



# Equality Impact Assessment

## Damp and Mould Policy

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## Document details

<b>Title</b>	Damp and Mould Policy
<b>Document type</b>	Policy
<b>Version submitted for decision</b>	TBC
<b>New or Existing document</b>	New document
<b>If this is an existing document, is this a major or minor change?</b>	Major change
<b>Decision makers</b>	Cabinet
<b>Type of decision</b>	Approval and adoption
<b>Date of decision</b>	4 December 2023

<b>Responsible department</b>	Housing and Property Assets
<b>Are other departments or partners involved in delivering this strategy, policy, plan, or project?</b>  <b>If 'Yes' please provide details.</b>	Yes  Officers in the following teams will be involved to some extent in the Policy's implementation and delivery: <ul style="list-style-type: none"> <li>• Housing Services</li> </ul>

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## **Purpose of the Equality Impact Assessment**

The Equality Act 2010 replaced the previous anti-discrimination laws with a single Act simplifying the law by removing inconsistencies, making it easier to understand and therefore comply with it, and strengthens it to help tackle discrimination and inequality. The Act came into force on 1 October 2010.

The Public Sector Equality Duty (PSED) came into force on 5 April 2011. The duty ensures that all public bodies, including the Council:

- play their part in making society fairer by tackling discrimination and providing equality of opportunity for all; and
- consider the needs of all individuals in their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

PSED encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet the needs of different groups of people. Where activities may have an impact to one particular group of people, public bodies are required to identify mitigations that will either lessen the impact or provide an alternative solution to meet the needs of that particular group.

By understanding the effect our activities have on different groups of people, and how inclusive our services can support and increase people's opportunities, the Council will be better placed to deliver policies and services that are efficient and effective.

This Equality Impact Assessment (EIA) helps the Council to ensure that we fulfil our legal obligations as per the PSED and to have due regard to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## **Applicable legislation and regulations**

The following legislation and regulations apply to the proposed policy:

- Defective Premises Act 1972
- Health & Safety at Work Act 1974
- The Housing Act 1985
- Landlord and Tenant Act 1985 Section 11 - Repairs and Maintenance
- Environmental Protection Act 1990
- Right to Repair Regulations 1994

- The Housing Act 1996
- Housing Health and Safety Rating System (HHSRS)
- Decent Homes Standards
- Homes (Fitness for Human Habitation) Act 2018
- Housing Ombudsman Service Report – Spotlight on: Damp and Mould – Oct 2021.
- Social Housing (Regulatory) Act 2023

The following Council strategic documents relate to this policy:

- HRA Business Plan & Planned Maintenance Programme
- Tenancy Agreement
- Void Properties Policy
- Planned & Cyclical Repairs Policy
- Rechargeable Works Policy
- Complaints Policy
- Tenancy Management Policy
- Tenant Engagement Strategy 2022-2027
- Neighbourhood Management Policy

## 1. Summary

Dover District Council (the “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.

As a social housing landlord, the Council has a responsibility to its residents 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.

This equality impact assessment (EIA) has been undertaken in accordance with the public sector equality duty (PSED) as stipulated in Section 149 of the Equality Act 2010. The EIA has identified some potential positive impacts for some protected characteristics ‘age’ ‘disabled’, and ‘pregnancy and maternity’. However, we have provided what our mitigative actions will be that will improve the outcomes for these protected groups in cases of damp and mould.

## 2. Information

### 2.1 People most at risk of health issues from damp and mould

While damp and mould pose a risk to health of all residents, staff, visitors, and contractors and should be acted on quickly, it is particularly important that damp and mould cases are addressed with urgency for groups who are more vulnerable to significant health impacts. People who fall into one or more of the following categories are likely to be particularly vulnerable to the health impacts of damp and mould. These include:

- People with pre-existing health conditions (such as, allergies, asthma, COPD, cystic fibrosis, other lung diseases and cardiovascular disease) who are at risk of their condition(s) worsening and have a higher risk of developing fungal infections and / or additional allergies.
- People of all ages who have a weakened immune system, such as people who have cancer or are undergoing chemotherapy, people who have had a transplant, or other people who are take medications that suppress their immune system.
- People living with a mental health condition.
- Pregnant women, unborn babies and women who have recently given birth, which may have weakened immune systems.
- Children and young people who organs are still developing and are therefore more likely to suffer from physical conditions such as respiratory problems.
- Children and young people are at risk of worsening mental health.
- Older people.
- People who are bedbound, housebound or have mobility problems making it more difficult for them to get out of a home with damp and mould.

