

Customer Access Review – Full Assessment

Assessment details	
Assessment area	Damp, Mould and Condensation Policy
Date of assessment	December 2022
Directorate and Service	Housing and Public Protection, Housing Services
Manager	Housing Maintenance Manager
Officer conducting assessment	Senior Housing Policy & Performance Officer
Step 1: Scoping the assessment	
1. What are the aims and objectives of the activity or proposal?	<p>All social housing landlords have a responsibility to ensure that the homes they provide are well-maintained and of a decent standard. Damp and mould are potential hazards under the Housing Health and Safety Rating System, and failing to address them could lead to failure of the Decent Homes Standard and the Regulator of Social Housing's Home Standard.</p> <p>The Damp, Mould and Condensation Policy sets out how the Council will address and respond to incidences of damp, mould and condensation in Council properties.</p> <p>The key aim of the policy is to raise awareness of the issues surrounding condensation, damp and mould, and set out the Council's proactive approach to addressing and resolving reports in its properties.</p> <p>The objectives of the policy are to:</p> <ul style="list-style-type: none"> • take a zero-tolerance approach to damp and mould • raise awareness of landlord and tenant responsibilities on damp and mould • provide and maintain dry, warm and healthy homes for all tenants, reducing the number of homes with damp and mould • ensure responsive repairs to alleviate damp (for example work to guttering and drains, replacing tiles etc.) are carried out as quickly and efficiently as possible to minimise damage to the structure, fixtures and fittings of the property • ensure the fabric of properties are protected from deterioration and damage resulting from damp and mould • work in partnership with tenants to resolve the issues of damp and mould in their homes. This will include providing tenants with information, materials and support to prevent and help them reduce condensation in their homes • reduce the number of complaints and disrepair claims regarding damp and mould • ensure the service provided is accessible to all so everyone can easily report damp and mould • ensure all tenants are treated in a fair, respectful, empathetic and consistent way.

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Step 1: Scoping the assessment	
2. Who will be affected by the activity or proposal?	The policy will affect tenants of Dartford Borough Council.
3. How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?	<p>a) There are no key performance indicators specific to the Damp, Mould and Condensation Policy.</p> <p>b) The Damp, Mould and Condensation Policy contributes to the Corporate Plan strategic aim of ‘facilitating quality, choice and diversity in the housing market, assist in meeting housing need in Dartford and deliver high quality services to service users’.</p>
4. Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?	<p>The Damp, Mould and Condensation Policy and its delivery is intended to be compatible with the following relevant legislation and regulation:</p> <ul style="list-style-type: none"> • Landlord and Tenant Act 1985, Section 11 – the Council is required to carry out repairs as required to maintain homes. The Council will respond to and fix repairs which are required to fix damp and mould. • Housing Act 2004, Housing Health and Safety Rating System (HHSRS) – this system should be used by local authorities to assess the condition of its stock and to ensure its housing meets the Decent Homes Standard. • Housing Act 2004, Part 1 - the Council must take into account the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions. • Environmental Protection Act 1990 – states that when the condition of a property causes someone to become ill or a sick person to deteriorate, the courts will normally be satisfied that it is prejudicial to health. Damp and mould are defects which are considered prejudicial to health. • Defective Premises Act 1972 – the Council has a duty of care to carry out repairs, ensuring that all individuals who could be affected by relevant defects are reasonably safe from personal injury or damage to their property resulting from defects. • Home Standard (part of the Regulator of Social Housing’s Regulatory Standards) – registered providers should provide a cost-effective repairs and maintenance service and meet all applicable statutory requirements that provide for the health and safety of all occupants. • Children Act 2004, Section 11 - the Council has a duty to have regard to the need to safeguard and promote the welfare of children. <p>The policy fulfils a recommendation in the Housing Ombudsman’s Spotlight report on damp and mould (October 2021) to consider whether an overall framework, or policy, is required to address damp and mould which would cover each area where the landlord may be required to act.</p>

