

**ROYAL BOROUGH OF KENSINGTON & CHELSEA HOUSING MANAGEMENT**

**DAMP AND MOULD POLICY**

**DATE TBD**

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### 1. Introduction

- 1.1. This policy sets out our approach to dealing with damp and mould within residents' homes. We understand that damp and mould issues in the home can seriously impact our residents' health, well-being, and the condition of their homes. We want to take a zero-tolerance approach towards damp and mould and do everything we reasonably can to ensure that residents are safe and healthy in their homes. We want to work proactively with residents to achieve this.
- 1.2. The Council will respond to these issues in accordance with the relevant policy and legislation as well as taking on recommendations from the 2021 Ombudsman spotlight report on damp and mould.

### 2. Aims of the policy

- 2.1. The policy outlines our zero-tolerance stance on damp and mould by becoming more proactive in our approach with residents. We will:
  - Ensure we provide and maintain dry, safe homes for our tenants.
  - Comply with legislative, regulatory and contractual (including tenancy and lease) obligations.
  - Treat residents reporting damp and mould with respect and empathy.
  - Focus on working in partnership with tenants ensuring that a safe and healthy internal environment is provided.
  - Take responsibility when investigating cases of damp and mould. We will not prejudice the cause of the damp, and will investigate on a case-by-case basis.
  - Ensure that we can identify the cause of damp and mould, not just the symptoms, and provide effective solutions.
  - Resolve cases of damp and mould in a timely and effective manner in partnership with the resident.
  - Ensure that tenants have access to and/or are provided with advice and guidance on controlling damp, condensation and mould.

### 3. Legal context

- 3.1. The scope of this policy is covered by legislation including the following:

- Housing Act 1985.
- Homes (Fitness for Human habitation) Act 2018.
- Landlord and Tenant Act 1985 Section 11 - Repairs and Maintenance.
- Housing Act 2004 - Housing Health and Safety Rating.
- Decent Homes standard
- The Care Act 2014

#### 4. Related documents

- Repairs Policy
- Damp and Mould Procedure
- Tenants Handbook
- Warm and Well Booklet
- Leaks Management Procedure
- Safeguarding Policy
- Hoarding Procedure
- Decant Policy
- Recharge Policy

#### 5. Types of damp in the home

5.1. Dampness is a build-up of excess moisture that can't escape from a structure and can cause significant damage if not dealt with. Damp can cause timber elements to rot, such as windows and doors and even lead to ceiling collapse.

5.2. It is therefore important to understand the different causes of damp as they each require different solutions:

- **Condensation** is the most common type of dampness and is caused by warm, wet air (water vapour) making contact with a cold surface such as a window or wall. This contact turns the vapour into liquid due to the temperature drop. Meaning water is then formed on the cold surface and slowly soaks in, eventually causing damp. It is usually found in bathrooms,

kitchens, the corners of rooms, on external facing walls and on or near windows. This is because these areas are either particularly susceptible to cold or there is usually a lot of moisture present in these areas. Damp is also found in areas of low air circulation such as behind furniture, especially when it is pushed up against external walls.

- **Penetrating damp** appears because of a defect in the structure of the home, such as missing roof tiles, loose flashing, damaged brickwork or leaking rainwater goods. These defects allow water to pass from the outside of the property to the inside. Penetrating damp is far more noticeable following a period of rainfall and will normally appear as a well-defined 'damp-patch' on floors, walls or ceilings.

- **Rising damp** is the least common form of damp and is caused by water rising from the ground into the home. Water gets through or around a defective damp proof course (DPC) or passes through the masonry that was built without a DPC. Rising damp will only affect basements and ground floor rooms; it will be present all year round but can be more noticeable in winter. It is extremely uncommon but is generally the result of a problem or fault with the home, which requires repair.

- **Water leaks** from defective supply and waste pipework (especially in bathrooms and kitchens) can affect both external and internal walls, ceilings and floors. The affected area(s) will look and feel damp to the touch and will stay damp regardless of weather conditions. It is the result of a problem or fault with the home, which requires repair.

## 6. Guidance on risk assessing

6.1. While damp and mould pose a risk to anyone's health and should be dealt with as soon as possible, it is important that cases are risk assessed on a case-by-case basis to establish priority of works. This is assessed against the severity of the damp and mould, as well as the vulnerabilities of the tenant(s).

