

# Supplementary Agenda



<b>Meeting name</b>	<b>Meeting of the Cabinet</b>
<b>Date</b>	<b>Wednesday, 8 March 2023</b>
<b>Start time</b>	<b>4.30 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire. LE13 1GH</b>
<b>Other information</b>	<b>This meeting is open to the public</b>

<b>Meeting enquiries</b>	Democratic Services
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<b>No.</b>	<b>Item</b>	<b>Page No.</b>
6.	<p><b>DAMP AND MOULD POLICY</b> The Portfolio Holder for Housing and Landlord Services to submit a report providing an update on the Council's approach and response to damp and mould both with council homes and the rented sector.</p>	143 - 150

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**Melton  
Borough  
Council**

# **Damp and Mould Policy**

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Author:	Housing Assets Manager
Owner:	Assistant Director Housing Management
Version No:	1.0
Date:	January 2023

## Approvals

Designation	Title	Date of Approval	Version
T3	T3		
SLT	SLT		
Portfolio Holder			

## Distribution:

Title	Date of Issue	Version
SLT		
T3		
MIKE		

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## 1. Policy Principles

- 1.1 This Policy explains the activities and responsibilities involved in the control of Damp and Mould within Melton Borough Council's Housing stock. The Council will provide a consistent, high-quality, repairs and maintenance service for all our tenants and maintain their homes to provide a modern, warm and safe environment.
- 1.2 The principles of this policy are to:
- Provide dry, warm, and healthy homes for tenants.
  - Establish a zero tolerance approach to damp and mould in our homes.
  - Demonstrate a robust, reactive, response to reports of damp and mould in our tenants homes.
  - Use data to develop a proactive approach to dealing with the root cause of damp and mould.
  - Ensure that we clearly communicate and engage with our tenants and leaseholders.
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## 2. Summary

### 2.1 Aims

- 2.2 The aim of this policy is to provide a robust framework to manage damp and mould and proactively reduce instances in the future.
- 2.3 The policy aims to be fair and consistent, whilst also being efficient and effective in its approach.

### 2.4 Objectives

- 2.5 To clarify the process for dealing with reports of damp and mould.
- 2.6 To avoid proposing actions that solely place the onus on the resident.
- 2.7 To explain the assistance Melton Borough Council will provide for residents to manage damp and mould in their homes.
- 2.8 To reduce the potential for damp and mould to occur in homes.

## 3. Policy Details – Approach

### 3.1 Reactive response

- 3.2 All reports of damp and mould will be logged to allow tracking and recording of cases across our housing stock.
- 3.3 Following a report, properties will be inspected by a member of the Repairs Team.

- 3.4 The aim of the inspection is to ensure that all necessary facilities to allow the tenant to manage condensation are provided and working. It will also identify if there are any other building defects that may be contributing to the damp, such as rising damp.
- 3.5 All necessary work will be carried out to the property to deal with the root cause of the issue, and on completion the work will be post inspected.
- 3.6 A follow up call will take place, six months after the original report to check that the work carried out has eliminated the damp and mould.
- 3.7 The Repairs Team will be provided with up to date training on damp and mould. This will include general awareness and diagnosis. The team will also receive training on the Housing Health and Safety Rating System (HHSRS).
- 3.8 Management will ensure that inspections are undertaken in a timely manner in accordance with the Councils repair priorities.
- 3.9 Complicated cases may require input from a suitable qualified third-party specialist, which will be organised by the Inspector. The Inspector will communicate with the tenant throughout this process and agree any further action with the tenant.
- 3.10 The Decant policy will be enacted if we need to temporarily move the tenant to complete repairs.
- 3.11 **Proactive response**
- 3.12 The HRA Asset Management plan commits us to moving to a proactive response to damp and mould. This will reduce the reliance on residents reporting issues and enable us to target works where residents do not engage with the Council.
- 3.13 All tenants homes will have a stock condition survey at least once in a five year period. As part of this survey an HHSRS assessment is undertaken and any category 1 or 2 hazards, including mould, are highlighted for action. Where an HHSRS assessment is made, the banding of the hazard will be recorded on the asset management system to allow for a risk based assessment to be made.
- 3.14 The data stored on NEC Housing can be used to analyse trends in damp and mould cases across the stock.
- 3.15 Data analysis will be used to identify common trends in certain house types and areas and an assessment of risk will be made to help to prioritise future investment and set budgets.
- 3.16 This data will then be used to formulate programmes of work by house types that have a higher risk of experiencing damp and mould. Work will be carried out to all properties of that type, regardless of whether there is a current damp and mould issue.
- 3.17 The HRA Asset Management Plan also commits to a review of energy efficiency of tenants homes. This will result in a new strategy to meet the governments objectives of improved energy efficiency. All works carried out to improve energy

efficiency will be carried out to the current standard to ensure that the design reduces the risk of condensation, damp and mould issues.