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	This would include any proactive interventions, its approach to diagnosis, actions it considers appropriate in different circumstances, effective communication and aftercare. The Spotlight report was initiated following a high level of complaints reported to the Ombudsman from residents of social housing regarding issues of damp and mould in their homes.
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<p>5. What do you know about the groups of people who will be affected? (i.e. demographic information in relation to the protected characteristic groups of age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment, marriage and civil partnership)</p>	<p>Tenant profile The Council currently owns and manages 3,778 general needs properties and 454 housing scheme properties for older people. Information in relation to the protected characteristics of Council tenants is captured by the service, as follows:</p> <ul style="list-style-type: none"> • Gender – 65% tenants are female and 35% tenants are male. • Age – 6.45% of tenants are aged up to 35 years; 35.44% are aged 35 to 55 years; 34.40% are aged 55 to 75 years; and 13.71% are aged 75 years plus. • Ethnicity – 61% of tenants are from a White ethnic group and 19% are from a Black Minority Ethnic (BME) group. The ethnic group of 20% of tenants is unknown. The Other ethnic group is the largest BME group with 11.89% tenants, the majority of which are within the European Non Irish group. • Disability – 19.95% of tenants have a disability and 80.05% do not have a disability. <p>Prevalence of damp and mould Damp and mould can be caused by building defects such as, for example, a failed service pipe leaking within a building, a failed damp course membrane or the level of soil outside being above the damp course, leaking guttering, water getting in through cracks in an outside wall or through windows/door frames. Subject to the causes there are a range of repairs to tackle and remedy problems of damp and mould caused by building defects.</p> <p>Damp and mould can also be caused by housing conditions, such as the humidity of indoor air, low temperature and poor ventilation thereby creating condensation. If steps are not taken over time to reduce or prevent condensation occurring, mould can form on surfaces such as walls, ceilings and furniture.</p> <p>According to the 2019-20 English Housing Survey, serious condensation and mould problems were present in at least one room in 133,000 (3%) social sector homes and 192,000 (5%) of homes lacked thermal comfort. Homes built between 1981 and 1990 were most likely to fail the decent homes standard for thermal comfort.</p>

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Step 2: Information collection	
	<p>Complaints about damp and mould From April 2019 to March 2021, the Housing Ombudsman received 1,595 complaints from residents of social housing about damp and mould while within the landlord’s complaints process and were assisted by the Ombudsman’s Dispute Support Team. 410 damp and mould complaints were formally investigated by the Ombudsman because the resident was dissatisfied with the landlord’s response. Of the cases investigated, 56% resulted in findings of maladministration (Housing Ombudsman’s Spotlight report on Damp and Mould).</p> <p>In 2021-22, the Council investigated 5 formal complaints from tenants where damp and mould was raised as an issue.</p>
<p>6. What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>Internal consultation has been carried out with Council officers.</p>
<p>7. Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</p>	<p>The Council is committed to ensuring the voice of its tenants is heard on matters that affect them. The Regulator of Social Housing places a requirement on social housing landlords to comply with the Tenant Involvement and Empowerment Standard 2017, by ensuring that tenants are given a wide range of opportunities to influence and be involved in the formulation of their landlord’s housing-related policies and strategies. Consultation with Council tenants will be undertaken, as follows:</p> <ol style="list-style-type: none"> 1. All Council tenants will be invited to comment on the draft Damp, Mould and Condensation Policy. 2. The Dartford Tenants’ and Leaseholders’ Forum (DTLF) will be invited to comment on the draft Damp, Mould and Condensation Policy. The DTLF aims to ensure that the services delivered by the Council are accessible to all. The Forum works as a group to ensure that the views and housing needs of residents are recognised and addressed by the Council, and that those needs and views are placed at the centre of housing services delivery. 3. The Housing Advisory Board (HAB) will be invited to comment on the draft Damp, Mould and Condensation Policy. The HAB considers reports on proposed policy, strategy and performance in relation to housing issues and makes recommendations to Cabinet as appropriate. The HAB includes representation from Council officers, elected Members and DTLF members.