6.2. Risk assessments will be carried out in line with The Housing Health and Safety Rating System (HHSRS) as introduced in 2006 by the Housing Act 2004.

## 7. The Council's responsibilities

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- 7.1. The Council will investigate reports of damp and mould to determine the root cause and carry out remedial repairs and/or actions in accordance with the tenancy agreement. The timescale will depend on the severity and urgency of the problem and on the complexity of the solution and the remedial works required. We will:
- 7.2. Ensure that remedial works for the treatment of damp, mould or condensation on void properties are undertaken before being let to new tenants.
8. Ensure that the Council's front-line teams and its contractor's operatives can spot signs of condensation, damp and mould and report this information back to the Council so that an inspection can be raised and assigned to the relevant surveyor.
  - 8.1. The Surveyor will aim to diagnose the cause of damp at the first visit and provide effective solutions in regard to dealing with the cause of the condensation, damp and mould.
  - 8.2. Post-inspection, the Surveyor is responsible for determining whether the damp and mould is a repair issue and/or if the tenant(s) need further assistance from the Council.
  - 8.3. The Surveyor will inform the tenant of their initial findings whilst still at the property. This would include identifying the possible causes of damp, recommending effective solutions, necessary remedial works and the estimated timescales to complete the works.
  - 8.4. The surveyor would then follow this conversation up with a more detailed written summary to the tenant including the information above, as well as further details such as an indication of the timeline for the works and the potential impact the works will have on the resident and their home.
  - 8.5. The Surveyor will arrange for remedial works if required. And give progress updates to the resident regarding the works.
  - 8.6. The Council will carry out preventative maintenance to reduce the occurrence of damp and mould.
  - 8.7. Undertake reasonable improvement works required to assist in the

management and control of condensation and damp, e.g. the installation of mechanical extractor fans, air vents and repairing existing insulation.

- 8.8. Take responsibility for maintaining a tenant's home to avoid penetrating and rising damp and for carrying out remedial action if these do occur.
- 8.9. Aim to use a more data-driven approach when managing its housing. Meaning the Council will proactively analyse its asset data to track repeated cases and problem areas within the borough to deliver long-term solutions to damp and mould.
- 8.10. Ensure that homes meet the Decent Homes Standard.
- 8.11. Make good internal surfaces following any remedial work carried out ensuring that surfaces are prepared to a condition ready for redecoration with anti-fungal paint. Wallpaper must not be hung for at least 6 months.
- 8.12. For cases with ongoing concern a surveyor will carry out aftercare checks, quarterly over autumn/winter (after 6 months if during spring/summer) to identify any reoccurring issues.
- 8.13. Make reasonable adjustments for people who have a disability and will consider the provisions of the Equality Act 2010.

## **9. Limitations**

- 9.1. The Council will need to consider the constraints of the existing building design and structure and will take a pragmatic approach in finding appropriate solutions. In some cases, this may mean that the Council will need to sell or dispose of the property. The Council will not be able to control damp where it is unreasonable or impractical to do so, or if the remedial action would be ineffective for example:
- 9.2. Poor construction or design (not meeting current construction and living standards) for example: Cold bridging areas in the fabric of the building that cannot be eliminated.

- 9.3. Non-habitable rooms, e.g. out-buildings and sheds that have been converted, linking buildings between the house and out building and other add-on structures.
- 9.4. Unheated or uninsulated external toilets and storerooms.

### **10. Timescales**

- 10.1. Timescale for cases of damp and mould will depend on the severity and urgency of the case as well as the complexity of the solution and the remedial works required. However, these are the timescales that tenants can expect regarding the overall process:
- 10.2. Once a damp and mould case has been reported to the Council. The Council aims to schedule an appointment date with the tenant for a surveyor to visit within 14 working days of the report to carry out an inspection.
- 10.3. If an investigation finds a hazard that poses significant risk to the health or safety of the tenant, the remedial works will start within 5 working days of the report concluding.
- 10.4. All damp and mould cases will be assessed on a case-by-case basis and therefore timescales will vary depending on how complex the solution to the problem is. We would therefore state that the Council aims to conclude remedial works within a reasonable time period and that the tenant will be informed of this timescale as well as their needs considered.

