



Llywodraeth Cymru
Welsh Government

Ref: PO/JB/539/2025

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru
Cardiff
CF99 1SN

30 October 2025

Dear Mike,

I am grateful to the Legislation, Justice and Constitution Committee for your consideration of the Homelessness and Social Housing Allocation (Wales) Bill. I have set out my response to your recommendations and your conclusions below. I welcome and appreciate the considered and pragmatic recommendations of the Committee, which will help inform further scrutiny of the Bill as we approach the General Principles debate. I hope this response is of assistance to the Committee on the points raised.

As well as responding to your specific recommendations and conclusions, I also note the concerns of the Committee in relation to how accessible the Bill is, when read on its own. During the drafting process, careful consideration was given to replacing Part 2 of the Housing (Wales) Act 2014, rather than amending it. However, on balance, we felt that amending the 2014 Act was a preferable approach.

It is important to note that the Bill doesn't just amend the 2014 Act, it also amends the Housing Act 1996 and, to a lesser extent, the Social Services and Well-being (Wales) Act 2014. As we discussed during my evidence sessions, local authorities and service providers are very familiar with the existing legislation, and amending it draws attention to the proposed changes and areas of the law that are staying the same. It is my view that amendments to the current law will enable smoother implementation.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Recommendation 1: The Cabinet Secretary should respond to the report at least two working days before the Stage 1 general principles debate takes place.

Response: Accept

I acknowledge the prompt publication of the Committees findings, and I am pleased to provide this response by your deadline.

Recommendation 2: The Bill should be amended so that the Welsh Ministers are required to report to the Senedd, by no later than the end of 2028, on the steps taken by the Welsh Government in progressing towards full implementation of the Act. The Bill should also be amended so that a further report is required to be laid before the Senedd by the end of 2029 which provides an update on the progress being made in implementing the Act. This progress report must include details of any delays to implementation that were outlined in the first report and the reasoning for these delays.

Response: Accept in principle

I note the concerns of the Committee in relation to implementation of this legislation (should it be passed by the Senedd and enacted). As discussed during my evidence session and, as you acknowledge in your report, there will be challenges to implementation related to the readiness of the sector and the extensive structural reform required. Your recommendation will provide clarity and transparency to both the Senedd and our stakeholders around progress of the Act and strengthen accountability of the Welsh Ministers. I have instructed my officials to draft an amendment.

Recommendation 3: The Bill should be amended so that the Welsh Ministers are required to evaluate the Act, including its effectiveness in delivering its objectives, by the end of 2033

Response: Accept in principle

I am committed to evaluating this legislation. The Explanatory Memorandum sets out several ways in which we will monitor implementation, as it is crucial that we understand the impact of the Act in relation to our policy intention. I am happy to make this explicit on the face of the Bill and have instructed my officials to draft an amendment.

Recommendation 4. The Bill should be amended so that regulations made under section 160A of the Housing Act 1996, as amended by section 35 of the Bill, are subject to the Senedd approval procedure.

Response: Accept

Recommendation 5. The Bill should be amended so that regulations made under new sections 160D and 160E of the Housing Act 1996, as inserted by section 38 of the Bill, are subject to the Senedd approval procedure.

Response: Accept

I have asked my officials to prepare an amendment so that regulations made under section 160A of the Housing Act 1996, as amended by section 35 of the Bill, are subject to the Senedd approval procedure and that regulations made under new sections 160D and 160E of the Housing Act 1996, as inserted by section 38 of the Bill, are subject to the Senedd approval procedure.

Conclusion 1. We note the Cabinet Secretary's comments in respect of the Bill's impact on human rights but believe that, as a matter of good practice, an Explanatory Memorandum should always include a commentary on the consideration given to such implications.

The Welsh Government carries out a full Human Rights assessment before introduction of any Bill as part of its thorough assessment of legislative competence. The Senedd's Business Committee are considering explanatory materials as part of their review of the legislative scrutiny processes for Public Bills and Member Bills, which the Welsh Government is engaging with.

Conclusion 2. While we acknowledge the reasoning provided by the Cabinet Secretary as to why a full and final list of public bodies expected to be subject to the 'ask and act duty' is not already specified on the face of the Bill, we consider this to be regrettable from an accessibility of law point of view.

It is important to note that should the list be amended in the future, any amendment will be to the face of the Bill, which may address the concerns of the Committee in relation to accessibility.

Once again, I am grateful for the Committee's consideration of the Bill. I look forward to continuing to work with Committee Members as we proceed through the Senedd scrutiny process. I am copying this letter to the Chair of the Finance Committee and Chair of the Local Government and Housing Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Jayne Bryant". The signature is written in a cursive, flowing style.

Jayne Bryant AS/MS

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government