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Bolsover District Council

Meeting of the Housing Liaison Board on 29th July 2025

Agenda Item 8: Damp and Mould Policy

Classification:	This report is Public
Report By:	Assistant Director of Housing Management & Enforcement

Background

On 23rd June 2025, Bolsover District Council, Executive approved the Damp and Mould Policy.

The Council as a landlord, is responsible for maintaining the properties it owns and manages in line with the relevant regulations, legislation and guidance. This includes keeping tenants' homes safe from hazards under the Health and Safety Rating System (HHSRS) under the Housing Act 2004, one of those hazards is identified as damp and mould.

The Housing Ombudsman published a spotlight report on damp and mould in October 2021, which stated landlords should take a zero-tolerance approach to damp and mould.

The Social Housing (Regulation) Act 2023 introduced "Awaab's Law." This followed the death of Awaab Ishak, a two-year old child living with his parents who sadly passed away from a respiratory condition, which was found to be caused by damp and mould in the flat.

'Awaab's Law' requires landlords to fix reported health hazards within prescribed timescales and provides greater powers to the Regulator of Social Housing to ensure housing providers are managing condensation, damp and mould effectively.

The Housing Ombudsman also published a severe maladministration report in October 2024 specific to damp and mould – timeliness.

Awaab's Law will come into force for the social housing sector from **October 2025**, with a phased implementation approach.

We have produced a Damp and Mould Safety Policy which is attached at Appendix 1.

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The key aim of this policy is to raise awareness of the issues surrounding damp and its tenanted properties.

In addition the Policy will;

- Provide a clear framework for identifying, reporting, and addressing damp and mould issues.
- Ensure timely and effective responses to reports of damp and mould, and to ensure that repairs to alleviate damp (for example work to guttering and drains, replacing tiles, repairing leaks to pipework, etc.) are carried out as quickly and efficiently as possible to minimise impact on the health of the resident and damage to the structure, fixtures and fittings of the property.
- Promote tenant awareness and provide access to information in a variety of formats, and access to support to help residents prevent and reduce risks of damp and mould in their homes.
- To ensure all tenants are treated in a fair, respectful, empathetic and consistent way.
- Comply with relevant legislation and regulatory standards, including the Housing Health and Safety Rating System (HHSRS).

The Council will ensure that all resident facing housing officers and operatives are responsible for spotting damp and mould, reporting and recording information they gather. Relevant training will be provided. We will ensure that Dragonfly Management staff and subcontractors will be competent to diagnose and remedy damp / mould issues. And that all reports of damp and mould will be fully assessed and responded to appropriately to minimise the risk of conditions returning.

This Policy explains the Council's legal obligations and goes into detail about how we will ensure we meet these legal obligations, specifically how we will triage and inspect reports of damp and mould and how we will ensure we meet the timescales as set out in Awaab's Law.

The Policy has some definitions around the subject of damp and mould and refers to tenant responsibilities in ensuring they take reasonable measures to help reduce conditions that lead to condensation, damp and mould. This reiterates the tenancy agreement and the requirement that a tenant reports a repair and allows access upon 72 hours notice for repairs to be actioned.

The Policy also sets out how we will monitor and report on our performance of these legal requirements, including an escalation process for when there is non-compliance.

On 25th June, after the Policy was approved, the government published draft guidance for social landlords to support the new legislation. This has changed some of the time frames as set out in the consultation stages, and we will review the Policy to ensure that we are still compliant, post these changes.

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One important factor is that Awaab's Law uses a person centered approach and that a hazard does not need to be at Category 1 level under HHSRS where a particular tenant is at greater risk from hazardous conditions for example because of their age or health related vulnerabilities. It is therefore imperative we know who is behind the door to our homes. We are undertaking a substantial piece of work in gaining updated details about our tenants, the household make up and size as well as the households vulnerabilities.

Also of note is that the legal obligations begin when the landlord becomes aware of the potential hazard and this could be if notified by a third party, including a contractor or someone acting on behalf of the tenant e.g. a Councillor. We will need to ensure that all contractors who enter Council properties on behalf of the Council know how to report instances of damp and mould to the Council. This will be the same for any other Council department visiting the property e.g., benefits visiting officers.

The guidance suggests that the landlord may wish to provide tenants with a guide to help them identify hazards so they can be triaged more effectively. We welcome tenants comments on this.

RECOMMENDATION(S)

1. That members of the Board note the Policy.

Links to Council Ambition: Customers, Economy, Environment and Housing	
Ambition: Housing	
Priority:	<ul style="list-style-type: none">○ Maintaining and improving property and housing management standards and ensuring that standards and living conditions in the district contribute towards better health outcomes for all.○ Building more, good quality, affordable housing, and being a decent landlord
Target HOU04: Work towards compliance with the Social Housing Consumer Standards, ensuring tenants' voice is key when developing new council housing policies, procedures, and improvements.	

DOCUMENT INFORMATION	
Appendix No	Title
1.	Damp and Mould Policy