

# Hillingdon Damp, Mould and Condensation Policy and Operational Practice Note

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## Contents

	Page
1. Introduction	2
2. Background	2
3. Aims	2
4. Scope	4
5. Areas of Responsibility	5
6. Process	7
7. Behaviours, Competencies and Professional Standards	12
8. Reviewing our Policy	12
9. Associated Documents and Links to Further Information	13

## 1. Introduction

This Damp, Mould and Condensation (DMC) Policy and Operational Practice Note is a comprehensive and consolidated Policy which sets out the actions the Council will take to address DMC in properties that it owns.

This document will cover each area where the Council, as a landlord, may be required to act, including proactive interventions; our approach to diagnosis and the use of independent expertise; appropriate actions in different circumstances; timescales; effective communication and appropriate mitigations; and aftercare. This approach will give the Council and our tenants and leaseholders insight and clarity.

To ensure a shared understanding and approach towards DMC across different teams within the Council, this document has been developed in consultation with officers from Business Performance, Customer Access, Housing, and Operational Assets.

## 2. Background

In 2020, an estimated 839,000 homes in England (3%) had problems with damp. Approximately 2% of homes had problems with condensation and mould, 1% were affected by rising damp, and 1% were affected by penetrating damp. Damp problems were most prevalent in the private rented sector, where in London some 7.9% of homes were affected, as well as 6.5% of social rented homes and 2.2% of owner-occupied homes<sup>1</sup>.

Damp and mouldy homes are unpleasant and unhealthy. Residents living in homes with damp and mould may be more likely to have respiratory problems, allergies, asthma, and other conditions that have an impact on their immune system. There are also other broader impacts on the mental health, education, and career prospects of residents living with damp and mould.

The issue of DMC in social housing has recently been raised by the Housing Ombudsman in a 'Spotlight' report on DMC. According to 'Call for Evidence' survey responses, the top causes of damp and mould are ventilation (30%), leaks (23%), structural (20%) and condensation (18%), and these causes are often not mutually exclusive<sup>2</sup>. The report highlights the complexity of impacts and challenges and rightly calls for a strategic response to DMC.

In Hillingdon, this has prompted a review of our current practices, and this document sets out our intended zero-tolerance approach to damp and mould in Council homes.

## 3. Aims

The table below details the key aims of our DMC Policy and Operational Practice Note, as well as the actions we will take to achieve these aims:

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<sup>1</sup> English Housing Survey Headline Report, 2020-21, Department for Levelling Up, Housing and Communities

<sup>2</sup> Spotlight on: Damp and mould, It's not lifestyle, Housing Ombudsman Service, October 2021

## Hillingdon Damp, Mould and Condensation Policy and Operational Practice Note

Key aims	How we will achieve these aims
<p>To comply with relevant legislation, regulations, and standards, including the following:</p> <ul style="list-style-type: none"> <li>• Homes (Fitness for Human Habitation) Act 2018</li> <li>• Landlord and Tenant Act 1985 (Section 11)</li> <li>• Housing Health and Safety Rating System (HHSRS) introduced under the Housing Act 2004</li> <li>• Decent Homes Standard – June 2006 update</li> <li>• Consumer Regulatory Standards set by the Regulator of Social Housing</li> </ul>	<p>Seeking out and adopting best practice relating to the provision of DMC services</p>
<p>To ensure that our tenants and leaseholders are living in dry, warm, healthy homes that are free from DMC</p>	<p>Prioritising DMC issues, making sure that opportunities to act early are actively sought, and investing in both preventative and reactive measures</p>
<p>To protect our properties from deterioration and damage resulting from DMC</p>	<p>Providing an efficient, prompt, and cost-effective repairs and maintenance service, ensuring a suitable and sufficient response to initial reports of DMC</p>
<p>To adopt a clear, reasoned, data-led and proactive approach to tackle DMC and identify high risk areas within the Council's housing stock</p>	<p>Understanding the characteristics of our properties and those living within them, including design, layout, different archetypes, and other contributing factors</p>
<p>To promote understanding of the Council's responsibilities in relation to DMC, and ensure that our residents are provided with clear and comprehensive advice on managing and controlling DMC</p>	<p>Publicising guidance on DMC on our website, including information on causes, effects, prevention, treatment, and areas of responsibility, as well as distributing advisory leaflets to our residents to support them in resolving DMC, including where they result from the use of the home</p>
<p>To foster communication with our tenants and leaseholders that is clear, effective, straightforward, and fulfils their expectations</p>	<p>Regularly involving and engaging our tenants and leaseholders in the development of the service and its operational practices, and accommodating different communication needs to manage expectations and enable open dialogue</p>
<p>To work in partnership with our residents, colleagues, and contractors, establishing and maintaining good working</p>	<p>Agreeing shared aims and outcomes, delivery arrangements and responsibilities</p>

