

Policy: HHSRS – Awaab’s Law

Adopted by the following Group entities:

Name	Date Approved
Change Housing	04.11.2025
Hilldale Housing Association	04.11.2025
Quays Housing	04.11.2025

1. Introduction

1.1 This policy has been developed in response to the legal requirements under the Social Housing (Regulation) Act 2023, commonly referred to as Awaab’s Law, which comes into force on 27 October 2025.

1.2 On the 6 February 2025, the Ministry of Housing Communities and Local Government (MHCLG) published a phased implementation timeline for Awaab’s Law:

- **October 2025:** address damp and mould hazards that present a significant risk of harm to tenants within fixed timescales and address all emergency repairs as soon as possible and within no longer than 24 hours.
- **In 2026:** Requirements will expand to apply to a wider range of hazards such as excess cold and excess heat; falls; structural collapse; fire, electrical and explosions; and hygiene hazards.
- **In 2027:** Full implementation covering all hazards under the Housing Health and Safety Rating Scheme (HHSRS), excluding overcrowding

1.3 The policy ensures a coordinated and comprehensive approach to addressing Housing Health and Safety Rating System (HHSRS) hazards. Under this policy, hazards are triaged into three distinct categories:

- **Emergency Hazards** – those posing an imminent and significant risk of harm, requiring action within 24 hours.
- **Significant Hazards** – those posing a serious but non-imminent risk, requiring investigation within 10 working days and safety works within 5 working days.
- **No Significant Hazards** – those that do not pose a serious threat to health or safety and are managed under standard repair timescales.

1.4 This triage system is based on the actual impact on the current occupants of the property, considering their health, vulnerabilities, and exposure to the hazard. It ensures that decisions are made in real time, based on the conditions as they exist today, and prioritises action where harm is already occurring or likely to occur imminently. This approach differs from a formal HHSRS

assessment, which is a predictive model designed to assess the likelihood and severity of harm over a 12-month period, including consideration of future occupants who may live in the property. We continue to utilise the Housing Health and Safety Rating System (HHSRS) as a technical framework for assessing hazards.

2. Scope

2.1 This policy is applicable to all residents living in all our properties including all communal areas managed by Change Housing where we have responsibility for repairs and maintenance, irrespective of tenure.

- If the issue is in a communal area or is a structural building defect, we are responsible for the repairs in line with the corresponding lease.
- Hazards that pose a significant risk to the health or safety of the Residents within the affected home are within scope of Awaab's Law. Change Housing is responsible for determining whether a hazard poses a significant risk to a resident's health or safety. This policy has been developed to ensure full compliance with all Housing Health and Safety Rating System (HHSRS) hazards falling within the scope of Awaab's Law, including those introduced through its phased implementation from October 2025 onwards.
- **This policy does not cover** -Hazards resulting from a breach of contract by the resident or visitors of the resident, including deliberate damage or unauthorised alterations.

3. Definitions

- **HHSRS** (Housing Health and Safety Rating System) Hazard- The risk-based evaluation tool used to assess potential hazards in residential properties, as defined under the Housing Act 2004.
- **Hazard** – A potential source of harm or adverse health effect on persons or person. Under HHSRS there are currently 29 hazards These hazards fall into 4 categories:

A – Physiological Requirements

- Damp & Mould Growth
- Excess Cold
- Excess heat
- Asbestos (and man-made fibres -MMF)
- Biocides • Carbon Monoxide (CO) and fuel combustion products.
- Lead
- Radiation
- Un-combusted fuel gas
- Volatile Organic Compounds

B- Psychological Requirements

- Crowding & Space
- Entry by Intruders
- Lighting
- Noise

C – Protection Against Infection

- Domestic Hygiene, pests and refuse.
- Food Safety

- Personal Hygiene, sanitation and drainage
- Water supply for domestic properties

D – Protection Against Accidents

- Falls associated with baths
- Falling on level surfaces
- Falling on stairs and steps
- Falling between levels
- Electrical Hazards
- Fire
- Flames & Hot Surfaces
- Collision & Entrapment
- Explosions
- Position and operability of amenities
- Structural collapse & failing elements

4. Timescales to Respond to HHSRS Hazards

4.1 Our responsibilities outlined within this document can be broadly categorised into 4 steps:

- Notification
- Investigation
- Remedial works
- Monitoring

4.2 **Notification** - When we are made aware of a potential hazard, it will be logged on our systems with sufficient detail to support initial assessment. The date of notification is classed as Day 0, and all timeframes within this policy begin from this point. Day 1 commences on the following working day. An initial triage will be carried out to determine whether the hazard presents an imminent and significant risk of harm. If so, it will be treated as an emergency hazard and investigated, with emergency work completed within 24 hours. Such circumstances could include:

- gas leaks
- lack of water supply
- prevalent damp and mould that is impacting a resident's ability to breathe

4.3 All other hazards will be investigated within 10 working days to assess their significance and determine the appropriate course of action.

