



# Welsh Government Evidence to Local Government and Housing Committee Inquiry into Hazardous Disrepair in Social Housing

05/03/2026

## Background

1. Addressing hazardous disrepair in social housing has always been, and remains, a priority for Welsh Government. We recognise the link between poor housing and health conditions and take the quality of social housing very seriously.
2. The Welsh Housing Quality Standard (WHQS) was introduced in 2002 and set the first comprehensive minimum physical standards for all social housing in Wales, requiring homes to be in a good state of repair, safe, and secure. Building on this progress, the updated WHQS, effective from April 2024, requires all social housing to be in a good state of repair. Any home containing a Category 1 hazard which is the most serious health and safety risk, automatically fails this standard.
3. WHQS was complemented by the Housing, Health and Safety Rating System (HHSRS) which was introduced in 2006. The HHSRS is a risk-assessment tool used to identify and address housing hazards. It focuses on the actual impact of disrepair on the occupant's health and safety.
4. The legislative framework surrounding disrepair was further strengthened by the introduction of The Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022. These regulations require landlords to ensure properties are fit for human habitation (FFHH) at the

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carbon monoxide alarms, and conducting electrical safety inspections at least every five years. There are also requirements to address issues such as damp and mould.

5. Despite this legislative framework, in the wake of the coroner's report into the tragic death of Awaab Ishak, reports from the Public Services Ombudsman for Wales (PSOW), as well as ongoing press interest in tenants' lived experience of damp and mould, it became clear some social landlords were not acting adequately to address instances of disrepair.

#### *Disrepair in Social Housing Stakeholder Group.*

6. Following the coroner's report into the shocking death of Awaab Ishak, CIH Cymru and Community Housing Cymru (CHC) jointly wrote to the Minister for Climate Change and Rural Affairs (MCC) in relation to the *Better Social Housing Review (BSHR)* which was jointly published by the National Housing Federation (NHF) and the Chartered Institute of Housing (CIH). The report identified disrepair in social housing as a significant issue stemming from systemic maintenance failures and a lack of connection between landlords and residents. Damp and mould was highlighted as a major source of complaints.
7. Recognising the different legislative and regulatory environment in Wales, a stakeholder group was established to consider learning from the BSHR and its recommendations, in the context of the Welsh social housing sector. This group consists of representatives from CIH Cymru, Community Housing Cymru, TPAS Cymru, Shelter Cymru, WLGA, Tai Pawb and the Welsh Government.
8. The group's initial analysis determined that there were significant policy initiatives, existing legislation and regulation, that set out a robust framework to minimise risks relating to serious damp and mould issues, and disrepair generally. The group however concluded that despite these existing measures there were clear opportunities for improvement in addressing disrepair, to ensure the best outcomes for tenants are delivered and the risk to their health and safety minimised.
9. The group identified opportunities to improve social landlords' accountability and ensure enhanced transparency of their responses to damp and mould and other hazards. Consequently, it was recommended that a new rule should be introduced within WHQS 2023 in relation to social landlords' response to damp, mould and other hazards. Using existing performance mechanisms, rather than a legislative route which would have required primary legislation, was chosen to ensure the swiftest implementation. The Welsh Government's priority was to set clear, risk-based timeframes and transparent reporting, providing an enhanced accountability framework and greater visibility for tenants enabling them to seek redress where appropriate.

#### *Consultation on specifying a rule in relation to social landlords' response to damp, mould and other hazards*

10. The scope and content of the consultation exercise was developed in conjunction with the stakeholder group. A 12-week consultation period was agreed to allow full consideration of the

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proposals, and the consultation was issued through all members of the steering group in addition to the statutory consultee groups<sup>1</sup>.

11. The consultation covered matters including which hazards the new rule should relate to, whether a common timeframe for investigation or remedy should apply or not and the length of such a timeframe, the treatment of hazards determined to be a 'significant risk'. The consultation took place from 01 April 2025 and ran until 20 June 2025. 29 responses were received and of these 19 were from social landlords.
12. Overall, responses to the consultation were mixed. Social landlords generally favoured what they considered to be a more proportionate, risk-based approach with flexibility to manage operational constraints, citing concerns about resource implications. In contrast, other stakeholders, including tenant representatives and advocacy groups, tended to support broader coverage and stricter, standardised requirements to ensure fairness, transparency, and stronger tenant protections. This feedback was used to inform the Cabinet Secretary's decision on refining the final WHQS rule.

### *Implementation*

13. The Cabinet Secretary issued a written statement on 19 December 2025 announcing that WHQS would be updated to set out clear timescales for investigating and remedying hazards, including those relating to damp and mould. A WHQS addendum setting out the new rule and providing guidance was published at the same time, confirming that the rule will come into effect from 1 April 2026.
14. To support implementation officials will be running awareness raising sessions with all social landlords, this is being supported through CHC and WLGA. This will include an explanation of the requirements of the new rule and new reporting arrangements. These will be interactive sessions and officials will consider if additional guidance is required based on feedback from the sector. Awareness raising sessions are also being planned for tenants and will be facilitated by Tenant Participation Advisory Service Cymru (TPAS).
15. The Welsh Government has provided circa £2 billion of funding to social landlords since 2004 to support the original WHQS programme which significantly improved the quality of social homes across Wales. In the last two years nearly £250m has been allocated to social landlords in Wales via Major Repairs Allowance, Dowry funding and WHQS Implementation Grant. This provides a package of support for social landlords in continuing to improve the quality of their social housing.

