

CROYDON COUNCIL

Damp and Mould Policy

This policy applies to Croydon Council tenants, employees, contractors, and other persons or other partners who may occupy or visit our homes.

The policy outlines the Council's approach to managing damp and mould in the domestic properties that it owns and manages.

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1. Purpose

- 1.1. As a social landlord, Croydon Council is responsible for maintaining and repairing our homes, communal blocks, and other residential properties we own and manage.
- 1.2. As a social landlord, Croydon Council is responsible for the maintenance and repairs to homes, communal blocks, and other residential properties that we own and manage.
- 1.3. We adopt a proactive approach to resolving damp and mould, and we will act in a timely manner to deal with any damp and mould issues in our tenant's homes.
- 1.4. We will comply with all relevant legislation and deal with damp and mould in line with this policy, and the recommendations of the Housing Ombudsman's Spotlight report on damp and mould as far as reasonably practical.

2. Objectives

- 2.1. We know that experiencing damp and mould can be distressing. We will treat our tenants with empathy and kindness and never suggest it's their fault.
- 2.2. We will maintain our homes and aim to ensure they are free of damp and mould that could risk the health and safety of everyone living in them.
- 2.3. This policy has taken into consideration the impact and lessons learnt following the death of Awaab Ishak and ensures that the recommendations of the Coroner's Report to prevent future deaths are adopted.
- 2.4. The Policy details our approach to reports of condensation, damp and mould. It outlines how tenants and leaseholders can report issues, and what we will do in response.
- 2.5. The key objective of this policy is to ensure that the Council, tenants and our partner organisations have clear guidance on our legal and regulatory response to reports of damp and mould. Our Policy is designed to mitigate the risks to tenants' health.
- 2.6. Additionally, the policy aims to adopt a data-driven approach to identify homes at high risk of damp and mould, promote a clear understanding of the Council's legal responsibilities and obligations, and ensure a high standard of workmanship and customer satisfaction.
- 2.7. Ultimately, this policy strives to contribute to a safe environment for all residents living-in homes owned and managed by the Council.

3. Principles

- 3.1. The policy is governed by a set of principles within our Asset Management Strategy that aims to ensure our tenants' homes are warm, dry, and healthy.
- 3.2. One of the central principles of the policy is to involve tenants, leaseholders and other stakeholders in the development and operation of the service. This ensures that their needs and preferences are considered and that feedback from these groups is used to continually improve our service.

- 3.3. Clear and appropriate communication is also a key principle of the policy. This ensures that information is easily understood and, in some cases, fulfils the Council's legislative requirements. The policy also recognises the importance of training for operational staff, and the need for detailed procedures and agreed practices to be applied uniformly across the Housing Services.
- 3.4. To fulfil its obligations, the Council will utilise its external maintenance contractors. The Council will also ensure that value for money and procurement regulations are adhered to in all aspects of the service.

4. Legislation

4.1. The following is a list of the current legislation that is applicable to this policy:

- Commonhold & Leasehold Reform Act 2002
- Decent Homes Standard
- Defective Premises Act 1972
- Environmental Protection Act 1990
- Equality Act 2010
- Homes (Fitness for Human Habitation) Act 2018
- Housing Act 2004
- Landlord & Tenant Act 1985
- Social Housing (Regulation) Act 2023 including Awaab's Law

4.2. The following is a list of internal policies that should be read in conjunction with this Policy:

- Conditions of Tenancy
- Decant Policy
- Disrepairs Policy
- Repair Guide 2019
- Repairs Policy

4.3. The Council has considered the following Government Guidance/ Papers:

- Coroner's Prevention of future deaths
- Housing Ombudsman Guidance ' Spotlight on damp and mould '
- Housing Ombudsman, one year follow up report: Spotlight on damp and mould it's not lifestyle

5. What are the Council's legislative or regulatory requirements?

5.1. The Council is required to ensure that tenant's homes are safe from hazards under the Government's Health and Safety Rating System (HHSRS), which is included under section 9 of the Housing Act 2004. Damp and mould (among other issues) is listed as an identified hazard and can lead to legal disrepair and personal injury claims and/or formal internal and Housing Ombudsman complaints against the Council where not addressed in a timely manner.

- 5.2. Furthermore, failure to properly fulfil our landlord responsibilities may result in action by the Regulator for Social Housing and/or determinations and fines from the Housing Ombudsman.
- 5.3. Under the proposal for Awaab's Law, specific timeframes are outlined to complete an inspection, provide a written report, and remedy hazards identified under the Housing Health and Safety Rating System (HHSRS), These have been incorporated within the policy and statement of intent. The timescales are as follows:

Action Required	Action Within
Investigate Hazard	6 working days after the initial report, a stage 1 inspection and mould wash will have been undertaken.
Written summary including findings and next steps	48 hours after the investigation and repairs
Repairs Emergency	24 hours after the investigation
Repairs – start to remedy if hazard identified	Based on the results of the Stage 1 inspection, our specialist Damp and Mould Surveyor will visit your home for a Stage 2 inspection. During this visit, they will determine the cause of the issue and provide a detailed report outlining the necessary remedial work to restore your home to a safe condition.
Post Inspection	6 months after the remedial work has been completed, we will re-visit the property to ensure the property is in a safe condition and free from damp and mould.

