

## Midland Heart Damp and Mould Policy

### 1.0 Purpose

1.0 The purpose of this policy is to provide a comprehensive strategy for managing damp and mould in Midland Heart properties. We aim to ensure that the safety, quality, and energy efficiency of our homes remain industry leading, delivering first-class, first-time repairs as standard, so that our investment has the meaningful impact we intend for our tenants. This policy supports Midland Heart's duties under Awaab's Law by ensuring damp and mould issues are assessed consistently and, where relevant, escalated in line with our Emergency Hazard Policy or Significant Hazard Policy.

### 2.0 Policy Aims

2.0 The aim of this policy is to ensure we:

- Work in partnership with our tenants to ensure their homes are safe and healthy.
- Treat all tenants with respect and empathy.
- Conduct thorough investigations and implement effective repair solutions and improvements to eliminate damp, including managing and controlling condensation.
- Respond to all reports of damp & mould and condensation, completing necessary repairs in line with our Repairs & Maintenance Policy.
- Comply with all statutory, regulatory, and contractual requirements and adhere to best practices.
- Provide comprehensive advice and guidance to tenants on managing and controlling damp & mould and condensation within their homes.
- Implement data quality and insight measures to identify potential risks to our properties, enabling proactive measures to eliminate damp, mould, and condensation before they become problems for our tenants.

### 3.0 Scope

3.1 This policy applies to:

- All rented homes owned fully by Midland Heart
- All homes where Midland Heart has landlord responsibilities
- Any communal areas owned or managed by Midland Heart

### 4.0 Definitions

4.1 "Damp" – Damp refers to excess moisture within a building, usually caused by leaks/water ingress (penetrating damp), rising damp, or condensation. If left untreated, this can create an environment suited for mould growth.

4.2 "Mould" – Mould is a type of fungus that thrives in damp, humid conditions. It often appears as black, blue, white, or green clusters of circular spots on walls or ceilings, particularly in areas with poor ventilation or high humidity. Mould is also recognisable by its musty smell which sometimes can be noticeable before mould becomes visible.

4.3 "Condensation" - Condensation occurs when warm, moist air meets a cool surface, creating water droplets. A lack of ventilation, insufficient heating, and poor insulation are factors that can cause condensation. Condensation can be a significant source of dampness if left untreated.

## 5.0 Responsibilities

- 5.1 The Director for Repairs and Maintenance, James Watkins, has overall responsibility for the delivery of this policy.
- 5.2 The Head of Specialist Repairs, Usman Ahmed, is responsible for the implementation and management of this policy and procedures related to damp and mould.
- 5.3 Additionally, all tenants, Midland Heart staff, contractors, and anyone with touchpoints in our homes are encouraged to report any early signs of damp and mould.
- 5.4 Our dedicated damp and mould team conducts inspections, surveys, and repairs to resolve issues effectively, whilst also offering specialist advice and support to tenants.
- 5.5 To maintain high standards in managing damp and mould issues, all colleagues working directly with damp and mould cases must complete a mandatory e-learning course. This course covers aspects of managing damp and mould in tenants homes. Additionally, we will provide ongoing training internally and, where appropriate, engage with external training partners to deliver specialized courses. This ensures that staff remain up to date with best practices and regulatory requirements, supporting consistent and high-quality service delivery.
- 5.6 All colleagues are required to identify and escalate any potential emergency or significant hazards in line with the Awaab's Law Emergency Hazard Policy and Significant Hazard Policy.

## 6.0 Our approach

6.0 Tenants can report damp and mould issues in their homes using a variety of channels, as outlined in Section 6.03. Once a tenant reports damp and mould in their home, it is passed to the damp and mould team for further diagnosis.

Upon reviewing the details provided, including any photos or videos submitted, the damp and mould team will assess the tenants report and allocate it to one of two stages listed below, ensuring that the appropriate level of action is taken based on the severity of the issue. Where damp and mould cases meet the definition of an emergency or significant hazard under Awaab's Law, they will also be managed in accordance with Midland Heart's Emergency Hazard Policy or Significant Hazard Policy, to ensure statutory timescales are met.