### *Impact monitoring*

16. Compliance with the new WHQS rule will be reported as part of the WHQS compliance monitoring report (CMR). From October 2026 and annually thereafter, social landlords will need to submit a CMR which reports on specific aspects of the standard. The monitoring on Hazardous Disrepair will be included from October 2027, after the first full year of its implementation.
17. Alongside this to improve transparency for tenants, a separate high level summary compliance report will be required as part of the quarterly social landlord return. The first quarterly report will be due at the end of June 2026.

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<sup>1</sup> Under the Housing Act 1996, the Welsh Ministers must consult: (i) one or more bodies appearing to them to represent the interests of RSLs; (ii) one or more bodies appearing to them to represent the interests of tenants; and (iii) one or more bodies appearing to them to represent the interests of LHAs.

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18. The quarterly return will provide individualised social landlord data which the Regulator (on behalf of Welsh Ministers) will use as part of their routine regulatory activities. This data reporting complements initiatives agreed with the sector under the latest *Rent and Service Charge Standard*. Specifically, a commitment to work with the Welsh Government to strengthen transparency and accountability and improve learning and practice through enhanced data sharing. As part of this, we will be working alongside the sector to develop individualised performance data, once any data quality concerns have been addressed.
  19. This data picture is also enhanced by the recent implementation of a revised regulatory assessment model used by the Regulator. This includes consideration of how effective the RSL Board's oversight is of health and safety, including assurance that underpinning systems and data are robust.
  20. The Welsh Government is cognisant of the ongoing work of the Public Services Ombudsman for Wales (PSOW) with respect to disrepair, including damp and mould, in social homes. When PSOW upholds a complaint against a Registered Social Landlord (RSL), the Welsh Government is formally notified by both PSOW and the RSL. This notification sets out the findings of the investigation, details the action plan established to address the issues identified, and confirms whether all PSOW recommendations have been accepted.
  21. The Welsh Government subsequently monitors the implementation of the agreed actions through the Regulation Team to ensure that appropriate remedial steps are taken within the specified timescales and that the recommendations are fully and effectively embedded.
  22. Officials are in regular dialogue with PSOW and to further strengthen this relationship and facilitate regular data-sharing, initial work is ongoing to develop a Memorandum of Understanding between PSOW and the Regulator.

#### *Expected impact for tenants and social landlords*

23. As a result of the introduction of this new rule, tenants will benefit from set national response times, providing greater confidence that issues such as damp and mould will not be left untreated for long periods. Alongside the enhanced data requirements through both the CMR and the quarterly data returns, this will create greater accountability and transparency for tenants.
24. Where it is not possible to fully repair the hazard within a set time period, tenants will receive a written summary plan detailing:
  - Confirmation of the nature of the hazard identified and whether it has been assessed as presenting imminent harm or not.
  - Any action that has been taken/will be taken to make the property safe.
  - Details of the work to be undertaken to remedy the hazard.
  - When the work is likely to start and finish.
  - Detail of the arrangements made to mitigate any risks to the tenant in the interim.
  - Advice on how to contact the landlord.
25. When determining whether a hazard represents a "significant risk" consideration must be given to the tenant's circumstances and vulnerability, as a result tenants in poor health or with additional needs or vulnerability are expected to receive faster or higher-priority action.
26. Care has been taken to build on the existing legislative and regulatory framework in relation to the safeguarding of tenants and keeping housing in a good quality of repair. However, Welsh Government recognises that some landlords may experience additional resource implications

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through the roll out and learning phase of this rule, particularly in respect of the additional reporting requirements and greater scrutiny of performance.

#### *Disrepair Data held by Welsh Government*

27. The Welsh Government collects a range of different data sets that are relevant to understanding the prevalence of social housing disrepair and the quality of social housing stock.
28. The Regulator collects non-validated data quarterly for all stock holding Local Authorities and all Registered Social Landlords (RSLs) in the following categories.
  - Number of properties with a damp and mould case open as at quarter end, whether categorised under HHSRS or not – to identify total open cases in quarter.
  - Number of new disrepair pre-action protocol (including early notification letters) cases opened during the quarter.
  - Number of disrepair pre-action protocol cases that have been issued with the Court during the quarter.
  - Total number of outstanding disrepair claims as at the quarter end.
29. In 2021 the Welsh Government undertook an assurance exercise across all social landlords to understand policy and practice in relation to cases of disrepair and in maintaining the quality of their housing stock, This provides a snapshot of data across social landlords: [Social housing conditions and disrepair \[HTML\] | GOV.WALES](#).
30. The Welsh Government publishes an annual report on hazards identified through Housing Health and Safety rating System HHSRS assessments as part of the Housing hazards release [Housing hazards | GOV.WALES](#). Whilst it is more common for these assessments to be undertaken in the private sector, some will be undertaken in respect of social landlords' stock.
31. Data on the quality of social housing is reported through the Welsh Housing Quality Standard [Welsh Housing Quality Standard | GOV.WALES](#). As of 31st March 2023, 100% of social housing in Wales met the previous Standard with some acceptable fails. 78% achieved full compliance with no acceptable fails. The previous Standard was replaced on the 1 April 2024 with the new WHQS 2023. The first statistical publication on the new standard is due to be published on 26th February 2026 but it will take several years before the data can be used to identify trends in Hazard data.
32. The 2017-18 [Welsh Housing Conditions Survey](#) (WHCS) looked at the presence of housing hazards across all tenures. The 2027-28 Welsh housing survey will provide updated information on housing quality across Wales, with headline results expected from 2028-29, and more detailed findings from 2029-30.
33. The Welsh Index of Multiple Deprivation ([WIMD](#)) 2025 also included an estimate of the presence of category 1 hazards in homes across Wales.