



Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Consultation – setting timescales for social housing landlords to respond to reports of hazards which have significant health impacts.

Date of issue: 01 April 2025
Action required: 20 June 2025

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

OGI © Crown Copyright

Overview

This consultation is seeking your views on proposed changes to ensure social landlords take prompt action on health hazards in the home. It proposes clear timelines for landlords to investigate and address these issues once reported as well as a reporting mechanism to ensure transparency and accountability.

How to respond

Please respond on this consultation which will be open for twelve weeks by answering the questions at the end of this document.

Responses can be submitted in a number of ways.

Email: HousingConditions@gov.wales

Post: Housing Regulation Team
Housing Regulation & Strategy
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

When responding, please state whether you are responding as an individual or are representing the views of an organisation.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

Housing Regulation Team
Housing Regulation & Strategy
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Email: HousingRegulation@gov.wales

UK General Data Protection Regulation (UK GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data holds about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail:

Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

Ministerial Foreword

The tragic death of Awaab Ishak has highlighted the importance of ensuring safe and healthy living conditions for all tenants, no one should ever have to endure the devastating consequences of living in an environment that threatens their health and well-being. The loss of Awaab is a stark reminder that we must do more to protect those who are most vulnerable and ensure our housing stock meets the highest possible standards.

In response to this tragedy, we are consulting on an addendum to The Welsh Housing Quality Standard (WHQS), we propose to specify a rule(s) in relation to social landlords' response to damp, mould and other hazards. This will provide transparency and consistency in social landlord's approach to dealing with hazards which may have a significant impact on people's health, in social housing across the Wales. I believe that every person has the right to live in a safe, secure, and healthy home. Social landlords must be required to provide the level of assurance tenants, regulators and boards should quite rightly expect as the norm, ensuring landlords take prompt and effective action on hazards in the home, including damp and mould.

Background

The shocking death of Awaab Ishak was entirely avoidable. The loss of a child is always devastating, Awaab was only two years old when he passed away in December 2020, due to prolonged exposure to mould in the social housing his family rented from Rochdale Boroughwide Housing. Despite his parents' repeated pleas about the dangerous living conditions, the landlord not only failed to address the issue but also unjustly placed the blame on the family for the hazardous mould.

Following the coroner's report into the tragedy, the Minister for Climate Change and Rural Affairs (MCC) wrote to all social landlords in Wales reminding them a decent, safe and secure home is fundamental to people's wellbeing and that the core business and responsibility of a social landlord is to keep tenants safe in their homes.

We followed this up with a more detailed assurance exercise which resulted in an [assurance update](#). This promotes learning and improvement with examples of current practices employed by different social landlords in Wales to ensure the safety and well-being of tenants. It was clear from this exercise determining the scale of the issue in Welsh social housing is challenging. Recognising this, we have included a new data request on the [quarterly RSL regulation survey](#) in relation to damp and mould and disrepair cases.

Whilst acknowledging the context is different in Wales, Welsh Ministers also supported the establishment of a stakeholder group to determine what can be learnt from the [Better Social Housing Review](#) (BSHR) undertaken in England in 2022. The stakeholder group's analysis found there is significant existing legislation, policy and initiatives which set a robust framework to minimise risks relating to serious damp and mould issues and disrepair generally. The group also

suggested the context for any work going forward should relate more widely to “Hazards” rather than specific types of hazard.

The group concluded that whilst there is a substantive policy, legislative and regulatory framework in place, coupled with existing activity carried out by landlords, it is clear, there are opportunities for improvement and development to ensure the best outcomes for tenants are delivered and the risk to their health and safety is minimised.

We have attempted to quantify the scale of the issue using the extra data we have subsequently collected on damp, mould and disrepair cases. The initial data indicates the number of cases continues to increase overall however what we do not have is any sector wide indication on how quickly social landlords are investigating reports and how quickly any necessary repairs or remedies are started. This consultation makes proposals, with the aim of enhancing transparency of social landlords’ response to damp and mould and other hazards.

The group also made a proposal to develop a training resource, bringing together good practice from Wales and the UK and drawing on initiatives and experience from other sectors (e.g. Public Health Wales) to help to enable and ensure landlords are responding to hazards with potentially serious health consequences appropriately and effectively.

