

AWAAB's LAW POLICY & PROCEDURE

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Consultation	Sheryl De Vries; CEO and Board Gov.uk; CIBSE; RICS	Date of next review	November 2026
Equality Impact Assessment completed		Yes (see section 8)	

1.0 Introduction and Aim

New legislation known as Awaab's Law has come into effect on 27 October 2025. Awaab's Law was introduced because of a tragic and preventable death that exposed serious failings in social housing safety. In 2020, two-year-old Awaab Ishak died from a severe respiratory condition caused by prolonged exposure to mould in his family's social housing flat. This law initially applies to cases involving damp and mould in social housing, with other housing hazards being phased in over the next two years. Awaab's Law introduces strict timeframes for landlords to respond to and resolve issues, aiming to improve living conditions and tenant safety across the sector.

There will be a phased implementation:

- **Phase 1 (Oct 2025)** : Damp, mould, and emergency hazards.
- **Phase 2 (2026)** : Excess cold/heat, falls, fire, electrical hazards, hygiene.
- **Phase 3 (2027)** : Remaining Housing Health and Safety Rating System (HHSRS) hazards (excluding overcrowding).

The legislation mandates that **emergency** hazards must be investigated within 24 hours and made safe immediately. For significant hazards such as damp and mould, landlords are required to investigate within 10 working days, provide written findings within three working days of inspection, and begin remedial work within five working days of confirming the hazard. If the property cannot be made safe, temporary accommodation must be provided to the tenant.

Eldon Housing is actively preparing to meet all requirements and has taken steps to ensure compliance. The organisation has adopted a tenant-centred approach, prioritising household vulnerability with technical assessments. Systems are in place to triage cases quickly upon notification, and internal procedures have been developed to meet the fixed timeframes set out in the legislation.

Eldon Housing will implement staff training and improve reporting and communication channels to ensure a rapid and effective response to housing hazards. Procedures are in place to ensure full compliance with Awaab's Law.

2.0 Scope

This policy applies to all operational areas within Eldon Housing that are responsible for the identification, investigation, and resolution of housing hazards, particularly those related to damp, mould, and other health and safety risks as defined under Awaab's Law. It covers housing management, repairs and maintenance teams, tenant engagement services, and compliance monitoring functions. The policy is relevant to all staff involved in frontline service delivery, contractors engaged in remedial works, and management personnel overseeing housing standards. It also applies to all social housing properties managed by Eldon Housing is designed to ensure that tenants receive timely, transparent, and effective responses to reported hazards in accordance with the statutory timeframes and obligations set out in the legislation.

3.0 Definitions

Provide clear explanations of any terminology used in the policy that may require clarification.

- *Compliance* - The act of adhering to rules, regulations, standards, or laws set by governing bodies or internal policies.
- *Emergency* - A situation posing imminent and significant risk to health, life, or property that requires urgent action to prevent harm.
- *Frontline service* - Services provided by employees who directly interact with tenants.
- *Hazards* - Any potential source of harm or adverse effect on people, property, or the environment.
- *Key performance indicators (KPIs)* - Measurable values that indicate how effectively an individual, team, or organization is achieving specific objectives.
- *Landlord* – In this policy, refers to Eldon Housing, which rents flats to tenants.
- *Legislation* - A law or a set of laws that have been formally passed by a legislative body, such as Parliament.
- *Mandate* - An official order or authorisation given by a person or authority that requires someone to perform a specific action or follow certain rules.
- *Policy* - A formal set of principles or rules established by an organisation or authority to guide decisions, actions, and behaviour in specific situations.
- *Respiratory* – Pertaining to the lungs and the whole breathing system of a body.
- *Regulatory* - Relating to the rules, laws, or directives set by an authority to control or govern conduct.
- *Significant Hazard* - A level of risk that is high enough to potentially cause significant harm to people, property, operations, or the environment if not properly managed.
- *Tenant* - An individual that occupies or rents a flat from Eldon Housing under a rental agreement.
- *Triage* - The process of prioritising tasks, or issues based on their urgency, severity, and available resources, to ensure the most critical needs are addressed first.