- 5.4. If a hazard is not identified, a written summary is required with findings and the next steps (if any), and repairs will be completed in line with our Repairs Policy.

6. Statement of Intent

- 6.1. The Council acknowledges and accepts its responsibilities under the legislation outlined in Section 5 - What are the Council's legislative or regulatory requirements?
- 6.2. All reports of damp and mould within Council properties will be inspected within 6 working days, subject to access provided by the tenant or leaseholder.
- 6.3. Damp and mould can be reported directly by the tenant, Council employees or other third parties via the following methods:
 - [Report an Issue](#) via our website.
 - Call our Repairs Contact Centre Advisors on 020 8726 6101.
- 6.4. All inspections will result in a written summary of findings that include details of any hazard identified and (if applicable) next steps, including an anticipated timeline for repair and a schedule of works. This written summary will be shared with residents within 48 hours of an investigation and recorded on our Housing system by the Damp and Mould team.
- 6.5. If the investigation indicates that a reported hazard poses a significant risk to the health or safety of the tenant, subject to access provided by the tenant or leaseholder, the

Council will begin repair works within 7 working days of the written summary being issued. The council will use our no-access procedure if access is not provided.

- 6.6. The Council will action emergency repairs as soon as practicable, within 24 hours. For damp and mould, an emergency repair may include prevalent damp and mould that is impacting a resident's ability to breathe.
- 6.7. In identifying a hazard, all vulnerabilities of the tenant and their household will be taken into consideration.
- 6.8. If the investigation finds a hazard that poses a significant, or a significant and imminent risk of harm or danger, and the home cannot be made safe within the specified timescales for compliance with Awaab's Law, the Council will offer to arrange for the tenant to stay in suitable alternative accommodation until it is safe for them to return to their home, in line with the Council's Decant policy.
- 6.9. We may also relocate tenants when extensive work is needed, and the timeline exceeds 12 weeks.
- 6.10. All timescales will be communicated with the tenant so they can understand the impact and plan accordingly.
- 6.11. In line with the recommendations of Awaab's Law, the Council will keep clear records of all attempts to comply with the legislation, including records of all correspondence with tenants and contractors.
- 6.12. If the Council has made all reasonable attempts to comply within the timescales but is unable to do so for reasons genuinely beyond their control, they will be expected to provide a record of the reasons that prevented them from doing so.
- 6.13. We will operate a robust process to record no-access visits and take action under the tenancy agreement (or lease) where necessary to ensure the Council can discharge its obligations.
- 6.14. We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that our contractors' employee and public liability insurances are annually up to date.
- 6.15. In addition to the remedial work priorities, Council staff will carry out Work In Progress inspections as part of our quality management.
- 6.16. All completed work will be checked with a post-inspection.
- 6.17. We will undertake satisfaction surveys after the work is completed and feedback will be utilised to support us with service improvements.

7. The Council's responsibility

- 7.1. The Council is responsible for maintaining the structural integrity of its housing. If penetrating and rising dampness is detected, it is the Council's responsibility to carry out the necessary remedial action. Additionally, the Council is obligated to insulate the properties in accordance with the Decent Homes Standard.

8. Tenant's responsibility

- 8.1. A complete list of [tenants' responsibilities](#) is available on our website to assist tenants in maintaining the property.
- 8.2. Information: Tenants will receive a leaflet on how to avoid damp and mould in their homes.
- 8.3. We aim to provide dry, warm, and healthy homes for tenants, and to address any damp and mould problems efficiently and effectively.

9. Quality Assurance

- 9.1. The council will carry out both physical and telephone inspections, after the completion of the works. Additionally, the Council will perform customer satisfaction surveys monthly and report the results monthly as part of a set of Key Performance Indicators (KPIs).

10. Data and Records

- 10.1. The Council uses two primary databases for property management – a housing management system which includes all reactive repair history and an asset management database which holds all the asset information and is used for modelling the Council's future investment programmes including financial projections for the next 30 years.

11. Roles and Responsibilities

11.1. Director of Assets and Repairs

The Director of Assets and Repairs will have overall responsibility for the implementation of the Damp and Mould policy.

11.2. Heads of Housing Services

The Heads of Housing Services will develop, implement, and monitor the effective management of damp and mould management, including appropriate management of repairs contracts and service level agreements with partnering contractors, to ensure Croydon Council delivers an efficient and value-for-money service, by exceeding key performance indicators (KPI's) and financial targets. This will be achieved by ensuring our stock is maintained to the highest possible standard to meet our tenant's needs.

The Heads of Housing Services will ensure the services comply with all property-related health and safety legislation and regulations and have an up-to-date knowledge of Policy at a national and local level, to inform Croydon Council of any changes.

