



Ref: PO/JB/539/2025

John Griffiths MS
Chair
Local Government and Housing Committee
Senedd Cymru
Cardiff
CF99 1SN

4 November 2025

Dear John,

Thank you for the Local Government and Housing Committee's report in relation to the Homelessness and Social Housing Allocation (Wales) Bill, published on 17 October 2025.

I welcome the Committee's support for the general principles of the Bill and extend my thanks to you and the membership for your diligent and comprehensive assessment of the Bill. I have set out the Government's response to the Committee's recommendations in the annex to this letter and am pleased to have accepted or accepted in principle all, bar one.

I hope the attached information helps inform further scrutiny of the Bill and I look forward to continuing to work with the Committee as we proceed through the Senedd process.

I am copying this letter to the Chair of the Finance Committee and Chair of the Legislation, Justice and Constitution Committee.

Yours sincerely,

Jayne Bryant AS/MS
Ysgrifennydd y Cabinet dros Lywodraeth Leol a Thai
Cabinet Secretary for Housing and Local Government

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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.

Homelessness and Social Housing Allocation (Wales) Bill

Government Response to the recommendations from the Local Government and Housing Committee Report

Recommendation	Government Response	Comments
Recommendation 1: We recommend that the Senedd agrees to the general principles of the Homelessness and Social Housing Allocation (Wales) Bill.	Noted	We are grateful to the Committee for their consideration of the Bill.
Recommendation 2: The Welsh Government should significantly increase the Social Housing Grant and Housing Support Grant for 2026-27 and, in addition find innovative ways of raising funds to deliver the supply of social housing needed to achieve the aims of the Bill.	Accept in Principle	The Regulatory Impact Assessment sets out a detailed and comprehensive assessment of the costs of the Bill and the clear requirement for additional investment. As we have made clear in our Strategic Partnership Agreement with local government, where new responsibilities come with additional cost, it may not always be about seeking extra money but about identifying funding which could be redirected from elsewhere to have the maximum impact. Beyond that, any new responsibilities would be funded. Future budgets are a matter for the next Government, but I have laid strong foundations for the legislation and set the necessary practice change in motion. We have increased the Housing Support Grant by over 60% since 2019-20, now reaching £204 million this financial year. We have also transferred £21.32 million homelessness funding into the Revenue Support Grant to give local authorities more flexibility to meet their needs. With over £240 million provided to homelessness services and prevention work in 2025-26, we are providing a firm foundation for the Bill.

Recommendation	Government Response	Comments
Recommendation 3: The Welsh Government should ensure that delivering more social and affordable homes is a cross-government priority and is not undermined by other policies.	Accept in Principle	We recognise the importance of delivering more homes and addressing barriers to housing supply. We are committed to work across our departments to ensure housing delivery remains a strategic priority. While it is not possible to make commitments on behalf of future governments, creating more homes is one of the First Minister's top four cross-government priorities – not least because we know that social and affordable housing can reduce poverty, improve physical and mental health - and help drive economic growth.
Recommendation 4: We recommend the Bill is amended to place a duty on the Welsh Government to publish a specific timetable setting out the phased approach to implementing the legislation.	Reject	We have published an implementation timetable in the response to the Finance Committee. The Legislation, Justice and Constitution Committee (LJCC) made two recommendations which we have accepted in principle; to amend the Bill so that Welsh Ministers are required to provide progress reports to the Senedd towards full implementation of the Act and a requirement to evaluate the Act by the end of 2033. I believe acceptance in principle of these recommendations provides strong assurance that implementation of the Bill will be progressed efficiently and I am not of the view that an additional requirement to publish a timetable is necessary on the face of the Bill.
Recommendation 5: The Welsh Government should provide regular updates to the Senedd on progress in preparing for the implementation of this legislation, including an update no later than the end of 2029 on the steps it has taken towards full implementation.	Accept in Principle	I welcome this recommendation and note its alignment to recommendation 2 of the LJCC's report. I have instructed my officials to prepare an amendment in relation to the LJCC's recommendation to be tabled at stage 2.
Recommendation 6: The Welsh Government should undertake further work to gather evidence on whether additional groups should be granted exemption to the local connection test.	Accept	The Welsh Government will gather further evidence to inform its consideration of potential exemptions to the local connection requirement and, as the Committee notes, the Bill contains Regulation-making powers to provide for exemptions in the future.

