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# **Hazards in Housing – Summary Report in relation to LCC's response to Awaab's Law**

Housing LMB: 29/09/2025

HEN Board: 26/11/2025

Housing Scrutiny Commission: 21/04/2026

Lead Member: Councillor Cutkelvin

Lead director: Chris Burgin

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## Useful information

- Ward(s) affected: All
- Report author: Nilkesh Patel
- Author contact details: Ext 37 2505 (Nilkesh Patel)
- Report version number: Ver 1.0

### 1. Summary

- 1.1. This report outlines the requirements of Awaab's Law and sets out the division's arrangements to comply with the regulations underpinning Awaab's law.
- 1.2. Phase 1 of Awaab's Law came into force on 27<sup>th</sup> October 2025 with accompanying non-statutory guidance. From the commencement date, Social Landlords were required to address all emergency hazards and all damp and mould hazards that present a significant risk of harm to tenants. The Regulations set out time frames within which to address those hazards. While the sector has been aware of the impending implementation of phase 1 of Awaab's Law, it was only in early July 2025 that the government announced the commencement date of 27 October 2025 and released draft guidance. It is worth noting the commencement date fell when there is a seasonal increase in the number of calls for service on all aspects of the repair service.
- 1.3. The requirements of Awaab's Law (phase 1) from 27 October 2025 was for all emergency hazards and all damp and mould hazards
- 1.4. From October 2026 (phase 2), the regulations will be extended to cover hazards which present a significant risk of harm, including excess cold and heat, falls, fire and electrical hazards, domestic and personal hygiene and food safety.
- 1.5. In 2027, phase 3 of the regulations will cover all Housing Health and Safety Rating System (HHSRS) hazards (apart from overcrowding) where they present a significant risk of harm.
- 1.6. Delivering the requirements of Awaab's Law posed several challenges to the division, notably in ensuring adequate resource was in place to deliver the outcomes within the specified timescales. A phased approach to meeting the requirements was taken as set out in section 2, considering the risks and issues highlighted in section 6.
- 1.7. This was a significant change in operational delivery within the division and in relation to repairs and technical services, which included key timescales to deliver against. The division was not able to deliver all of the requirements it had set itself in October 2025. This was because priority had to be given to reducing out-of-category repairs, recruiting additional resources, implementing an ICT solution, and devising reporting mechanisms. The requirement of creating, testing, and using new works orders was delayed as the division was/still is procuring a new mobile working solution.
- 1.8. The announcement came during the system procurement process, and the system specification did not cover the solution needed to deliver all of Awaab's Law. Due to a potential change in the mobile working solution, the division was not able to make any amendments to the existing system, Total Mobile, resulting in an inability to develop an end-to-end ICT solution in the short term.
- 1.9. The phased approach allowed the division to meet the requirements of Awaab's Law. This approach had to be balance with undertaking outstanding repairs which the division is working through and reduced. Placing an additional burden on the

team risked failure to deliver outcomes and potential intervention by the Regulator of Social Housing (RSH).

- 1.10. The overarching principle of Awaab's Law is to remove hazards and reduce risk to tenants and their households. The division demonstrated commitment to full compliance by implementing the initial part of the regulation, i.e., removing the hazard within timescales, while working towards meeting all requirements within reasonable timescales.

## **2. Recommended actions / decisions.**

- 2.1. The contents of the paper are noted.
- 2.2. The recommendations set out in the original report have been put in place. The phased approach to the implementation of Awaab's Law has been approved and enacted. All actions as per 2.5 are being carried out, including responding to emergency hazards within 24 hours, significant hazards related to damp and mould within 5 working days, technical inspections within 10 working days, and providing written reports to tenants within 3 working days where needed. We are actively working on the actions in 2.6, with a review of our approach currently taking place to ensure ongoing compliance and continuous improvement.
- 2.3. The recommendation was that the implementation of Awaab's law is carried out on a phased basis. This would allow the division time to recruit additional staff, implement a revised process, design an ICT solution, carry out staff training and fully understand the additional pressures which may be created by the regulations.
- 2.4. Note that in the short term, a team of cleaners has been recruited who can carry out removal of mould from surfaces, treat and stain block.
- 2.5. From 27 October 2025 Housing complete all:
  - 2.5.1. Emergency hazards within 24 hours
  - 2.5.2. Significant hazards (relating to damp and mould) within 5 working days where applicable.
  - 2.5.3. Carry out Technical Inspection within 10 working days
  - 2.5.4. Provide a written report to the tenant within 3 working days (where needed)
- 2.6. From April 2026, we will:
  - 2.6.1. Review the approach taken to ensure it is meeting the requirements of Awaab's law
  - 2.6.2. Repairs will start to work towards ensuring all works are started within 12 weeks of them being reported as mentioned in section 4.3.6.

