



DAMP AND MOULD POLICY

Awaab's Law

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Effective from 6 October 2026

This policy has been revised to ensure compliance with the Investigation and Commencement of Repair (Scotland) Regulations 2026 (Awaab's Law), which introduce statutory timescales for investigating damp and mould reports, communicating outcomes to tenants

Policy Lead	Director of Asset Management
Operational Lead	Maintenance Manager
Department	Asset Management
Purpose	Consider & Approve
Approval body	Board of Management
Approval date	October 2026
Next review date	October 2027
Related procedure	Damp and Mould Procedures

Document control note

This document should be read alongside the Damp and Mould Procedures, repairs procedures, access arrangements, complaints procedure and applicable health and safety controls.

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1. PURPOSE AND SCOPE

The aim of this policy is to proactively manage the risks arising from damp and mould in Angus Housing Association homes, including communal areas, and to ensure that tenants have homes that are safe, warm and dry.

The policy sets out how Angus Housing Association will prevent, identify, manage and respond to damp, mould and condensation while meeting its legal, contractual, regulatory and statutory obligations. It is supported by internal systems, procedures and staff guidance.

This includes meeting the requirements of the Investigation and Commencement of Repair (Scotland) Regulations 2026, commonly known as Awaab's Law.

The policy covers:

- Identifying the types of damp, including rising damp, penetrating damp, condensation and internal leaks.
- Setting out the responsibilities of Angus Housing Association and tenants in dealing with damp, mould and condensation.
- Providing guidance, advice and support to tenants throughout the process.
- Using data and reporting to identify risks and support proactive action to prevent damp and mould.

2. LEGISLATIVE AND REGULATORY FRAMEWORK

From 6 October 2026, the Association will comply with the Investigation and Commencement of Repair (Scotland) Regulations 2026, commonly referred to as Awaab's Law.

This policy should also be applied alongside the Association's obligations under the wider Scottish housing standards framework, including the Housing (Scotland) Acts, the Scottish Secure Tenants (Right to Repair) Regulations 2002, equality legislation, data protection requirements and the Scottish Social Housing Charter.

3. CORE PRINCIPLES

- Ensure tenants are treated fairly and consistently, taking account of their specific circumstances and ensuring advice is suitable for individual needs.
- Work in partnership with tenants to provide a safe and healthy living environment.
- Communicate effectively with tenants at all times about the responsive repairs service and enable them to communicate effectively with us.
- Carry out thorough investigations and implement solutions and improvements to eliminate damp, including managing and controlling condensation.
- Provide tenants with advice and guidance on managing and controlling damp and condensation.
- Maintain comprehensive written and photographic reports of damp and mould investigations and outcomes and maintain detailed case notes showing progress of the damp and mould investigations including actions taken and advice given.
- Comply with statutory, regulatory and contractual requirements and good practice.
- Use budgets effectively and efficiently to address damp, mould and condensation problems.
- Implement data quality and insight measures to identify possible risks to our properties, allowing us to take proactive action to eliminate damp, mould and condensation before they become a problem for tenants.
- Protect the fabric of our properties from deterioration and damage caused by damp, mould and condensation.
- Respond to all reports of damp, mould and condensation and complete any necessary works in line with our Responsive Repairs Policy and relevant legislation.
- Post-inspect all damp and mould repair work to ensure the issue has been resolved.

4. ROLES AND RESPONSIBILITIES

ROLE	KEY RESPONSIBILITIES
All employees and contractors	Report potential damp or mould immediately; treat tenants respectfully; identify urgent risks; record information accurately; and pass information promptly to Asset Management.
Customer Service staff	Create the Homemaster case; record Day 0; gather initial information; ask sensitively about vulnerability and accessibility; identify urgent risks; and explain the next step.
Maintenance Officers	Conduct or coordinate the investigation; make the statutory determination; identify root cause and required work; arrange interim measures; prepare the written summary; monitor deadlines; communicate with the tenant; and complete follow-up and closure checks.
Maintenance Manager	Provide operational oversight; review overdue or complex cases; authorise exceptional-circumstances decisions; assure competence and contractor capacity; undertake quality checks; and report performance.
Director of Asset Management	Provide strategic oversight, resources and governance assurance; review material or systemic compliance failures; and ensure learning informs investment and service planning.
Specialists	Report damp or mould identified during visits; provide competent findings and evidence; complete instructed work safely and on time; notify AHA immediately of delay; and supply prompt completion information.

5. STATUTORY TIMESCALES

TIMESCALE	STAGE	REQUIRED ACTION
Day 0	AHA first becomes aware	Record the date and time. Open a Homemaster case. Start the statutory clock.
Within 10 working days	AHA operational inspection target	Complete the initial property inspection within 10 working days.
Within 3 working days	Issue written summary	Issue the tenant or representative with the written findings after the investigation concludes.
Within 5 working days (to run concurrently with 3 day timescale)	Commence repair work	Where substantial damp or mould is identified and repair work is required, start meaningful repair or interim work.

