



OAK TREE HOUSING ASSOCIATION

Damp Mould and Condensation Policy

Draft for review and comment

Equalities statement

Oak Tree Housing Association is committed to ensuring that this policy operates fairly and equitably. We will make reasonable adjustments and provide information in alternative formats, including large print, audio and translated versions, on request.

Policy owner	Director of Property	Approval body	Management Committee
Status	Draft for Committee review	Approval date	To be confirmed
Next steps	Legal review and tenant consultation	Review frequency	Annual or earlier if required

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1.0 Introduction and purpose

- 1.1 Oak Tree Housing Association is committed to providing homes that are safe, warm, dry, adequately heated and ventilated, and substantially free from damp and mould.
- 1.2 This policy establishes Oak Tree's approach to preventing, identifying, investigating and resolving damp, mould and condensation. It gives particular priority to immediate safety risks, vulnerable households, recurring cases and circumstances in which a home may not be safe to occupy.
- 1.3 Oak Tree will act when any employee, contractor or representative becomes aware that a home is or may be affected. We will not require a tenant to use particular words, prove the cause, make a formal complaint or provide medical evidence before we act.
- 1.4 Reports will not be dismissed as a lifestyle issue. Advice and practical support for tenants will complement, and will never replace or delay, Oak Tree's responsibility to investigate, identify property-related causes and complete repairs for which it is responsible.
- 1.5 This policy is a standalone policy linked to the Landlord Safety Manual. Detailed workflows, inspection requirements, forms and system instructions are contained in the Damp Mould and Condensation Procedure.

2.0 Scope

- 2.1 This policy applies to all homes owned or managed by Oak Tree where the Association has repairing or management responsibilities. It applies to reports received from tenants, household members, representatives, neighbours, staff, contractors and other agencies.
- 2.2 It applies to all employees, Management Committee members, contractors and consultants involved in receiving reports, assessing risk, investigating, communicating, carrying out work, providing support, monitoring performance or handling complaints.
- 2.3 Damp or mould identified in an empty home must be investigated and resolved before reletting. Where a report may indicate a wider building or stock issue, Oak Tree will consider inspections of similar or neighbouring homes.

3.0 Legal and regulatory framework

- 3.1 This policy supports compliance with the following principal requirements and guidance:
 - Housing (Scotland) Acts 1987, 2001, 2006, 2014 and 2025, where applicable;

- Investigation and Commencement of Repair (Scotland) Regulations 2026 (SSI 2026/173), in force from 6th October 2026;
- Scottish Secure Tenants (Right to Repair) Regulations 2002, as amended;
- Scottish Housing Quality Standard and the Scottish Social Housing Charter;
- Scottish Housing Regulator Regulatory Framework and ARC Technical Guidance;
- Awaab's Law Guidance for Landlords in Scotland;
- Equality Act 2010, Human Rights Act 1998, UK GDPR and Data Protection Act 2018;
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, where applicable;
- Relevant building standards, environmental health, safeguarding and health and safety requirements; and
- Putting Safety First and other applicable Scottish sector guidance.

3.2 The Scottish Government's Awaab's Law guidance is not itself a statutory requirement for social landlords under the Right to Repair Scheme. Oak Tree will nevertheless follow the guidance as relevant good practice, recognising that the Scottish Housing Regulator will have due regard to it when monitoring and assessing landlord performance. Complaints about Oak Tree are governed by the Scottish Public Services Ombudsman framework.

4.0 Policy principles

4.1 Oak Tree will:

- make it easy to report damp, mould or condensation through any available contact channel;
- record the date and time when any part of Oak Tree first becomes aware of a potential case;
- triage every report promptly and prioritise health, safety and household vulnerability;
- investigate all reports within the applicable statutory timescale and seek the root cause;
- keep the tenant informed in clear and accessible language;
- take relevant safety action and begin required repairs within statutory timescales;
- provide support or alternative accommodation where required;
- verify that work has addressed the cause and monitor recurring risks;
- maintain accurate records and report performance openly; and
- learn from repeat cases, complaints, failures and stock-condition information.

