
Subject:	DAMP AND MOULD POLICY
Meeting and Date:	Cabinet – 4 December 2023
Report of:	David Parish, Head of Property Assets
Portfolio Holder:	Councillor Pam Brivio, Portfolio Holder for Housing, Skills and Education
Decision Type:	Non-Key
Classification:	Unrestricted

Purpose of the report: To seek Cabinet approval for the draft Damp and Mould Policy attached as Appendix 1 for operational use.

Recommendation:

- (a) That Cabinet approves the proposed Damp and Mould Policy.
- (b) That Cabinet authorises the Head of Property Assets, in consultation with the Portfolio Holder for Housing, Skills and Education, to undertake any necessary minor amendments to the policy prior to the formal review date.

1. Summary

- 1.1 Dover District Council wants to ensure that all of its tenants and leaseholders live in a safe, healthy and comfortable environment, as well as protect the structure and quality of our properties.
- 1.2 This policy sets out how Dover District Council will address issues of damp, mould and condensation within the council's tenanted and leasehold housing stock. Including how the council intends to comply with its legal responsibilities and the Housing Ombudsman's recommendations contained within 'The Spotlight on Damp and Mould' report (October 2021).
- 1.3 An Equalities Impact Assessment has been produced and consideration is given to this within 10.2 of the Policy (Appendix 1).

2. Introduction and Background

- 2.1 Dover District Council is a stock-owning Local Authority with 4,525 units of accommodation within our Housing Revenue Account (HRA). The Council understands that issues arising from damp and mould can cause distress, be a nuisance and a risk to the health and wellbeing of our tenants and leaseholders.
- 2.2 As a social housing landlord, the Council has a responsibility to its tenants to ensure that its properties meet the Decent Homes Standard and the provisions in the Homes (Fit for Human Habitation) Act 2018, and the Social Housing (Regulation) Act 2023, in particular Awaab's Law that aims to protect tenants from damp and mould hazards, and which amends legislation to require landlords to investigate and repair reported hazards within a specified timeframe. It is therefore important that the Council has a

dedicated policy which focuses on how and what will be done in damp and mould cases, and who is responsible.

- 2.3 The Council has implemented a robust process for dealing with damp and mould and now all visitors to Council properties (contractors, Housing and Property Assets staff) are encouraged to proactively look for signs of damp and mould (and any other defects). It also includes advice on the website, through tenant newsletters on how to report problems with damp and mould and also how to minimise the causes.
- 2.4 The process includes a thorough investigation of each report with any necessary works ordered. The works are then inspected at completion, and a series of follow-up inspections are carried out to ensure any problems have been resolved.
- 2.5 The process was implemented in 2022. To date we have had 416 reports of damp and mould. We have attended 392 of these (non-attendance is due to no access or response to communication). 627 works orders have been raised, as a result of which 587 have been completed and 40 outstanding. Reports are monitored through a case tracker by a dedicated in-house resource.
- 2.6 We have re-lettered all of the original properties to request contact from the tenant and ask if they have any ongoing issues and resent a copy of the condensation advice leaflet with all letters. To date we have seen little to no response back reporting any significant issues. Broadly speaking we don't have an issue with damp and mould, but we are not complacent about the small number of properties that do have issues, whether they are related to the building or just require information and advice. For properties with particular known issues we are actively contacting tenants and re-enforcing this in the tenant's new letter.

3. Identification of Options

- 3.1 Option 1 – To approve the content of the draft policy and its operational use by DDC
- 3.2 Option 2 – Not to approve the use of the policy.

4. Evaluation of Options

- 4.1 Option 1 is the preferred option as it provides a robust policy and process to ensure that all reports of damp and mould are dealt with quickly and thoroughly, taking into account Government recommendations and good practice.
- 4.2 Option 2 is not recommended as it leaves the council without an operational policy for the use in respect of Damp and Mould.

5. Resource Implications

- 5.1 The actions to be taken within the Damp and Mould Policy will be delivered within the existing resource for the Housing Revenue Account (HRA), however, where the policy is to be implemented, there will be staff resource and budget implications.
- 5.2 Property Assets have the staffing resource to meet the seasonal demand for inspections and a works budget heading has been included within the HRA budget.

6. Climate Change and Environmental Implications

6.1 The policy and processes involved within it will improve the living environment and health of tenants whose homes are affected by damp and mould.

7. **Corporate Implications**

7.1 Comment from the Director of Finance (linked to the MTFP): Accountancy have been consulted in the writing of this report and have no further comment to add. (AC)

7.2 Comment from the Solicitor to the Council: The Principal Lawyer – Litigation and Regulatory has been consulted in the preparation of this report. There are no further comments to make.

7.3 Comment from the Equalities Officer: The Equalities Officer has been consulted in the preparation of this report regarding the Damp and Mould Policy. It does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

7.4 Other Officers (as appropriate):

8. **Appendices**

Appendix 1 – Damp and Mould Policy

Appendix 2 – Damp and Mould Policy Equality Impact Assessment

9. **Background Papers**

Housing Ombudsman Service Report – Spotlight on: Damp and Mould – Oct 2021.

Social Housing (Regulation) Act 2023

[Understanding and addressing the health risks of damp and mould in the home - GOV.UK \(www.gov.uk\).](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/100000/Understanding_and_addressing_the_health_risks_of_damp_and_mould_in_the_home_-_GOV.UK_(www.gov.uk).pdf)

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