

	Cabinet 27 July 2026
	Report from the Corporate Director of Residents and Housing Services
	Lead Member - Cabinet Member for Housing, Homelessness and Renters (Councillor Robert Johnson)
Housing Damp and Mould Policy	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	Two Appendix A: Draft Damp and Mould Policy Appendix B: Damp and Mould Policy Equality Impact Assessment
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Spencer Randolph, Director Housing Services 020 8937 2546 Spencer.randolph@brent.gov.uk Gary Mitchell, Head of Housing Property Services 020 8937 2956 gary.mitchell@brent.gov.uk

1.0 Executive Summary

1.1. This report shares Brent's new Damp and Mould Policy (see Appendix A), including:

- The Council's approach to combatting the prevalence of damp and mould in our Council homes.
- The consultation and engagement findings.
- The commitments captured within the policy and the progress made to bring those commitments to life.

- How we will deliver and monitor the strategy's progress and impact.
- 1.2. The policy is designed to act as the framework to meet the expectations of our residents whilst ensuring we remain compliant with the Social Housing (Regulation) Act 2023 which includes what is known as "Awaab's law" named after the tragic death of Awaab Ishak.
 - 1.3. It is proposed to monitor the strategy through a regular scheduled performance meeting chaired by the Director of Housing Management and provide regular feedback in terms of performance to the Housing Management Advisory Board.

2.0 Recommendation(s)

Cabinet is asked to:

- 2.1. Endorse Brent's new Damp and Mould Policy
- 2.2. Comment on the status and next steps to deliver the policies commitments.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1 This Damp and Mould Policy sets out Brent's commitment to ensuring that every resident has access to a safe, healthy and a well-maintained home. The policy provides the framework through which we will meet our statutory obligations under Awaab's Law and establishes a clear approach to preventing, identifying and resolving damp and mould across our housing stock.
- 3.1.2 This is fundamentally about resident safety and wellbeing. Damp and mould are not simply property management issues; they are significant public health concerns that can have serious consequences for residents, particularly children, older people, pregnant women, disabled residents and those with respiratory conditions. The policy adopts a zero-tolerance approach and makes clear that we will not unfairly attribute damp and mould to residents' lifestyles.
- 3.1.3 Alongside compliance with the law, this policy supports our wider ambition to provide safe, decent and sustainable homes, reduce health inequalities and improve outcomes for residents.
- 3.1.4 It reflects the lessons learned nationally and locally and demonstrates our determination to put residents at the centre of everything we do.
- 3.1.5 The new Damp and Mould policy contributes most directly to the Borough Plan's 'A Healthier Brent' priority, as well as 'Prosperity and Stability in Brent', ensuring that residents have safe and secure places to live, managing the hazards which are created by conditions where damp and mould are present in council homes.

3.2 Background

- 3.2.1. The requirement to keep the Council's social housing free from damp and mould that could be considered prejudicial to the health and wellbeing of our residents has been in place for decades (Housing Act 1957 set out the fit for human habitation criteria).
- 3.2.2 Legislation to ensure this was delivered more effectively evolved and notably Councils had to comply with a Decent Home standard from 2001 which set out the facilities and requirements a tenant must expect to be provided with, and this included that a property should be free from damp and mould.
- 3.2.3 In 2006 the Housing, Health and Safety Rating System (HHSRS) which requires all social landlords to assess their properties against 29 specific hazards that could be prejudicial to health, and the 1st hazard listed is Damp and Mould. This legislation also set out what a local authority should do if Damp and Mould were identified.
- 3.2.4 In November 2022 a coroner's report was published which concerned the death of a two-year-old child Awaab Ishak. The coroner found Awaab had died of a severe respiratory condition brought on by prolonged exposure to black mould spores. Further it found that Rochdale Boroughwide homes were at fault for not dealing with the damp issues in his home.
- 3.2.5 This tragic death had a significant impact on all social landlords. The government felt that having the HHSRS was not sufficient to protect residents and brought in from October 2025 what is known as Awaab's law under the Social Housing (Regulation) Act 2023. This has mandated in a very prescriptive way how all local authorities must manage hazards under the HHSRS. The role out of this is being done in stages and from October 2025 the hazard that concerns damp and mould became a legislative requirement.
- 3.2.6 Phase two of Awaab's law goes live in October 2026 and the further hazards that will have a similar mandated requirement for local authorities under this legislation which are:
- Excess cold and excess heat
 - Fire and electrical hazards
 - Structural collapse and explosions
 - Falls associated with baths, stairs, level surfaces, or between levels
 - Domestic/personal hygiene and food safety hazards
- 3.2.7 This policy deals only with Damp and Mould but the requirements to meet the following hazards is being assessed.