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Step 3: Assessing the equality impact

8. Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the Public Sector Equality Duty:
- a) tackling unlawful discrimination
 - b) promoting equality of opportunity
 - c) promoting good relations

Step 3: Assessing the equality impact

PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Age	<p>Health and wellbeing</p> <p>While damp and mould related health outcomes may affect people regardless of age – babies, children and older people are more sensitive to the effects of damp and mould. If a tenant has damp and mould in their home they are more likely to have respiratory infections, allergies or asthma. Damp and mould can also affect the immune system.</p> <p>Poor housing conditions as a result of damp and mould may result in frequent absence from school for children due to ill-health.</p> <p>The policy takes a proactive approach to addressing and resolving issues of damp and mould in Council properties, thereby reducing the negative impacts this can cause on health and wellbeing.</p> <p>Reasonable adjustments will be made to support elderly tenants, where the Council will instruct its contractor to complete the mould wash instead.</p>		<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Disability	<p>Health and wellbeing</p> <p>While damp and mould related health outcomes may affect people regardless of disability or a person’s health conditions or illnesses – people with respiratory problems such as allergies and asthma, those with a weakened immune system such as those having chemotherapy, and those with existing skin problems such as atopic eczema, are more sensitive to the effects of damp and mould. If a tenant has damp and mould in their home they are more likely to have respiratory infections, allergies or asthma. Damp and mould can also affect the immune system.</p> <p>As well as physical health impacts, damp and mould can have a negative impact on the mental health of tenants living in homes with this problem.</p> <p>The policy takes a proactive approach to addressing and resolving issues of damp and mould in Council properties, thereby reducing the negative impacts this can cause on health and wellbeing.</p> <p>Reasonable adjustments will be made to support disabled tenants, where the Council will instruct its contractor to complete the mould wash instead.</p>		<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<p>Communication needs In accordance with the Council's Equality & Diversity Document Framework, the policy and information about preventing and treating damp, mould and condensation, and the assistance the Council can provide to address such issues, can be provided in alternative formats, including: Braille, audio tape and large print versions of documents. British Sign Language interpreting services can also be provided upon request. Calls can also be received via Relay UK.</p>			
Sex			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<p>Alternative format and interpreting services In accordance with the Council's Equality & Diversity Document Framework, the policy and information about preventing and treating damp, mould and condensation, and the assistance the Council can provide to address such issues, can be provided in alternative formats including documents translated into other languages. Telephone and face-to-face language interpreting services can also be provided upon request.</p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion/Belief			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/Maternity			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership*			<input checked="" type="checkbox"/>	<input type="checkbox"/>

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* Regarding the protected characteristic of Marriage and Civil Partnership – public bodies need to comply with the first aim of the Public Sector Equality Duty and only in the context of employment.

Step 3: Assessing the equality impact	
9. If 'no impact' or 'unknown' was selected, please explain	There are no known circumstances where the policy will have relevance to or a disproportionate equality impact on the protected characteristic groups of sex, gender reassignment, religion/belief, sexual orientation, pregnancy/maternity and marriage and civil partnership. All reports of damp and mould will be treated seriously, investigated and addressed regardless of a tenant's protected characteristics.
10. If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	The Council works with its responsive repairs contractor Breyer to ensure that occurrences of damp and mould are remediated as quickly as possible. The contractor is required to abide by a Code of Conduct when visiting homes to ensure that a professional, respectful, safe and high quality service is provided. Contractor performance is also regularly monitored. There are no known circumstances where these partnership working arrangements with the contractor under the Damp, Mould and Condensation Policy will have a disproportionate impact on the protected characteristic groups.
11. Any other comments	<p>The Damp, Mould and Condensation Policy is relevant to the Equality Act 2010 aims to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act; and to advance equality of opportunity between persons who share a protected characteristic and those who do not. The policy aims to provide a transparent, proportionate, fair and consistent approach to ensure that damp, mould and condensation can be effectively managed and controlled.</p> <p>New approach to responding to reports of damp and mould Previous to the development of the Damp, Mould and Condensation Policy, the Council's response to reports of damp and mould has been to ask the tenant a set of questions about conditions in the property. The answers are assessed and the property history and any previous reports are checked to see the time of year the problems have been occurring (for example, during the summer months). If it is thought that the issue is condensation then the Council may carry out a mould wash to the affected areas and issue advice on managing condensation. The Council also supplies mould growth removal kits, moisture capture kits, and dehumidifiers to help manage situations where condensation is considered the cause. If, after all investigations by telephone have been made and a mould wash carried out, the problem still persists, there may be an underlying damp problem not caused by condensation. If this is the case, the Council will arrange for an Inspector to visit and arrange the necessary repairs.</p>