5.0 Definitions

Term	Meaning
Become aware	The date and time when any employee, contractor or representative of Oak Tree is told, observes or otherwise receives information that a home is or may be affected by damp or mould.
Competent person	A person with demonstrable knowledge, training, skills and experience appropriate to the investigation, who can identify likely causes, assess relevant hazards and recommend proportionate action.
Immediate safety risk	An Oak Tree service and escalation category for a condition presenting an imminent and significant risk to health or safety. It is not a separate statutory category under the Scottish Awaab's Law Regulations.
Exceptional circumstances	Circumstances genuinely beyond Oak Tree's control that prevent a statutory action being completed within time. The circumstances, evidence, tenant communication, interim protection and revised date must be recorded and authorised.
Investigation	A systematic examination by a competent person using relevant records, information from the household, visual inspection and appropriate measurements to identify hazards, root causes and required action.
Qualifying repair	A repair covered by the Scottish Secure Tenants (Right to Repair) Regulations 2002. From 6 October 2026, substantial damp or mould is included as a qualifying repair with a maximum completion period of 20 working days, calculated under those Regulations.
Reopened case	A report where the same or a related cause persists or recurs after the case was recorded as resolved.
Relevant safety work	Work required to ensure that the home is substantially free from the damp or mould investigated and, so far as reasonably practicable, will continue to be so.
Vulnerable household	A household where personal circumstances increase the likelihood or severity of harm. This may include babies, children, older people, pregnant people, disabled people and people with respiratory, immune or other relevant health conditions. Medical evidence is not required before vulnerability is recorded and considered.
Working day	Any day other than a Saturday, Sunday or Scottish bank holiday for the purposes of the applicable legislation.

6.0 Responsibilities and accountability

Role	Responsibility
Management Committee	Approves the policy and receives assurance on compliance, significant failures, risks and improvement actions.
Chief Executive	Holds executive accountability, ensures adequate organisational arrangements and escalates serious systemic, legal or regulatory concerns.
Director of Property	Owns the policy, ensures resources and competent delivery, monitors compliance and implements corrective action. A nominated deputy will act during absence.
Director of Housing and Communities	Ensures vulnerability, communication, safeguarding, tenancy support, access and decant arrangements are integrated into case management.
Senior Maintenance Officer	Provides operational oversight and reviews emergency, high-risk, complex, repeat and overdue cases, competence and data quality.
Maintenance Officers	Undertake competent investigations, record evidence, determine root causes, specify action, issue findings, raise work and verify outcomes.
Maintenance Assistant	Coordinates cases end to end, monitors deadlines, communicates with tenants and ensures closure evidence is recorded.
Customer-facing employees	Recognise reports and warning signs, record cases immediately and complete first-contact triage without gatekeeping.
All employees and contractors	Report any concern immediately and follow the applicable procedure, safety controls and communication requirements.

7.0 Responding to reports

7.1 Receiving and triaging reports

Every report must be recorded immediately against the property and household. The employee receiving it will complete the approved triage questions, identify known vulnerability and escalate any indication of immediate danger. A report must not be delayed because the cause is uncertain or because it was received outside the Property team.

7.2 Immediate safety risks

Where information indicates an immediate and significant risk to health or safety, Oak Tree will take relevant safety action within 24 hours under its own emergency repairs and risk-management arrangements. This 24-hour standard is an Oak Tree service commitment and is not a separate statutory category created by the Scottish Awaab's Law Regulations. Action may

include attendance, making the hazard safe, urgent treatment, isolating an affected area or providing suitable alternative accommodation. The case will remain subject to the statutory investigation, written-summary and repair requirements.

7.3 Investigation and written findings

A competent person will complete an investigation within 10 working days beginning with the working day after Oak Tree becomes aware that a home is or may be affected. Oak Tree will issue a written summary within three working days beginning with the working day after the investigation is completed. The summary will name the investigator, describe the investigation and findings, state explicitly whether the home is substantially free from damp and mould, record any work completed during the visit and explain any further work, target timescales, advice and routes for raising concerns.