## **3. Scrutiny / stakeholder engagement.**

3.1. At the time, the need to change working practices was a regulatory requirement. The Tenancy Scrutiny Panel was consulted on the regulatory changes and the content of tenant correspondence with the panel welcoming comments and input. The approach was approved with a view at reviewing this in the summer of 2026. Oversight on performance was incorporated into regular senior management reporting. The revised process was agreed through a series of workshops which included staff from all relevant sections.

#### **4. Background and options with supporting evidence.**

4.1. Awaab's Law, formally the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025, was introduced following the tragic death of Awaab Ishak due to mould exposure. Draft guidance was published in July 2025, providing a baseline for compliance.

4.2. Key requirements:

- Landlords must investigate potential emergency hazards and, if confirmed, undertake relevant safety work within 24 hours to make the property safe.
- Potential significant hazards must be investigated within 10 working days.
- Tenants must receive a written summary of findings within 3 working days of an investigation concluding.
- If a significant hazard is identified, safety work should begin within 5 days, and further works must start within 12 weeks of the hazard being made safe.
- All works must be completed in a reasonable period.
- Tenants should be provided with suitable alternative accommodation where required and kept updated throughout the process.

4.3. The terms “emergency hazard” and “significant hazard” have a specific meaning within the regulations and can be summarised as:

- “Emergency hazard” means one posing an imminent and significant risk of harm to tenant health or safety (e.g., gas leaks, broken boilers, significant damp and mould).
- “Significant hazard” means one posing a significant risk of harm dependent on the nature of the hazard and tenant vulnerability. A risk matrix approach was adopted to guide these determinations.

4.4. Most, if not all, emergency hazards (other than damp and mould) are already covered in other requirements, including in the Landlord and Tenant Act, the Right to Repair Regulations (1994) and Home Health and Safety Rating Scheme (HHSRS). These repairs are already dealt with under the division's existing emergency (make safe) process, so the impact to Awaab's Law was not adversely significant, except for the new requirement to commence any associated work within 5 working days (see section five below)

4.5. Determining what is, and what is not, a significant hazard is still subjective and depends on a number of factors. For example, a property may have mould growth in the living room of under 2m<sup>2</sup> and the tenant has no known health issues. In this case there may not be an emergency hazard, but treatment would still be needed within

reasonable timescales The same area of mould growth in a bedroom occupied by a child under 14 could be dealt with as a significant hazard, or, if the child has asthma or another condition which increases their risk of harm, potentially an emergency hazard. The division is using a risk matrix approach (as set out in section five below)

- 4.6. Once a tenant (or their representative) has made a report to the division, an investigation must take place. The regulations set out that the initial investigate can take place remotely, but the division felt that it is in the best interest of both the tenant and the landlord that a physical inspection takes place following an initial triage.
- 4.7. An emergency investigation must take place within 24 hours of the landlord becoming aware. At the point of receiving a report, the division will use all available information to determine whether any hazard is significant or an emergency. Receipt of a report is not the sole determinate of the 24 hour time frame.
- 4.8. Built into the regulations is the defense of “reasonable endeavor” if a landlord can demonstrate they have used all reasonable endeavors to comply and it has not been possible for genuine reason out of their control. This will include where the tenant does not co-operate with requests or denies access. It is therefore imperative that as a division we keep contemporaneous records of all actions taken within our administrative systems.

## **5. Detailed proposals and considerations.**

- 5.1. At present, the Housing Division provides a good day-to-day repairs service. This is evidenced through our transactional surveys which convey a 94% satisfaction level once a repair has been completed. The survey is undertaken in respect of all repairs reported and does not specifically relate to those falling within Awaab’s Law. The division completes 90% of all emergency repairs reported within 24 hours and any exceeding the timeframe are made safe and completed the next working day. Any emergency health and safety hazards identified following a damp inspection are addressed by cleaning contractors or council operatives as soon as practicably possible. This may include cleaning the mould or carry out remedial works. Any work we undertake will be aimed at removing any immediate health risk to f our tenants. In very extreme and rare situations, housing officers may arrange for tenant to be decanted to another property whilst we carry out work as per business-as-usual processes. The division is confident that the processes it has implemented meet the requirement relating to emergency hazards as set out in Awaab’s Law.
- 5.2. With Awaab’s Law coming into force, the division completed a comprehensive review of the end-to-end process to deal with repairs under phase I of the regulations.
- 5.3. This is now the current process undertaken when damp and mould is reported to meet Awaab’s Law requirements:

- 5.4. Tenants are encouraged to report via an online tool, or via an internal e-form for call centre reports.
- 5.5. On receipt of a report an initial triage assessment is undertaken. If a report lacks photographs, contact is made to obtain them.
- 5.6. If a potential hazard is identified, an inspection is booked within 10 working days.
- 5.7. Where access is not granted after three attempts, the matter is referred to Tenancy Management for further investigation, or support as appropriate.
- 5.8. If an emergency hazard is discovered, remedial work is carried out within 24 hours to make the property safe. If not possible, alternative accommodation is offered.
- 5.9. For significant hazards, work is planned or started within 5 working days, including preparatory steps such as arranging specialist contractors. If work cannot start within 5 days, alternative accommodation is offered.
- 5.10. Once the immediate hazard is made safe, further works are completed within a reasonable period.
- 5.11. Some scenarios to outline the current process are mentioned below:

***Scenario – Social landlord making property safe following an emergency hazard thereafter following up with preventative works***

*The tenant reported issues with damp and mould to the landlord. The problem was widespread and most severe in the only bedroom, particularly from the window area extending behind the bed. The tenant also informed the landlord that she was pregnant and experiencing symptoms such as wheezing and shortness of breath.*

*Based on the initial report, the landlord assessed the situation as a potential emergency hazard requiring further investigation to determine the extent and cause. Accordingly, the landlord arranged for an alternative accommodation to be provided to the tenant in order for a contractor to attend within **24 hours** to investigate the emergency hazard and take action to make the property safe. The contractor visited early the next working day*

*In this scenario, a reasonable landlord would likely have classified the issue as an emergency hazard, based on the location of the mould, the contractor's investigation findings and the tenant's reported vulnerability and symptoms. The presence of mould in areas such as bedrooms or living spaces, particularly where those with pre-existing health conditions reside, poses a serious and immediate risk to health.*

***Scenario: Social landlord making a property safe and following up with preventative works***

*The tenant reported damp and mould in their property, a one-bedroom flat located on the top floor of a converted house. This has increased following heavy rainfall during the winter months and the tenant had reported that several roof tiles had been displaced. The landlord identifies this as a potential significant hazard and schedules an investigation within 10 working days. The investigation finds that the damp and mould is being exacerbated by the damage to the roof, which will require scaffolding to fix.*

*In the scenario described, the landlord would need to take action to make the property safe within 5 working days, which could be undertaking a mould wash to remove the immediate hazard. They will also need to start work to fix the damage to the roof to prevent the hazard recurring in the same time period. In this scenario the landlord may not be able to start the work straight away if scaffolders are not*

*available, so they should take steps towards this happening within 5 working days by booking scaffolders and other contractors to start as soon as reasonably practicable, and within 12 weeks of the investigation concluding.*

- 5.12. From October 2025, the division has been working hard to meet the stipulated 5-day timescale for significant hazards. This is despite a 100% increase in the number of reports compared to original projections (approx. 400 jobs being reported monthly), which has provided significant challenges in meeting demand.
- 5.13. The division keeps tenants informed through existing business processes, and a risk matrix was developed for initial assessment (see appendix A). The assessment considers each case on its own merits and Vulnerability of a tenant will always be taken into account.
- 5.14. Additional resources were allocated, including merging voids and damp teams, consisting of multi trade operatives, painters and plasterers, and recruiting mould cleaners. A specialist provider was procured for mould washing and cleaning, and an internal team of four cleaners was recruited to support the Damp/Voids area. A £170,000 growth budget was approved in 2026/27 to support these efforts. Due to the marked increase in the number of reports, the division is exploring various opportunities to increase internal and external resource capacity to support its work. A further £2.1m budget was approved in 2026/27 to support procurement of a void's contractor. This would free up resources to work on damp and mould issues and to support the responsive repairs team with reducing outstanding works
- 5.15. In the longer term, the division will be analysing the potential impact of phases II and III of Awaab's law in 2026. Ongoing improvements to processes and reporting continue as more hazards come under scope.
- 5.16. Appendix B details the process and timeframes a report of damp and mould takes through to remedial works completed. This has been in place since October 2025.

## **6. Risks and issues**

- 6.1. As set out above, a phased approach was introduced. This has proved to be more realistic and has led to compliance with the regulations i.e. to deal with emergency hazards within the timescales as this helped remove the immediate danger / risk to the tenant.
- 6.2. It should be noted that once Awaab's Law was implemented on 27 October 2025, there was heightened publicity in national and local media, which resulted in an influx of new and repeat requests which placed additional pressure on an already stretched team.
- 6.3. In addition, the winter months approached us resulting in the busiest time of year for reports made on a number of issues including damp and mould as well as other repairs related to wet weather (roof leaks, blocked gutters etc)
- 6.4. Risks remain present and continue to be actively managed. The risks are:

- Increased demand due to publicity and seasonal factors has stretched resources.
- Staff recruitment and retention, especially of skilled operatives, remains challenging due to national shortages.
- Health and safety risks for staff, especially regarding exposure to mould, require ongoing mitigation and investment in PPE.
- Additional pressure on Asset Management and Investment services and Damp Remedial teams, including a rise in repeat reports and increased disrepair claims.
- Additional pressures on the team to complete repairs in a short timescale, balanced against the need to reduce the current outstanding jobs.
- Training for staff is ongoing to ensure understanding of new processes, terminology, and compliance requirements.
- Written reports to tenants are prompting more queries/complaints, increasing workload.

