

**ELHA POLICY**

<b>Date Issued</b>	March 2025
<b>Last Review</b>	Not applicable
<b>Department</b>	Asset Management
<b>Title</b>	<b>Damp, Mould &amp; Condensation Policy</b>
<b>Responsible</b>	Director of R3 & Asset Management
<b>Next Review</b>	March 2030

**1.0 Introduction**

- 1.1 The aim of this policy is to ensure appropriate control measures are in place to adequately manage Damp, Mould and Condensation (DMC) within homes. We aim to ensure our homes are free from DMC, we have a legislative requirement and a duty of care to provide safe homes for our tenants.
- 1.2 This document sets out our approach to managing DMC in tenant's homes. There are multiple potential causes of DMC in homes. This policy is designed to ensure that the root cause of DMC occurrences are accurately identified so that we can take the appropriate actions to address the issue and prevent recurrence.
- 1.3 Awaab's Law was introduced in the landmark Social Housing Regulation Act 2023, to directly tackle the problems of damp and mould in social housing. Key aspects include:
  - **Mandatory Action for Landlords:** Social housing landlords are now obligated to investigate and rectify damp and mould concerns promptly and to uphold decent living standards
  - **Strengthened Powers of the Housing Ombudsman** (the law enhances the authority of the Housing Ombudsman, enabling them to more effectively oversee landlords' compliance)
  - **Inclusion in Tenancy Agreements** (these rules are embedded within tenancy contracts, empowering tenants to legally demand decent living conditions. Cooperation with landlord to report issues and allow access to prevent or mitigate issues)

Although Awaab's Law directly applies to England, its principles and the proactive measures it promotes are universally applicable, emphasising the importance of swift, effective responses to housing complaints and prioritising tenant health.

## **2.0 Definitions**

- 2.1 “Penetrating damp” is damp which results from issues with the building which leads to water ingress such as leaking pipes, cracks and blocked guttering. “Rising damp” is caused by defects in the foundation of the building. Both are already covered by Section 86 of the Housing (Scotland) Act 1987 (as amended) is the definition of a house meeting the Tolerable Standard.
- 2.2 “Condensation damp” is caused by an excess of moisture in the air and poor ventilation. This causes water droplets to form on cold surfaces such as windows and walls. The risk of condensation forming is increased through daily living activities such as bathing, cooking and drying clothes. This type of damp can cause mould to form on the affected surfaces.

## **3.0 Legal and Regulatory Framework**

- 3.1 We will comply with all relevant legislation and regulations including the following (the list is not exhaustive):
- Housing (Scotland) Act 2014
  - Health and Safety at Work Act 1974
  - Scottish Housing Quality Standards (SHQS)
    - Must be compliant with the current Tolerable Standard
    - Must be free from serious disrepair
    - Must be energy efficient
    - Must have modern facilities and services
    - Be healthy, safe, and secure
  - Building (Scotland) Regulations 2004
  - CDM Regulations 2015
- 3.2 We will also comply with the Scottish Housing Regulator’s Scottish Social Housing Charter Indicators which support the requirements of the Scottish Social Housing Charter, and in particular, the following outcomes:

Equality	Social landlords perform all aspects of their housing services so that:  They support the right to adequate housing, and every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services
Communication	Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides
Participation	Tenants and other customers are offered a range of opportunities that make it easy for them to participate in, and influence their landlords decisions at a level they feel comfortable with
Quality of Housing	Tenants' homes, as a minimum, when they are allocated are always clean, tidy and in a good state of repair, meet the Scottish Housing Quality Standard (SHQS), and any other building quality standard in place throughout the tenancy, and also meet the relevant Energy Efficient and Zero Emission Heat Standard
Repairs, Maintenance and Improvements	Tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done
Value for Money	Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay

3.3 This policy also takes account of the following policies and procedures:

- Maintenance Legal Obligations Policy
- Empty Homes Policy
- Mutual Exchange Policy
- Chargeable Repairs Policy
- Mutual Repairs Policy
- Complaints Policy and Procedure
- Tenant Participation Strategy
- Communication Strategy
- Customer Care Policy and Procedure

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- Equality & Human Rights Strategy & Equality & Diversity Policy
- Health & Safety at Work Policy

### 4.0 Principles

- 4.1 We provide and maintain Healthy Happy Homes, our aim is to have a considered and speedy approach for the prevention, treatment and eradication of any DMC issues.

