation, and complete any remedial works or measures within a reasonable timescale in line with this policy. This will be dependent on the severity and urgency of the problem and on the complexity of the solution. We will take into account the vulnerability of the tenant and their household.

- 7.12 We will endeavour to use the data we have gathered to improve homes to reduce the prevalence of damp, mould and condensation.
- 7.13 We will ensure technical and operational staff are trained to deal with damp, mould and condensation and are able to give advice to tenants. We will provide our officers with the correct equipment to assess damp in properties and find a resolution to the problem if it is our responsibility.
- 7.14 We will inform both residents and staff about the health risks of living in damp and/or mouldy homes, and we will publicise the damp remediation work we do.
- 7.15 We will clearly and regularly update residents with advice regarding any actions we can take or have taken to resolve reports of damp and condensational mould.
- 7.16 We will regularly monitor and inspect remedial work to ensure this is effective and to minimise the re-occurrence of damp, mould and condensation.
- 7.17 If the damp and mould cannot be eliminated through work to the property, we will provide additional support and advice to the resident on managing and controlling the occurrences of damp, mould and condensation. This support will be provided through the provision of advice and guidance and by working with our tenants.

8.0 Tenant Responsibilities

- 8.1 As set out in Section 11 of the Landlord and Tenant Act 1985, a tenant or leaseholder has a duty to “use the premises in a tenant-like manner”. This means that our tenants are expected to take good care of the dwelling, carry out daily maintenance tasks and not do anything that directly leads to a deterioration of the fabric of the building or the installations and facilities provided. For example, tenants should; keep the dwelling clean and heat and ventilate the property appropriately.
- 8.2 Tenants can report instances of damp, mould and condensation via:
- Telephone: Repairs Helpdesk on 0800 408 6008 from 8am to 4pm (Mon to Fri).
 - Email to: repairs@gateshead.gov.uk
 - Online: via [My Housing Account](#)
- 8.3 Cases of damp, mould and condensation may also be identified by Council staff visiting homes for a range of other reasons. All instances should be logged by email to repairs@gateshead.gov.uk and these will be followed up accordingly.
- 8.4 Tenants are responsible for making sure they take appropriate steps to prevent significant amounts of condensation that result in damp or mould growth, including:
- Following all advice and guidance issued by Gateshead Council on managing and controlling damp, mould, and condensation. This information can be found on our [website](#). We will also provide an advice leaflet.
 - Regularly checking for and treating condensation and mould, including cleaning mould from clothes, fabrics, carpets, and furnishings, etc. Under certain exceptional circumstances where the tenant is unable to carry out mould washes or redecoration, Gateshead Council will provide support and assistance.
 - Referring tenants to the [Housing Advice and Support team](#), to ensure that tenants are maximising their income and are able to access specialist support to help with the costs of heating their home.

- Reporting an issue to us, even if the issue is in its early stages, where all reasonable efforts have been made to manage and control condensation and mould and this has not been successful.
 - Regularly checking for and reporting any evidence of rising and penetrating damp and reporting any repairs or faulty equipment that will affect the management of humidity and moisture in the home (e.g. water ingress, faulty extract fan, unable to open windows, and heating system failure etc).
 - Keeping the property well-ventilated and try to reduce the conditions that lead to condensation dampness by keeping the presence of moisture to a minimum.
 - Allow access for inspections and for the carrying out of all remedial works.
 - Ensuring the general upkeep of extractor fans and vents (i.e. that they are regularly cleaned and any defects reported to the Repairs Helpdesk).
 - We will ask tenants who are utilising environmental monitors to follow advice to improve the temperature and humidity of their homes to minimise the opportunity for condensation to form. Gateshead Council will support and signpost tenants if there is financial hardship.
 - Arranging adequate household contents insurance to protect their home from damage caused by damp, mould and condensation.
 - Redecoration where remedial works and mould wash treatments have been undertaken. It is recommended that anti-fungal paint is used and that wallpaper should not be hung by the tenant for at least six months.
 - For vulnerable or disabled tenants, we will consider how to assist the redecoration process on a case-by-case basis.
 - Seeking advice and permission from Gateshead Council in accordance with the tenancy agreement where tenants are considering any changes within their home, to ensure the proposed alteration would not contribute to the accumulation of damp, mould, or condensation.
 - Adequately heating rooms, if they can afford to - ideally at 18°C. Gateshead Council will support and signpost tenants if there is financial hardship. If following an inspection by an independent specialist surveyor, the outcome shows that all reasonable measures are in place for the tenant to adequately control condensation and mould, further advice and support will be given to the tenant such as providing advice on best use of heating system and best way to ventilate the property.
 - Where a tenant is not satisfied with our response we ask that they raise this through our Complaints Procedure.
- 8.5 If the tenant fails to take the advice and reasonable steps to reduce damp, the tenant may be recharged for any resulting repairs required as a result of neglect.
- 8.6 Further information on how we follow-up on a report of damp/mould is included in our Damp, Mould and Condensation Procedure.