### 6.1 Stage 1 – Specialist Treatment & Assessment

- Upon receiving the first notification of a damp or mould issue, we will send trained operatives to conduct a specialist anti-fungicidal treatment on the affected areas. A property condition report will also be completed. We aim to complete the treatment within 28 days, with the property assessment issued within 14 days.
- Any necessary repairs identified during this process will be raised and scheduled in accordance with our Repairs and Maintenance policy.
- We request that you provide photographs of the affected areas when you initially report your concern to support our initial assessment. This will help determine if the situation requires escalation to Stage 2.

- During the initial visit, or upon review of the submitted photographs, if it is identified that the mould growth is severe or constitutes a Category 1 or 2 hazard under the Housing Health and Safety Rating System (HHSRS), the case will be escalated to Stage 2. In addition, we will assess each case holistically, considering any relevant circumstances that may affect the occupants' health and wellbeing, and make reasonable adjustments as required.
- In situations where there are no signs of water ingress/penetrative damp, no structural causes and both ventilation and heating are adequate, we will provide guidance on how to prevent mould growth.
- If a subsequent report of damp and mould is received for the same area within an 18-month period, the case will automatically progress to Stage 2.

## 6.2 Stage 2 – Detailed Assessment & Major Works

- Once escalated to Stage 2, a thorough damp and mould survey will be conducted by a technical Damp and Mould Surveyor. This survey will involve the use of specialist equipment to accurately measure dampness, humidity, and other relevant factors within your property.
- Any necessary works identified by the damp and mould survey, including structural repairs, or enhancements to ventilation and heating, will be managed by our Specialist Damp and Mould Team. We aim to complete all Stage 2 works within 90 days with the findings of the technical survey issued within 14 days.
- If the survey does not identify specific property issues, and no further improvements to heating or ventilation are possible, the case will be referred to a Customer Liaison Officer. Your Customer Liaison Officer will work closely with you to identify the root cause of the damp & mould and develop a tailored strategy to resolve the issue. This may include installing sensors to monitor temperature and humidity, enabling both you and us to spot patterns and manage the conditions that contribute to damp, mould, or condensation in your home.
- If it is deemed unsafe for tenants to remain in the property while the necessary works are being carried out, we will arrange alternative accommodation. This may involve day-to-day arrangements, or a temporary decant to another property. Detailed information about our decant process can be found on our website.

6.3 In addition to reports received through the hub, we respond to damp and mould issues reported via other channels such as, our customer app, verbal communications with staff, HomeChecker and social media. The HomeChecker system allows Midland Heart staff to check for and report any signs of damp and mould during property visits that may not have been previously identified by the tenant. We also log cases raised by third parties, such as health workers or support agencies, acting on behalf of tenants, with their consent. Additionally, jobs will be raised if we receive a complaint or if an enquiry is

made by an MP or Councillor on behalf of a tenant. This approach ensures all potential risks are identified and addressed, maintaining a safe and healthy living environment in all properties.

6.4 To ensure the effectiveness of our damp and mould case management, post-inspections will be conducted using a combination of desktop audits and on-site visits. For DM1 cases, 10% of jobs will be inspected, whilst for DM2 cases, 100% of jobs will post-inspected. Where necessary, external third-party specialists may be engaged to carry out these inspections and surveys.

#### 6.5 Planned and Cyclical Maintenance

Midland Heart integrates planned and cyclical maintenance to ensure the long-term integrity and safety of our properties. Where recurring issues or component failures are identified, we assess whether a full replacement under the planned maintenance programme would be more effective and sustainable than repeated repairs. This approach optimises our resources and minimises disruption for tenants, providing a more durable and lasting solution.