The Damp and Mould policy and associated procedures are embedded within the operational delivery of Damp and Mould management, and all staff are aware of their responsibilities and are adequately trained to carry them out.

11.3. Council staff and Contractors

Will follow the Damp and Mould Policy and related Policies, the associated rules, and procedures, and have an awareness of property-related legislation and regulations to ensure the operational delivery is fair and consistently delivered across our services.

Staff and contractors are aware of their roles and responsibilities and regularly carry out mandatory and personal development training offered to them.

12. Data and Records

12.1. The Council uses two primary databases for property management – a housing management system which includes all reactive repair history and an asset management database which holds all the asset information and is used for modelling the Council's future investment programmes including financial projections for the next 30 years.

13. Performance monitoring

13.1. To ensure continuous value for money and effective monitoring of service delivery, the Housing Service will report on the following Key Performance Indicators (KPIs) to monitor the completion of works:

- Timely response to initial customer contact
- Timely completion of inspections (e.g., within 6 working days from the initial report)
- Number of first-time fixes (Stage 1)
- Timely resolution of damp and mould issues
- Reduction of repeat damp and mould incidents
- Percentage of homes that are free from dampness and mould.
- Percentage of tenants satisfied with the damp and mould resolution process.
- Number of damp-free homes at 3-month and 6-month inspections
- Number of decants required.
- Number of failed appointments (missed timeslot)

13.2. The quality of the works carried out, is usually collated by Tenants' Satisfaction responses (via Inspectors obtaining feedback during their post-inspection visit).

13.3. Key Performance Indicator (KPIs) monitoring information is usually presented at the Senior Management Team, Contractor Operational Meetings, and the appropriate Residents Involvement forums.

14. Equalities Statement

14.1. Croydon Council is committed to promoting fair and equal access to services and equal opportunities in employment, the procurement of goods, and as a community leader. The Council's policies, procedures, and day-to-day practices have been established to promote an environment free from unlawful and unfair discrimination while valuing the diversity of all people.

- 14.2. Discrimination on the grounds of race, nationality, ethnic origin, religion or belief, gender, marital status, sexuality, disability, and age is not acceptable.
- 14.3. The Council will take action to ensure no person using Croydon Council's premises or services receives less favourable treatment or is disadvantaged by requirements or conditions that cannot be justified. Croydon Council will tackle inequality, treat all people with dignity and respect, and continue to work to improve services for all service users.
- 14.4. The legal framework for Croydon Council's approach is provided by the Equality Act 2010 and specifically by the Public Sector Equality Duty, under which a public authority must work consciously to eliminate discrimination, harassment, and victimisation and to advance equality of opportunity and foster good relations between people with differing characteristics.
- 14.5. Further detail on the Duty, and Croydon Council's approach to fulfilling its requirements can be found on our website [Equality and Diversity](#).

15. Complaints

- 15.1. Should there be a complaint from a tenant concerning, any aspect of the damp and mould issues, this will be dealt with via the [Council's Corporate Complaints Policy](#).

16. GDPR and Data Protection Act 2018

- 16.1. Housing Management recognises the commitment to ensure that all data is:
- Processed lawfully, fairly, and in a transparent manner.
 - Collected for a specific and legitimate purpose and not used for anything other than this stated purpose, or as provided for in our privacy and fair processing notices.
 - Relevant and limited to whatever the requirements are for which the data is processed.
 - Accurate, and where necessary, kept up to date. Any identified inaccuracies will be amended or removed without undue delay.
 - stored for as long as required, as specified within Housing Management's Records Retention Policy.
 - Secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and accidental loss, destruction, or damage.
- 16.2. Further information about Croydon Council's commitment to the [General Data Protection Regulations \(GDPR\)](#) can be found via this link.

17. Consultation

- 17.1. Stakeholders with responsibility and operational knowledge of Damp and Mould, have been consulted during the development of this policy.
- 17.2. Residents have also been involved and consulted in the review and development of the Damp and Mould policy.

18. Monitor and Review

18.1. This policy will be reviewed every 3 years, or sooner if required by statutory, regulatory, best practice, emerging developments, or circumstances arising from reviews of other Council-wide policies.

18.2. Arrangement for a full internal audit of the Damp and Mould process to be undertaken by Croydon Council's Internal Auditors. The full scope of the audit will be agreed upon with the Internal Auditors, Director of Housing Management, and Heads of Service.

19. Document Control

19.1. This is a controlled document and should not be changed unless by authorisation of the policy owner.

Monitoring	
Approved Date:	29 August 2024
Next Review Date:	1 April 2026
Effective date:	1 September 2024
Consultation Review	
Stakeholders review:	13.03.2024
Legal review date:	29.07.2024
Residents reading group:	16.08.2024
Policy owner:	Director of Asset and Repairs
Ratified by:	Housing DMT on 29 August 2024
Equality impact assessment:	The impact of this policy will be measured as it is implemented and used as part of a scheduled 1-year implementation compliance review.

Version History		
Version Number	Summary of change	Approver
1.0	New Policy	Head of Responsive Repairs