4.0 Legal and regulatory obligations

- To investigate any potential damp and mould hazards and if the investigation confirms an **emergency** hazard, undertake relevant safety work as soon as reasonably practicable, both within 24 hours of becoming aware of them.
- If the investigation confirms a **significant** hazard, undertake full assessment and action plan within 10 working days of becoming aware of them.
- To produce a written summary of investigation findings and provide this to the named tenant within 3 working days of the conclusion of the investigation.
- To undertake relevant safety work within 5 working days of the investigation concluded, if the investigation identifies a significant hazard. If steps cannot be taken to begin work in 5 working days this must be done as soon as possible, and work must be physically started within 12 weeks.
- To satisfactorily complete works within a reasonable time period.
- To secure the provision of suitable alternative accommodation for the household, at the social landlord's expense, if relevant safety work cannot be completed within specified timeframes.
- Keep tenants informed throughout the process and provide safety guidance.
- Maintain full documentation for compliance and audit purposes.

5.0 Other relevant documents that support delivery of this policy

- Complaints Policy
- Decants Policy
- Responsive Repairs Policy

6.0 The Policy

Tenants have the right to live in a safe, healthy home free from hazards such as damp and mould. With that in mind, Eldon Housing is committed to comply fully with Awaab's Law and all related legal and regulatory obligations under the Social Housing (Regulation) Act 2023 as well as this policy to ensure Eldon responds quickly to reports of hazards in all their schemes as so to better protect tenants from unsafe housing conditions.

This policy sets out:

- Clear requirements as to how quickly Eldon Housing will respond to hazards at the schemes and what hazards are covered by this requirement (i.e. damp and mould and all emergency hazards).
- How Eldon Housing will encourage better communication between itself and its tenants, providing certainty on when and how repairs will be carried out.
- How Eldon Housing will assist tenants to understand their rights when it comes to repairs in their homes and enable them to challenge with legal action if they need to.

Commitment

Eldon Housing will investigate any reported emergency hazard within 24 hours and take immediate steps to make the property safe if required. Any significant damp and mould hazards will be actioned within 10 working days and provide written findings to the tenant within 3 working days of the inspection. Where hazards pose a significant risk to health, Eldon Housing will begin remedial works within 5 working days or provide temporary accommodation if the home cannot be made safe within the required timeframe.

Eldon Housing will communicate transparently with tenants throughout the process, providing updates and safety advice and maintain clear, accurate records of all reports, inspections, communications, and repairs to demonstrate compliance and for audit purposes.

Eldon Housing will not:

- Ignore or delay action on reports of damp, mould, or other hazards.
- Retaliate against tenants for raising complaints or concerns.
- Provide misleading information about timeframes or responsibilities.

6.0 Policy exclusions

Awaab's Law focuses on "emergency hazards" and "significant" damp and mould hazards.

A "significant" hazard is one that could cause serious harm, and an "emergency" hazard is one that poses an imminent and significant risk of harm to health or safety, requiring action within 24 hours

Non-significant or non-emergency issues for which the strict timeframes do not apply generally fall into two categories: those not meeting the imminent/serious harm threshold and those that are the tenant's responsibility or otherwise outside the landlord's control.

Hazards Not Meeting the "Significant" or "Emergency" Threshold

Issues not considered significant would likely include:

- **Minor condensation on windows** that can be easily managed by the tenant through normal ventilation activities (e.g., opening a window after a shower), provided the underlying building structure is sound.
- **Small, isolated patches of mould** that can be safely and easily removed with a mould-specific cleaner by the tenant, and where the root cause (e.g., a minor leak) is not a structural issue or has already been fixed.
- **Peeling wallpaper or minor staining** where there is no evidence of underlying, pervasive damp or mould growth causing a health risk.
- **Low moisture readings in walls** (e.g., under 16% in brick or plaster) that do not indicate a serious, ongoing structural damp issue.

Crucially, **Eldon Housing must still investigate** any report of damp and mould to determine if it meets the emergency/significant hazard threshold, especially considering any vulnerable occupants (such as children, the elderly, or those with existing respiratory conditions). Eldon Housing will not automatically dismiss damp and mould as a "lifestyle issue" without investigation.

Issues Excluded from Awaab's Law Timelines (Awaab's Law timeframes do not apply to hazards):

- Caused by a tenant's intentional damage or breach of contract (e.g. removing a ventilation fan without permission).
- In shared areas or neighbouring properties not managed by the landlord.
- Where the landlord has taken all reasonable steps to comply but cannot due to reasons beyond their control (e.g. needing unobtainable planning permission).
- Relating to overcrowding (Eldon Housing will still take action if overcrowding exacerbates other hazards).