### **11. The Tenant's Responsibilities**

- 11.1. The council intends to be proactive in our approach to damp and mould through early intervention, training in-house staff on the signs and causes and by being more data-driven in our approach. However, it is important that tenants report cases of damp and mould to the council as soon as it is noticed so that we can act early and efficiently. The following details tenants' responsibilities regarding damp and mould:
- 11.2. For suspected cases of damp and mould, the tenant is responsible for reporting this to the Council as soon as it is suspected/noticed so that we



can investigate and come to a solution as soon as possible. Tenants can report a damp and mould by telephone (**0800 137 111**), online at <https://www.rbkc.gov.uk/contact-us/report-problem> by email (**hm-customerservices@rbkc.gov.uk**), or in person at one of two Neighbourhood offices (**Blantyre or Malton Road**).

- 11.3. The tenant should regularly check for signs of damp and mould.
- 11.4. The tenant should wipe down and dry water/condensation from surfaces such as windows/bathroom walls/worktops, to help prevent damp and mould.
- 11.5. If the tenant is unable to clean early signs of mould due to a pre-existing health condition or vulnerability, the tenant should report the dampness and/or mould to the Council as soon as possible so that we can advise and help as soon as possible. For more information on this please go to the safeguarding section.
- 11.6. If tenants are struggling with damp and mould issues, they should report this to the Council as soon as possible so that we can investigate and support the tenant as needed.
- 11.7. The tenant is responsible for reporting faulty equipment that will help prevent damp and condensation (e.g. faulty extractor fan(s), being unable to open windows, lack of heating etc.).
- 11.8. The tenant is required to allow access for inspections and for the carrying out of remedial works. Tenants may be re-charged for failing to provide access that has been pre-arranged with them.
- 11.9. When tenants have reported a case of damp and mould that is found to be a result of condensation, the council will work with tenants to take appropriate measures to prevent the damp and mould from (re-)occurring. This might include advice from the below section, "Advice to help prevent damp, mould and condensation". Where the council provides such advice, it is important that residents follow it closely, to resolve cases as soon as possible. The council will carry out any remedial works and/or improvements that are required to help reduce condensation.
- 11.10. After mould removal treatment(s) the tenant is responsible for (re)decoration and should use an anti-fungal paint. The tenant is required to not hang

wallpaper after mould treatments for a minimum of 6 months.

- 11.11. If mould does appear in your home and is minimal in size, you can still call the Council to report this. The Council wants to work with its tenants to find the root cause of these problems and fix them in partnership with its residents. However, in some instances, the Council understands that tenants may want quick and easily accessible advice on how to clean mould themselves rather than intervening if there are no outstanding repairs to be carried out. For this advice, please call our customer service team or you can follow the advice on our website at: <https://www.rbkc.gov.uk/housing/repairs-and-major-works/report-housing-repair/condensation-damp-and-mould>

## 12. Safeguarding

- 12.1. It is particularly important that the groups below are prioritised when dealing with damp and mould as they are at higher risk due to a vulnerability and/or health-condition:
- people with a pre-existing health condition (for example allergies, asthma, COPD, cystic fibrosis, other lung diseases and cardiovascular disease) who are at risk of their condition worsening and have a higher risk of developing fungal infections and/or additional allergies.
  - people of all ages who have a weakened immune system, such as people who have cancer or are undergoing chemotherapy, people who have had a transplant, or other people who are taking medications that suppress their immune system.
  - pregnant women, women who have recently given birth, who may have weakened immune systems and their baby.
  - young children
  - older people
  - people who are bedbound, housebound or have mobility problems, making it more difficult for them to get out of a home with damp and mould and into fresh air.

- people living with a severe mental health condition.

12.2. If it is unsafe for the occupants to remain in the property while the works are carried out, alternative accommodation arrangements may be made. This may be on a day-by-day basis or a temporary decant to an alternative property.

12.3. Safeguarding means keeping people safe from harm, abuse and/or neglect. Where safeguarding concerns arise from a visiting staff member, they would raise this with their Line Manager. A CRM case would also need to be raised the same day and sent to the Neighbourhood Team. For more information on safeguarding please refer to the Housing Management Safeguarding Policy.

