



City of Westminster

HOUSING DAMP AND MOULD POLICY

September 2024

1. Introduction

- 1.1 Our goal is to provide excellent customer service and we recognise that timely and high-quality repairs are a priority for all residents.
- 1.2 This document is based on the proposed Awaab's Law, the Housing Act 2004 and the Decent Homes Standard. We plan to revise the policy as guidance and legislation evolves. We will review this policy at least once a year.
- 1.3 This policy explains the circumstances in which we will manage the treatment of damp and mould.

2. Policy aims and objectives

- 2.1 This policy outlines the City Council's approach to managing damp and mould. The policy sets out how we will manage our response to damp and mould and the service levels that tenants can expect to receive. It has been written in response to the Regulator of Social Housing and to comply with the government's proposed Awaab's Law.
- 2.2 The policy recognises the priority the City Council is now giving to incidences of damp and mould.
- 2.3 This policy will ensure the council complies with the Housing Act 2004, which states that properties must be free from hazards at the most dangerous 'category 1' level, as assessed using the Housing Health and Safety Rating System (HHSRS), a risk-based evaluation tool. This includes mould and all types of dampness.
- 2.4 The policy will also support the council to meet the Decent Homes Standard, which states that social housing must be free from dangerous 'category 1' hazards. The Decent Homes Standard also states that social housing must be in a reasonable state of repair and provide a reasonable degree of thermal comfort. Where the Regulator of Social Housing (RSH) determines a provider has breached standards, it has a range of legal powers it can use, including enforcement powers.
- 2.5 Awaab's Law was introduced following the death of Awaab Ishak, who died following extensive exposure to damp and mould in his home. The law focusses specifically on the timescales for landlords to respond to complaints of damp and mould in social housing homes. On 20 July 2023, Awaab's Law entered the statute book through Clause 42 of the Social Housing (Regulation) Act. It effectively inserts into social housing tenancy agreements a term (called an implied term) that will require landlords to comply with new requirements. This is to be set in detail through secondary legislation and will mean all registered providers of social housing (also referred to as 'social landlords') 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. The government consulted on their proposal in January 2024.

3. Scope

3.1 The policy is restricted to the council's tenants and leaseholders (residents). People who are not council tenants or leaseholders are outside of the scope of this policy.

3.2 Tenant Management Organisations (TMOs) are responsible for managing certain repairs within the homes they manage, although the repairs they manage can vary. Residents of TMOs can contact their TMO office or the City Council to report a repair irrelevant of whether the responsibility to undertake the repair is with the council or the TMO.

4. Definitions

- **Damp** refers to the presence of excess moisture in a building, typically resulting from either condensation, penetrating damp or rising damp. It can cause damage to buildings and harm the health of occupants if not treated.
- **Mould** appears as fuzzy or slimy patches in various colours, often black or yellow. Mould needs to be removed carefully to avoid spreading spores and to prevent it causing ill-health.
- **Landlord (or social landlord)** for the purpose of this policy the landlord is Westminster City Council.
- **Residents** for the purpose of this policy are Westminster City Council tenants and leaseholders only.
- **Vulnerable (or vulnerability)** a resident who has characteristics that mean they are less able to cope with a situation which may impact on their health, safety, or wellbeing, and have an increased need for support.

5. Damp and Mould Commitments and Principals

5.1 All Westminster City Council (WCC) residents should live in a safe, warm and secure home that is well maintained. Residents should be kept at the centre of everything we do and be treated with empathy and respect by all staff. This must be a core value in the way the repairs service is delivered.

5.2 Effective delivery

We are committed to:

- prioritising the cause, investigation and subsequent removal of damp and mould
- planning improvements in data and new Key Performance Indicators
- undertaking Equality Impact Assessments
- improving communication, both internally and with our residents
- improvements in staff training.

5.3 We recognise that many of our residents experience damp and mould. There are lots of factors that cause damp, condensation and mould and they are often difficult to manage. The government guidance on the health risks of damp and mould for landlords makes clear it is the responsibility of landlords to identify and address underlying causes of damp and mould, such as structural issues or inadequate ventilation, and we will tackle every case and every problem by pro-actively adopting a 'zero tolerance' approach to damp and mould and targeting an urgent resolution where it is found.

5.4 We will comply with legislation, guidance and adhere to good practice by:

- acknowledging that damp and mould are not the fault of any household
- ensuring that we comply with the time limits proposed in Awaab's Law.