TIMESCALE	STAGE	REQUIRED ACTION
Within 20 working days	Complete repair work	Complete work required to make the home substantially free from damp and mould, calculated from repair commencement.

These are maximum statutory timescales. Staff must act sooner where the condition, household vulnerability, an emergency response standard or another legal repair timescale requires a quicker response.

6. EQUALITIES AND TENANT NEEDS

The Association recognises that damp and mould can have a greater impact on some residents than others.

AHA has used equalities data and tenant information to identify where residents may be more likely to experience negative impacts from damp and mould or face barriers to reporting concerns. This will help ensure that inspections, repairs, communication and support are appropriate to the needs of each household.

- Particular consideration will be given to households that include:
- Infants and young children.
- Older people.
- Pregnant women.
- People with respiratory conditions.
- People with weakened immune systems.
- People with disabilities or long-term health conditions.

Following an Equalities Impact Assessment, the Association will:

- Take account of individual circumstances when determining inspection priorities, repair arrangements, communication methods and any temporary accommodation requirements.
- Provide information about damp and mould on AHA's website which can be modified using Reachdeck (e.g. language, large print, audio).
- Encourage tenants to provide us with relevant information (including household composition)
- Monitor our responses around damp and mould and ensure that tenant data is included so any patterns can be identified

7. DEFINITIONS

7.1 Rising Damp

The movement of moisture from the ground rising through the structure of the building through capillary action.

7.2 Penetrating Damp (including internal leaks)

Water penetrating the external structure of the building or internal leaks causing damp, rot and damage to internal surfaces and structure.

7.3 Condensation Damp

Condensation occurs when moisture held in warm air comes into contact with a cold surface and then condenses producing water droplets.

The conditions that may increase the risk of condensation are:

- Lack of ventilation within the property

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- Inadequate heating
 - Inadequate loft insulation
 - High levels of humidity
 - Overcrowding

7.4 Traumatic Damp

Traumatic Damp is typically dampness caused by sudden or severe events

Example causes:

- Leaking water from waste and heating pipes
- Overflowing baths or sinks
- Burst pipes
- Defective water storage vessels
- Flooding from another building
- Environmental flooding

8. POLICY APPROACH AND PROCESSES

This section sets out how Angus Housing Association will put the policy into practice. It covers how damp and mould will be reported, investigated, communicated, repaired, monitored and reviewed, including the Association's approach to damp and mould compliance.

8.1 Reporting Damp and Mould

The Association may become aware of damp and mould through reports from tenants, staff, contractors, inspections, surveys or other sources. Any member of staff who receives a damp and mould notification can start the process of recording using the procedures, which all relevant staff have received training on.

Once aware of a potential issue, the Association will record the matter and begin the investigation process within the timescales required by law (Appendix A)

8.2 Investigating Damp and Mould Concerns

Following the notification and recording of a damp and mould concern, the Association will investigate. All notifications of damp and mould will result in a property inspection. This will be carried out by a suitably trained and competent person.

The damp and mould property inspection will seek to:

- Identify how long there has been a damp and mould concern.
- Identify the extent of any damp or mould.
- Establish the likely cause.
- Assess any risks to occupants.
- Determine whether repairs or other remedial actions are required.
- Identify measures to prevent recurrence.
- Provide any relevant advice and advise of next steps and timescales

Investigations will be completed within the statutory timescales as outlined in Appendix A.

Where there is an immediate risk to health or safety, the Association will prioritise the case and take appropriate action without delay.

8.3 Communicating Investigation Findings

Following conclusion of an investigation, the Association will provide residents with a written summary of the findings.

The summary will explain:

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- What was inspected.
 - What issues were identified.
 - The likely cause of the problem.
 - Any actions already taken.
 - Any repairs or further work required
 - Planned timescales for completing

This information will be issued within the timescales required by legislation

8.4 Carrying Out Repairs and Remedial Works

Where damp or mould is identified, the Association will take appropriate action to resolve the issue and address its underlying cause.

Repairs may include:

- Fixing building defects.
- Repairing plumbing leaks.
- Improving ventilation.
- Improving heating or insulation.
- Treating mould growth.
- Other remedial works required to ensure the property is safe and healthy.

The Association will commence and complete repair work within the timescales required by legislation.

Actions taken will focus on eliminating the causes of damp and mould rather than simply addressing visible symptoms.

Tenants will be advised if contractors will need access and/or if any disruption will be expected to complete the works.

When a damp and mould case is closed by the Association, our procedures ensure that a follow up call or visit is completed within a designated timescales to ensure that the problem has been rectified or if the problem persists, staff re-inspect and re-open the case. Following conclusion of an investigation, the Association will provide residents with a written summary of the findings.

8.5 Delays and Exceptional Circumstances

The Association will make every effort to comply with statutory timescales.

Where circumstances beyond the Association's control prevent a timescale from being met, tenants will be informed promptly and provided with:

- An explanation of the reason for the delay.
- Details of any interim measures being taken.
- A revised timescale for completion.

