NORTH LANARKSHIRE COUNCIL
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DAMP & MOULD POLICY

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Document control			
Title	Damp & Mould Policy		
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Document Approvals

Number	Governance Group	Date approval granted	Date approval to be requested (if document still draft)
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Strategic Alignment

The Plan for North Lanarkshire: Improve North Lanarkshire's Resource Base

Ambition Statement: Ensure we keep our environment clean, safe, and attractive

Next review date	
Review Date	June 2027

1. Introduction

North Lanarkshire Council recognises that dampness and mould are serious housing and public health issues which can have a significant impact on tenants' physical health, mental wellbeing, and quality of life.

As a landlord, the Council is committed to ensuring that its homes are safe, warm, and well maintained. Dampness and mould will be prevented wherever possible, and where issues are identified, they will be addressed promptly, effectively, and in a manner that protects tenant wellbeing.

This policy sets out the Council's overall approach to the prevention and management of dampness and mould in its housing stock. It establishes the principles that guide decision making, clarifies responsibilities, and sets out the standards and requirements that must be in place to manage damp and mould effectively.

The policy supports compliance with existing and future legal, statutory, and regulatory requirements, and provides a consistent framework within which detailed procedures and operational guidance are developed and maintained. A lack of compliance can place the Council at risk of prosecution or financial penalties.

Purpose

The aim of this policy is to ensure that tenants live in safe, healthy homes that are free from dampness and mould, and that any damp and mould issues are prevented where possible and effectively managed when they arise.

The objectives of this policy are to:

- establish a clear and consistent organisational approach to the prevention and management of dampness and mould
- support early identification and timely resolution of damp and mould issues
- clearly define roles, responsibilities, and accountability in relation to damp and mould
- ensure compliance with relevant legal, statutory, and regulatory requirements

Scope

This policy applies to all Council owned domestic housing, including both occupied and unoccupied properties.

It covers dampness, mould, and condensation issues affecting individual dwellings and, where relevant, associated communal areas. Where properties are occupied, the policy applies in relation to the health, safety, and wellbeing of tenants and households.

This policy does not replace or amend tenants' obligations under the tenancy agreement or other housing policies. Detailed operational processes are set out in supporting procedures.

2. Related Documents

In developing this policy, the Council has taken into account the following, including but not limited to:

- Housing (Scotland) Act 2006 and the Repairing Standard
- Investigation and Commencement of Repair (Scotland) Regulations
- Scottish Secure Tenants (Right to Repair) Regulations 2002
- Scottish Housing Quality Standard
- Scottish Housing Regulator guidance on the management of dampness and mould
- Scottish Government policy and statutory guidance relating to housing standards and tenant protections
- The Council's Tenancy Agreement
- The Council's Housing Asset Management Plan and Housing Investment Plan

3. Policy Principles

The Council will manage dampness and mould in accordance with the following principles:

Prevention and proactive management

Dampness and mould should be prevented wherever possible through proactive management of property condition and risk.

Early identification and prompt response

Damp and mould issues will be identified as early as possible and addressed without unnecessary delay.

Tenant information and engagement

Tenants will be provided with clear information, advice and support, and will be kept appropriately informed throughout the management of damp and mould issues.

Consideration of household circumstances

Decisions will focus primarily on property condition and the nature of the issue, while recognising household circumstances and health considerations where appropriate.

Organisational capability and accountability

The Council will ensure that appropriate skills, resources, and oversight are in place to manage damp and mould effectively.

Regulatory compliance

All actions will comply with relevant legislation, regulatory requirements, and statutory guidance.

4. Roles and Responsibilities

Council Responsibilities

The Council is responsible for:

- assessing and investigating reported damp and mould issues
- identifying and addressing building-related causes of damp and mould
- taking reasonable steps to protect tenant health and wellbeing
- communicating with tenants clearly and appropriately throughout the process
- ensuring compliance with legal and regulatory requirements
- monitoring performance and learning from outcomes to improve practice

The Council holds overall accountability for this policy. Its delivery is led through housing and property services, with senior management providing oversight, assurance, and support.

Tenant Responsibilities

Tenants are expected to:

- report suspected dampness or mould promptly to the Council
- provide reasonable access to their home for inspection, investigation, and works
- follow reasonable advice provided by the Council to help prevent damp and mould where this does not compromise health or safety

Tenants are not responsible for diagnosing the causes of damp or mould or for remedying building related defects.

5. Definitions

Understanding Damp and Mould

Damp is the build-up of moisture in a property. It affects building materials (such as walls, floors, ceilings, foundations) and/or home furnishings and belongings (such as carpets, curtains, wallpaper, furniture, and clothing). In addition to causing damage, damp can also lead to the growth of mould and other microorganisms. Damp can occur in homes for a variety or reasons. Irrespective of the type of damp (condensation, penetrating, rising or traumatic), landlords are legally responsible for addressing damp and mould and should work with qualified professionals to help manage the situation.

Note: Staff and Tenants should refer to the Government Guidance – Understanding and addressing the health risks of damp and mould in the home

Condensation Damp

Condensation damp happens when moisture generated inside the hoe cools and condenses

onto colder parts of the buildings (for example window frames, corners, and low points on walls behind sofas or wardrobes). This is the most common form of damp.

There are a number of means to address condensation:

- Addressing building deficiencies – Repairing the source of water intrusion, such as fixing leaking pipes, clearing blocked gutters, defective roofs, broken seals around windows or ill-fitting windows that do not close fully, faulty damp proof courses, flood damage and other structural deficiencies such as cracks in render or the foundation.
- Improving ventilation - damaged, blocked, absent, or switched off mechanical ventilation (for example, extractors in kitchens and bathrooms)
- Improving energy efficiency (Loft and wall insulation) and addressing inadequate heating systems.
- Help to educate tenants about the Health & Safety risks that may be associated with damp and mould if left unattended and make recommendations to help tenants mitigate any potential risk. The exact approach will depend on the specific conditions of the dwelling.