Even for non-significant hazards, Eldon Housing has general repair duties under existing laws (such as the Landlord and Tenant Act 1985 and the Homes (Fitness for Human Habitation) Act 2018) and will still act promptly to maintain a safe home.

7.0 Tenant Responsibility

The way a tenant uses their home can impact damp and mould. Staff will work with tenants, provide information and assist to use preventative measures to control damp and condensation.

Additionally, to provide full support and proactively control damp and mould, tenants will be encouraged to:

- Report signs of damp and excess mould as soon as it is evident.
- Report faulty equipment that will hinder the management and control of damp and condensation, for example, faulty extractor fans, unable to open windows, lack of heating, etc.
- Wipe down moisture from surfaces that attract excess condensation regularly, e.g. windowpanes and window sills.
- Cleaning mould as soon as it is discovered and to notify Eldon Housing.
- Allowing access for inspections and the repair works required.
- Keeping moisture to a minimum, for example:
 - Covering pans when cooking.
 - Drying laundry appropriately.
 - Keeping kitchen and bathroom doors closed when cooking or bathing.
- Adequately ventilating the home, for example:
 - Keeping trickle vents in windows open.
 - Allowing room for air to circulate around furniture.
 - Using and ensuring that any extractor fans are working.
 - Using dehumidifiers if tenants produce excess condensation for example if drying wet laundry indoors.

Under the tenancy agreement, tenants must maintain their home to a reasonable standard and take steps to prevent damp and mould. Eldon Housing will support tenants through advice, workshops, and information packs.

8.0 Equality, Diversity and Inclusion

In line with Awaab's Law and its emphasis on protecting health and safety for all tenants, Eldon's approach integrates equality, diversity, and inclusion at every stage. Compliance requires not only timely action on hazards but also fair and accessible processes for every resident, regardless of background, language, or personal circumstances.

This means:

- **Inclusive Communication:** Providing information in multiple formats e.g. translations, easy-read versions, large print.
- **Fair Treatment:** Ensuring no tenant is disadvantaged or discriminated against when reporting hazards. Complaints must be handled impartially and without bias.
- **Prioritising Vulnerabilities:** Identifying tenants with health conditions, disabilities, or other vulnerabilities and prioritising repairs accordingly, as required under the law's triage principles.

- **Accessible Alternative Accommodation:** When homes cannot be made safe within required timeframes, offering suitable temporary housing that meets cultural, health, and accessibility needs as far as practically possible.

EDI measures are part of legal compliance under Awaab's Law and the Equality Act 2010, and ensures that every tenant, regardless of ethnicity, language, disability, or socio-economic status, receives equal protection, timely repairs, and respectful engagement.

9.0 Data Protection

To comply with Awaab's Law and associated regulations, social landlords must collect, store, and use detailed tenant information, particularly regarding health vulnerabilities and household circumstances and while collecting sensitive information responsibly to support EDI goals and comply with data protection standards, UK GDPR and Data Protection Act 2018.

This is essential for prioritising repairs and safeguarding tenants at risk from hazards such as damp and mould. These requirements are being embedded into processes governing when and how data is gathered, where it is securely stored, and with whom it is shared to resolve issues promptly. Enhanced data-sharing agreements will be implemented with all delivery partners to ensure compliance and protect tenant privacy.

10.0 Performance monitoring and continuous improvement

To ensure full compliance with Awaab's Law, Eldon Housing will implement robust performance monitoring systems within its facilities management database system that track all stages of hazard reporting, investigation, and remediation against statutory timeframes. Key performance indicators (KPIs) will include response times, completion rates, backlog levels, and repeat cases.

Continuous improvement will be driven through lessons learned from case reviews, tenant feedback, and regulatory updates, ensuring that processes remain efficient, inclusive, and aligned with best practice. This approach supports proactive risk management, enhances tenant safety, and demonstrates compliance to the Regulator of Social Housing.

Regular audits and data reviews will be conducted to identify trends, high-risk properties, and areas for improvement. Findings will be reported to the senior leadership team and governance board to maintain transparency and accountability.

11.0 Disputes and Appeals

Where a tenant wishes to dispute a decision related to a damp and mould enquiry, this will be reviewed by a Senior Officer not involved in the original decision. If the tenant is not satisfied with the decision, they have the right to make a complaint through the Eldon's formal complaints process.