5.5 We will put health first by:

- undertaking an inspection to ensure that the treatment has been effective, or if damp and mould have reappeared, undertake further investigation and intervention
- removing the mould, to address the health risk to tenants
- recognising that there are many factors that can cause condensation and offering practical advice to residents to help tackle damp and mould and advising any resident who is concerned about the symptoms they are experiencing to consult a healthcare professional
- referring vulnerable residents to Adult and Children's Services where they are identified as needing additional support while the damp/mould is addressed, subject to their agreement.

5.6 We will respond proactively by:

- prioritising resources to tackle damp issues. This will be a priority for all our housing teams, and surveyors. Reports of damp and mould will be managed by our specialist damp and mould team
- arranging a visit to diagnose and booking any treatment within three working days, subject to residents' availability, of a report of damp and mould
- arranging a mould wash treatment to be carried out within 10 working days of the inspection, or at the convenience of the resident
- ensuring the case is dealt with within 20 working days or sooner if it is an emergency
- utilising a rapid-response mould removal and treatment team. They will be allocated to cases within these target times to remove mould ahead of any longer-term preventative or remedial work. We will post inspect all damp and mould cases and photograph the impact
- identifying and tackling the underlying causes of damp and mould, including building deficiencies, inadequate ventilation and condensation
- agreeing an action plan with residents to ensure we resolve specific issue(s)

- responding sensitively and assessing issues with urgency to identify the severity of the damp and mould and potential risks to tenants
- always tackling the underlying issue promptly and acting with urgency when concerns have been raised about tenant health
- photographing and documenting the location of the mould before it is removed to help identify the source.

5.7 We will communicate effectively by:

- ensuring tenants are informed about the steps that will be taken to remove mould and address any underlying issues and the timeframes for the work
- communicating with residents in a timely and sympathetic way. We will follow up on every case and every visit. We will proactively ask if a member of the household is vulnerable or at increased risk including babies, those with health and respiratory conditions, those with disabilities. Such residents will be prioritised in accordance with the recommendations made for Awaab's Law
- allocating a dedicated surveyor to case manage treatment where persistent damp occurs. They will be a dedicated point of contact and arrange the necessary work and ensure communications are maintained until the work is completed
- the dedicated surveyor will give advice and tips on how to minimise condensation. They will signpost residents to advice and support with energy bills. We are also investing in our void properties to make sure they are best placed to avoid issues of damp and mould. We will integrate more proactive strategies to assist ongoing prevention including regular maintenance checks and, where appropriate, we will invest in improved ventilation systems
- ensuring details of how we can support residents experiencing or concerned with damp and mould are published online
- reviewing the policy regularly with residents and monitor the effectiveness of the policy and the commitments it makes
- ensuring that performance is monitored against detailed Key Performance Indicators and by reporting regularly on performance against these targets, providing our Resident Panel with quarterly performance information as part of a repairs update
- inviting the Resident Forum and Resident Panel to feedback on the policy at regular intervals and to work with us to ensure that the policy underpins continual improvement.

Leaseholders

- For leaseholders, we will undertake an inspection and provide recommendations regarding mould washes and additional specialist ventilation that may be required.
- If the damp and mould is caused by a defect within the fabric of the building that is the council's responsibility, we will refer it over to the area teams for diagnosis and progression in accordance with the service level agreements set out throughout this policy.

6. Tenants with Vulnerabilities

6.1 Some residents, including young children and people with some health conditions, such as respiratory issues or immune deficiencies, and those with disabilities, are potentially more vulnerable and at greater risk because of damp and mould. When damp and mould issues are reported we will ask residents if they or household members have any health needs or disabilities requiring their repairs to be prioritised.

6.2 All council staff visiting homes, including those from Children's and Adults Social Care, will be asked to look for mould and report back any issues to Housing making clear if tenants have vulnerabilities, disabilities and health conditions.

7. Identification and Training

7.1 All staff who visit tenants in their homes will actively look for signs of damp and mould and report any that they find. We have also set up a specialist damp and mould team and will ensure messaging on damp and mould is regularly reinforced with our general surveying staff.

7.2 We will provide training for staff outside of the repairs team to help them to identify damp and mould.

7.3 We will support residents by introducing awareness programmes and publicising advice on how to prevent damp and mould from occurring and how to easily and quickly identify cases where they do occur. All communications and services related to the policy will be made accessible to all residents.