4.4 **Investigation** - We may undertake one or more types of investigations in response to a notification of a potential hazard. The type of investigation will be determined through initial triage and aligned with the nature and urgency of the issue reported. The investigation process is dynamic and may evolve based on the complexity of the case, the outcome of earlier assessments, or additional information provided by the resident. Each investigation will aim to determine whether a hazard exists and, if so, assess the level of risk it poses to the health or safety of the resident. Investigations may be carried out through a physical inspection, desktop inspection with the aid of photographs and/or videos or remote inspection via phone or video call.

- 4.5 It is possible that multiple investigation types will be required to fully assess and resolve a single case. All investigations will be carried out by individuals with the appropriate skills, knowledge, and experience to make an informed and accurate assessment.
- 4.6 The investigation will sufficiently determine whether there is a hazard, and if so, the level of risk to our resident's health or safety.
- 4.7 In some cases, additional investigations may be required following an initial or renewed assessment— for example, where the situation has changed, new evidence has emerged, or specialist input is needed. Further investigations will be carried out as necessary to ensure a full and accurate assessment of the hazard and its impact. These may include follow-up inspections, technical assessments, or consultation with qualified professionals. Timeframes will be determined based on the nature and urgency of the issue.

5. Determining Risk

- 5.1 When determining if a hazard poses significant risk to health or safety, we will consider both the severity of the hazard, the needs of resident(s) and how they are affected by the hazard. There may be instances where a particular customer is at a greater risk from a hazardous condition, for example a customer with a respiratory condition may be at greater risk from a home affected by damp and mould. To determine whether a hazard poses a significant risk we will utilise a range of available information including HHSRS guidance, information about customers' vulnerability or age. Where we receive evidence from third parties - for example from registered healthcare providers, social workers, care providers or resident advocates— we will also factor this into our assessment.
- 5.2 The hazards will then be categorised into one of three categories:

- **Emergency Hazard** - An emergency hazard is one that poses 'an imminent and significant risk of harm' to the health or safety of the tenant in the social home. An 'imminent and significant risk of harm' is defined as 'a risk of harm to the occupier's health or safety that a reasonable social landlord with the relevant knowledge would take steps to make safe within 24 hours.
- **Significant Hazard**- A 'significant hazard' is one that poses a 'significant risk of harm' to the health or safety of a resident of the social home. A 'significant risk of harm' is defined as 'a risk of harm to the occupier's health or safety that a reasonable lessor with the relevant knowledge would take steps to make safe as a matter of urgency'. must investigate within 10 working days, complete make-safe works within 5 working days, and ensure all other works are started within 12 weeks of the original report.
- **No Significant Risk**- A hazard that does not pose a serious threat to health or safety and would not require urgent action by a reasonable social landlord. These hazards are outside the scope of this policy and will be handled within the current responsive repairs process and timescales.

6. Written Summary of Investigation

- 6.1 We will provide a written summary following any investigation into a reported hazard, except in specific cases where it is not required. The following outlines when a written summary is and is not required:

- For hazards assessed as significant, investigation will be completed within 10 working days of notification, with the written summary provided to the customer within 3 working days of the investigation being completed.
- For emergency hazards, posing a significant and imminent risk to health or safety, where temporary measures have been implemented or alternative accommodation has been offered, a written summary will be provided within 3 working days of the investigation.

6.2 When a Written Summary is not required:

- For hazards assessed as significant risk, where remedial works are completed within 3 working days of identification.
- For emergency hazards, where full remedial works are completed within 24 hours of identification.

6.3 All written summaries will be clear, accessible, and tailored to meet the communication needs of the customer.

7. Decants

7.1 If the property cannot be made safe within the above specified timescales (24 hours for emergency hazards, 5 working days for significant), we will arrange alternative suitable accommodation, until it is safe to return, this may include hotel accommodation. Where temporary accommodation is refused, we will provide customers with clear information on how to keep themselves and their families as safe as possible ahead of the hazard being addressed, including if it is our judgement that it is not possible to do so.

8. Monitoring Post Completion of Remedial Works

8.1 Under Awaab's Law, there is no requirement for landlords to contact customers post completion of remedial works. However, we will arrange for all works to be inspected within 12 weeks of completion.

8.2 Cases that pose a significant and imminent risk (Emergency Hazards) Where we identified there to be significant and imminent risk to resident(s) health or safety a qualified surveyor will physically post-inspect works within 10 working days of their completion to ensure remedial works have been completed to satisfactory standard.