12.4. Where Internal conditions within a home (for example, excessive hoarding of personal belongings) are having an effect on the health and wellbeing of the occupant(s) or are preventing inspections or remedial works being carried out, the Council will follow its Hoarding Procedure to resolve this situation first before carrying out damp and mould remedial works.

### **13. Leaseholders**

13.1. Leaseholders shall manage and maintain their properties including damp and condensation in accordance with their lease agreement.

13.2. The Council will not carry out damp and mould remedial works to leasehold properties unless it is covered by the lease or if the damp and mould is having a severe negative affect on surrounding properties. In the latter case, the leaseholder will be re-charged.

13.3. Any neglect by the leaseholder to manage or carry out repairs for which they are responsible for and where this has a direct impact on the condition of a Council owned property will be dealt with in accordance with the lease and may result in recharges.

## 14. Advice to help prevent damp, mould and condensation

14.1. Normal household activities such as cooking, bathing and even sleeping will release moisture into the air. By trying to keep the presence of moisture to a minimum, tenants will be able to minimise condensation so that damp and mould does not have the chance to occur. This is achievable in a multitude of ways but not exclusive to:

- Regularly check that your extractor fans are working, keeping trickle vents in windows open, and allowing air to circulate around furniture.
- Keeping the kitchen or bathroom door closed and the extractor fan on when cooking, showering or bathing. You should leave the extractor fan on for 20 minutes after the activity as well to help extract the moisture from the air.
- Dry laundry outside. If this is not possible, keep in mind that drying clothes internally can generate large quantities of moisture. Therefore, if you need to dry clothes inside, restrict this to the bathroom or large kitchens with extractor fans and to keep the room's door shut so that the moisture does not spread to other rooms.
- If able, heat your home in line with the recommended temperatures for winter (18°C-21°C).
- Keeping the house well-ventilated is important to circulate airflow and let out excess moisture. However, you do not want to keep windows open all the time as this will let heat out of the home and make internal surfaces cold. This makes them more vulnerable to condensation.
- Avoid overfilling wardrobes and cupboards as this restricts the amount of air which is circulating, therefore creating an environment in which damp and mould can thrive.
- Where possible the tenant should avoid placing beds, wardrobes and sofas against outside walls as mould is more likely to grow behind furniture. If necessary, leave a gap between the wall and object so that air can flow between.
- Wipe down and dry water/condensation from surfaces such as windows/ bathroom walls/worktops, to help prevent damp and mould.
- Cover pots and pans when cooking.

14.2. If mould does appear in your home and is minimal in size, you can still call the Council to report this. The Council wants to work with its tenants to find the root cause of these problems and fix them in partnership with its residents. However, in some instances, the Council understands that tenants may want quick and easily accessible advice on how to clean mould themselves rather than intervening if there are no outstanding repairs to be carried out. For this advice, please call our customer service team or you can follow the advice on our website at: <https://www.rbkc.gov.uk/housing/>

repairs-and-major-works/report-housing-repair/condensation-damp-and-mould

- 14.3. As stated in the causes of damp and mould section, condensation is the most common cause of damp and mould, but not the only. Please contact the Council if you suspect other causes of damp in your home or if you are struggling with damp and mould in your home. For more information regarding damp and mould please refer to the Warm and Well Booklet.

## 15. Equalities Statement

The 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 which is free from unlawful and unfair discrimination, while valuing the diversity of all people.

Discrimination on the grounds of race, nationality, ethnic origin, religion or belief, gender, marital status, sexuality, disability and age is not acceptable: the Council will take action to ensure no person using the council's premises or services receives less favourable treatment or is disadvantaged by requirements or conditions that cannot be justified. The Council will tackle inequality, treat all people with dignity and respect and continue to work to improve services for all service users.

## 16. The General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018

As a directorate of RBKC, Housing Management shares 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 RBKC's Records Retention policy.
- Secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and accidental loss, destruction or damage.

For further information about the Council's commitment to GDPR, please see the Council's website at [www.rbkc.gov.uk](http://www.rbkc.gov.uk).

### **17. Monitoring and Review**

This procedure will be reviewed in conjunction with the policy every three years, or when legislative or regulatory changes take place that could affect it.

The next review will take place by: January 2027