12.0 Links – other relevant legal Stature that supports delivery of this policy

Primary Legislation

- [**Social Housing \(Regulation\) Act 2023**](#) - Introduced Awaab's Law as part of wider reforms to strengthen landlord accountability and tenant safety.
- [**Hazards in Social Housing \(Prescribed Requirements\) \(England\) Regulations 2025**](#) - The statutory instrument that enforces Awaab's Law, setting strict timeframes for investigating and fixing hazards like damp and mould.
- [**Landlord and Tenant Act 1985 \(Section 10A amendment\)**](#) - Updated to include obligations under Awaab's Law for hazard remediation within specified periods.

Other Related Housing Standards and Regulations

- Housing Health and Safety Rating System (HHSRS) - Framework for assessing 29 housing hazards, including damp and mould, fire, electrical safety, and excess cold/heat. Awaab's Law phases will align with HHSRS hazards by 2027.
- Homes (Fitness for Human Habitation) Act 2018 - Requires all rented homes to be safe, healthy, and free from hazards such as damp and mould.
- Housing Act 2004 - Establishes enforcement powers for local authorities to address Category 1 hazards under HHSRS.
- Environmental Protection Act 1990 - Allows action against statutory nuisances, including damp and mould affecting health.
- Decent Homes Standard - Requires social housing to be free from serious hazards and maintained to a minimum quality standard.
- Building Regulations 2010 - Applies to works on heating, ventilation, and structural repairs often needed to resolve damp and mould issues.
- Equality Act 2010 - Protects people from discrimination in the workplace and wider society. It replaced previous anti-discrimination laws with a single Act to make the law simpler and stronger.
- Data Protection Act 2018 - It sets out strict rules for how organisations collect, store, and use personal data.

ACTIVITY HEADING					
Stage	Task	Required Action	Location	Responsible	Timescale
1.	Initial Investigation	Initial call will be treated as an emergency, and all reports of damp and mould will be attended to assess the validity and condition.	Tenant's Demise	FM Manager or Senior Facilities Manager	Within 2-4 Hrs
2.	Emergency	If risk warrants emergency action, FM manager will inform helpdesk for an immediate response by an accredited damp and mould specialist.	Tenant's Demise	FM Manager leads with helpdesk	Within 24hrs (Working Days)
3.	Written Feedback	FM manager will write back to tenant informing of findings from initial assessment and action to be taken by Eldon Housing. (A written summary is not required if the issue has already been resolved within the three-day timeframe)	Eldon Office	FM Manager	Within 3 days of completion of investigation
4.	Significant Risk	If significant risk identified, FM manager will inform helpdesk for an urgent response by a competent investigator (e.g. an accredited damp and mould specialist or building surveyor) for actions needed to be taken.	Tenant's Demise	FM Manager leads with helpdesk	Within 10 working days
5.	Remedials	Helpdesk will coordinate remedial works with a specialist contractor.	Tenant's Demise	Helpdesk	Within 5 working days
6.	Risk Below Threshold	If risk is low and does not warrant either emergency action or significant cause of concern, a building contractor will be engaged if issue is fabric or failure of mechanical equipment else advice will be given to tenant and housing officer will be informed to offer additional assistance if required.	Tenant's Demise	FM Manager and/or Housing officer	Within 10 days
7	In-person inspection	Tenant requests in person inspection	Tenants demise		Within 10 working days of request
8	Further investigation & inspection	When a more in-depth investigation is required. This can be done concurrently with immediate remedial work.	Tenants demise		As soon as is practicable
7.	Complaints Procedure	Tenant has the right to follow Eldon Housing's Complaints Policy and Procedure if unsatisfied with decision or actions taken which will be regarded as a stage 1 complaint.	Eldon Head Office	Senior Management	Within 10 working days

Useful resources

- [Social Housing Ombudsman – Awaab’s Law](#)
- [Awaab’s Law – Guidance for Social Housing Landlords](#)

Letters & Forms

- Template letter sent 3 working days after relevant investigation has been completed.
- How to minimise condensation & signs of damp & mould (tenant leaflet).

PROCEDURE VERSION CONTROL – To be completed following any updates and amendments to the procedure.

Version	Author	Date	Amendment Summary