6.5. New risks identified since go-live include:

- Sustained high volumes of damp and mould cases have led to increased numbers outstanding and pressure on resources.
- Changes in government guidance require continual monitoring and potential rapid process adaptation.
- Recruitment and retention for specialist roles remains an ongoing challenge.

6.6. The risks outlined above are being monitored and managed throughout the current phase to ensure we are mitigating as we progress.

## **7. Communications**

- 7.1. By May 2026, the division expects to have completed the development of communications to improve tenant awareness of the need for property access for compliance works, particularly damp-related repairs.
- 7.2. An e-learning module has been developed and shared with all internal front-line staff across housing, social care, and customer services to enhance knowledge, support, and referral processes.
- 7.3. The division is also producing literature for tenants to help understand and manage any damp and mould within their homes. This will provide extensive support and a guide to prevent mould from returning.

## **8. Governance**

- 8.1. Senior management continues to receive regular quarterly performance updates. The Lead Member is briefed on outcomes, and ongoing reporting is incorporated



into the Housing Scrutiny repairs oversight process. Governance arrangements have been further strengthened to reflect the requirements of Awaab's Law and ensure continued compliance and improvement.

## **9. Financial, legal, equalities, climate emergency and other implications**

### 9.1 Financial implications

There are significant financial implications of the introduction of Awaab's Law, and these have been reflected within the HRA budget report for 2026/27 which was approved by Council on 25th February 2026.

Signed: Stuart McAvoy - Head of Finance

Dated: 31<sup>st</sup> March 2026

### 9.2 Legal implications

Whilst this is an information report, it is important that members understand the consequence of non-compliance with Awaab's Law (the Hazards in Social Housing(Prescribed Requirements) (England) Regulations 2025). Tenants are entitled to follow our complaints procedure and/or to make a complaint to the Housing Ombudsman. Tenants can also pursue legal action and if successful be awarded damages and costs. The Regulator of Social Housing reviews the performance of a social landlord as a whole and has a range of tools available if a landlord is unable or unwilling to comply with the Consumer Standard. The division should as set out in the Report aim for continuous improvement by working closely with tenants, looking at patterns and trends, learn the lessons from legal cases, set up pro-active repairs teams and target areas with the highest reports

Signed: F. Hajat

Dated: 10<sup>th</sup> April 2026

### 9.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they must have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between those who share a protected characteristic and those who do not. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The implementation of Awaab's Law and the division's phased approach to addressing hazards in social housing will have a broadly positive equalities impact, particularly for tenants who share certain protected characteristics. Damp, mould, and excess cold disproportionately affect the health and wellbeing of specific vulnerable groups. Children and the elderly are significantly more susceptible to respiratory conditions caused or exacerbated by damp and mould. Tenants with pre-existing health conditions (such as asthma, weakened immune systems, or mobility issues that keep them confined to the home) are at a higher risk of harm from housing hazards. Pregnant women and infants are highly vulnerable to the health impacts of poor housing conditions. The adoption of a risk matrix approach (as

outlined in section 4.5) ensures that the vulnerability of the tenant—including known health issues and the age of household members—directly informs whether a hazard is categorized as an "emergency" or "significant." This prioritises rapid intervention (within 24 hours or 5 working days) for the most vulnerable residents, thereby advancing equality of opportunity and mitigating health inequalities across the council's housing stock. It is important to consider accessibility in terms of reporting and communications, while an online reporting tool may work for some, there will be individuals with limited digital access or skills, disabilities that affect their ability to use online tools, or those who don't speak English as a first language.

Signed: Equalities Officer, Surinder Singh, Ext 37 4148

Dated: 1 April 2026

#### 9.4 Climate Emergency implications

In some instances, the timely completion of repairs and pre-planned maintenance may contribute to the continued energy efficiency of properties and resulting reduced carbon emissions. As Awaab's Law is phased in, there are specific opportunities presented to improve energy efficiency in respect to remedial work that addresses excess cold and heat hazards.

Signed: Phil Ball, Sustainability Officer, Ext 372246

Dated: 1<sup>st</sup> April 2026

#### 9.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

N/a

#### **10. Background information and other papers:**

#### **11. Summary of appendices:**

#### **12. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

#### **13. Is this a "key decision"? If so, why?**