Housing health and safety rating system (HHSRS)

[The Housing Health and Safety Rating System \(HHSRS\)](#) in Wales is a health-based risk assessment tool for the evaluation of housing conditions. The system operates by evaluating potential risk of harm to an actual or potential occupier from their living environment and is a means of rating the seriousness of any hazard identified. HHSRS identifies and assesses 29 different types of hazards that could potentially harm occupants in a residential property. These hazards are grouped into four main categories: physiological (which includes damp & mould), psychological, protection against infection, and protection against accidents. Each hazard is scored based on the likelihood of occurrence and the severity of its potential impact. Local authorities have the power to intervene where they consider housing conditions to be unacceptable, on the basis of the impact of health and safety hazards on the most vulnerable potential occupant.

[The Welsh Housing Quality Standard 2023 \(WHQS23\)](#)

[WHQS23](#) aims to ensure that all social housing in Wales meets certain standards. An update to the standard was published in April 2024 to reflect changes in the way people live, work and feel about their homes. WHQS23 is a crucial part of the Welsh Government’s strategy to improve housing quality, reduce fuel poverty, and contribute to the country’s climate goals. It also reflects a broader commitment to enhancing the quality of life for social housing tenants in Wales. WHQS2023 establishes minimum standards for various aspects of housing including how HHSRS is used to assess a number of elements in the standard. Element 1b, for example, of the standard states’ homes must be free from damp.

Proposal

The Welsh Ministers are consulting on specifying a rule which will form a part of WHQS23 in relation to social landlords' response to damp, mould and other hazards, as defined in the Housing Health and Safety Rating System (HHSRS). The intention is the rule will require all social landlords to publish response times and to report on performance as part of the WHQS compliance return.

Purpose

To improve outcomes for tenants by setting clear service expectations which enhance transparency of landlord's responses to damp and mould and other hazards and to make the information available to improve scrutiny and accountability by linking the standards to WHQS23 compliance.

Potential Impact of the Proposal

Health and Well-being Impacts

This proposal will significantly improve tenants' health by addressing damp and mould, which worsen respiratory conditions like asthma and bronchitis. Prolonged exposure can trigger allergies, especially in children and the elderly. Landlords will be required to fix these issues in a timely manner, improving ventilation and insulation for healthier homes. This will ease pressure on healthcare services and reduce mental health issues linked to poor housing. Additionally, it promotes equity by protecting vulnerable, low-income families from environmental health hazards. The potential health benefits for tenants are multiplied by the extra emphasis across all the hazards listed in the HHSRS.

Economic Impacts

Social landlords already have a responsibility to maintain their homes under various legislation and so the requirement to address reported hazards in a timely manner should not be seen as an added obligation for landlords.

From the tenant's perspective, improved housing conditions can lead to significant economic benefits, particularly through reduced energy costs. Damp and mould are often symptoms of poor insulation and inadequate heating systems, which cause homes to lose heat more quickly, resulting in higher energy bills. Moreover, healthier homes mean fewer days missed from work or school due to illness, which can lead to greater economic productivity and reduced absenteeism and greater educational attainment. Additionally, tenants will save on the costs and time lost to managing health conditions caused or exacerbated by poor housing conditions.

Environmental and Sustainability Impacts

Addressing the hazards enhances environmental sustainability by promoting the maintenance of healthy housing conditions. Identifying and mitigating hazards such as dampness and inadequate ventilation encourages energy-efficient practices like proper insulation and effective heating systems. These measures not only improve indoor air quality but also reduce energy consumption, leading to lower carbon emissions. Additionally addressing structural deficiencies supports the longevity of buildings. This supports the sustainable management of social housing stock, which will contribute to carbon reduction objectives.

Social and Equality Impacts

The proposed rule will reduce housing inequalities by improving conditions for disadvantaged social housing tenants, including low-income families, the elderly, households from ethnic minority communities and individuals with disabilities. These groups face higher health risks from damp, mould and other hazards. By holding landlords accountable for swift repairs, the rule will protect vulnerable populations, particularly children and the elderly, from respiratory illnesses and stress. Ensuring timely remediation will create safer, healthier homes and promote more equitable housing standards.