9.0 Leaseholder Responsibilities

- 9.1 Leaseholders are responsible for managing and maintaining their own properties including damp, mould and condensation, in accordance with their lease agreement. The Council do not carry out damp, mould and condensation remedial works to leasehold properties unless covered by the lease.
- 9.2 The Council as the freeholder are responsible for repairs to the fabric of the building, such as roof repairs and will carry out repairs appropriate to these. We are only responsible for repairs to a leaseholder's property if we have not complied with this obligation.
- 9.3 Leaseholders are responsible for any repairs to their own property which are due their own actions or inactions. Any neglect by the leaseholder to manage or carry out repairs for which they are responsible for, and where this has a direct impact on the condition of a Council owned property will be dealt with in accordance with the lease.
- 9.4 Where a leaseholder or other landlord is responsible for undertaking or authorising work to stop a leak, or prevent damp and mould spread, we expect them to carry this out promptly, and if not we will consider what further action is appropriate.

10.0 No Access

- 10.1 Where requested, tenants must allow access for pre-arranged appointments. Should the tenant fail to allow access then the repair will be cancelled.
- 10.2 Where the repair is of an emergency or health and safety matter we will continue to attempt to make contact and gain access to complete the repair and or make safe. If not completing the repair or make safe poses a safety risk to other tenants or the property then we will take appropriate steps to gain access.
- 10.3 We reserve the right to charge tenants for the call out costs should no access be a continuous issue at the property.
- 10.4 Should tenants fail to allow access we will recharge for any warrant costs incurred to obtain access to undertake a gas safety check or solid fuel safety check. Tenants will be notified well in advance of the need for the annual gas safety check to be undertaken and the costs to be charged if access cannot be gained.

11.0 Types of Damp

- 11.1 There are three common types of dampness within tenant's homes, these being penetrative damp, rising damp and condensational damp:
- **Rising damp** - movement of moisture from the ground rising through the structure of the building through capillary action.
 - **Penetrating damp** - water penetrating the external of a structure or internal leaks causing damage to the internal surfaces or structure.
 - **Condensation damp** - moisture held in warm air coming into contact with cold surfaces, subsequently condensing and causing water droplets.
- 11.2 Mould is a natural organic compound that develops in damp conditions and will only grow on damp surfaces. It is often noticeable and present in situations where

condensation damp is present.

- 11.3 Normal household activities constantly release moisture into the air. Good practice in the home minimises and alleviates condensation, and in many cases will prevent it causing dampness and persistent mould.
- 11.4 Condensation is by far the most common cause of damp and mould within properties, particularly during the winter months. It is often seen as water on windows and is more noticeable when the weather gets colder and the outside temperature drops. Moisture in the air can cause mould growth on walls and ceilings as well as on furniture and possessions.
- 11.5 Advice is available via Gateshead Council's [website](#) including useful guides on the effects of condensation and what can be done to prevent it. The guide is also issued upon sign up to a new home and when tenants report damp issues to us.