Recommendation	Government Response	Comments
Recommendation 7: The Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness should be strengthened to signpost applicants to independent advice.	Accept	We will strengthen the new Code of Guidance to ensure all applicants are signposted to independent advice throughout their homelessness application.
Recommendation 8: The Welsh Government should ensure that the other provisions affecting care leavers are implemented early enough to mitigate any potential negative impact on care leavers from the abolition of the priority need test.	Accept	We will develop a detailed implementation timetable with delivery partners. I have previously outlined that the prevention and allocations provisions of the Bill will be scheduled for earlier implementation as they will reduce pressure in the overall system. As the policy intention of the provisions targeted towards care leavers focus on homelessness prevention and ending use of the homelessness system at the point of transition, I expect them to fall into this first phase of implementation.
Recommendation 9: The Welsh Government should identify good practice models of intensive support services for households with the highest level of complex need, and should provide the necessary resources and leadership to require these services to be delivered in every local authority where they are needed.	Accept	Work to develop practice guidance and identify good practice models of work is already underway, drawing on international best practice. Addressing homelessness requires a whole system public service response, especially in supporting those who face multiple disadvantage and have complex needs. The Bill will require local housing authorities to promote cooperation between themselves and other bodies, and these arrangements must include a protocol for handling cases involving persons who are or may become homeless and who may also be in need of other support or services.
Recommendation 10: The Welsh Government should provide clarity that the duty to help to retain suitable accommodation can be extended beyond twelve months, in line with the recommendations of the Expert Panel, and bring forward an amendment to specify this on the face of the Bill.	Accept in Principle	The stated timeframe within the Bill is simply a timeframe during which it is expected that any issue related to a suitable accommodation is most likely to arise. The Bill already allows for the duty to continue beyond twelve months if necessary. However, we agree with the principle of providing clarity concerning that flexibility and will consider if an amendment could provide further clarity, whilst ensuring the overall effect of the clause is not undermined.

Recommendation	Government Response	Comments
Recommendation 11: The Welsh Government should undertake further analysis of the potential need under the duty to provide help to retain suitable accommodation by using figures from a greater number of local authorities and provide a revised estimate of the expected costs ahead of implementing this provision.	Accept	The work undertaken to develop the Regulatory Impact Assessment was rigorous and detailed. Our previous experience suggests that local authorities are not always able to provide data around the proposed duty, hence the modelling work based on a smaller number. However, we will undertake further analysis and incorporate any additional evidence into a revised estimate, prior to implementation.
Recommendation 12: The Welsh Government should bring forward an amendment to provide for a formal review of the impact of the ‘ask and act’ duty introduced by section 21. A review should include how the duty is working for the public bodies listed in preventing homelessness and the position in relation to those not listed, monitoring of these sectors, and consideration of whether changes need to be made to the list.	Accept in principle	We recognise the importance of reviewing the operation and impact of the “ask and act” duty, including how it is working for the public bodies listed in the Bill and the position in relation to those not currently listed. We will incorporate evaluation of “ask and act” into the evaluation we have committed to deliver in response to recommendation 3 of the LJCC’s report.
Recommendation 13: The Welsh Government should set out how it expects good practice to be adopted consistently in how schools identify and notify local authorities of homelessness risk, including its own role in disseminating information.	Accept	There are already examples of best practice in several schools and we will use these to support this work. Officials are planning a number of workstreams which will support schools to identify and prevent homelessness, utilising existing legal powers, the “Keeping Learners Safe” guidance and aligning work around safeguarding. We will also work with Community Focussed School Managers and local authorities to support schools.
Recommendation 14: In light of the strong evidence in support of including schools and primary care on the list of public bodies subject to the ‘ask and act’ duty, the Welsh Government should monitor the effectiveness of its alternative approaches with a view to adding these sectors to the duty if	Accept	The Welsh Government will monitor the effectiveness of its alternative approaches with a view to adding these sectors to the duty, if necessary, using the power to amend the list through secondary legislation.