### 2.2 Groups who are most likely to live in homes with damp and mould

In the 'Understanding and addressing the health risks of damp and mould in the home' guidance, the Government identified that certain groups of people are more likely than others to live in homes with damp and mould. These include:

- People who struggle to heat their homes and / or are experiencing fuel poverty
- People on low incomes
- People with disabilities and / or long-term illnesses
- People who are blind / visually impaired
- People from ethnic minority backgrounds
- People living in temporary accommodation

## 2.3 Household conditions that can increase the risk of damp and mould

There are a variety of housing conditions that put people at an increased risk of exposure to damp and mould. These include:

- Homes where residents feel unable to open windows due to concerns about security, noise, or high outdoor pollution.
- Homes that are poorly or inadequately insulated.
- Homes with inefficient or ineffective and expensive to run heating systems.
- Homes that are poorly ventilated.
- Homes without adequate damp proof courses.
- Homes that are poorly maintained.
- Homes that are overcrowded.

## 2.4 Aim of the decision

The aim of this decision is for Cabinet to give their approval of the content in the proposed policy, and for the policy to be adopted and implemented.

## 2.5 Aim of the policy

The aim of the policy is to take reasonable action to identify, remedy and provide advice on damp and mould in social housing and leasehold properties in order to ensure a safe, healthy and comfortable environment for our tenants and leaseholders, as well as to protect the structure and quality of our properties.

## 2.6 Intended outcome(s)

The intended outcomes of this policy are to ensure:

- Wherever possible that tenants and leaseholders are not adversely affected by the causes of damp and mould.
- That causes of damp and mould are dealt with effectively and within given timeframes.
- That tenants and leaseholders are aware of their responsibilities when dealing with instances of damp and mould.
- That the Council drives forward an agenda of proactive action to tackle / manage the causes of damp and mould.

## 2.7 Intended beneficiaries

The scope of the policy will apply to all Council tenants and leaseholders.

## 2.8 Main stakeholders

The main stakeholders in relation to this policy are:

- Tenants
- Leaseholders
- Household members
- Family members of tenants and leaseholders
- DDC staff
- Contractors
- Councillors

## 3. Assessment of the decision

The table below assesses if the decision is likely to be relevant to the three aims of the Equality Duty.

If the decision is relevant to the three aims of the Equality Duty, the Impact and Mitigations table must be completed to show how it is relevant and what the impact(s) will be.

<b>Aim</b>	<b>Relevance Yes/No</b>
Eliminate discrimination, harassment, victimisation.	<b>Yes</b>
Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.	<b>Yes</b>
Foster good relations between persons who share relevant protected characteristics and persons who do not share it.	<b>Yes</b>



## 4. Impact and Mitigations

<b>Characteristic</b>	<b>Relevance</b> High/Medium/Low	<b>Impact of the decision</b> Positive/Neutral/ Negative	<b>Reasons for impact</b>	<b>Mitigations</b>
Age	Medium	Positive	Very young / household members and very old tenants / household members are likely to be impacted by the effects of ongoing damp and mould issues.	This will be mitigated by quick evaluation and resolution of any problems which may occur.  If the tenant / leaseholder is considered to be vulnerable reasonable adjustments can be made to make the remedial action quicker.
Disability	Medium	Positive	Tenants / leaseholders with a disability, long-term illnesses, or who are blind / visually impaired may be unable to resolve the damp and / or mould problems themselves and may need assistance to help with the causes.	This will be mitigated by quick evaluation and resolution of problems which may occur.  If the tenant / leaseholder is considered to be vulnerable reasonable adjustments can be made to ensure the remedial action is quicker.
Gender	Low	Neutral	The policy will have no impact.	
Gender reassignment	Low	Neutral	The policy will have no impact.	

Marriage and Civil Partnership	Low	Neutral	The policy will have no impact.	
Pregnancy and Maternity	Medium	Positive	Pregnant women / expectant mothers are likely to be impacted by the effects of ongoing damp and mould issues.	This will be mitigated by quick evaluation and resolution of any problems which may occur.  If the tenant / leaseholder is considered to be vulnerable reasonable adjustments can be made to make the remedial action quicker.
Race	Low	Positive	According to Government guidance, some households of ethnic minority background may be impacted by the effects of ongoing damp and mould issues.	This will be mitigated by quick evaluation and resolution of any problems which may occur.  If the tenant / leaseholder is considered to be vulnerable reasonable adjustments can be made to make the remedial action quicker.
Religion, Belief or Lack of Belief	Low	Neutral	The policy will have no impact.	
Sexual Orientation	Low	Neutral	The policy will have no impact.	