



Llywodraeth Cymru  
Welsh Government

## Consultation Response Form

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Are you responding as:

a social housing tenant

a social landlord

a representative body (CHC, WLGA, Tpas)

a member of the public

a technical expert

Other

### Questions

**Question 1:** The definition of social housing used in the proposed Standard has been expanded to include a wider range of properties:

‘The Standard [WHQS2023] applies to all self-contained properties owned and managed by local housing authorities (LHA’s) under Part 4 of the Housing (Wales) Act 2014 and registered social landlords (RSL’s) who are regulated by the Welsh Government. It includes intermediate rent properties and properties owned for the purposes of social housing by Local Authorities not in a Housing Revenue Account.’

Do you agree with this definition?

YES

If no, why not and which properties should be included? (200 words)

**Question 2:** Having a high-quality home has a positive impact on health and wellbeing.

Do you agree that the proposed Standard goes far enough to improve the quality of social homes in Wales?

NO

If no, what specifically should the standard address? (200 words)

The Standard does not have a sufficiently robust mechanism for ensuring continued compliance to meet its objectives. Since spring 2021 the Bevan Foundation has been working with Action in Caerau and Ely to provide people with lived experience of poverty with an opportunity to share their experiences. Over this period, we have heard many concerns about the poor quality of social housing in Cardiff. Recent comments made by Cardiff Council's Cabinet Member for Housing, Councillor Lynda Thorne suggests that these are not isolated problems, whilst anecdotal evidence from elsewhere in Wales suggesting that this is a problem across the whole nation - <https://www.thenational.wales/environment/20256101.cardiff-councillor-describes-citys-housing-awful/>

We don't believe that the assessment and compliance measures set out in the new Standard go far enough to address these problems and risk undermining the effectiveness of the new Standard in improving the quality of social homes in Wales. One step that could be taken to ensure ongoing compliance is for the standard to set out time limits for any repair issues that relates to each standard to be completed. Failure to comply with this would see the property be deemed as failing to meet WHQS.

**Question 3:** Do you agree the proposed Standard covers all the key areas that you would expect?

NO

If no, which **specific** areas are missing? (200 words)

In addition to the significant issues identified with ongoing compliance set out above, a key issue not covered by the Standard relates to the adequacy of homes for home working.

The Covid 19 pandemic has had a significant impact on working patterns with many employers moving permanently towards a hybrid work model. This is a development that is being encouraged by the Welsh Government through *Smarter working: a remote working strategy for Wales*.

Despite Annex 4 setting out Nominal occupancy and spaces for everyday living, there is no explicit reference in the Standard towards providing adequate space for home working. Indeed, whilst landlords will be expected to provide a statement as to how they will improve digital connectivity, there are no minimum standards landlords will be required to meet on accessing a key utility for home working.

The failure to address such requirements in the Standard increases the risk of social tenants being locked out of employment opportunities that will necessitate a degree of home working.

**Question 4:** It is proposed that social homes in Wales should comply with the Standard by the end of 2033. Do you agree with this timescale?

YES, NO

If no, what should the compliance date be?

MM/YY

**Question 5:** Appendix 5 sets out the dates by which each element in the proposed Standard should be met.

Are these reasonable?

NO

If no, which **specific** compliance dates would you change, to what and why?

As set out in response to question 1 there are significant concerns that thousands of homes across Wales are not complying with existing Standards let alone new standards. A primary focus of implementing the new Standard should be to review whether the standards whose compliance dates are listed as "continuation" are actually being met.

**Question 6:** Do you agree that the proposed Standard places sufficient obligations on landlords to ensure they meaningfully engage with tenants about planned works to their homes?

NO

**Question 7a: Social Landlords only** Higher standards usually mean higher costs.

As a landlord what specific financial challenges do you foresee for **your own organisation** in complying with the proposed Standard? (500 words)

### Question 7b: Everyone else

What financial challenges do you see could be faced by social landlords in complying with the proposed standard? (500 words)

The Bevan Foundation has long raised concerns that the funding model for social housing in Wales is unsustainable. As has been demonstrated the decision by the Welsh Government to move the cost of constructing a new generation of social housing onto social landlords and therefore onto tenants has been a source of real hardship.

Above inflation rent hikes saw social rents increase by 8% in real terms in the five years to 2020. In November 2020 the Joseph Rowntree Foundation estimated that 40,000 social renters had been pulled into poverty in Wales as a direct result of above-inflation rent rises.

On top of this, as we have set out, there are real concerns among some tenants about the state of repair of their property. This can not only have health and wellbeing implication for tenants, but can also have significant financial implications. For example, we heard from one tenant who was having to regularly buy new clothes for her children as long running damp issues were causing significant damage to the clothes they had.

The cost of meeting the Welsh Government's net zero objectives, maintaining existing stock in a good state of repair and constructing a new generation of social housing will be significant. Given that half of social housing tenants already live in poverty and with the cost-of-living surging, continuing to pass the cost of all the required work onto tenants would be unconscionable.