Recommendation	Government Response	Comments
necessary, using the power to amend the list through secondary legislation.		
Recommendation 15: We support the evidence from NYAS and recommend that the Welsh Government should assess the case for extending provisions aimed at care leavers in future, so that they apply to all up to the age of 25, not just those in education or training. This includes the duty to ensure that suitable accommodation is available for care leavers and the reasonable preference for social housing allocation, which we consider later in this report.	Accept in principle	The Bill mirrors the six categories of care leavers set out in the Social Services and Well-being (Wales) Act 2014. I do not believe this Bill is the right vehicle to re-define who care leavers are and for the purposes of this legislation we do not believe that would be helpful. In using the existing categories, we can create an enhanced system of support for care leavers in Wales – providing local authorities with clarity about who is owed duties. A review of the code of practice, alongside the wider needs of care leavers is due to take place in the next Senedd term and this recommendation will be considered as part of that work. If this should result in proposed changes to primary legislation, this is better done through an amendment to the Social Services and Well-being (Wales) Act 2014, which will require more extensive consideration with all stakeholders.
Recommendation 16: The Welsh Government should use existing regulation-making powers to amend the suitability requirements, and to prohibit the use of temporary accommodation which contains category 1 hazard and is unfit for human habitation.	Accept in principle	I remain committed to amending the Homelessness (Suitability of Accommodation) (Wales) Order 2015 so that accommodation where there is a presence of a category 1 hazard or which is unfit for human habitation cannot be considered suitable accommodation. My officials are in conversation with local authorities as part of the planning for this secondary legislation and a stakeholder working group is in the process of being established.
Recommendation 17: The Welsh Government should update us on the changes to be made to the Homelessness (Suitability of Accommodation) (Wales) Order 2015, including the timescale for such secondary legislation. Changes prohibiting accommodation	Accept	As set out under recommendation 16, the Welsh Government remains committed to introducing changes to the Homelessness (Suitability of Accommodation) (Wales) Order 2015 to raise the standards of accommodation across Wales. I will update the Committee on a timetable for these Regulations as soon as possible.

Recommendation	Government Response	Comments
which is unfit for human habitation should be made as soon as possible, regardless of any further changes made which we understand are planned based on the temporary accommodation reviews required by the Bill.		
Recommendation 18: We recommend that the Welsh Government publishes tightly defined referrals guidance that specifies the circumstances in which RSLs may refuse a referral, and also stipulates effective information-sharing about any support needs the applicant may have.	Accept	I confirm my commitment to issue a Code of Guidance that addresses every part of the Bill, including guidance related to section 33. My officials are preparing a Stage 2 amendment which will require this.
Recommendation 19: The Welsh Government should establish a national common standard for data on social housing waiting lists and allocations, publishing robust data at local and national level.	Accept in Principle	The Bill will allow Welsh Ministers to introduce regulations specifically related to technical aspects of Common Housing Registers, including specifying the information they must hold. Such regulations will be developed in close engagement with local authorities to determine the types of information required to ensure effective prioritisation of applicants and the allocation of accommodation. This will ensure minimum standardised information requirements are established across all local authorities within Wales. Once Common Housing Registers are established and embedded we will be able to consider how local and national datasets can be used.
Recommendation 20: The Welsh Government should make its case for including the provision to create qualifying persons criteria in the Bill, and unless it can do so, the provision should be removed.	Accept in Principle	Social housing waiting lists are registers of people who would like social housing. They are not registers of housing need and cannot be relied upon in assessing and understanding housing need at both a local and national level. Allowing local authorities to determine their own qualifying criteria (outside of reasonable preference groups) provides them with the best opportunity to understand local housing need and respond to specific