Penetrating Damp

Penetrating damp is water that gets into the building from outside due to defects in the walls, roofs, windows, or floors.

Rising Damp

Rising damp is moisture from the ground that rises through parts of the buildings in contact with the ground (walls and floors); it is usually found in older properties and is often misdiagnosed. It can be identified through visual inspection; however chemical testing is the most appropriate way of confirming it. Often it is due to defective damp proof courses and membranes.

Traumatic Damp

Traumatic damp can be caused by leaking water from plumbing and or central heating pipes, overflowing baths or sinks, burst pipes or defective water storage vessels inside the building. Traumatic damp can also originate from outside the property, for example from another building or from environmental flooding.

Mould

Mould is a type of fungus which grows in moist environments. Mould can cause adverse health effects as well as damage to buildings.

6. The Councils approach to Managing Damp, Mould and Condensation

Timeframe for Investigating Hazards

North Lanarkshire Council will investigate the causes of damp and mould within ten working days of a complaint being made. The Council aims to investigate all reports as soon as reasonably practicable.

Any tenant who is concerned about any symptoms they are experiencing should be advised to consult a healthcare professional. The Council will not delay action to await medical evidence or

opinion – medical evidence is not a requirement for action, and damp and mould should always be addressed promptly to protect tenant's health.

Written Summaries of Investigation Findings

North Lanarkshire Council will aim to issue a written summary of the findings of the investigation to tenants within 3 working days of the investigate concluding.

The written summary must specify, at minimum:

- The name of the persons or organisations who conducted the investigation.
- A brief summary of the investigation process and findings, with explicit confirmation as to whether the house is substantially free from damp and mould.
- Details of any repair work carried out during the visit, if appropriate.
- If substantial damp or mould is identified, confirmation of the work required and a target timeframe for beginning the repair work.
- If substantial damp or mould is not identified, the reasons as to why and, if appropriate, whether any repair work will be conducted through the landlord's own repair policy, procedures or service standards instead (where they exist).

The Council recognises that in some cases (for example issues involving structural damp) a full investigation into the cause of the problem can take longer than 14 days.

The Council will still be required to conduct an initial investigation as soon as possible and within that 14-day period to assess the severity of the issue and determine next steps (which may include arranging for a specialist damp survey). There may be instances where the Council will not be able to set out exact dates for next steps for example, where dates are dependent on external contractors' availability. In those instances, the Council will provide an estimated timeframe to residents and follow up with specific timings in writing.

Repair Works

Where substantial damp or mould is identified, landlords must commence any repairs work within 5 working days after the day in which the investigation is concluded. This could include immediate mould treatment or temporary remedial work.

The repair work must ensure that:

- the home is substantially free from damp and mould (i.e. mould spores are safely removed), and
- as far as reasonably practicable, the home continues to be substantially free from damp and mould (i.e. necessary preventative measures are implemented to prevent re-occurrence).

The repair work to make the home substantially free from damp and mould must be completed within 20 working days from the date the repair work is commenced.

The purpose of the repair work is to ensure the root cause of the issue is sufficiently tackled. For example, a mould wash without any other intervention is unlikely to be considered a suitable repair if it does not ensure the home continues to be substantially free from damp and mould.

If no substantial damp or mould is identified or if the issue is out with the landlord's responsibilities, no further work is required under Awaab's Law. However, landlords should continue to consider their other statutory duties in relation to housing standards where appropriate to prevent escalating issues.

Record Keeping

The Council will maintain appropriate records for all damp and mould cases and ensure that cases are monitored from report through to resolution. Information from cases will be used to support service improvement, identify trends and recurring issues, and inform asset management and investment decisions.

If the Council makes all reasonable attempts to comply with the timescales but is unable to for reasons genuinely beyond the Council's control, the Council will be expected to provide a record of the reasons that prevented them from doing so.

8. Monitoring and Review

Monitoring

The Council will monitor the implementation and effectiveness of this policy to ensure that dampness and mould are being managed appropriately across its housing stock. Monitoring will include compliance with this policy and relevant legal and regulatory requirements, the effectiveness of damp and mould management arrangements, and learning from outcomes, trends, complaints, or recurring issues.

Monitoring will be undertaken through appropriate management and governance arrangements.

Reporting and assurance

Monitoring information will be reported through established management and governance arrangements to provide assurance that the policy is being implemented effectively and that statutory and regulatory obligations are being met. Senior officers are responsible for ensuring appropriate oversight and for using monitoring information to support accountability and service improvement.

Review

This policy will be reviewed once a year to ensure it remains up to date and effective. An earlier review may be undertaken in response to legislative or regulatory change, learning from significant cases or service reviews, or material organisational change. Any revisions will be approved in accordance with the Council's governance arrangements.

9. Equalitites, Human Rights and Impact

This policy is consistent with the council's Equal Opportunities Policy and aims to ensure that we act fairly and lawfully on all occasions. We will not discriminate against anyone on the grounds of race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief.

An Equalities Impact Assessment (EqIA) has been carried out whilst this policy was being developed to identify any potential adverse impacts on people or groups who share protected

characteristic and any opportunities in which to strengthen and promote equalities. This assessment included an assessment of the Fairer Scotland Duty and Human Rights.

Two further impact assessments have been carried out for this policy given the scope and impact of this policy on women, children and health. This included a Children's Rights and Wellbeing Assessment (HIA). A summary of this EqIA can be found on the council's website and the full impact assessments are all available on request.