### **3.18 Actions considered to be appropriate**

- 3.19 The most important principle of any diagnosis made by the Council is that all possible causes of damp and mould should be investigated and acted upon before referring to tenant lifestyle as the cause.
- 3.20 We will evaluate the mitigations that can put in place to support residents in cases where interventions to the mechanical systems or building fabric are not appropriate and take all reasonable steps.
- 3.21 Education relating to managing condensation is important, and this guidance will be provided proactively.
- 3.22 Ventilation will be assessed and improved where possible and where necessary.
- 3.23 Mould washes will be carried out as a short term response to reduce the immediate risk, while the root cause of the issue is addressed.
- 3.24 An assessment of any rising or penetrating damp will be made and action taken if required.
- 3.25 Insulation levels will be assessed and improved where viable. If it is not viable as part of reactive response, this information will be used when considering a proactive response for the future.

### **3.26 Communication and aftercare**

- 3.27 The Council's guidance on controlling condensation will be used as proactive engagement with residents.
- 3.28 The guidance on the website has been agreed with residents as part of the Your Choice meetings.
- 3.29 After reporting damp and mould, tenants will be contacted by the Inspector that has been allocated to the case. The Inspector will be responsible for keep the tenant updated at all times.
- 3.30 The Inspector will discuss the plan of action with the tenant and ensure that there is no automatic inference of blame on the part of the tenant.
- 3.31 Six months after the original report of damp and mould, the Housing Repairs Team will then contact the tenant to check if the issue has been eliminated. If it has not, a new inspection will take place.

### **3.32 Complaints**

- 3.33 In situations where the tenant is dissatisfied with the course of action taken by the team, the tenant will be made aware of the Council's Complaint Procedure as an effective route to resolve disputes.
- 3.34 If the tenant chooses to progress a complaint through the pre action protocol, we will continue deal with the causes of damp and mould in the property. The

Repair and Legal Teams will work together with an aim to resolve the dispute outside of court.

- 3.35 Complaints will be addressed in the same way that reports of damp on mould are treated, i.e. sympathetic to the issue that the tenant faces and avoiding an automatic assumption of blaming lifestyle.
- 3.36 Records of complaints and the resolution offered will be recorded in a central location, allowing future analysis of trends.

## **4. Associated Legislation, National Standards and Regulation**

- 4.1 Section 10 of the Landlord & Tenant Act 1985 requires a privately rented home must be fit to live in. It gives a checklist of factors to consider that are issues for landlords to address which include damp and mould
- 4.2 The Housing Act 2004 provides provisions about housing conditions to regulate houses in multiple occupation and certain other residential accommodation
- 4.3 Housing Health and Safety Rating System (HHSRS) - The HHSRS is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales.
- 4.4 Decent Homes Standard 2006 – the definition of what a decent home was updated to reflect the Housing Health & Safety Rating System (HHSRS) which replaced the Housing Fitness Standard in April 2006. A decent home must meet four criteria:
  - It meets the current statutory minimum standard for housing
  - It is in a reasonable state of repair
  - It has reasonably modern facilities and services
  - It provides a reasonable degree of thermal comfort
- 4.5 The Homes (Fitness for Human Habitation) Act 2018 creates a new right for tenants where their landlords have failed to maintain their home to the appropriate standard in an attempt to improve housing conditions for tenants

## **5. Monitoring, Evaluation and Review**

- 5.1 The Assistant Director of Housing Management is responsible for monitoring the implementation of this policy.
- 5.2 This policy will be reviewed every three years. In addition, it will be reviewed:
  - Following learning as a result of experience in dealing with cases.
  - To reflect any service enhancements; and/ or,

- Following the introduction of any new legislation, regulations, or guidelines.

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