12.0 Preventing and Responding to Damp, Mould and Condensation

- 12.1 Where a case is deemed to be 'severe' and constitutes a Decent Homes Category 1 failure, the report will be referred to the Housing Management Team to deal with as a matter of urgency. If required, alternative accommodation arrangements may be made. This may be on a day-by-day basis or a temporary move ("decant") to an alternative property. In some cases, it may be necessary to re-house a household on a permanent basis if a medical professional advises that re-housing is the most suitable option. This will be considered in accordance with our Allocations Policy.
- 12.2 If a case is deemed to be 'moderate', an additional survey will be booked to allow a surveyor to determine the appropriate advice and guidance to tenants and any remedial works required.
- 12.3 Where cases of damp and mould are deemed as 'slight', information will be sent to tenants to provide advice and guidance on how to manage and deal with any slight damp and mould in their homes.
- 12.4 A level of additional priority may be offered to our more vulnerable tenants including those who are over the age of 70, have a recognised disability or who have dependent children under the age of 12 months registered with Gateshead Council.
- 12.5 We are committed to ensuring all our void properties, prior to being let, are free from all forms of dampness, and we will ensure all our homes meet our void property "lettable standard" at the point of being re-let. We will check all walls for dampness as part of the void process and record the readings within NEC Housing System (NEC) and the Document Management System (DMS). If there is any condensation mould, this will be washed off and sterilised with an anti-fungicidal solution. We will also check that our homes' ventilation and heating are in good working order, and we will install loft insulation and cavity wall insulation if this is required and feasible.
- 12.6 As part of a Mutual Exchange, a property inspection is completed at which time, each room should be checked for damp, mould, and condensation. If identified, it will be managed and rectified before the Mutual Exchange completes.
- 12.7 The Major Works programme is focused on improving the homes we own and manage. This includes improving insulation and heating systems, and this work will target properties where there are high instances of damp and mould.

- 12.8 Where we receive reports of damp, mould and condensation that remain unresolved after initial preventative advice, we will in the first instance attend the resident's home to wash down the mould, identify and remedy repairs and issue advice. This will be completed as per our timescales set out within our Repairs and Maintenance Policy.
- 12.9 We will proactively 'find our silence' by targeting properties where access and interactions have been limited. We will ask employees (and contractors) to raise any concerns of damp, mould and condensation when attending properties. We will proactively engage with residents who have not used the repairs and maintenance service within the past 12 months (with the exception of essential safety checks).
- 12.10 Where damp, mould and condensation issues are not due to repairs or property condition, tenants will be referred to housing services for additional support.

13.0 Working with our Tenants

- 13.1 Our Repairs policy reminds tenants and leaseholders of their responsibilities in regard to:
- Provide access - to repair, monitor or investigate.
 - Report repairs promptly.
 - Their repair and maintenance responsibilities.
 - The terms of their tenancy or lease.
 - Insurance requirements.
- 13.2 We may require a tenant to undertake an action or stop a particular action. This can include providing access promptly to stop a leak, limiting water condensing, improving ventilation or air circulation, and preventing or clearing mould growth. We may also recommend other actions or sources of advice that we ask a tenant to follow or consider - such as a referral to an appropriate source of advice or support.
- 13.3 We may ask for additional information to help us to better understand what may be contributing to a problem, or what the impact may be on the household. This could include personal information about how and when a property is lived in or heated, a health condition, or even finances. While a tenant is free to disclose or withhold such information, we will aim to be clear why we are asking this - which is to help us to get a fuller picture of the issues and challenges and arrive at a person-centred solution. Any information disclosed will be processed in line with data protection principles.
- 13.4 To ensure the best outcome for tenants we may require their assistance e.g. where a specific action needs to be taken or additional information provided. In this instance we will work closely with the tenants and provide support where required.
- 13.5 We will use your preferred method of communication to work with tenants regarding the identification and resolution of issues.
- 13.6 Where there is a cause and effect of a tenant action, or inaction, which has either directly caused or contributed to property damage, we may take enforcement actions in line with the terms of the tenancy, licence, or lease. We may also recharge costs to put things right in line with our Repairs and Maintenance Policy.

- 13.7 A level of additional priority may be offered to our more vulnerable tenants including those who are over the age of 70, have a recognised disability or who have dependent children under the age of 12 months registered with Gateshead Council.

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14.0 Supporting our Tenants

Reporting a repair relating to damp and mould

- 14.1 When you contact us in relation to a damp, mould and condensation issue we will:
- Complete a property and diagnostics questionnaire with you by telephone when you report a problem to ensure we have enough information.
 - If the outcome shows that condensation is likely to be causing the problem we will discuss ways in which we can make changes to improve the situation.
- 14.2 If the outcome shows that damp is likely to be present in your home, we will:
- Fix applicable building defects or advise you how to resolve the issue if this is due to normal household activities which release moisture into the air.
 - Carry out a full property survey which reviews things like heating, pipes, rainwater goods, damp proof course and loft insulation where the problem is not as easy to identify.
- 14.3 We will evaluate the results of the survey to establish the root cause of the problem and advise you of the remedial action we will take, steps you should take and any further work that is required in the future, together with a timeframe for this.
- 14.4 Tenants will be provided with clear information about how to manage damp and mould in their home, including:
- The outcome of any damp and mould assessments.
 - Consideration given to the individual circumstances taken into account when we decide on any works that are required to their home.
 - Appropriate home loss and/or disturbance payments if they need to move out of their home while work is undertaken.