7.4 Commencement and completion of repairs

Where an investigation identifies substantial damp or mould requiring a qualifying repair, Oak Tree will ensure that the primary contractor commences the repair within five working days beginning with the working day after the investigation is completed. The qualifying repair will be completed within the maximum period of 20 working days calculated under the Right to Repair Scheme. Starting work means meaningful repair or remedial activity and not merely creating or authorising a works order. Any shorter emergency or qualifying-repair timescale will take precedence.

7.5 Access and exceptional circumstances

Oak Tree will make reasonable and documented attempts to arrange access, taking account of vulnerability, communication needs and safeguarding concerns. A case will not be closed automatically because access has not been obtained. A statutory period will be treated as suspended only for as long as circumstances genuinely beyond Oak Tree's control prevent compliance. Oak Tree will notify the tenant in writing of the affected duty, the reason for the delay and the revised period for compliance; take reasonable interim steps where practicable to minimise the damp or mould; retain supporting evidence; and resume action as soon as the barrier ends.

7.6 Escalation

The procedure will require immediate senior escalation of emergency or significant hazards, serious health concerns, children or highly vulnerable occupants, suspected hidden mould, recurring or disputed cases, multiple related properties, missed statutory deadlines, decant needs, potential compensation, serious complaints and matters that may require legal advice or regulatory notification.

- 8.0 Risk vulnerability and support
 - 8.1 Risk will be assessed at first contact and reviewed throughout the case. Oak Tree will consider the extent and location of damp or mould, reported symptoms, length of exposure, household vulnerability, heating and ventilation, defects, previous reports, repeat treatment and the tenant's ability to follow advice or provide access.
 - 8.2 A tenant will not be required to provide medical evidence before Oak Tree records and responds to a reported vulnerability. With consent, relevant information may be used to tailor communication, prioritisation, support and accommodation decisions.
 - 8.3 Oak Tree will consider reasonable adjustments, welfare support, energy or income advice, practical assistance and temporary accommodation. Advice to the tenant will never be used to postpone work for which Oak Tree is responsible.
- 9.0 Prevention treatment and verification
 - 9.1 Oak Tree will use stock-condition surveys, repairs intelligence, void inspections, complaints, repeat cases, sensor data where appropriate, planned maintenance and neighbourhood information to identify patterns and prevent recurrence.
 - 9.2 Investigations will seek the root cause. Cleaning, fungicidal treatment, stain blocking and decoration may be used where technically appropriate, but only alongside and never instead of work required to remedy defects, moisture ingress, inadequate ventilation, thermal bridging, heating or other underlying causes.
 - 9.3 Damp and mould in empty homes will be investigated and resolved before reletting. Ventilation and extraction systems will be tested and defects repaired.
 - 9.4 Completion of repairs, initial verification and later monitoring will be recorded separately. A case will not be recorded as resolved until Oak Tree has evidence that required work has been completed and the immediate outcome verified. Follow-up monitoring, including a six-week review where appropriate, will be risk-based and will not distort the statutory or ARC repair-completion date.
 - 9.5 Repeat or reopened cases will receive senior review and, where appropriate, independent specialist assessment, wider building investigation or review of previous diagnosis and work.
- 10.0 Communication complaints and redress