Referrals are made when such situations arise, and decisions are based on a formal review process to ensure the chosen action is in the best interest of both the tenants and the organisation. This proactive approach helps us maintain property standards while enhancing tenant satisfaction and preventing future damp and mould issues.

### 7.0 Additional Support

7.1 If conditions inside your home, like overcrowding or hoarding, are impacting your health and wellbeing, Midland Heart will provide personalized advice and guidance. This could include discussing the possibility of moving to more appropriate accommodation or connecting you with external organisations that can offer further support.

7.2 When a customer's vulnerabilities make it difficult to carry out necessary damp and mould treatments, we will work closely with our Tenancy Services team and follow our safeguarding procedures. We will also collaborate with relevant partner organisations to ensure the right support is in place, allowing the work to be completed safely and effectively.

7.3 If we receive a disrepair claim related to damp and mould, Midland Heart will act to ensure legal matters do not delay the essential work. In cases where there is a serious hazard under the Housing Health and Safety Rating System (HHSRS), or where a vulnerable person's health, safety, or wellbeing is at risk, we may issue a notice of intent to enter the property and carry out the necessary repairs without delay.

7.4 For further information on managing damp and mould, tenants are encouraged to visit our website, where further guidance is available. Should tenants require any

additional support or clarification, they are advised to contact our hub for further assistance.

## 8.0 Exemptions

8.1 Whilst we focus on addressing damp and mould issues in properties under our direct responsibility as highlighted in Section 3.0 - Scope, leaseholders and shared owners are responsible for managing conditions within their own homes, as stated in their lease agreements. However, Midland Heart is available to offer advice and guidance to help leaseholders effectively manage any damp & mould or condensation concerns they may have in their homes.

## 9.0 Accessibility and Awareness

9.1 All damp and mould queries must be reported through a phone call to our hub. This approach ensures that each report is accurately logged, allowing us to maintain our records and track the progress of every case. By centralising reporting through the hub, we can ensure a consistent and efficient response to all damp and mould concerns.

9.2 Midland Heart staff, Contractors, or anyone who has a touchpoint with a tenant's home are also able to report works related to damp and mould. These reports are required to follow the processes outlined in this policy, particularly Section 6 - Our Approach, to ensure that all cases are managed consistently and effectively.

9.3 Where a Councillor or MP makes an enquiry on behalf of a tenant or resident, they will not be required to provide written consent as they are elected representatives. These will be treated as MP or Councillor enquiries and the usual complaints process will apply.

9.4 In cases where access to the property is not provided for scheduled inspections, surveys, or remedial works relating to damp and mould—whether due to tenant refusal, unavailability, or requests to delay the commencement of works—the original KPIs set out in this policy will no longer apply. The KPI timeframes will recommence from the point at which access is granted or when the tenant consents to the works proceeding. This adjustment ensures that Midland Heart has sufficient time to complete the necessary works once access is obtained. All reasonable efforts will be made to secure access in line with the tenant's obligations under the tenancy agreement. Repeated refusals, unavailability, or failure to provide access may result in further action being taken to enforce tenancy obligations and safeguard the safety and condition of the property.

### 9.5 Non-Compliance and Escalation Procedures

To ensure the effective management of damp and mould cases, Midland Heart has established a clear escalation process for instances of non-compliance. This includes situations where tenants, contractors, or staff do not adhere to policy requirements.

- Tenant Non-Compliance:
  - If a tenant refuses access or requests delays that impact our ability to meet agreed KPIs, Midland Heart will engage with the tenant to understand and resolve the issue.