8. Managing Cases

8.1 In terms of our approach to damp and mould we will follow these guiding principles:

- We will always aim to remove the immediate risk through a damp and mould wash.
- This will ensure that the threat to the health of residents is reduced. If the risk cannot be removed immediately because of required remedial works, we will look to move residents temporarily until the risk has been resolved. Issues around vulnerabilities will be part of the decision making.
- Mould washes will be undertaken in all cases, and dehumidifiers provided where appropriate or required with guidance and advice on how to use and reduce damp and mould.
- Repairs will be completed in line with timescales established in the Repairs Policy. All cases will be kept under review until formally closed.
- In all cases any issues around vulnerabilities will be flagged and recorded. An appropriate response in such cases could include temporary decanting.

9. Resources and Approach

9.1 Damp and mould can be reported either by completing our online form: [webforms.westminster.gov.uk/MouldAndCondensation](https://www.westminster.gov.uk/MouldAndCondensation) or via **0800 358 3785**.

9.2 Incidences of damp and mould will be managed by dedicated and specialist team. They will deliver the service within the following operating framework:

- attending free home visits
- washing and cleaning any affected surfaces with a fungicidal wash
- solving the root cause of the problem. This may involve further investigation and we recognise that there may be multiple causes
- we will treat each case individually, recognising that every case is different.

10. Diagnosis and Action

10.1 Cases will be diagnosed and actioned within the following timelines:

- A triage inspection of the property will be made within three working days, at residents' availability, to assess the presence of damp and mould, the severity, location, underlying causes and potential health risks, subject to resident availability.
- Assessment of damp and mould will always be carried out by appropriately trained staff or contractors.
- We will undertake a damp and mould wash within 10 days of the inspection, subject to resident availability.
- We will investigate, seek to understand and rectify the underlying causes of damp and mould through our Repairs and/or Major Works teams.
- Follow on decorations required resulting from the mould wash will be carried out within 40 working days, subject to resident availability.
- A follow up inspection will be undertaken to check there has been no return of damp and mould within three months from the date of the mould wash.
- We will always leave guidance explaining the cause and impact of damp and mould and setting out what residents need to do if any signs return.

11. Equality, Diversity & Inclusion

11.1 We have carried out an Equality Impact Assessment to consider the positive and negative impacts this Policy may have on people with protected characteristics under the Equality Act 2010 and have concluded that implementation of this policy presents no barriers to accessing the service/process or unintentionally disadvantages for “any protected group”.

11.2 The aim of treating all residents equally and including discretion to assess the impacts of a service failure or loss are built into the policy so that we do not have to have to apply a one size fit all solution.

11.3 When required, Council Officers will assist residents in reporting damp and mould, by, for example, helping to complete paperwork or offering translation services.

12. Communication

12.1 We will provide information on this policy using various methods such as setting out a summary on our website and via our residents’ newsletter.

13. Data Protection

13.1 Where information needs to be shared with our officers and partners to resolve an incidence of damp and mould this will be in line with data protection requirements ensuring:

- data is processed lawfully, fairly and in a transparent manner
- data is collected for a specific and legitimate purpose and not used for anything other than this stated purpose
- data is relevant and limited to whatever the requirements are for which the data is processed.

13.2 Further information on the council’s responsibilities for data protection can be found here: www.westminster.gov.uk/data-protection.

14. Training

14.1 We will provide all staff responsible for implementing this policy with comprehensive training on assessing damp and mould and ensure that the repairs process is sufficiently robust to ensure compliance with this policy. In addition, staff guidance and training on lessons learnt from previous incidences of damp and mould will form part of our commitment to ongoing service improvements.

15. Monitoring and learning

15.1 Westminster Housing tenants and leaseholders who wish to make a complaint about the housing repairs service are able to contact the housing contact centre on **0800 358 3783** or visit one of our housing service centres to make a complaint in person.

15.2 To ensure the policy is being rigorously implemented we will monitor performance against the following indicators:

- number of cases reported and identified and the timeliness of which they were dealt with
- number of cases visited and assessed
- number of cases where all identified remedial works have been completed.


15.3 The aim of the monitoring framework is to:


- increase resident satisfaction around the management of damp and mould
- reduce ad hoc repairs relating to damp and mould
- reduce recall visits for damp and mould
- reduce complaints linked to damp and mould
- reduce disrepair cases linked to damp and mould.

15.4 We will use the learning from damp and mould cases and complaints to seek information about service failures to continuously improve our service to our residents. As part of this policy, we are keen to understand any inequalities linked to access, experience and/or support and we will introduce processes to identify such issues.

15.5 In addition, an annual review of this policy will be undertaken by the Housing Service to incorporate legislative and regulatory requirements and best practice developments.

Get in touch:

 [westminster.gov.uk](https://www.westminster.gov.uk)

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