15.0 Awareness Training

- 15.1 We will ensure that all relevant employees have appropriate and relevant training and are aware of and understand the delivery of the service that will meet the aims of this policy. This will include:
- General awareness training for all staff: particularly Council employees that visit tenants' homes or respond to repair requests, they should be trained to identify damp and mould and understand the organisation's policies and processes for responding to it.
 - Specific, technical training for staff dealing with damp and mould: staff who will respond to reports of damp and mould must be trained and appropriately equipped to assess the issue, identify the root cause, and respond appropriately.
- 15.2 We will ensure the annual provision of training for all technical and non-technical staff (including frontline and support staff) on the identification, treatment, and prevention of damp, mould, and condensation. The training will be relevant to their role and enable staff to:
- Become familiar with and understand the correct response needed when a damp or mould issue is identified by / or reported to them, including what advice to give and when and how to raise remedial works.

- Develop a good understanding of damp and mould related issues, including how to combat them and whose health and wellbeing may be most impacted.
 - Identify the correct equipment required to assess damp in properties and find a resolution to the problem.
 - Develop their knowledge of our stock and the archetypes of properties that are most likely to experience damp, mould and condensation.
- 15.3 Surveyors are trained and accredited through the Certificated Surveyor of Timber and Dampness in Buildings (CSTDB), achieving the status of Certificated Surveyor of Dampness in Buildings. These surveyors carry out our 'Type A' surveys.
- 15.4 The CSTDB is a nationally recognised professional qualification for individuals involved in diagnosing problems associated with timber and dampness within buildings. It is the benchmark for professionals specialising in the timber and dampness sector.
- 15.5 All frontline staff, including trade operatives, are trained on damp, mould, and condensation awareness.

16.0 Equalities

- 16.1 Gateshead Council is committed to promoting equality of opportunity, fairness, and accessibility. We recognise that all tenants should be treated equally and fairly regardless of their age, disability, gender reassignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation, and we will not directly or indirectly discriminate against any person or group in implementing this policy and its associated procedures.
- 16.2 We will act sensitively towards the diverse needs of individuals and communities and may provide communications in alternative formats where practicable and appropriate to assist tenants with distinct communication needs. Exceptions may be made to this policy in order to accommodate an individual's needs, and Gateshead Council will consider requests for reasonable adjustments in line with the Equality Act 2010.
- 16.3 We know that in some instances damp and mould can have a greater impact on some tenants than others, and this will inform the type and speed or prioritisation of response that is required from Gateshead Council. Groups of tenants who may be most adversely impacted by damp and mould include those with respiratory problems, asthma, or compromised immune systems. Older people and very young babies and children may also be most vulnerable to the effects of damp and mould. When visiting properties, the surveyor will take into consideration the vulnerability of the tenants with a specific regard for any respiratory illness. Exceptions may be made to this policy to provide appropriate advice and support to more vulnerable tenants. If tenants are deemed to be more vulnerable to the possible effects of damp and mould it may be appropriate to decant them while remedial works are undertaken.

17.0 Complaints Procedure

- 17.1 Gateshead Council aim to provide a high quality, customer focused service and welcomes feedback from tenants. We will seek feedback via our website, email, in writing and verbally to learn from customer insight to improve services.
- 17.2 We operate a Corporate Complaints Policy that is open and transparent. If a tenant or service user feels the need to make a complaint against an individual or the organisation, the complaints policy and procedure will be followed. All complaints will be recorded and dealt with under Complaints Policy, which meets the requirements of the Housing Ombudsman.
- 17.3 We monitor our repairs performance on a monthly basis and the data is reviewed and shared with Group Management Team and reported via the HEHC Overview and Scrutiny Committee. Performance is also discussed with the contractors during monthly performance review meetings.
- 17.4 If a tenant submits a claim for compensation, this will be managed according to our Compensation Policy. (Please refer to the Compensation Policy for more details).
- 17.5 Any tenants or other stakeholders who are dissatisfied with how we have managed their repair(s) are able to submit a complaint using our complaints process. Once our Complaints Policy and procedure is complete and the tenant remains dissatisfied, then they will be advised to contact the Housing Ombudsman.