relationships that are based on trust and reliability	Carry out quality assurance checks including for contractors work
To ensure that our operational staff have the sufficient knowledge and skills required to identify, locate, and treat DMC	Supporting staff to effectively identify and address DMC issues, including providing relevant training and correct equipment as part of a whole service approach
To make effective and efficient use of financial resources enabling us to deal with DMC problems appropriately	Planning and assigning appropriate resource levels, including allowing for greater resource when likely to be more in need i.e., during winter. Ensuring cost effective and sustainable components. Evaluating most cost-effective measures and strategies including early identification and prevention DMC issues will be taken into account when formulating planned works programmes
To provide all tenants with equal access to our repairs and maintenance service and ensure that they are treated in a fair, consistent and non-discriminatory way. This will include those residents to be impacted by forthcoming regeneration programmes.  We will treat tenants reporting DMC with empathy and respect and will not prejudge the reason for any issue	Complying with the Public Sector Equality Duty (Section 149 of the Equality Act 2010) by having due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations
To continuously improve our services in relation to dealing with DMC	Continuing to review and develop services through supervision, monitoring, and feedback from our tenants and leaseholders, and maintaining effective complaints processes

## 4. Scope

This DMC Policy and Operational Practice Note is designed to provide the Council with an overall framework to address DMC in its properties.

### Types of damp

- Condensation damp – this occurs when a property cannot deal with normal levels of water vapour because of a lack of insulation, ventilation or heating, or a combination of all these things.

- Penetrating damp – this occurs when water penetrates the fabric of a building from outside to inside.
- Rising damp – this occurs when moisture travels up from the ground through the masonry.

The document is applicable to Hillingdon Council tenants and leaseholders or someone acting on their behalf, as well as officers working in Housing Management, Repairs and Engineering, the Customer Contact Centre, Complaints and Member Enquiries (MEs).

Although DMC affect residents across tenures, this document is concerned specifically with Council tenants and leaseholders.

Leaseholders in Hillingdon have different obligations with regards to maintaining their homes and they should refer to their individual lease for relevant guidance. The Council's website also offers further advice for leaseholders, including information on buildings insurance and alterations, as well as a leaseholders information booklet. The Council remains responsible for structural repairs in leasehold flats i.e. for rising and/or penetrative damp. Leaseholders who sublet their properties will have additional responsibilities in their capacity as landlord and this will include damp associated with condensation.

This document will be made widely available to all employees and contractors of the Council, in order to increase awareness of DMC across the organisation.

## **5. Areas of Responsibility**

### **The Council's Responsibilities**

- It is Hillingdon Council's responsibility to provide their tenants with the information they need to work their heating and hot water systems efficiently; along with information to help them to minimise condensation
- To provide budgeting and associated advice and support to ensure that incomes are maximised, utilities are connected and financial commitments are met
- Promote and provide general advice and guidance on how to manage damp and condensation
- The Council is responsible for maintaining tenant's homes to avoid penetrating and rising damp and for carrying out remedial action if these do occur
- The Council will make reasonable attempts to access the property to inspect and carry out the works
- The Council will respond without delay to a report of condensation and mould and this will usually be in the form of an information leaflet. If it is the first such contact, the tenant is asked to follow the guidance in the leaflet and to make further contact if the measures advised are not successful after 30 days. An inspection will then be arranged within 20 working days of this further contact. Most inspections will take place in a shorter timescale especially if there is a history of condensation and mould. The appropriate response will be made on a case by case basis, including an early inspection where necessary.