AHA will use text, emails and phone calls to ensure that updates are given promptly, and all decisions and communications will be recorded and monitored.

8.6 Repeat Damp and Mould Cases

Where damp or mould reoccurs, worsens or spreads after previous action has been taken, the Association will review the case, actions taken and carry out further investigation where necessary.

The aim will be to identify any unresolved issues and ensure that appropriate long-term solutions are implemented.

Where previous efforts and remedies have not resolved the damp and mould, the Association may install technology that monitors environmental indicators to provide a fuller picture within the property and to provide data that allows a re-evaluation of the previous and future actions. Where this is necessary, this will be discussed with the tenants including the length of time that the sensors need to be installed and possible actions the Association will take following removal of the sensors.

8.7 Record Keeping and Compliance Monitoring

The Association will maintain accurate records of all damp and mould reports, investigations, inspections, communications and repairs.

Performance against statutory timescales and policy requirements will be monitored regularly to ensure compliance with Awaab's Law and to support continuous improvement.

Management information will be reported through the Association's governance arrangements to provide assurance that damp and mould issues are being effectively managed. Detailed case and performance information will be reviewed by the Board on a quarterly basis.

9. RESPONSIBILITIES

Angus Housing Association will ensure compliance with all statutory requirements detailed within this policy. The Association will:

- Undertake a property inspection when a concern is reported relating to suspected Damp, Mould & Condensation.
- Diagnose the cause of the damp and mould
- Inform the tenant of the findings of the investigations following a property visit. This will include identifying the possible Causes of damp, recommend effective solutions and detail all necessary remedial works / actions / enhancements
- Provide estimated timescales to complete the works /measures; keeping the tenant updated throughout the process from inception to completion.
- Carry out remedial works where required.
- Provide advice on managing and controlling the occurrence of condensation damp where remedial work is not necessary. In some cases, staff may identify additional support requirements including referrals to the Financial Inclusion or Energy Advice staff.
- Ensure that only competent contractors will be employed to carry out any works and that the tenant's possessions are adequately protected during the works.
- Promote and provide general advice and guidance on how to control damp and condensation.
- Introduce a reporting framework to enhance our tenant and property information and provide information on properties with recurring damp issues which may help inform future investment programmes.
- Ensure that all relevant colleagues receive training and have an understanding of damp, mould and condensation.
- Provide alternative accommodation or decant arrangements if it is unsafe for the occupants to remain in the property while the works are carried out.
- Use communication channels such as newsletters and Facebook posts to promote the importance of early reporting and identification of all repairs including damp and mould concerns and to provide feedback on our performance against key indicators relating to damp and mould legislation and regulation.
- The investigation must be completed by a person whom the Association reasonably considers to have the skills and experience necessary to determine whether the home is substantially free from damp and mould, the likely cause, whether repair work is required and what action is necessary.

10. COMPENSATION

10.1 Mandatory determination

Angus Housing Association will consider compensation where it has failed to meet statutory or policy requirements in relation to damp, mould or qualifying repairs. This includes failures to comply with Awaab's Law duties to investigate, communicate findings, commence works and complete repairs within required timescales, and failures under the Scottish Secure Tenants (Right to Repair) Regulations 2002 where a qualifying repair is not completed within the maximum period without good reason.

Compensation will not replace the Association's primary obligation to investigate, resolve the issue, complete necessary repairs and make the home safe. Any compensation decision will be considered alongside the action required to put matters right and prevent recurrence.

Compensation may be offered as a statutory payment. Payments will be assessed in line with statutory requirements and any relevant statutory requirements. Compensation will not normally be paid where delays are caused by circumstances beyond AHA's control, where the tenant has not provided reasonable access, or where the tenant has contributed to the delay; however, each case will be considered on its own facts. In all cases, where tenants have housing related debt such as rent arrears or recharges, the compensation will be paid toward reducing the balance on these accounts in the first instance.

All compensation decisions will be recorded, authorised by managers and monitored. Records will include the reason for the decision, the statutory or policy requirement not met, the calculation or basis of any payment, and any learning or service improvement action required. Tenants who are dissatisfied with a compensation decision may ask for the matter to be reviewed through AHA's complaints process.

11. MONITORING AND REPORTING

Angus Housing Association will regularly monitor how effectively damp and mould issues are being identified, investigated and resolved to ensure that residents are living in safe, warm and healthy homes.

The Association will keep records of all damp and mould cases, including investigations, actions taken, communications with residents and completed repairs. This information will be used to assess performance, identify recurring issues and support continuous improvement.

Performance information will be reported through the Association's management and governance arrangements to provide assurance that damp and mould risks are being effectively managed and that the Association is meeting its legal and regulatory obligations.

Where a complaint reports a new area, significant deterioration or recurrence, staff must consider whether a new statutory investigation is required. Information provided to tenants should explain how to contact AHA, make a complaint, raise concerns about findings and report worsening conditions.

APPENDIX A: FLOWCHART



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Close or restart

Close only when all controls are satisfied. Restart the process for significant change, spread, recurrence or a new location.