Recommendation	Government Response	Comments
		localised demographical requirements, whilst managing expectations of local communities. This provision includes safeguards, establishing regulation making powers which allow Welsh Ministers to prescribe what can and cannot be considered qualifying criteria by local housing authorities.
Recommendation 21: As the Code of Guidance will need to be updated to reflect the changes being made by this legislation, the Welsh Government should revise the Guidance to specify that a local authority may write to an applicant, noting that they are minded to find them to be deliberately manipulating the housing system, in the same way as the Code of Guidance provides such powers in the context of intentionality.	Accept in principle	We agree with the Committee that the implications of behaviour which may be classed as deliberate manipulation must be discussed with the applicant as early as possible, to ensure applicants understand the potential consequences of their actions. Guidance will be provided on how the test and outcome are be communicated to applicants. We will consider whether there could be a role for ‘minded to’ letters, considering the stage at which the test is to be applied and the role of such a letter, within the drafting of the provision.
Recommendation 22: The Welsh Government should address concerns about possible unintended consequences arising as a result of new section 167A(2)(b)(ii) of the Housing Act 1996. Evidence provided by legal professionals highlighted how the deliberate manipulation test could negatively impact people who may not intend to manipulate the housing system, but may be considered to have done so given the way the Bill is drafted.	Accept in Principle	The deliberate manipulation test has been carefully drafted to guard against unintended consequences and describes clearly the acts or omissions that amount to deliberate manipulation. The drafting is clear that, for the purposes of section 167A(2), an act or omission in good faith may not be treated as deliberate. We will ensure that supporting training and guidance enhances this message, supporting delivery partners to implement the provision within the spirit of this Bill.

Conclusion	Government response
Conclusion 1: In our legacy report at the end of this Senedd term, we will recommend to our successor committee that it seeks regular updates from the next government on the timing of implementing the provisions.	Thank you.
Conclusion 2: The Welsh Government should engage further with local authorities to understand their concerns on the level of resource needed to implement provisions relating to the prevention support and accommodation plans.	Local authorities are our key delivery partners and we have engaged closely with them throughout development of the Bill, along with other stakeholders. We will continue to work closely with them during implementation planning and as we revise the RIA.
Conclusion 3: We support the provision to abolish the intentionality test as we agree that it should not be part of a trauma-informed homelessness system. However, we acknowledge that local authorities have significant concerns about this, and believe that ahead of implementation the Welsh Government should work to support all local authorities to prepare by adopting existing good practice in avoiding the formal use of intentionality.	We are working with local authorities to support the transition away from intentionality, which will align with the phased commencement of the Bill. Advice to local authorities will promote trauma-informed approaches and be based on good practice.
Conclusion 4: While we support ending intentionality to move to a more trauma-informed service, we also understand the concerns of those who worry that deliberate manipulation could be used in similar ways, leading to vulnerable people being unable to access social housing. The Welsh Government should take steps via guidance and training to ensure that deliberate manipulation is implemented in a trauma-informed way.	The Welsh Government will ensure there is detailed, trauma-informed guidance and relevant training to support implementation by local authorities. The deliberate manipulation test has been carefully drafted to ensure that it relates only to deliberate and intentional actions or actions not taken, that results in the loss of accommodation. Where people are found to have deliberately manipulated the system, the guidance will support local authorities in ensuring the applicant continues to receive wider housing support, including assistance in exploring and