- The Council will diagnose the cause of damp correctly and deliver effective solutions based on the ethos of dealing with the cause of the damp not just the symptom and wherever possible “fixing first time”.
- The Council will ensure that relevant staff have training and are aware of and understand the delivery of the service that will meet the aims of this policy. This will incorporate raising awareness regarding DMC, will include information and how to report a problem and the training will include both housing and non-housing staff.
- The Council will undertake improvement works required to assist in the management and control of condensation damp, for example installation of mechanical extract fans, fresh air vents, repairing existing insulation, etc.
- When carrying out remedial work, the Council will only patch the area affected, not a whole floor to ceiling section
- If an existing tenant requests repair work to plaster when decorating, we will inspect but will not carry out any repair work unless there is a defect in the wall/ceiling structure or plaster finish. See tenants' right to repair and decorations responsibilities.
- If damage is caused to plaster and decorations by another problem e.g., burst pipe or roof leak, we will repair damaged plaster and apply a mist coat of paint. Further redecorations (paint/wallpaper) are the tenant's responsibility unless the damage is due to the negligence of the Maintenance Service. If they have household insurance they can claim for the cost.
- The completion of any remedial works/measures will take place within a reasonable timescale which will be dependent on the severity and urgency of the problem and on the complexity of the solution or the remedial works/actions required.
- If it is unsafe for the occupants 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 and in exceptional circumstances may include a temporary decant to an alternative property. The tenant will be supported through this process to find suitable accommodation
- Operatives and contractors visiting a property for a different issue will also look to identify other issues including evidence of DMC
- When proactive housing inspections are undertaken these will include identification of issues related to condensation, DMC and information will be passed on for appropriate action to be taken.

### **Tenant's Responsibilities**

- Tenants will be provided with and should always follow guidance on minimising condensation in their home.
- The tenant shall regularly check for mould and clean signs of mould as soon as they are discovered. Mould most commonly forms around windows, in the corners of rooms and behind furniture that is very close to a wall.
- The tenant shall regularly check for and immediately report to the Council evidence of rising and penetrating damp and any faulty equipment that will hamper the management and control of condensation and damp such as faulty extractor fan, non-opening windows, or a heating fault

- If all reasonable efforts have been made to manage and control condensation and mould and this has not been successful, tenants should contact the Council for further assistance
- If the Council issues a tenant with an advisory leaflet on controlling condensation and mould, the tenant must follow the guidelines, before requesting an inspection
- Tenants will be expected to allow reasonable access to the property for any inspection by council staff or their accredited contractor(s).
- Tenants are responsible for any redecoration following repair works carried out for DMC issues. If damage is caused to plaster and decorations by another problem e.g., burst pipe or roof leak, we will repair damaged plaster and apply a mist coat of paint. Further redecorations (paint/wallpaper) are the tenant's responsibility unless the damage is due to the negligence of the Maintenance Service. If they have household insurance they can claim for the cost.

### **Leaseholder's Responsibilities**

- Condensation damp – leaseholders are responsible for everything non-structural within the four walls of their flat or maisonette. The Council is not responsible for repairing any service that only affects a leaseholder's flat, and all repairs inside a leaseholder's flat are their responsibility. Therefore, treating condensation damp and any resultant mould will usually be a leaseholder's responsibility.
- Penetrating damp – if there is a leak coming from a pipe that solely serves a leaseholders flat it will be their responsibility to repair. In other cases responsibility for treating penetrating damp and any resultant mould depends on what the fault is (e.g., damaged brickwork/missing roof tiles/loose flashing/leaking/etc), where it occurs, and why it occurs.
- Rising damp – all repairs to the structure of a leaseholder's flat and block are the Council's responsibility, and under the conditions of their lease, leaseholders have to contribute to the cost of any work to their block or group of blocks. The Council maintains certain shared services that run through a leaseholder's flat, and we are also responsible for the structure. Therefore, treating rising damp and any resultant mould will usually be the Council's responsibility.

