

Damp, Mould & Condensation Policy (2024)

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1. Introduction

1.1 This purpose of this policy is to set out Oadby and Wigston Borough Council's approach to dealing with reports of damp, mould and condensation within a council property or building.

1.2 The purpose of this policy is to ensure:

- tenants are treated in a fair and consistent way
- compliance with statutory requirements and good practice
- the Council works in partnership with tenants to provide a safe and healthy internal environment
- the Council carries out effective investigations into reports of damp, mould and condensation
- the Council implements all reasonable remedial repair solutions and improvements to eradicate damp including, managing, and controlling condensation
- tenants are provided with comprehensive advice and guidance on managing and controlling damp, mould and condensation
- the Council's budgets are used effectively and efficiently to deal with damp, mould and condensation problems
- the fabric of our property is protected from deterioration and damage resulting from damp, mould and condensation

2. Types of Damp Covered by this Policy

2.1 Rising Damp

The movement of moisture from the ground rising up through the structure of the building (through capillary action).

2.2 Penetrating Damp (including internal leaks)

Water penetrating the external structure of the building or internal leaks causing damp, rot and damage to internal surfaces and structures. The cause of penetrating damp can be the result of:

- Water ingress due to defective or poor original design/workmanship of the structure
- Defective components for example roof coverings, external walls, 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

2.3 Condensation Damp

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets. This can take two main forms:

- Surface condensation arising when the inner surface of the structure is cooler than the air in the room

2.3.1 Additional factors causing condensation could include:

- Inadequate ventilation (e.g. natural opening windows and trickle/background vents and mechanical extraction in bathrooms and kitchens)
- Inadequate heating (e.g. undersized boilers and radiators, draught stripping)
- Inadequate thermal insulation (e.g. missing or defective wall and loft insulation)
- High humidity (e.g. presence of rising and penetrating damp)
- Poor building design and construction (e.g. specific cold areas (bridging) which are integral with the building construction)

2.3.2 Mould is a natural organic compound that develops in damp conditions and will only grow on damp surfaces. This is often noticeable and present in situations where condensation damp is present.

3. Legal and Regulatory Expectations

3.1 Oadby and Wigston Borough Council comply with relevant legislation and regulation including but not limited to:

- Housing Act 1985
- Homes (Fit for Human Habitation) Act 2018
- Landlord and Tenant Act Section 11 – Repairs and Maintenance
- Housing Act 2004 – Housing Health and Safety Rating
- Social Housing (Regulation) Act 2023
- Decent Homes Standard

4. Service Standards

4.1 We will treat residents reporting damp, mould and condensation with respect and empathy.

4.2 We will ensure that our response to reports of damp, mould and condensation are timely and reflect the urgency of the issue.

4.3 We will investigate to determine the cause of damp, mould and condensation and carry out remedial repairs and actions in accordance with the tenancy agreement and repairs standard. This may include examining neighbouring properties to ensure our response is as effective as possible.

4.4 We will promote and provide general advice and guidance on how to manage damp, mould and condensation. All residents reporting damp, mould or condensation will receive a copy of our latest guidance.