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Step 3: Assessing the equality impact	
	<p>The Damp, Mould and Condensation Policy introduces a new approach to responding to reports of damp and mould, whereby the initial report will trigger an inspection of the property in order to determine the cause of the problem. This aims to assist in delivering earlier diagnosis and to avoid taking initial actions that solely place the onus for resolving the problem on the tenant.</p> <p>Planned maintenance It is recognised that the economic fall-out of the Covid-19 pandemic coupled with the situation in Ukraine has increased the cost of living since early 2021, which is significantly impacting on energy costs amongst other costs of living such as consumer goods and petrol costs. High energy costs may prevent the adequate heating of many homes during winter due to fuel poverty, leading to increased condensation and indoor dampness.</p> <p>The council coordinates a range of planned works to help reduce the risk of damp and mould and the likelihood of condensation occurring. This work may include:</p> <ul style="list-style-type: none"> • Improve insulation both internally and externally • Upgrade/Installation of mechanical extracts • Upgrade/Installation of wet/dry heating system • External Wall Insulation • Replacement Roofs • Replacement Windows • Other energy efficiency improvements to maintain the decent homes standard <p>Supporting tenants If a damp or mould issue is reported, the Council will arrange for a pre-inspection to be completed to diagnose the cause of the issue, and may also arrange for a mould wash kit to be delivered. During the pre-inspection, the Council’s Technical Staff will provide room by room advice and guidance on how to reduce the risks associated with causing mould growth. The Council will also monitor homes that suffer from condensation, contacting tenants in those homes during the summer months to determine if the condensation issue still exists.</p> <p>Information to support tenants in the prevention and management of condensation is accessible by a variety of resources, including in leaflet form, on the website and in tenancy sign-up packs.</p>

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Step 3: Assessing the equality impact	
	<p>Complaints Any tenant or leaseholder who is not satisfied with the service they have received or who believes they have been discriminated against in respect of an issue with damp and mould can make a formal complaint to the Council using the corporate complaints process.</p>

Step 4: Action plan

<p>12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address: a) any gaps in information and consultation b) how any negative impacts on equality will be mitigated or eradicated</p>
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<p>a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?</p>

Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Views from all Council tenants and leaseholders	Invite comment and input on the draft policy from all Council tenants and leaseholders	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	December/January 2022-23	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Housing Policy & Performance Officer
Views from the Dartford Tenants' and Leaseholders' Forum on the draft policy	Invite comment and input on the draft policy from the Dartford Tenants' and Leaseholders' Forum	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	December/January 2022-23	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Housing Policy & Performance Officer

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Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Views from the Housing Advisory Board	Invite comment and input on the draft policy from the Housing Advisory Board	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	January 2023	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Housing Policy & Performance Officer

b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None					

Step 5: Decision making and future monitoring

13. Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	Director of Housing & Public Protection
14. Is the subject of the Customer Access Review going to committee? If yes, include your findings in the committee report and attach this assessment to the report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15. How will you continue to monitor the activity or proposal on protected characteristic groups?	The Council will monitor the number of damp, mould and condensation related complaints received and number of repairs carried out to fix issues. This is to identify themes, trends and learning opportunities. If the number of complaints received or repairs carried out is high, the Council will carry out a review to identify the causes and seek to rectify this.
16. When will you review this Customer Access Review?	The Damp, Mould and Condensation Policy will be reviewed every three years or earlier to address legislative, regulatory, best practice or operational issues. New Customer Access Review assessments will be undertaken in conjunction with the review of the policy.

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Step 6: Final steps

17. Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer
18. Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded

Reviewed by Legal Services: 5 January 2023

Reviewed by Director of Housing & Public Protection: 6 January 2023