## **6. Process**

We will take a proactive approach to identifying and resolving DMC issues. This will include checking for DMC issues at any reasonable opportunity e.g. when we know that a property is about to become void and during any void repairs. At new tenant sign up a further check will be made and at subsequent tenant visits.

Where a mutual exchange is taking place and we are already aware of DMC issues, we will be open and transparent with the incoming resident at an early stage to make them aware and to resolve the matter as soon as possible.



## Hillingdon Damp, Mould and Condensation Policy and Operational Practice Note

If there is evidence of damp, mould or condensation we will look to undertake remedial, or improvement works. Unless there is an immediate health and safety risk, these works will be carried out during the incoming tenancy. Advice will be given to the incoming tenant to assist in preventing reoccurring issues.

When a report of damp, mould or condensation is received, our staff will ask a few questions to try to identify possible causes. Some causes may be obvious – such as leaking gutters or overflows. In these cases, remedial repairs will be ordered in line with our repairing timescales.

Where the cause is not immediately obvious, a Council Officer may need to visit the home to carry out an inspection. If we can offer an appointment when the resident first reports the issue, we will, however this is not always possible and so we aim to contact the resident, make the appointment, and visit within our target time of 20 working days. We will do our best to offer and agree a mutually convenient appointment, subject to availability. The resident will need to give access to their home for this appointment/inspection.

The purpose of the inspection is to identify whether the issue is damp related (water penetration due to a building defect), or condensation related (normally linked to the thermal comfort and the way the occupants use their home).

If the issue is identified as condensation-based, the Council will provide information and guidance to the resident. This information will include a discussion on the possible causes of condensation and some solutions that may help. In most cases, once these measures have been in place for a few weeks, the issue is reduced or eliminated.

If the issue is identified as building related, the remedial works will be identified and scheduled in appropriately based on the survey recommendations.

For cases where there are repeated reports of damp, mould, and condensation and/or where there is no obvious cause, we may use specialist contractors to identify the cause.

Where there are several reports of damp, mould or condensation in a particular building or geographical area, a survey may be needed from other properties in the building or from a sample of properties in the locality to proactively establish if the problems are arising from the property design.

### Complex Case Panel

A Complex Case Panel will be established to bring together the 'right' people to agree the most appropriate courses of action where there are cross-cutting issues and wider risks that need to be effectively managed. Attendees will include representation from; Repairs, Tenancy Management, Rent Collection & Arrears Recovery, Welfare Reform & Tenancy Support, Legal and Planned Maintenance.

The Panel will focus on a small number of complex cases. Referral to the panel would be via the repairs lead and panel considerations will include the potential need for decanting the resident(s). This shared management of risk and casework managing

to secure more sustainable solutions can promote improve communication, breakdown silo working, address vulnerabilities and provide a more holistic approach to what are seldomly 'single issue' cases.

Outcomes from complex case panel meetings and decisions taken will be recorded and shared to ensure that case worker management records at team level are up to date and relevant and support a 'whole service approach'.

### Record keeping

The Council has a robust system in place to maintain accurate records. This includes records of inspections, property and tenancy information, and complaint handling. A historical record of remedial works will be kept so that an ongoing evidence base is created and maintained.

### Preventative actions

We will take action to identify homes that have, or may be at risk of developing, problems with DMC. We will use data on our households and homes to help us understand the risk profile in relation to DMC.

We will seek to mitigate any increased risks of DMC arising as a result our work to decarbonise our homes.