The Welsh Government should therefore begin, in earnest, reconsidering its model for funding social housing. Among the measures that must be considered is splitting the cost of maintaining and improving current social housing tenants and the cost of constructing new social housing. Whilst it is reasonable to expect tenants rents to make a contribution towards the first of these categories, it is not sustainable to continue to expect tenants to continue to fund the second.

**Question 8:** Does the proposed Standard strike the right balance between being bold and achievable?

NO

If no, please explain (500 words)

Given the concerns that full compliance with the existing Welsh Housing Quality Standards have not been achieved, it appears unlikely that the sector will be able to achieve more robust targets in the near term. According to the Welsh Government's own estimates, in December 2020 a quarter of social housing properties in Wales had at least one acceptable fail. These challenges will be made even more acute in the context of the sector seeking to construct 20,000 new social homes without significant further investment.

We have also heard concerns for tenants that the Standards, as currently worded could penalise tenants who spend money to ensure their homes are kept in good repair. Standard 4a for example states that "Kitchens must be less than 16 years old, unless they are in good condition". During our work with Action in Caerau and Ely we heard from a tenant who had been denied a new kitchen when WHQS was last updated as hers was

deemed to be in “good condition”. She reported that the reason for this was she had spent her own money to maintain the kitchen and reported that she felt that she had been punished for doing so. It is important that the new standards take such concerns into consideration.

**Question 9:** In the context of the current cost of living crisis, what do you think could be added to the proposed standard to further mitigate poverty? (200 words)

Tenant behaviour/ financial restrictions should be removed as grounds for a property to be deemed as a temporary fail for standard 1b, for homes to be free from damp. This exemption is problematic for two reasons.

First, as noted on page 44 many tenants are unable to afford to heat their home sufficiently to prevent damp. The fact that a tenant is struggling to afford to heat their home does not mean that it is acceptable for them to live in a home with damp.

Second, scenario b on page 44 talks about tenant behaviour. Whilst tenants behaviour may be the cause of damp in some circumstance, we heard from many tenants during our lived experience work that felt that they were being personally blamed for the damp in their homes when they were aware that there were broader structural problems. In some circumstances the way that tenants had been spoken to had made them reluctant to raise other repairs issues, worsening the condition of their home.

If the standard is to support families in the context of cost of living it should seek to promote further financial support, rather than exempt people who are living in poverty from protection.

## Part 2 of the Standard: Homes must be safe and secure

**Question 10:** Should anything be added to the Proposed Standard to make homes safer and more secure?

YES

If yes, what should be included? (200 words)

As has been discussed throughout the response compliance with the Standard is key. During our work with Action in Caerau and Ely we heard from one tenant who had, had a problem with her front door. It had taken several weeks for the issue to be resolved and in the interim the tenant had resorted to barricade the door at night to feel more secure. To ensure compliance we believe that the standard should set out that any repairs issue relating to part 2 should be addressed so that the property is sufficiently safe and secure within 24 hours.

## Part 3 of the Standard: Homes must be affordable to heat and have minimal environmental impact.

Element 3a – Heating systems must be reasonably economical to run and capable of heating the whole of the home to a comfortable level in normal weather conditions (minimum of SAP 92- EPC A).

**Question 11:** Do you agree that SAP/EPC is the best current measure to assess the energy efficiency of social homes?

NO

If no, what measure would you suggest is used and why? (200 words)

Energy efficiency is only one consideration as to whether a home is affordable to heat. For a low-income family, the cost of heating a very energy efficient property can be prohibitive. Given that the current proposed standard would allow a social landlord to categorise a property as a “temporary fail” if a tenant cannot afford to heat the property adequately to prevent damp, then it seems remiss not to include a cost based measure in Part 3, alongside an energy efficiency measure.

**Question 12:** If SAP/EPC is the measure used, do you agree that SAP 92/EPC A should be the target for homes?

YES, NO

If no, what target would you suggest is used and why? (200 words)

**Question 13:** Element 3b - Carbon emissions from homes must be minimised (minimum of EIR 92).

Do you agree that SAP/EIR is the right measure, currently available, to assess carbon emissions from homes?

YES, NO

If no, what measure would you suggest is used and why? (200 words)

**Question 14:** If SAP/EIR is to be the measure used, do you agree that EIR 92 should be the target for homes?

YES, NO

If no, what target would you suggest is used and why?

**Question 15:** In order to reduce carbon emissions, landlords should plan to stop installing fossil fuel fired boilers to provide domestic hot water and space heating from 2026 onwards. Do you agree with this date?

YES, NO

If no, then what date would you suggest? (Date format YYYY)

YYYY

**Question 16:** Element 3c - Landlords must carry out a Whole Stock Assessment and produce Target Energy Pathways for their homes. The Target Energy Pathway refers to a plan to optimise energy efficiency for each home.

Do you agree that 3 years is sufficient time to develop these pathways for each home the standard applies to?

YES, NO.