This Policy sets out a three-stage approach to DMC:

- Preventive approach – how we will prevent DMC from occurring
  - Reactive approach – how we will respond when DMC issues have been raised by our tenants
  - Monitor and Reporting – how we will manage, monitor and report on DMC cases
- 4.2 We will maintain our DMC Register where we will record all reports of damp and mould, the outcome of the inspection, and include any remedial works issued or surveys by specialised preservation contractors. We will also record contact with tenants following repairs for up to one year.
- 4.3 We will utilise all tools, contractors, and specialist available to eradicate damp or mould within our homes.
- 4.4 We will fully investigate any reports of damp and mould within our homes. We will instruct any necessary remedial works because of building defects, and carry out any ventilation enhancements deemed necessary to reduce excessive moisture created through condensation.
- 4.5 We will provide information to our tenants on how to reduce moisture created within the home.
- 4.6 We will take a proactive approach in identifying and rectifying any external defects that could cause water ingress into our homes. Identification can take place during stock condition surveys, estates management inspections, void inspection and annual tenancy visits. This includes any tenancy changes and inspection of homes as part of mutual exchanges.
- 4.7 The Board is collectively responsible for providing leadership and direction on Health and Safety matters and for approving this policy. The Director of R3 & Asset Management has overall responsibility for the development and implementation of the DMC Policy. The Asset Manager will be responsible for assessing severity of any reported cases and escalating to the Director of R3 & Asset Management any cases which have the potential to become a serious risk.

- 4.8 All staff must be aware of and understand the implications of the DMC Policy and Procedures, ensuring that any reports of damp and mould are treated timeously, and any works provide as little disturbance to the tenants as possible and always ensure their health and safety.

## **5.0 Objectives**

- 5.1 The objectives of the DMC Policy aim to ensure that:

- We are committed to maintaining our homes to a high standard
- We provide a prompt and efficient response to reports of DMC
- Our statutory obligations as a landlord are fulfilled
- We prepare and implement a programme of Planned and Cyclical maintenance, to ensure that predictable areas of potential deterioration are addressed
- We set aside adequate funds annually to resource the costs of reactive repairs and investment within Planned and Cyclical maintenance programmes
- We achieve high levels of tenant satisfaction

## **6.0 Standards**

- 6.1 We will ensure that:

- We are compliant with the Scottish Government Scottish Housing Quality Standards (SHQS) tolerable Standards, specifically Element 2 Free from Rising Damp and Penetrating Damp and Element 3 Must have suitable heating and ventilation as noted within Annex A of the technical guidance.
- We are compliant with tolerable standards set out in Section 86 of The Housing (Scotland) Act 1987 as amended
- The provisions of the Building (Scotland) Regulations 2004, the associated Technical Standards and any amending or superseding regulations are met as required
- We meet the standards required by the Scottish Housing Regulator. These are the average time taken to resolve cases, the percentage of cases that were reopened and the number of unresolved cases at the end of the year.

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- We only employ Consultants and Contractors who are willing and able to abide by the terms and conditions of our contracts for maintenance works and achieve the standards required
  - All Consultants and Contractors are registered with the appropriate regulatory bodies and are adequately insured
  - We monitor and appraise the efficient and effective management of all Consultants and Contractors employed on DMC projects as set out in the Contract Management policy
  - Where technically possible, we achieve the standards required by the Scottish Housing Quality Standard and the Energy Efficiency Standard for Social Housing (EESH)
- 6.2 We will develop robust internal procedures on dealing with issues of damp and mould. These procedures will cover:
- Handling of reports from tenants or members of staff of DMC
  - Escalation procedures and monitoring of reports of damp and mould to ensure the issues are dealt with promptly
  - Procedures should outline where members of staff from different departments are required to ensure that any damp and mould is dealt with effectively
- 6.3 It is important when dealing with issues of damp and mould to have a thorough understanding of the condition of all housing stock to identify and manage issues at an early stage. As such, we will gather stock condition data to identify where homes have a greater risk of developing issues with damp and mould.
- 6.4 We can gather Information by including damp and mould checks as part of any annual property inspection programme, at the void stage of homes and checking neighbouring homes for damp and mould when problems have developed in a nearby home with similar characteristics. This will also be carried out as part of mutual exchange and at all tenancy change requests.
- 6.5 If we identify damp or mould in void homes, we will treat any issues before reletting the property.
- 6.6 Our void inspection form includes checking extractor fans and ventilation systems to ensure they are working properly. Any defects will be noted and repaired in line with our Maintenance Policy.
- 6.7 We will include other preventative measures, such as gutter cleaning, in planned maintenance programmes.