9. Record Keeping

9.1 We will keep clear records of all engagements and repairs initiated in relation to this policy, including records of all correspondence with our resident(s) and any contractors. This ensures that where we have not met the requirements under Awaab's law for reasons outside of our control, we have documentation of this and can evidence that this is not a failure. This will ensure we have a full history of interactions, and should it be the case we have been unable to complete remedial action on time, how we have sought to mitigate risk to our customers and our homes.

10. Access Consistent with the guidance under Awaab's Law

10.1 If a customer is unwilling or unable to provide access within the above timescales, we will not be in breach for missing the timescales and will not record this as a failure under Awaab's Law. However, we will continue to work as quickly as possible to enter the home to investigate and/or remedy the hazard where there is significant risk to resident(s). Once Change Housing has accessed the home, after initially being refused access, the proposed timescales will apply. For example, if access is granted on day 16 to investigate, we will still be expected to provide a written summary within 3 working days, and to have commenced remedial works within 5 days (i.e. by day 23) unless we are again unable to obtain access. We will make the following reasonable attempts for access:

- At least 3 recorded attempts to contact the resident(s) (or appointed representative) and arrange a suitable time to access the property.
- Work with resident(s) to arrange a suitable time to visit the property and will take into consideration the resident(s)' needs when offering appointments/timeslots to attend to the property.
- If we are unable to access the property within the agreed timeslot, we will leave the resident a notice stating that an attempt was made and providing contact details. We will then contact the customer and offer an alternative slot.
- Legal action may be pursued if suitable and timely access cannot be obtained where emergency hazards are identified that pose a significant and imminent risk of harm. Throughout this process, we will keep a record of all correspondence made with customers, noting the date, time and actions attempted and best efforts to find suitable appointment slot.

11. Legal and Regulatory Responsibilities

- The Housing Act 2004 – this states that properties must be free from hazards at the most dangerous 'category 1' level, as assessed using the Housing Health and Safety Rating System (HHSRS).
- The Environmental Protection Act 1990 – this gives tenants and local councils powers to take legal action where homes contain a 'statutory nuisance', which includes where they are in such a state as to be prejudicial to health.
- The Landlord and Tenant Act 1985, with new provisions added by the Homes (fitness for human habitation) Act 2018 – this requires that properties are free of hazards, including damp and mould, which are so serious that the dwelling is not reasonably suitable for occupation in that condition.
- Decent Homes Standard – to meet the Decent Homes Standard (DHS), social housing must be free from dangerous 'category 1' hazards. However, the DHS also states that social housing must be in a reasonable state of repair and provide a reasonable degree of thermal comfort. Either disrepair or inadequate thermal comfort, or both, may result in damp and mould.

- Awaab’s Law – to be introduced in October 2025. To meet Awaab’s Law, issues need to be investigated and resolved within fixed timescales and better communication with tenants is required throughout the repair process.
- Building Safety Act 2022.
- Fire Safety Act 2021.

12. Linked Policies:

- Decant
- Damp and Mould
- Response Repairs
- Health and Safety

13. Equality, Diversity and Inclusion Statement

13.1 Hilldale and Quays value the Equality, Diversity and Inclusion of our tenants and we are committed to promoting equality of opportunity, to ensure all tenants are treated fairly when dealing with any reports of damp and mould.

13.2 Hilldale also recognises that people with long term illness or disability who are living in a property with damp and mould may be at increased risk. As a result, appropriate steps will be taken to provide additional support to anyone in these circumstances.

14. Data Protection

14.1 Under the General Data Protection Regulations and the Data Protection Act 2018, organisations have to process personal information ‘lawfully, fairly and in a transparent manner.’ Hilldale and Quays are committed to respecting the privacy of our tenants and we will protect their personal data.

14.2 In certain circumstances, we may be required to share personal data with other statutory agencies. Where practical, consent from the Data Subject will be obtained prior to the information being shared, however, there may be instances where we have a statutory duty to share information without the individuals consent e.g. if there is any reason to suspect children are at risk, if the individual does not have capacity, or if an individual is in immediate risk of abuse or for the prevention and detection of crime. An assessment will be made in each case to decide which information is necessary to be shared, referring to the Data Protection Officer for further guidance as required.

14.3 Tenants also have the right to know what Information Hilldale and Quays hold about them. Consequently, we have a separate Data Protection Policy which should be adhered to when investigating complaints of domestic abuse.

Version Control

Policy to be reviewed every 2 years or when a change in HHSRS guidance occurs.

Version	Date	Change	Owner
1.0	03.11.2025	First version	Change Repairs and Compliance Manager
2			
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