When a property becomes vacant, and prior to re-letting, we will seek to identify and remedy any issues which may cause damp. This may include ensuring doors and windows are serviceable and can effectively ventilate the property, ensuring extractor fans are working well, as well as applying mould treatments where necessary.

We will provide information on our website, and through other channels, to raise awareness about the causes of DMC. This will include details about how everyday activities in the home can generate condensation and what tenants and leaseholders can do to help prevent damp through, for instance, ventilation, controlling the build-up of moisture and adequate heating. Where there is mould growth, we will provide advice on how this could be treated.

Our staff and contractors will have the skills and knowledge to identify where there may be signs of DMC and discuss with residents how to manage the problem. Staff will be encouraged to look out for signs whenever they visit a resident's home.

### Dealing with DMC

Tenants are required to report all repair issues to the Council as soon as they become aware of them. In some cases, the cause may not be straightforward and/or could be due to a combination of factors. The inspecting officer may need to use additional resources to further diagnose the problem and determine whether it is due to a repair issue for which we are responsible. Any repairs that are required to be carried out will be dealt with in accordance with our Responsive Repairs Policy.

## Hillingdon Damp, Mould and Condensation Policy and Operational Practice Note

Where the mould and the damp is found to be caused solely by condensation, we will work with our residents to take appropriate measures to prevent this from occurring. This might include advice about how to control moisture levels or increase ventilation or heating, so that moisture levels are kept low. Where we provide such advice, it is important that residents adhere to it and do not take actions that could accentuate any problems e.g., by turning off ventilation systems or sealing over air vents.

When a particularly severe or recurring damp or mould issue is identified we will undertake a comprehensive risk assessment which might result in a range of actions to support the resident depending on their circumstances. This may include one or more of providing temporary dehumidifiers, the installation of positive pressure, mechanical or passive ventilation systems, dry lining walls or applying mould resistant coverings, as appropriate, on a case-by-case basis.

We will keep residents informed of any property inspections, diagnosis of issues and the timetabling of works, where these are required. This includes explaining to them why work might be needed and what work might be done. If any changes to the programme of works are needed, we will keep them informed. Where work is not required, residents will be informed, and we will explain the reason why no further work is needed and the steps they should take.

For more complex cases, and especially where more intrusive building work is required and/or there is a serious health risk to the resident or a member of their household, we may require them to move out of their home either on a temporary or permanent basis. We will consider the individual circumstances of the resident. We will ensure that appropriate checks are carried out at the property to ensure it is suitable for the resident to return to.

Our tenancy and leasehold agreements require customers to allow us (including appointed contractors) access to their home to carry out works at the agreed appointment time. If we are unable to gain access and the integrity of the property, its fabric and/or the safety of the customer or those in the vicinity of the property is compromised, we will take appropriate action. For example, this may include but is not limited to obtaining an injunction for access. In any instance where access is denied, this will be referred back to the Tenancy Management Team for further action. Failure to provide access is an express breach of tenancy obligations and will put the tenants home 'at risk'.

### Aftercare

Aftercare will be tailored to the individual case. Follow-up actions will be dependent on the severity, causes and treatment of the DMC. We will aim to ensure that recurrences are identified swiftly and dealt with in an appropriate manner.

Each active condensation and mould case will remain open until it has been satisfactorily resolved with the resident. This will be confirmed by a follow up phone call and if there is not a satisfactory resolution at this point, follow up actions will continue until there is such resolution.

### Supporting our residents

We will give residents advice on how to prevent damp and what they should do to remove mould. However, we recognise that not every resident will be in a position to resolve DMC themselves. We will provide appropriate support in such cases in relation to the specific circumstances and the individual customer's needs.

We know that some residents cannot afford to heat their homes adequately due to their income levels. We will work with residents to ensure that they are receiving the income to which they are entitled.

Where homes are overcrowded, humidity will tend to be higher and this increases the likelihood of condensation. We will work with the tenant and explore solutions which may include the tenant moving to a more suitable home if this is available and appropriate.