If no, what is a sufficient time period? (2 digits)

**Question 17:** Element 3d - All measures recommended through the Target Energy Pathway must be implemented.

Do you agree this is the right approach?

YES, NO

If not, what approach would you suggest? (200 words)



**Question 18:** Do you agree with the dates within the example set out in 3d?

YES, NO

If no, what alternative dates would you suggest? (200 words)

**Question 19:** The proposed Standard sets out that minimising carbon emissions from homes can be achieved by balancing the performance of homes with a high carbon footprint, against more efficient homes. Therefore, the proposed Standard demands Net Zero from the whole housing stock, rather than Net Zero for individual properties.

Do you agree with this approach to achieving Net Zero for the social housing stock?

NO

If no, what would you suggest instead? (500 words)

Whilst such an approach makes sense from a Net Zero perspective it does raise significant concerns from a tenant equity perspective. Tenants who live in properties that are not bought up to Net Zero standards, could, in time, face different energy and water costs to tenants who live in Net Zero homes. This raises the possibility that some tenants will have significantly higher energy bills than others. If there are practical considerations as to why some properties cannot be bought up to Net Zero standards, then it is vital that there are measures put in place alongside the standards to mitigate against the potential economic consequences for tenants.

**Question 20:** Element 3f – Measures to improve water efficiency and alleviating water poverty must be installed when replacing fittings and fixed appliances.

Are the new water efficiency requirements included in the proposed Standard sufficient?

YES, NO

If no, what alternatives would you suggest? (200 words)

**Question 21:** Element 6b – At change of tenancy all habitable rooms (bedrooms and living rooms), staircases and landings located within the home should have suitable floor coverings. Tenants have told us how important flooring throughout their home is. Do you agree with the inclusion of the new flooring requirement at change of tenancy?

YES

If no, please explain how you would address tenants' concerns about flooring (200 words)

**Question 22:** Please use this space to raise anything else about the proposed Standard that you feel should be considered, excluding funding issues. (750 words)

There is scope to strengthen the language in the consultation on tenant engagement. For example on page 6 it is stated that "Social landlords are encouraged to engage with their tenants". If tenants are truly at the heart of WHQS landlords should not merely be encouraged to engage with tenants but be mandated to do so.

Linked to this, we believe our concerns, outlined in our response to question 9 are applicable across the standards more generally. Whilst acknowledging that there will be some tenants who do not wish to see alterations made to their home, we believe that the current tenant refusal exemptions to the standards should be amended.

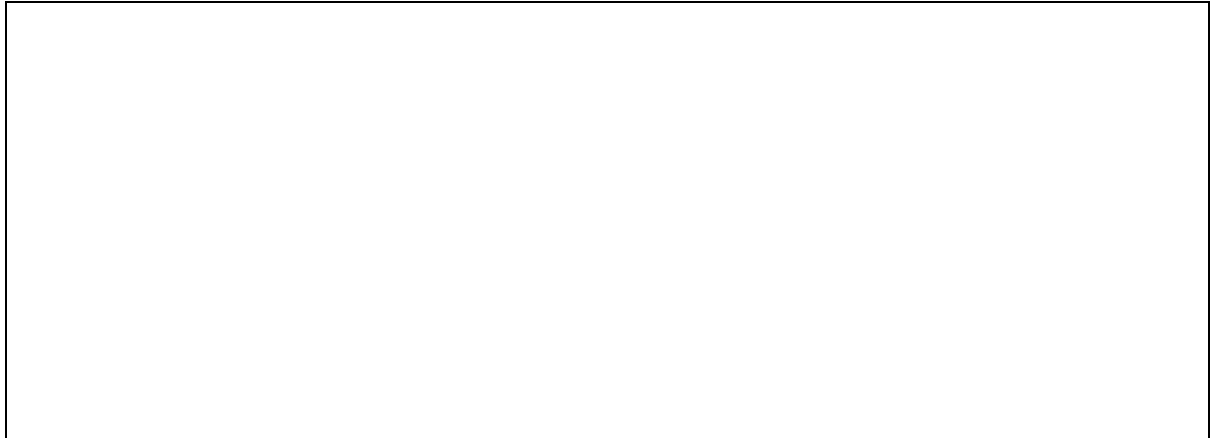
There are likely to be many reasons why tenants refuse to have work undertaken in their property. This could relate to previous works that were undertaken in their property being of low quality, mental health reasons or concerns about fitting any construction work

around caring/ employment commitments. We believe that before any landlord can use tenant refusal as grounds for not complying with the standard they must evidence that they have made extensive attempts to work with tenants to address any concerns they have.

**Question 23:** We would like to know your views on the effects that the Welsh Housing Quality Standard 2023 would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How positive effects could be increased, or negative effects be mitigated?

**Question 24:** Please also explain how you believe the proposed Standard WHQS2023 could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

**Question 25:** We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:



**Responses to consultations are likely to be made public, on the internet or in a report.  
If you would prefer your response to remain anonymous, please tick here**