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- 6.8 Our procedures should be aimed at tackling the root cause of damp and mould in addition to treating the effects of it.
- 6.9 To be sure efforts to treat damp and mould have been effective, initial treatments must be supplemented by a follow up visit to check whether the problem has truly been resolved. This should take place at least six weeks after the initial treatment, although any issues reported by tenants in the meantime should be responded to promptly.
- 6.10 Ongoing monitoring procedures will be developed to prevent mould and damp reoccurring. As such, the installation of indoor air quality monitoring units or smart sensors to track humidity and CO<sub>2</sub> levels where damp and mould have been reported to be an ongoing issue may be considered.

### **7.0 Responsibilities**

- 7.1 Our responsibilities for maintaining the homes we own are contained within elha.com
- 7.2 Further details are contained in the procedures which support this policy.

### **8.0 Communication and Information**

- 8.1 We will provide tenants with information about everyday activities such as: cooking, leaving clothes to dry in rooms and on radiators and taking hot showers that can cause condensation which can lead to dampness and the growth of mould.
- 8.2 We will encourage tenants to report concerns around damp and mould as soon as they notice a problem arising.
- 8.3 We will provide tenants with information on the risks of living with damp and mould, how to identify and report these issues, what steps we will take to address the problem and expected timescales for completion of remedial works.
- 8.4 We will also provide tenants with information on our Complaints Handling Procedure. If having completed our Procedure they are not satisfied with our response, they can complain to the Scottish Public Services Ombudsman and details are provided.
- 8.5 Our Tenant information provides clear, informative guidance to ensure high quality communication is produced that meets the needs of the target audience. This is set out in our Communication Strategy Document.

## **9.0 Training**

- 9.1 All appropriate staff should be provided with training on how to effectively deal with complaints of damp and mould to ensure the issue is properly dealt with in a timeous manner.
- 9.2 All staff, particularly those who may enter tenants' homes or respond to repair requests, should be trained to identify damp and mould and understand the DMC Policy and Procedure for responding to it.
- 9.3 Staff who are likely to respond to reports of damp and mould must be trained and appropriately equipped to assess the issue (including safe use of PPE), identify the root cause, and respond appropriately.

## **10.0 Data Management**

- 10.1 An effective response to damp and mould cases, particularly where the problem is complex or persistent, will require knowledge of the property, the tenant and historic repairs work. As such, all relevant information about our homes and tenants must be recorded along with all actions taken by staff and concerns raised by tenants or third parties.
- 10.2 All targets set for repairs and maintenance work, including responses to damp and mould, must be designed with effective end goals in mind. For damp and mould, a key focus of targets should be whether the issue reoccurred after the initial treatment. This requires a robust data management system to be developed to ensure all necessary documentation is appropriately stored.

## **11.0 Monitoring and Review**

- 11.1 The Asset Manager will submit reports on the performance of the maintenance service to the Performance Committee. The reports will include DMC performance against set targets or standards.
- 11.2 The Director of R3 & Asset Management is responsible for ensuring that all staff involved comply with the DMC Policy and the supporting Procedures.

## **12.0 Policy Review**

- 12.1 The Director of R3 & Asset Management will review this policy every five years or sooner if there is a change in legislation, and will submit only material changes to the Board for approval.