18.0 Related Policies and Procedures

- 18.1 This policy should be read and delivered in conjunction with the following policies and procedures:
 - *Repairs and Maintenance Policy* - the services provided within this policy will be delivered in line with the commitments set out in the approved Repairs and Maintenance Policy.
 - *Damp and Mould Procedure* - this contains the detailed operational processes for dealing with damp or mould identified within properties. The procedures will be amended periodically to reflect best practice and service improvements.
 - *Complaints Policy* - complaints relating to damp and mould will be monitored identify themes, trends, and opportunities for learning.
 - *Vulnerable Persons Policy* - sets out the approach we will take to identify, assess, and record information regarding Council tenants, leaseholders, and others accessing our services who may have vulnerabilities. This in order to provide services which may be adjusted to consider such needs, where practicable.

19.0 Quality Assurance

- 19.1 We will ensure there is an annual programme of third-party quality assurance audits of our approach to damp, mould and condensation.
- 19.2 The purpose of the quality assurance audit is to ensure:
- Compliance with relevant regulatory and legislative requirements.
 - Procedures remain effective and have appropriate control measures in place to deliver an effective repairs and maintenance service.
 - Employees and contractors adhere to policies and procedures.
- 19.3 The audit will include reviewing the effectiveness of preventative and reactive works, particularly in properties identified as higher risk.
- 19.4 The quality assurance audit will be undertaken at least once every two years.

20.0 Performance Reporting

- 20.1 Gateshead Council will collate and monitor performance information in relation to repairs strategic key performance indicators. This includes the Regulator of Social Housing (RSH) requirements set out in Tenant Satisfaction Measures.
- 20.2 We will publish/share performance information with tenants on our website and Annual Tenant Report.
- 20.3 Tenant satisfaction testing will be conducted regularly and independently on a random selection of completed repairs.
- 20.4 Customer insight will be analysed to identify trends to continually improve service delivery.
- 20.5 We want you to be completely satisfied with the standard of the repairs carried out. However, we accept that sometimes things do go wrong. Please let us know if this happens and give us the opportunity to put it right. This will not prevent you from making a complaint.
- 20.6 In every case, we will try to sort out your complaint and use the information you give us to improve our service. We have a formal complaints procedure which we will help you to use if you are not satisfied with any of our services.
- 20.7 We will aim to investigate and respond to your complaint within 10 working days. If we are unable to respond within that time we will contact you explaining why and provide a further response date.
- 20.8 If you are unhappy with the investigation of your complaint, you can take your case to the Housing Ombudsman.
- 20.9 The Housing Ombudsman Service is set up by law to look at complaints about housing organisations that are registered with them, including housing associations and local authorities.
- 20.10 We will report key performance measures for damp and mould. These will be provided to the Executive Management Team (EMT) and to the HEHC Overview and Scrutiny Committee on a quarterly basis. KPI's include:
- Percentage of damp and mould cases closed within xx working days

- Time taken to carry out damp inspections
- Time taken to carry out repairs following damp and mould inspections
- Percentage of damp cases requiring a follow up which has been completed

20.11 We will gather tenant feedback and information regarding satisfaction with the service based on a sample of jobs each month. We will also engage with tenants through a range of initiatives including focus groups and other tenant involvement groups to identify areas for improvement.

21.0 Communication and Consultation

21.1 The development of this policy has included consultation with tenants.

21.2 We are continuing to widen the amount of training we offer staff - whether at a specialist level, or more widely to other staff to be able to identify and report possible cases of mould proactively. We will make this policy and its procedures available to teams via our intranet.

21.3 We will make this policy available to tenants through our website and will share additional information relating to preventing damp and mould in other communications with tenants - individually as a problem occurs, and more widely when appropriate.

22.0 Monitoring and Review

22.1 This policy will be reviewed every two years (from the date approved), to ensure its continuous suitability, adequacy and effectiveness. An intermediate review may be required by the introduction of new legislation, regulations or operational changes. This includes incorporating best practice from other registered housing providers and Housing Ombudsman guidance.