- 10.1 Tenants may report concerns in person, by telephone, email, online services, letter, through a representative or during any visit. Information will be clear, respectful and available in accessible formats.
- 10.2 Oak Tree will maintain regular contact, explain findings and delays, provide realistic dates and tell tenants what to do if conditions worsen. Written summaries will be issued in the tenant's agreed accessible format within the statutory timescale.
- 10.3 Where a tenant disputes findings or the effectiveness of work, Oak Tree will offer review by an appropriately senior or independent competent person where proportionate. Tenants will be informed of Oak Tree's complaints procedure and their right to approach the Scottish Public Services Ombudsman after completing it. Environmental Health and independent advice routes will also be explained where relevant.
- 10.4 Where Oak Tree fails to meet the statutory deadline for completing an investigation or commencing a qualifying repair, and the relevant period has not been validly suspended, Oak Tree will pay any compensation due under the Scottish Secure Tenants (Right to Repair) Regulations 2002, as amended. Compensation will be calculated using the statutory rates in force at the relevant time and administered in accordance with Oak Tree's operational procedure. Tenants will not be required to make a formal complaint before any compensation due is identified and paid. Other forms of redress will be considered under applicable law, the tenancy agreement and Oak Tree's complaints and compensation arrangements.
- 11.0 Data performance and assurance
- 11.1 Oak Tree will maintain a complete audit trail showing when it became aware, triage, vulnerability, access attempts, investigation, written findings, hazards, repairs, exceptional circumstances, tenant communication, completion, verification and follow-up.
- 11.2 Management information will include:
- reports received and open cases
 - investigations completed within 10 working days
 - written summaries issued within three working days;
 - qualifying repairs commenced within five working days;
 - immediate safety risks receiving action within Oak Tree's 24-hour service standard;
 - overdue cases and recorded reasons;
 - vulnerable households and decants
 - repeat and reopened cases;
 - complaints, compensation and lessons learned; and
 - verification outcomes and emerging stock trends.

- 11.3 The Executive Team will receive regular operational reporting. The Management Committee will receive periodic assurance on statutory compliance, significant failures, trends, risks and corrective action. Material failures will be considered under Oak Tree's regulatory-notification and notifiable-events arrangements.

12.0 Training and competence

- 12.1 All employees will receive role-appropriate awareness training. Employees receiving customer contacts will be able to recognise key indicators, record the date Oak Tree becomes aware, complete triage and escalate without gatekeeping.
- 12.2 Employees undertaking investigations will meet Oak Tree's documented competence framework. Competence will be evidenced through relevant training, knowledge, supervised experience, assessment and continuing development. Specialist advice will be obtained where a case exceeds internal competence.
- 12.3 Employees and contractors entering homes will follow relevant risk assessments and safe systems of work, including requirements concerning PPE, asbestos, electrical safety, lone working and hazardous substances.

13.0 Equality human rights and data protection

- 13.1 Oak Tree will apply this policy consistently while recognising that equal treatment may require different communication, support, prioritisation or reasonable adjustments. An Equality Impact Assessment will be maintained and reviewed when the policy or relevant guidance changes. This assessment will also consider the impact on children and young people, taking into account relevant considerations in terms of the United Nations Convention on the Rights of the Child (UNCRC) (Incorporation) (Scotland) Act 2024.
- 13.2 Decisions will take account of applicable rights under the Human Rights Act 1998 and the European Convention on Human Rights, including respect for private and family life and the home, non-discrimination and peaceful enjoyment of possessions. Where decisions affect children or young people, Oak Tree will consider their best interests as a primary consideration, their health and wellbeing, and their views in a manner appropriate to their age and maturity. This includes decisions about prioritisation, support and temporary accommodation. Oak Tree will act compatibly with applicable UNCRC requirements when exercising relevant functions under the 2024 Act and record how relevant children's rights considerations have informed its decisions.
- 13.3 Health and vulnerability information is special-category personal data. Oak Tree will collect only information required to manage the case, restrict access, retain it in accordance with approved schedules and process it lawfully and securely.

14.0 Related documents

- Landlord Safety Manual;
- Damp Mould and Condensation Procedure and investigation checklist;
- Repairs and Maintenance Policy;
- Complaints Handling Procedure and Compensation Policy;
- No Access Procedure;
- Decant and Temporary Accommodation arrangements;
- Data Protection Policy and retention schedule;
- Equality Impact Assessment;
- Risk Management Framework and Scheme of Delegated Authority; and
- Business Continuity and regulatory-notification arrangements.

15.0 Policy review

- 15.1 This policy will be reviewed annually and earlier where legislation, statutory guidance, regulatory expectations, audit findings, significant incidents, complaints, performance information or operational learning indicate that change is required.
- 15.2 This draft will be considered by the Management Committee for initial comment before external legal review and tenant consultation. The consultation findings and any resulting amendments will be reported to the Management Committee before final approval.
- 15.3 Minor operational or legislative-reference updates may be approved under delegated authority after adoption. Material changes to policy commitments, accountability or risk appetite will be submitted to the Management Committee.