Conclusion	Government response
	accessing other housing options. They will remain entitled to homelessness services.
Conclusion 5: We support the longer period during which local connection referrals relating to prisoners can take place, however we remain concerned as to how effective this will be in reality, especially cross-border. This is an area of concern and we request further information as to how the Welsh Government will work with the UK Government to implement this. We would also welcome further information as to how this will apply to prisoners released 'at time served'.	Under the Bill, a local connection referral can take place six months prior to release where someone is deemed homeless. Where someone is at threat of homelessness, the referral can take place at any time in a sentence, including on the first day in custody, regardless of length of sentence. We note the Committee's concern in relation to an implementation gap between the policy intention of the Bill and practice between prisons and local authorities across the UK. The Post Custody Accommodation Working Group, which is co-chaired between senior officials within the Welsh Government and HMPPS is the vehicle for improving the outcomes for people leaving custody and returning to Wales. The group will manage a specific workstream focussed on cross border practice. Anyone on remand would be considered homeless if they have no accommodation available to them in the community. This will ensure that people in prison who are on remand and released shortly after or upon sentencing will be known to local authorities, who will be better able to prepare for release.
Conclusion 6: We believe that, in providing regular updates to the Senedd on preparations for implementation, the Welsh Government should include details of how the post-custody accommodation working group is progressing its arrangements to meet the need for earlier local connection referrals for prisoners.	Updates on the work of the Post Custody Accommodation Working Group will be included in the progress reports to be laid within the Senedd.
Conclusion 7: We are concerned that ending a duty to provide homelessness support is a drastic step and believe that options for providing further support should be put in place before such action is taken as a last	The focus of this Bill is how we help people, not whether we help people. However, there are a very narrow set of circumstances where it may be necessary to end duties.

Conclusion	Government response
resort. The Welsh Government should amend the Bill to clarify that duties can only be ended for unacceptable behaviour if the local authority is satisfied that there is no other way they can deliver homelessness functions to that applicant.	I am reticent to amend these duties as suggested by the Committee. During the drafting process we worked very carefully to ensure they include strong safeguards against unintended consequences. In the case of property which has been destroyed or seriously damaged, duties can only be ended where there is no reasonable excuse for the actions taken by the applicant or member of their household and there are no special circumstances that would make it appropriate for the duties to continue to apply. In the case of violent or threatening behaviour towards members of the workforce, the duties can only be ended if there are no special circumstances that would make it appropriate for the duties to continue to apply. I believe the very narrow set of circumstances set out in the Bill strike the right balance between an accessible homelessness service and the accountability of applicants. Violence towards people undertaking homelessness functions, and serious, deliberate and intentional damage or destruction of property is not acceptable.
Conclusion 8: The guidance on unacceptable behaviour that brings duties to an end must be strong and emphasise that survivors of abuse must not have their duties ended as a result of the unacceptable behaviour of an abusive person residing with them.	The Bill has been drafted to ensure that duties can only be brought to an end in response to unacceptable behaviour, where there are no ‘special circumstances’ that make it appropriate for the relevant duty to continue to apply. This is intended to capture cases where abusive partners etc. behave unacceptably and it would be unfair for entire households to lose their support. Clear and robust guidance will be developed to accompany the Bill, setting out examples of special circumstances, and other actions that may be appropriate to be taken by local authorities to support the other members of the household in such circumstances. We intend to develop this guidance with expert partners, including exploitation and domestic abuse specialists.

Conclusion	Government response
Conclusion 9: Training for professionals and training packages will be essential in terms of being able to identify the signs of homelessness and in how to respond. We note from the implementation timescale cited by the Cabinet Secretary that the duty is due to commence as part of the second phase in 2028-29, and while there is significant time to plan ahead, this time must be spent wisely.	Training is essential for the effective implementation of “ask and act” and this has been accounted for in the RIA. Pre-implementation planning is already underway including learning from pilot work, the rollout of similar provisions in the Violence Against Women, Domestic Abuse and Sexual Violence Act and identifying appropriate learning platforms.
Conclusion 10: Effective implementation will be key to the success of the ‘ask and act’ provisions and stakeholders must be involved in designing a system that works for everyone. The CAVHIS experience and the input of other bodies must be at the forefront of planning for implementation.	Engagement and working co-productively has been central to the development of this Bill and will continue to be so. We are already working closely with partners to plan for how “ask and act” could be effectively rolled out and how training needs will be met.
Conclusion 11: Strong guidance on the use of the power to refer will be needed and developed by the Welsh Government in partnership with local authorities and RSLs.	The Welsh Government recognises that the new provisions of the Bill regarding co-operation between local housing authorities and social landlords must be supported by technical practice guidance. As set out in our response to recommendation 18, we are committed to developing such guidance and plan to introduce a stage 2 amendment to require this. This guidance will cover the reasonable timeframe for a social landlord to make an offer of accommodation following a request by a local housing authority; good reasons for not making an offer of accommodation; and reasonable requests for information about a social landlord’s accommodation. Guidance will also be provided about the process should a local authority refer a case to the Welsh Ministers for consideration. This guidance will be developed in partnership with both local authorities and RSLs and will be consulted on, as required by the Bill.