22.2 We will carry out regular reviews of this policy with appropriate tenant involvement groups, ensuring we include any legislative or regulatory changes and good practice examples from other Registered Housing Providers and the Housing Ombudsman.

22.3 As part of our commitment to continuous improvement, we will monitor the effectiveness and implementation of this policy and recommend changes to improve service delivery.

22.4 We will use management information and performance data (including a suite of agreed performance indicators and targets) to monitor the effective implementation of this policy and will recommend changes to improve service delivery.

22.5 Performance will be reported on a regular basis to the HEHC Overview and Scrutiny Committee, Executive Management Team, and Group Management Team with performance data published at least annually to tenants.

22.6 We will be responsive to any changes in legislation or regulation and will take this into account in how we provide a service to tackle damp and mould and how frequently we update this policy. We will regularly seek best practice from organisations that deliver damp and mould services, and we will look to adopt any good practices that will help us tackle this issue.

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23.0 Approval

Strategic Lead: Service Director Repairs and Buildings Maintenance

Name: Ian McLackland

Signed: _____

Date Approved: _____

24.0 Supporting Information

Appendix 1 - Glossary of terms

Appendix 2 - Additional Legislation

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25.0 Appendix 1 - Glossary of Terms

- 25.1 Damp: an excess of moisture that can't escape from a structure, which can also go on to cause significant damage to the building. There are three/four main causes of dampness in homes, which each require different solutions:
- **Rising damp:** water that rises through fabric and brick walls of a building after being absorbed from the surrounding ground.
 - **Penetrating damp:** water penetrates the fabric of the building from the outside to the inside, for example, because of a leak.
 - **Condensation:** occurs when warm, moist air touches a cooler surface such as tiles, windows or walls. If left for a long period of time, it can cause damp and/or mould.
 - **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.
- 25.2 **Landlord and Tenant Act 1985:** This Act imposes on landlords an obligation to carry out basic repairs, covering the structure and exterior of the property and installations for the supply of water, gas and electricity, and for sanitation and space heating and heating water. There is also an implied covenant to maintain the property in good order.
- 25.3 **Defective Premises Act 1972:** Section 4 of this Act places a duty on landlords to take reasonable care to ensure that anyone who might be expected to be affected by defects in a property is reasonably safe from injury or damage to their property.
- 25.4 **Environmental Protection Act 1990:** This Act makes provision for the control of premises which are considered to be prejudicial to health or a nuisance. This legislation means Gateshead Council may become liable for damages and compensation to tenants and their families who suffer as a result of failure to maintain properties so as not to be prejudicial to health or a nuisance.
- 25.5 **Equalities Act 2010:** We will apply this policy consistently and fairly and will not discriminate against anyone based on any protected characteristics, including those set out in the Equality Act 2010.
- 25.6 **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.

26.0 Appendix 2 - Additional Legislation

26.1 The key areas of legislation in this policy are:

- Social Housing (Regulation) Act 2023.
- Housing and Regeneration Act 2008.
- Landlord and Tenant Act 1985 (Section 11 - Repairs and Maintenance).
- The Homes (Fitness for Human Habitation) Act 2018.
- Defective Premises Act 1972.
- Environmental Protection Act 1990.
- Localism Act 2011.
- Equalities Act 2010.
- Common hold and Leasehold Reform Act 2002.
- Housing Grants, Construction and Regeneration Act 1996.
- Party Wall etc. Act 1996.
- Leasehold Reform, Housing and Urban Development Act 1993.
- The Housing Act 1985, 1988 and 2004.
- Building Regulations Act 1984.
- Health and Safety at Work etc. Act 1974.

26.2 This policy takes account of legal, regulatory and best practice requirements, including (but not limited to):

- The Control of Asbestos Regulations 2012.
- The Public Contracts Regulations 2015.
- Right to Repair Regulations 1994.
- Housing Act 2004 - Housing Health and Safety Rating System (HHSRS).
- BS 7671:2018 The Requirements for Electrical Installations 2018 (18th Edition).
- General Data Protection Regulation 2018 (GDPR).
- Data Protection Act 2018.
- Decent Homes Standard.
- Housing Ombudsman.
- Pre-Action Protocol for Housing Conditions Claims.