

RESPONSE TO AWAAB'S LAW - INTERIM POLICY UPDATES; REPAIRS AND MAINTENANCE POLICY AND DAMP, MOULD & CONDENSATION POLICY

Meeting	Cabinet
Date	13 January 2026
Cabinet Member	Cllr Moses Crook Deputy Leader and Transport and Housing
Key Decision	Yes
Eligible for Call In	Yes
<p>Purpose of Report</p> <p>This report sets out proposed interim policy updates that will ensure Kirklees Council meets the requirements of Awaab's Law and builds on the positive work done by the service in recent months to reduce the significant backlog of damp, mould and condensation (DMC) cases, and provide proactive repairs service to Council tenants.</p> <p>Awaab's Law introduces new statutory duties for social landlords to address DMC hazards and other emergency hazards within strict timescales.</p> <p>The report sets out the detail of the proposed policy updates and proposes an intention to embark on a meaningful programme of tenant engagement on these and other Homes & Neighbourhoods policies which allows tenants to inform the services we provide.</p>	
<p>Recommendations</p> <p>To note and agree the Repairs and Maintenance Policy: Interim Update.</p> <p>To note and agree the Damp, Mould and Condensation (DMC) Policy: Interim Update.</p> <p>To note the intention to consult further with tenants on the detail and effectiveness of these policies, which may lead to subsequent policy amendments.</p> <p>To note the intention to develop further supporting policies and procedures in consultation with tenants.</p> <p>Reasons for Recommendations</p> <p>The interim updates to the Repairs and Maintenance Policy, and the DMC Policy will support the Council in meeting its immediate repair and maintenance obligations under Awaab's Law and will clearly set out these obligations to tenants.</p> <p>The proposals to engage further with tenants on these and related policies seek to provide tenants with meaningful opportunities to influence and scrutinise the council's strategies, policies and services, in line with the requirements of the Regulator of Social Housing's Transparency, Influence and Accountability Standard.</p>	
<p>Resource Implications</p> <p>The updates proposed in the Interim DMC Policy are minimal and reflect the changes in timescales set out in the latest government guidance on Awaab's Law. Improvements to the way DMC issues are managed by Homes & Neighbourhoods are already in place and, as such, additional resources are unlikely to be required as a result of this interim update.</p>	

The updates proposed in the Interim Repairs & Maintenance Policy also reflect legal changes. It is anticipated that there may be some additional work for officers in managing the new requirements to assess and carry out emergency repair work within strict timescales, and to formally write to tenants at key points in the process. Awaab's Law also introduces a requirement to temporarily rehouse tenants when it is not possible to carry out emergency repairs within the specified timescales; this may place additional pressures on alternative accommodation (such as decant properties and hotels).

The proposed tenant engagement on these and other emerging policies will be led by the existing Tenant Voice Team and the Strategy & Policy Officer within Homes & Neighbourhoods. Support may be required from other officers, including Comms colleagues.

Date signed off by <u>Executive Director</u> & name	David Shepherd – 1 October 2025
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – 27 November 2025
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Samantha Lawton – 5 January 2026

Electoral wards affected: All

Ward councillors consulted: No

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 Awaab's Law, came into effect on 27 October 2025, and introduces stringent statutory duties for social landlords to respond swiftly and effectively to issues of DMC and other emergency hazards in tenants' homes. Draft guidance for landlords has been published by the government.
- 1.2 It is proposed that two existing Homes & Neighbourhoods policies are updated to align with the upcoming legislative changes, the policies being the Repairs & Maintenance Policy and the Damp, Mould & Condensation (DMC) Policy. The changes to the Repairs & Maintenance Policy also align with the new Tenancy Agreement, which was approved at Cabinet on 8 July 2025, and has now been implemented.
- 1.3 Homes & Neighbourhoods are working to improve the levels of tenant involvement and influence in policy development, as required by the Regulator of Social Housing's Transparency, Influence and Accountability Standard. A programme of tenant policy scrutiny and consultation is proposed in 2026, with a view to providing tenants with meaningful opportunities to scrutinise and influence policy and services.
- 1.4 It is proposed that the updates to the Repairs & Maintenance Policy and the DMC Policy are introduced as interim initially, with a view to the inclusion of these policies within the programme of tenant engagement. Additional repairs-related policies and procedures will be reviewed at the same time, with a view to improving services in these areas and providing better clarity and consistency for tenants.

2. Information required to take a decision

2.1 Repairs and Maintenance Policy – interim updates proposed:

- Provides a clear statement on the Council's repair obligations under Awaab's Law, including timescales, communication and recording of actions.
- Changes have been made to repair prioritisation categories and target timescales for completion of repairs (aligned with Awaab's Law and Right to Repair legislation).
- Tenant and landlord responsibilities are clearly set out and aligned with the Tenancy Agreement.
- The document is formatted to align with Kirklees Council's accessibility standards.

2.2 Damp, Mould and Condensation Policy – interim updates proposed:

- Provides a clear statement on the Council's repair obligations under Awaab's Law, including timescales, communication and recording of actions.
- Additional emphasis is placed on the council's commitments to working with tenants to understand and address DMC issues.
- The document is formatted to align with Kirklees Council's accessibility standards.