- 4.5 We will inform the tenant of the findings of the investigations following a home visit. This will include identifying possible causes of damp, mould and condensation; recommending effective solutions and all necessary remedial works and actions; and, the estimated timescales to complete the works. This will be communicated to the tenant and we will keep them up to date through the process until the works are completed.
- 4.6 The Council will complete any remedial works/actions within a reasonable timescale. This will be dependent on the severity and urgency of the problem and on the complexity of the solution of the remedial works/actions required.
- 4.7 The Council is responsible for the insulation within the tenant's home in accordance with the Decent Homes Standard to help reduce the likelihood of condensation occurring.
- 4.8 The Council is responsible for maintaining a tenant's home to avoid penetrating and rising damp and for carrying out remedial action if these do occur.
- 4.9 The Council will undertake reasonable improvement works required to assist in the management and control of condensation damp, for example, installation of mechanical extraction fans, fresh air vents, repairing existing insulation etc.
- 4.10 Remedial works will only be carried out where it is reasonable and practical to do so. The Council will have regard to the constraints of the existing building design and structure and will take a pragmatic approach in finding appropriate solutions.
- 4.11 The Council will make good internal surfaces following any remedial work carried out ensuring that the surfaces are prepared to a condition ready for the tenant to redecorate.
- 4.12 In some cases, remedial work may not be necessary. Additional support and advice will be provided to the tenant on managing and controlling the occurrences of damp, mould and condensation. This could include recommendations on lifestyle changes and purchases.
- 4.13 We will ensure that all relevant front-line staff (including contractors) have training to enable them to apply and implement this Policy and to identify and report early signs of damp, mould and condensation.
- 4.14 We will ensure that specialist contractors are employed to carry out any works and that the tenant's possessions are adequately protected during the works.
- 4.15 We will review the number of missed appointments by the tenant in relation to damp, mould and condensation cases and consider what steps may be required to reduce them. We will make reasonable attempts to access the property to inspect and carry out the works.
- 4.16 We will not be able to control damp, mould and condensation where it is unreasonable or impractical to do so or if remedial action would be ineffective for example:

- Poor construction/design – in these situations the Council will put into place a management plan in conjunction with the tenant
- Out-buildings/sheds that have been converted including linking buildings between the house and outbuilding and other add-on structures
- Unheated/uninsulated semi external storerooms

4.17 Where internal conditions within a home (for example overcrowding and/or excessive hoarding of personal belongings) are having an effect on health and wellbeing of the tenant(s) or are preventing inspections or remedial works being carried out, we will provide support and assistance to review the tenant's options which may include moving to more appropriate alternative suitable accommodation. Effective remedial action will not be possible in these instances until the situation(s) has been resolved.

4.18 It is unsafe for the tenant(s) to remain in the property while the works are carried out, alternative accommodation arrangements will be made. This may be on a day-by-day basis or a temporary decant to another property. The tenant(s) will be supported through this process.

4.19 Where a new tenant is signed up to a tenancy or an existing tenant is involved in a mutual exchange, we will inform them of any known damp, mould and condensation concerns within the property.

4.20 We will review the information, materials and support provided to our tenants to ensure that these are effective in helping tenants to avoid damp, mould and condensation in their properties.

5. Tenant Improvements

5.1 Where we believe that damp, mould and condensation has occurred as a result of a tenant carrying out alterations or home improvements, we will advise the tenant on how to address the problem or it may be necessary for the council to instruct a contractor to carry out alterations to meet current building regulations.

5.2 We will consider if any action is necessary as part of our Recharge Policy if the alterations or home improvements were:

- carried out without the Council's permission
- not carried out to the required standard, or
- not maintained or allowed to become unsafe

6. Everyone has Responsibility

6.1 Everyone has responsibility to identify and report damp, mould and condensation where it may be present. This includes but is not limited to:

- Tenants
- Contractors

- Officers of the Council
- Elected Members

6.2 Any potential damp, mould or condensation issues should be reported to the Council either by email or telephone using the contact details set out below:

- Email: repairsadmin@oadby-wigston.gov.uk
- Telephone: 0116 288 8961

7. Appeals

7.1 A tenant can request a review of an inspection and the diagnosis and proposed works to be carried out.

7.2 A tenant can raise damp, mould and condensation concerns in their property with a local councillor or MP.

7.3 A tenant who is not satisfied with our approach in assessing and managing their damp, mould, and condensation concerns can make a formal complaint under the Council's Compliments, Comments and Complaints procedure. Complaints can be made in the following ways:

- Online - www.oadby-wigston.gov.uk/pages/compliments_comments_and_complaints
- Telephone - 0116 288 8961
- Email - csc@oadby-wigston.gov.uk
- Post – Oadby & Wigston Borough Council, Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

7.4 Any customer who is not satisfied with the outcome of their complaint can make a complaint to the Housing Ombudsman. Details on how to make a complaint can be found at www.housing-ombudsman.org.uk/make-a-complaint.

7.5 We will share key learning from complaints and the positive impact of changes made as a result with our tenants.