3.3 Public Health, Inequalities and Safeguarding

- 3.3.1 Brent Council recognises that damp and mould are not solely housing condition issues, but also significant public health and safeguarding concerns. Exposure to damp and mould can have serious consequences for physical and mental health, particularly for babies, young children, older people, pregnant women and residents with respiratory conditions, disabilities or compromised immune systems.
- 3.3.2 We acknowledge that housing conditions can contribute to wider health inequalities and that the impact of damp and mould can be disproportionately experienced by residents facing socio-economic disadvantage, overcrowding, language barriers or other vulnerabilities.
- 3.3.3 Our approach is therefore grounded in prevention, early intervention and equity, ensuring that support is targeted to those at greatest risk of harm.
- 3.3.4 Where damp and mould issues may place a child, young person or adult at risk of harm, Brent Council will adopt a safeguarding-led approach.
- 3.3.5 Staff and contractors will remain alert to potential safeguarding concerns, make referrals where appropriate, and work in partnership with health services, children's services, adult social care and other agencies to protect residents and improve outcomes.
- 3.3.6 Through this policy, Brent Council aims not only to comply with statutory requirements and Awaab's Law, but also to improve health outcomes, reduce inequalities and ensure that every resident is able to live in a safe, healthy and dignified home.
- 3.3.7 Housing services will work collaboratively with NHS partners, Public Health, Adult Social Care, Children's Services and other agencies where a resident's health or welfare may be affected.

3.4 Consultation and engagement findings

- 3.4.1 We initially delivered consultation with a group of residents when looking at what we needed in our new contracts which went live in October 2025. This formulated the basis for this draft where we went out via our web site for feedback and to our Resident's Association chairs group.
- 3.4.2 The feedback received from residents has made the following recommended changes to our policy:
- Revised the process from 3 to 2 access attempts.
 - Internal process for categorisation of the cases and addition of a chasing letter.
 - Addition of detail on the recourse a residents may pursue should they be unhappy with the council's response to a report of damp and mould.

- Addition of 'tenants should proactively report damp and mould, including where it has reoccurred'.
- Addition of Complaints Policy and Compensation and Remediation Policy.

3.5 The strategy's priorities and commitments

3.5.1 The strategy is categorised into six main priorities each of which is supplemented by specific commitments to ensure Damp and Mould is effectively managed in line with legislative requirements.

3.5.2 The priorities are:

A. New Build Damp and Mould Management

- Damp and mould prevention will be considered throughout the building lifecycle—design, construction, handover, occupation, refurbishment and end-of-life.
- Designs and specifications will consider ventilation, insulation, heating and moisture pathways. We ensure that ventilation systems and design comply with Approved Document F (2021) and relevant ventilation maintenance guidance.

B. Risk-Based and Proportionate Control

- A proportionate, evidence-based approach will be applied. Properties will be prioritised by risk, considering factors such as age, construction type and occupancy density.
- Resource is targeted where the risk to health or asset condition need is greatest.
- Vulnerability factors (e.g., children, older people, respiratory conditions) must be considered in line with UKHSA guidance.

C. Governance and Accountability

- Clear lines of accountability underpin effective damp and mould management. Established governance boards including the Building Safety Compliance Project Board and the Audit & Assurance Committee review damp and mould.