2.3 A review of wider repairs-related Homes & Neighbourhoods processes will be undertaken, with a view to improving services in these areas and providing better clarity and consistency for tenants. It is proposed that tenants are consulted as part of this review and involved in the formation of new related policies and/or procedures. Areas proposed for consideration include:

- Decants and other temporary accommodation;
- Recharges to tenants;
- Decoration allowances and disturbance allowances.

3. Implications for the Council

3.1 Council Plan

The proposed policy updates support the Council Plan focus area of 'Clean, safe and healthy places', ensuring that council tenants are living in homes that are modern, safe, and warm.

3.2 Financial Implications

For 2025-26, there is a budget for repairs and maintenance works of £31.3m increasing to £32.7m in 2026-27. This includes budgets of £12.6m for responsive repairs and damp and mould, which have been provided to support the works required. A budget of £3.1m has been provided to carry out 100% stock condition surveys over the next three years, which will provide details around the condition of properties and inform any future budget requirements.

3.3 Legal Implications

The main driver for the policy updates proposed in this report is the implementation of [Awaab's Law: The Hazards in Social Housing \(Prescribed Requirements\) \(England\) Regulations 2025](#), which came into effect on 27 October 2025. The legislation includes the requirements that social landlords:

- i. investigate the causes of damp and mould within 14 days of complaints being made and provide residents with a report on the findings;
- ii. within 7 days begin work to repair a property if a medical professional believes there is a risk to a resident's health;
- iii. ensure bids for new social housing properties are treated as a high priority if a medical professional has recommended a resident moves home after identifying a risk to health at their existing property; and
- iv. mandate social landlords to provide all residents with information on their rights, how to make a complaint and what standards they can expect under the Housing Health and Safety Rating System, provided in simple English or the language a resident is most proficient in.

Awaab's Law was introduced via an amendment to the Social Housing (Regulation) Bill, which became law on 20 July 2023. Awaab's Law requires the Secretary of State to set out in regulations new requirements for social landlords to address hazards in social homes, including damp and mould hazards, within a fixed time period and also sets out the implications for a landlord if these issues are not addressed.

The Council, as a social landlord must ensure that the statutory requirements as set out in the relevant legislation are met to ensure compliance.

Additionally, the proposed policy updates and proposed programme of tenant engagement respond to the [Social Housing \(Regulation\) Act 2023](#) and the associated [Regulatory Standards](#) by addressing the following key requirements:

Safety and Quality Standard

- When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.
- Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.

Transparency, Influence and Accountability Standard

- Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered and communicate how tenants' views have been considered.
- Registered providers must give tenants a wide range of meaningful opportunities to influence and scrutinise their landlord's strategies, policies and services.

Further statutory and legislative requirements are set out in Section 1.2 of the Repairs and Maintenance Policy and in Section 1.2 of the Damp, Mould and Condensation Policy.

3.4 Climate Change and Air Quality

Not applicable.

3.5 Risk, Integrated Impact Assessment (IIA) or Human Resources

The completed IIA can be found here [IIA-762863677](#).

4. Consultation

4.1 Tenants were consulted on the Damp, Mould and Condensation Policy, approved at Cabinet in September 2024.

4.2 Tenants were consulted on the repairs-related variations to the Tenancy Agreement, approved at Cabinet on 8 July 2025.

4.3 Staff across Homes & Neighbourhoods and the wider council were consulted on the interim policy updates and will continue to be involved in further review of repairs-related policies and procedures.

5. Engagement

5.1 The Homes & Neighbourhoods Tenant Led Panel are aware that repairs-related policies and procedures are under review and are keen to be involved in further scrutiny and development of these.

5.2 As set out above, Homes & Neighbourhoods are working to improve and broaden the levels of tenant involvement and influence in policy development, as required by the Regulator of Social Housing's Transparency, Influence and Accountability Standard. A programme of tenant policy scrutiny and consultation is proposed in 2026, with a view to providing tenants with meaningful opportunities to scrutinise and influence policy and services. This programme will include review of the interim policies presented here today.

6. Options

Not applicable.

6.1 Options considered

Not applicable.

6.2 Reasons for recommended option

Not applicable.

7. Next steps and timelines

7.1 A programme of tenant policy scrutiny and engagement is being developed to start in early 2026.

8. Contact officer

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9. Background Papers and History of Decisions

10 September 2024, Cabinet
[Damp, Mould and Condensation Policy.](#)

[Appendix A.pdf](#)

8 July 2025, Cabinet
[Variation to the Terms of the Tenancy Agreement.](#)

[Appendix 1A - Notice Letter.pdf](#)

[Appendix 1B - Proposed Changes to Tenancy Agreement.pdf](#)

[Appendix 1C - Changes To Tenancy Agreement - FAQs.pdf](#)

[Appendix 2 - Consultation Responses at 18.06.25.pdf](#)

[Appendix 3A Revised Tenancy Agreement -Governance Version.pdf](#)

[Appendix 3B Tenant Letter re Notice of variation.pdf](#)

[Appendix 3C - Notice of Variation .pdf](#)

22 September 2025, Growth and Regeneration Scrutiny Panel
[Kirklees Council's Preparation for Awaab's Law / Policy Updates.](#)

10. Appendices

10.1 Appendix A – Draft Repairs & Maintenance Policy: Interim Update

10.2 Appendix B – Draft Damp, Mould and Condensation Policy: Interim Update

11. Service Director responsible

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