Consultation

This consultation is seeking stakeholders' views on how the rule can be constructed to ensure it delivers the policy intentions outlined above. The final wording of the rule will be informed by the consultation responses.

There are 29 prescribed hazards set out in Schedule 1 of the HHSRS (Wales) regulations 2006 as listed below:

The 29 hazards listed under HHSRS are as follows:

1. *Damp and mould growth*
2. *Excess cold*
3. *Excess heat*
4. *Asbestos and MMF*
5. *Biocides*
6. *Carbon monoxide and fuel combustion products*
7. *Lead*
8. *Radiation*
9. *Uncombusted fuel gas*
10. *Volatile organic compounds*
11. *Crowding and space*
12. *Entry by intruders*
13. *Lighting*
14. *Noise*
15. *Domestic hygiene, pests and refuse*
16. *Food safety*
17. *Personal hygiene, sanitation and drainage*
18. *Water supply*
19. *Falls associated with baths etc.*
20. *Falling on level surfaces etc.*
21. *Falling on stairs etc.*
22. *Falling between levels*
23. *Electrical hazards*
24. *Fire*
25. *Flames, hot surfaces etc.*
26. *Collision and entrapment*
27. *Explosions*
28. *Position and operability of amenities etc.*
29. *Structural collapse and falling elements*

Question 1 – Should the rule cover all hazards set out in Schedule 1 of the HSSRS (Wales) regulations 2006?

- All hazards
- Other – please state which of the 29 HHSRS hazards you think it should cover.

Additional comments

Question 2 – Should the rule only apply where a hazard presents a ‘significant risk’ to the health or safety of an individual tenant and where the hazard results from building component defects or disrepair that are within the landlord’s control?

- All hazards
- All hazards presenting a significant risk.
- All hazards resulting from building component defects or disrepair within the landlord’s control.
- All hazards that both present a significant risk and from building component defects or disrepair within the landlord’s control.
- Other

Additional Comments

Question 3 - If you think the rule should only apply in the event of a “significant risk to health” being present, how should the “significant risk” be determined?

Question 4 – Should the rule specify a common timeframe for investigation and remedy apply to all Welsh social landlords or allow timeframes to be agreed locally with tenants following a consultation by the landlord.

- Common timeframe applied to all Welsh social landlords.
- Each landlord should establish local timeframes agreed with tenants following consultation.
- Other

Additional Comments

Question 5 - In your view, what is a reasonable time (in calendar days) for a reported hazard to be investigated?

- 1 day
- 3 days
- 7 days
- 14 days
- Other

Additional comments

Question 6 - If the rule is applied only to hazards that present a ‘significant risk’ do you agree that remedial works should therefore all be categorised as emergency repairs for the purpose of target completion times?

Yes/No

Additional Comments

Question 7 - If the rule is applied to all hazards, not just those that present a 'significant risk', do you think there should be a common definition of the types and nature of hazard remedies which should be treated as emergencies, or should Welsh social landlords agreed locally with tenants following a consultation by the landlord.

- Common definition applied to all Welsh social landlords.
- Each landlord should establish local definitions agreed with tenants following consultation.
- Other

Additional Comments

Question 8 – Once an investigation has been completed, if the hazard cannot be remedied under normal emergency repair targets, do you agree that the tenant should be issued with a written plan detailing the arrangements made to manage the risks to the tenants pending full remedy along with a defined contact.

Yes/No

Additional Comments

Question 9 - If you agree that a remedy plan should be provided, what would you consider is a reasonable time (in calendar days) to provide the tenant with a copy of the remedy plan?

- 1 day
- 3 days
- 7 days
- 14 days
- Other

Additional comments

Question 10 - Should the rule also require social landlords to collect and report on tenant satisfaction with their landlords' response to their complaint of a hazard and with any remedial works subsequently carried out to remedy the hazard?

Yes/No
Additional Comments

<p>Question 11 – This question is specifically aimed at social landlords Considering your current policy and procedures in relation to Hazards and other repairs, do you think the proposed rule will result in any material additional resource implications?</p>
Additional Comments

Do you have any other comments?

--

Consultation Response Form

Consultation

Response Form

Your name:

Organisation (if applicable):

Are you a landlord?

Are you a tenant?

Other?

email / telephone number:

Your address:

Responses to consultations may be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please place a tick in the box