Conclusion	Government response
Conclusion 12: The Welsh Government should consider how it intends to monitor the impact of the provisions in terms of allocations acceptances and refusals.	The Welsh Government acknowledges there is a paucity of data surrounding social housing allocation data in Wales. We accept the importance of monitoring the impact of the provisions relating to allocations, particularly in terms of compliance with requests made from local housing authorities for RSLs to make offers of accommodation. We are committed to transparency and accountability in the implementation of the Bill and will consider how best to monitor this, doing so with local authorities and Registered Social Landlords, with a view to obtaining a consistent and meaningful picture of the effectiveness of the provisions over time.
Conclusion 13: We believe that, once implemented, the provisions relating to co-operation between local authorities and RSLs will need to be carefully monitored to assess how they work in practice.	The duty to co-operate between local housing authorities and Registered Social Landlords should be based on improved partnership working between housing provider partners generally. We will work closely with both partners throughout implementation and explore opportunities for understanding and assessing work in practice.
Conclusion 14: Clear guidance will be needed on the implementation of the power in section 35 to determine categories of people eligible for social housing. While local authorities will need flexibility to use the power to meet their local needs, significant divergence across Wales should be avoided to prevent a postcode lottery. Guidance should also be clear that equality legislation should be adhered to when deciding on qualifying criteria. RSLs should be involved in discussions and decisions on what should constitute 'qualifying criteria'.	When making changes to their social housing allocation schemes, section 167(7) of the Housing Act 1996 requires that local housing authorities must share their proposals with every social landlord partner and afford them time to respond. As public authorities, local authorities are subject to human rights and equality legislation. The Bill provides flexibility for local authorities to respond most effectively to local housing need. Where local authorities choose to make use of this power, they will have to ensure that all persons who belong to a reasonable preference group qualify (unless they are ineligible on the grounds of unacceptable behaviour). Robust guidance will be developed to support its implementation and ensure it meets the policy intention to assist in waiting list management and the potential resource savings made as a result.

Conclusion	Government response
Conclusion 15: The Welsh Government should keep the qualifying persons provision under review and remove it in future if it is no longer needed or causing significant unintended consequences.	We will review use of this provision where local authorities choose to use it. The Bill ensures Welsh Ministers are able to respond effectively through regulation making powers where this power is not being used as intended.
Conclusion 16: Disqualification from social housing allocation does not provide a sustainable solution to tackling unacceptable behaviour and further support should be provided prior to such action being taken. The Welsh Government should provide strong trauma-informed guidance to ensure that exclusion from social housing is only used in extreme cases.	Local authorities have a discretion to disqualify a person from allocation if they, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, and at the time the application is considered, that person is still considered to be unsuitable as a tenant by reason of that behaviour. The Bill places emphasis on current risk, rather than historic risk and requires the local authority to take into account, in particular, the likelihood of that behaviour reoccurring. The meaning of unacceptable behaviour was narrowed under the Renting Homes (Wales) Act 2016 and, as such, there should be only a small number of cases that reach this high threshold and result in ineligibility for social housing. As with all other elements of the Bill, robust guidance will be developed to support the implementation of this and promote a trauma-informed approach.
Conclusion 17: We welcome the Cabinet Secretary's commitment to consider amending the Bill to allow for specified types of social housing allocation to take place outside the common housing register and request an update as part of the debate on the general principles of the Bill.	We recognise the initial drafting of the Bill may be too restrictive and we are considering an amendment to be tabled at stage 2 to address this.