D. Competence and Training

- All staff and contractors responsible for property inspections, repairs, or resident engagement are trained in identifying, assessing and responding to damp and mould.

- Competence is verified and maintained through ongoing CPD and independent accreditation where applicable.

E. Resident Engagement and Inclusion

- Residents will receive clear information on how to recognise and report damp and mould, what actions the Council will take, and expected timeframes.
- Residents will receive communications in line with Awaab's Law.
- Brent Council communicates in accessible formats and languages, provides targeted support for vulnerable residents, and engages residents in consultation on improvement programmes.

F. Monitoring, Audit and Continuous Improvement

- Performance is monitored through regular KPI reports to the Brent Housing Compliance Board, focusing on response times, recurrence rates, and resident satisfaction.

3.5.3 The attached draft policy (Appendix A) explains how it is proposed to deal with damp and mould and what the resident can expect and how we will oversee.

3.6 Delivering and monitoring the strategy

3.6.1 Subject to Cabinet approval, the Director of Housing Management will ensure the commitments in this policy are achieved and adhered to. This will be through a series of key performance indicators and regular reporting to the relevant boards including residents through the Housing Management Advisory Board and the Resident Associations chairs group.

3.7 Next steps

3.7.1 Following presentation and approval at Cabinet, the final version of the strategy will be embedded into a designed and accessible format.

3.7.2 We are also seeking comments on the status and next steps outlined to deliver the policies commitments and on the proposed approach to monitoring.

4.0 **Stakeholder and ward member consultation and engagement**

4.1 The lead member was briefed at the time on the issues and what was planned as part of a wider brief to improve housing. In addition, the Housing Management Advisory Board has considered the the work being undertaken on damp and mould.

4.2 It is hoped to invite all members to a one-off session on Housing and the key aspects that underpin delivery of the service and damp and mould is one of these areas.

5.0 Financial Considerations

- 5.1 The costs of delivering this policy fall on the ring-fenced Housing Revenue Account (HRA), through which the Council meets its landlord responsibilities for its approximately 12,000 homes. The policy formalises and consolidates an approach that is already being resourced, and its financial implications are being managed within existing HRA revenue and capital budgets rather than through new spending commitments.
- 5.2 Meeting the statutory timescales introduced by Awaab's Law — an emergency response within 24 hours, an inspection within 10 working days, safety works within five working days of inspection, and preventative works within 12 weeks — requires sufficient surveyor and operative capacity. Additional surveyors have been recruited and are funded within the repairs and maintenance budget. The greater awareness created by the new regime, together with the policy's proactive, zero-tolerance approach to reporting, is expected to increase case volumes and associated reactive repair activity, particularly in the short term, consistent with the elevated repairs and maintenance position experienced in 2025/26.
- 5.3 Where a home cannot be made safe within the required timescales, the policy commits the Council to interim measures — such as two-stage mould treatments and the deployment of dehumidifiers — and, where necessary, to temporary decants. An increase in decants has already been experienced. The related accommodation and disturbance costs are contained within existing budgets but represent an area of pressure that will be monitored closely.
- 5.4 The most significant financial lever is the shift from reactive repair towards planned, preventative investment. Capital works that address the root causes of damp and mould — improved ventilation, insulation, heating and damp-proofing — reduce recurrence and lower future reactive maintenance costs. This investment is delivered through the HRA capital programme, including the expanded programme of major repairs and stock-condition surveys for 2026/27, and is aligned with the Council's wider stock-investment and Decent Homes commitments.
- 5.5 Timely and effective delivery of the policy is also expected to reduce the incidence and cost of disrepair claims, and of compensation awarded through the Council's complaints process or ordered by the Housing Ombudsman. Early intervention therefore protects the HRA from avoidable legal, compensation and remediation costs, reinforcing the financial case for acting promptly.
- 5.6 The policy carries a number of recurring supporting costs, including competence training for staff and contractors as required under the Awaab's Law regulations, case-management and record-keeping systems (with case data retained for a minimum of six years), and the collection of resident vulnerability and diversity data to target services effectively. These are accommodated within existing service budgets.