### Staff training

We will ensure that our staff (whether in house or our contractors) have the required skills to diagnose and remedy DMC. We will raise awareness amongst other staff, such as those in social care, who may also enter tenant's homes, regarding damp, condensation and mould. This will include what to look out for and how to make referrals.

### Responding to complaints and learning lessons

We aim to resolve complaints as quickly as possible without residents needing to resort to disrepair claims and legal action. Where legal action is taken, we will follow the Pre-Action Protocol for Housing Conditions Claims so that we may resolve the dispute outside of court to help ensure issues are resolved quicker for customers.

We will learn lessons from DMC cases, update our technical approach and how we communicate with residents, in order to improve future responses. Learning will include improving our understanding of which properties are most at risk of DMC.

Complaints associated with DMC will be formally reviewed on a quarterly basis in the context of 'lessons learnt'.

### Moving towards a planned preventative approach

Improved use of data and of learning from DMC cases will be used to take a more planned approach to treating issues in groups of dwellings, where possible before DMC issues arise. In order to do this, we will review the data systems and reporting processes used to ensure that they are providing the relevant information for a planned approach to be implemented.

## 7. Behaviours, Competencies and Professional Standards

It is important that our staff and contractors should respond proactively to issues that fall outside their area of expertise. We want staff to respond to DMC in a similar way they would a safeguarding response i.e., everyone has a responsibility to highlight potential concerns.

We will ensure that there is training to equip staff with knowledge regarding the signs of DMC and how to respond appropriately.

The response of staff is as much about culture as it is about specific knowledge areas. In addition to staff competencies that form part of employment and appraisal procedures across the local authority, the Council's housing services have adopted the Chartered Institute of Housing's Professional Standards to maintain a focus on the professional development of our staff. These standards build on seven characteristics contributing towards the professionalism of housing services:

Integrity	A housing professional has a clear understanding of their values and acts in accordance with them – they will do the right thing, for the right reasons, based on the best evidence and without partiality.
Inclusive	A housing professional acts transparently and fairly; builds good relationships; and works collaboratively with partners, customers, and communities to achieve better outcomes.
Ethical	A housing professional acts fairly and makes choices and decisions by applying principles and values consistently. They understand the impact that poor decisions can have both on people's lives and the reputation of their organisation and they challenge unethical practice in a fair and considered way.
Knowledgeable	A housing professional has relevant and up-to-date practical and specialist knowledge as required by their job role, understands the bigger picture, and has a passion for continuous learning.
Skilled	A housing professional equips themselves with the relevant skills to deliver effective services to tenants, customers, colleagues, and partners.
Advocate	A housing professional acts as an ambassador for the wider housing sector and an advocate for the housing profession.
Leadership	Housing professionals at all levels should demonstrate leadership, be forward thinking and create opportunities. They find solutions to improve outcomes for their organisation, tenants and communities and demonstrate their ability to adapt to the latest ideas, situations, and change.

## 8. Reviewing our Policy

This is a new Policy and issues around DMC are currently receiving a lot of attention.

We will comply with all relevant statutory and regulatory requirements, and we will continue to seek out and adopt best practice relating to the provision of DMC services.

This policy will be reviewed within one year of its adoption, and in response to consultation with residents, legislative changes or relevant changes to the operating environment.

## **9. Associated Documents and Links to Further Information**

- [English Housing Survey Headline Report, 2020-21](#)
- [Spotlight on: Damp and mould, It's not lifestyle, October 2021](#)
- [One year on follow up report: Spotlight on damp and mould - it's not lifestyle - February 2023](#)
- [Landlord and Tenant Act 1985 \(Section 11\)](#)
- [Housing Health and Safety Rating System \(HHSRS\) Guidance](#)
- [Decent Homes Standard – June 2006 update](#)
- [Homes \(Fitness for Human Habitation\) Act 2018](#)
- [Regulator of Social Housing Regulatory Standards](#)
- [Public Sector Equality Duty \(Section 149 of Equality Duty 2010\)](#)
- [Building Regulations 2010 Approved Document F](#)