- If repeated no-access instances occur, Midland Heart will issue formal notices in accordance with the tenancy agreement in line with our No Access Policy.
  - Contractor and Staff Non-Compliance:
    - Midland Heart conducts regular meetings with contractors to ensure adherence to our standards and the requirements outlined in this policy. In instances where contractors or staff do not meet these standards (e.g., failing to complete works to a satisfactory level), the issue will be escalated for internal review. We will use the measures outlined in our formal contracts to manage and improve performance, including corrective actions such as additional training or other necessary interventions to maintain service quality.
- 9.6 In cases where damp and mould issues in a Midland Heart property are being caused or exacerbated by defects originating from a neighbouring property, or when access to a neighbouring property is required to carry out essential works to a Midland Heart property, Midland Heart will seek to resolve the matter appropriately. If the neighbouring property is owned by another housing association, local authority or private owner, we will contact them directly to arrange access to their property and/or agree what works need to be done to their property and the date by which these will be done. However, if these efforts are unsuccessful, we may pursue legal action which may include (but are not limited) using the provisions of the Access to Neighbouring Land Act 1992 and making an application to the court to gain entry to the neighbouring property so as to assess what works are needed to the same and/or commencing legal action for an order compelling the owner to carry out the necessary works to abate any nuisance being caused to Midland Heart's property.

## **10 Reasonable Adjustment and Support**

- 10.1 We understand that some tenants and residents may have difficulty communicating a concern and /or participating in the reporting process, as such we will always make reasonable adjustments, enabling tenants and residents to report their concerns and engage in the process.
- 10.2 There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances.
- 10.3 In most cases, we will be able to agree and deliver the required reasonable adjustment with a minimum of delay. In some cases, we may need to consider in more detail how best to overcome the difficulty or seek advice from expert organisations that can assist with signposting and other forms of support.

## **11 Tenants Responsibilities**

Our tenants play an essential role in helping us maintain safe and healthy homes. To support this, we ask our tenants to:

### **11.1 Follow Guidance**

Follow all advice and guidance provided by Midland Heart on managing and preventing damp, mould and condensation. Detailed information on managing condensation can be found on our website.

#### 11.2 Regularly Monitor and Report Issues

Frequently inspect your home for signs of damp, mould, or condensation, including rising or penetrating damp.

Wipe down any condensation that forms on surfaces, such as windows, to prevent moisture build-up.

Ensure adequate heating and ventilation in your home to reduce the risk of damp and mould.

Immediately report any damp, mould, or related issues to us as soon as they become visible.

#### 11.3 Report Necessary Repairs

Inform us about any repairs needed that could affect the control of damp and condensation, such as faulty extractor fans, windows that do not open, lack of heating, or roof leaks.

#### 11.4 Allow Access for Inspections and Repairs

Keep to agreed appointment times and provide access to your home as stipulated in the tenancy agreement for inspections, surveys, treatments, and any necessary remedial works related to damp and mould.

Ensure that belongings are moved to a safe location before we attend, allowing our team full access to the affected areas. Tenants are required to provide access to their home for inspections, surveys, treatments, and any necessary remedial works related to damp and mould, as stipulated in the tenancy agreement.

#### 11.5 Maintain Insurance

Ensure you have household contents insurance that includes coverage for flood damage.

#### 11.6 Undertake Redecoration

Complete any redecoration needed after repair works for damp and mould. Midland Heart may contribute towards redecoration costs where repairs to the external parts of the building have caused internal damage.

#### 11.7 Use of Monitoring Equipment

Keep any installed monitoring equipment plugged in and ensure it is not tampered with, to help manage and monitor conditions within your home effectively.

#### 11.8 Report Unresolved Issues

Let us know if, after following our guidance and taking reasonable measures, you are still unable to control condensation and mould in your home.

11.09 The responsibilities outlined in this section are not only part of the tenancy agreement but also vital to maintaining a healthy living environment and protecting our tenant's homes. By reporting damp and mould, allowing access for necessary inspections and repairs, and following our guidance, tenants help ensure their homes remain safe, comfortable, and well-maintained. This collaborative approach benefits both the health of our tenants and the longevity of the property.