- 5.7 From October 2026, Phase 2 of Awaab's Law extends the statutory regime to further categories of hazard, including excess cold and heat, falls, and fire and electrical safety. The financial implications of Phase 2 are being assessed and will be reflected in future budgets and in the HRA Business Plan and Medium-Term Financial Strategy. The sustained cost of meeting these statutory obligations underlines the importance of continued investment in the condition of the stock and of maintaining the longer-term financial resilience of the HRA.

6.0 Legal Considerations

- 6.1 Damp and mould in residential housing engages a robust and evolving legal framework, placing significant statutory and regulatory obligations on local authorities in both their landlord and enforcement roles.
- 6.2 Under the Housing Act 2004, local authorities have a mandatory duty to take enforcement action where damp and mould constitute a Category 1 hazard under the Housing Health and Safety Rating System (HHSRS). This includes powers to issue improvement notices, prohibit occupation, or undertake emergency remedial action.
- 6.3 As landlords, councils are subject to the Landlord and Tenant Act 1985 (s.11) and the Homes (Fitness for Human Habitation) Act 2018, which require properties to be maintained in repair and be fit for occupation. Damp and mould linked to disrepair or posing a health risk may give rise to tenant claims for damages, specific performance, or rent repayment.
- 6.4 The introduction of Awaab's Law (in force from October 2025 for social housing and extending further from 2026) imposes strict statutory timeframes for responding to damp and mould. These include urgent action for emergency hazards and defined periods for investigation and remediation. Failure to comply exposes the authority to legal enforcement, compensation claims, and reputational risk.
- 6.5 Local authorities must also comply with Housing Ombudsman expectations, which require a proactive "zero tolerance" approach, timely investigations, clear communication, and consideration of vulnerability, particularly where children or individuals with health conditions are affected.
- 6.6 There are additional obligations under the Equality Act 2010, requiring authorities to consider the needs of vulnerable tenants and make reasonable adjustments where appropriate. Damp and mould cases may also engage public health duties and, in severe circumstances, expose the authority to scrutiny through coronial processes or judicial review.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 There are several factors which influence damp and mould, and the makeup of our residents is considerably diverse. It is clear that we need to run our data across multiple diversity strands, but we currently have a lack of data in some areas. We are currently collecting diversity data with a planned approach for

home visits and an additional resource as we recognise the importance of getting this so we can tailor our service effectively.

- 7.2 The concern we have is that there is a link between dampness and poverty, and it is important to understand the demographics of where our damp cases are affecting. This is likely to happen in a few months (October) once the data is loaded.
- 7.3 Brent outlines its commitment to support marginalised groups - through tailoring service delivery and tackling inequality - within the Equity, Diversity and Inclusion Strategy 2024-28 and we are mindful of this gap.

8.0 Climate Change and Environmental Considerations

- 8.1 The Brent Damp & Mould Policy aligns with initiatives under the Brent Climate & Ecological Emergency Strategy which aim to help residents to keep their homes warm in winter and comfortable in summer. Residents meeting certain eligibility criteria may additionally be able to receive a free energy advice consultation through the Brent Well and Warm scheme, delivered by Groundwork's Green Doctors.

9.0 Communication Considerations

- 9.1 The policy includes a number of standards we need to deliver to our residents. We have a plan for rolling communications that will ensure we are compliant with the Social Housing (Regulation) Act 2023 which sets out a number of standards
- 9.2 This will include further messages on combatting damp and mould, and the service standard residents can expect.
- 9.3. A number of summer roadshows are also planned where the team will be sharing information on what we do. The Housing Engagement team will be co-ordinating this.

Report sign off:

Tom Cattermole

Corporate Director of Residents and Housing Services

Legal considerations provided by:
Stephen Akpan & Fabian Peters

Finance considerations provided by:
Michael Jarratt