## 12 Equality & Diversity

- 12.1 We are committed to ensuring that all our tenants have equal access to our services, in accordance with the principles of the Equality Act 2010. We treat all tenants with fairness and respect, valuing the diversity of our community. Our aim is to meet the needs and preferences of people from all backgrounds.
- 12.2 As outlined in Section 7, we continuously assess the vulnerability of those living in our homes when evaluating the risk of damp and mould. This assessment takes into account the demographics of our tenants and any specific needs they may have, ensuring that we address issues as quickly and effectively as possible for them and their families.
- 12.3 An Equality Impact Assessment has been conducted and is available upon request.

## 13 Complaints

- 13.1 Should a customer be dissatisfied with any repairs we have completed; they are entitled to raise a formal complaint in accordance with our Complaints Policy.

## 14 Monitoring

- 14.1 We are committed to ensuring transparency and accountability in our management of damp and mould cases. We will provide our Board with regular updates, including:

- the number of damp and mould cases received each month, categorized by stage
- the number of open cases
- Performance metrics for jobs completed within and outside of Key Performance Indicators (KPIs)
- Additional relevant information will be reported as necessary to keep the Board fully informed

Monitoring will also include assurance that all damp and mould cases meeting the definition of an emergency or significant hazard under Awaab's Law are managed in line with statutory requirements and tracked against the dedicated hazard policies.

- 14.2 Our Damp and Mould Customer Scrutiny Panel plays a crucial role in scrutinizing, monitoring, and helping us to improve our performance in this area. We also consult with the panel on any proposed changes or updates to our procedures, ensuring that tenant feedback is incorporated into our policy development process. We will present a detailed update to our Operations Committee every six months, ensuring they are fully briefed on our progress and the impact of our efforts.

## 15 Related Law & Regulations

Legislation/Regulation	Relevance to this Policy
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<b>Equality Act 2010</b>	Provides a duty for ensuring equality of opportunity for all protected groups and those associated with protected groups.
<b>Housing Health and Safety Rating System (HHSRS)</b>	This system is used to assess the severity of hazards, including damp and mould, within a property. Identifying Category 1 or 2 hazards under HHSRS triggers escalation and prioritization of remedial action as outlined in this policy.
<b>Data Protection Act 2018 (GDPR)</b>	All information held about our tenant, residents or colleagues must be in line with the Midland Heart Data Protection Policy, Data Protection Procedure and General Data Protection Regulation 2018 (GDPR) guidance.
<b>Landlord and Tenant Act 1985</b>	Imposes a duty on landlords to keep the structure and exterior of the dwelling in repair, which includes addressing issues of damp and mould. Compliance with this act is fundamental to the policy's approach to repairs and maintenance.
<b>Homes (Fitness for Human Habitation) Act 2018</b>	Requires landlords to ensure that properties are free from hazards, including damp and mould, that could affect the tenant's health and wellbeing. The policy's commitment to thorough inspections and timely repairs supports compliance with this Act.
<b>Health and Safety at Work Act 1974</b>	Imposes general duties on employers to ensure the health, safety, and welfare of employees and others, which includes safe management of damp and mould in properties. This act is relevant for Midland Heart staff and contractors involved in repair and maintenance activities.
<b>Social Housing (Regulation) Act 2023 (Awaab's Law)</b>	This act, incorporating Awaab's Law, mandates social landlords to respond to reports of hazards under HHSRS, setting strict timelines for remedial action. It underscores this policy's focus on the response and effective resolution hazards to protect tenant health and safety. Operational detail on how Midland Heart complies with Awaab's Law in respect of Emergency Hazards and Significant Hazards is set out in the Emergency Hazard Policy and Significant Hazard Policy.

<p><b>Environmental Protection Act 1990</b></p>	<p>Provides the legal framework for addressing statutory nuisances, including damp and mould, that could harm tenant health. This act guides our prompt and effective remedial actions.</p>
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## 16 Related Internal Policies

- Repairs and Maintenance Policy
- Complaints Policy
- Data Protection Policy
- Antisocial Behaviour Policy
- No Access Policy
- Awaabs Law – Emergency Hazard Policy
- Awaabs Law – Significant Hazard Policy