**Report for:** Housing, Planning and Development Scrutiny Panel – 17 November

**Title:** Awaab's Law Readiness for Phase 2

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**Lead Officer:** Scott Kay, Assistant Director of Repairs and Building Safety

**Report for Key/ Non-Key Decision:** For information

## 1. Describe the issue under consideration

1.1. The Council is preparing for Phase 2 of Awaab's Law, which comes into force on 30 November 2026 and expands the range of housing hazards covered by the legislation.

1.2. This report provides an update on current performance against existing Awaab's Law requirements, progress made in preparing for Phase 2 implementation, the Council's current assessment of readiness and the key risks and activities being managed ahead of implementation.

1.3. In October 2026, the Regulator of Social Housing (RSH) issued the Council with a C4 consumer grading under the Safety and Quality Standard, identifying serious failings in relation to repairs services, performance assurance, oversight arrangements and aspects of resident communication. The Council is developing a comprehensive Housing Transformation Plan in response to the judgement and associated regulatory requirements. Preparations for Awaab's Law Phase 2 are therefore being undertaken within a wider programme of service improvement and regulatory recovery. Whilst these programmes are closely aligned, actions required to achieve compliance with Awaab's Law Phase 2 will not be delayed pending wider service improvements.

## 2. Recommendations

2.1. The Housing, Planning and Development Scrutiny Panel are asked to:

a) Note the current performance against existing Awaab's Law requirements.

b) Note the progress made in preparing for Phase 2 implementation.

c) Note the Council's current readiness assessment of Red.

d) Note the key risks, mitigation measures and next steps currently being progressed.

## 3. Background information

Awaab's Law

3.1 Awaab's Law establishes legally enforceable requirements for social landlords to investigate and remedy specified housing hazards within prescribed timescales.

3.2 The legislation is being implemented through a phased approach:

- **Phase 1,** implemented from October 2025, introduced statutory requirements relating all emergency hazards and all damp and mould hazards that present a significant risk of harm to tenants.
- **Phase 2,** which comes into force on 30 November 2026, expands the scope of the legislation to include a wider range of housing hazards, namely:
    - excess cold
    - excess heat
    - falls on the level (including falls on the level, falls on stairs, etc, falls between levels)
    - structural collapse
    - fire and explosions
    - electrical hazards
    - domestic hygiene (including personal hygiene and food safety).
- **Phase 3,** expected to be implemented during 2027, will extend the legislation to the remaining housing hazards, except overcrowding.

3.3 A summary of the statutory requirements is provided in Appendix A.

## 4. Phase 1 Performance

4.1. A summary of current performance against the Phase 1 requirements for Damp and Mould compliance is provided in the table below.

| Measure | Target | Apr-26 | Sep-26 | YTD | Trend / Commentary |
|---|---|---|---|---|---|
| Emergency Damp & Mould treatments within 24 hours | 100% | 70% | 81% | 71% | Performance has improved following focused management intervention and strengthened monitoring arrangements, although further improvement is required to achieve the target standard. |
| Significant damp and mould cases investigated Investigations completed within 10 working days | 100% | 80% | 84% | 84% | Performance has improved and has remained broadly stable in recent months, although further improvement is required to achieve the target standard. |

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| Make safe works completed on damp and mould cases within 5 working days (indicator accounts for all cases since commencement of Awaab's Law in Oct 25 at 25%) | 100% | -- | -- | 25% | Performance is reported using a revised compliance methodology introduced in July 2026, which measures completion against the statutory requirement to make safe within five working days. The revised methodology highlighted non-compliance on making safe which has since improved but remains below target level (and is the subject of active monitoring). Performance has improved since the July implementation with in-month performance in September at 100% for cases opened in September and work to improve performance against this indicator continues to be monitored closely. |
| Written Summaries on damp and mould cases issued to the tenant within 3 working days | 100% | 54% | 75% | 75% | Performance has improved, although timeliness remains inconsistent and continues to be monitored through regular case review meetings. |
| Further work on damp and mould cases started within 12 weeks | 100% | 70% | 83% | 79% | Performance has improved following increased focus on progressing follow-on works. However, performance remains below the target standard and continues to be closely monitored. |

4.2. The Council reports damp and mould performance against Awaab's Law timescales as these cases are managed through a dedicated process and monitoring framework.

4.3. Emergency repairs and statutory compliance activity is monitored through existing repairs and compliance reporting KPIs, although not all of these would fall under Awaab's Law necessarily.

4.4. The Council is introducing a comprehensive Awaab's Law compliance reporting system capable of reporting all hazards against Awaab's Law timescales. The comprehensive systems solution needed to report all hazards against Awaab's law timescales was delayed following a change in council-wide systems. Development of an integrated reporting and case management solution is therefore a key element of Phase 2 readiness.

4.5. Performance against Awaab's Law requirements for Damp and Mould cases have improved in all but one, make safe within 5 working days, and this is due to the revised methodology as referred to above. The difference was identified in KPI performance reporting completed in August 2026 for July figures as the previous lead within the Housing Repairs Service (HRS) was reporting against *'the requirement to start works or preventative steps within 5 working days'* but as this

was reporting against mould washes being commenced, this should have been evaluated under the *'complete make safe works within five days'* requirement. Whilst progress is evident, further work is required to achieve consistent compliance across all performance measures and statutory timescales.

4.6. Work is also underway to strengthen reporting and oversight through the case management system to improve compliance monitoring, regulatory assurance and performance reporting.

Learning from Phase 1

4.7. Implementation of Phase 1 has provided valuable learning which is informing preparations for Phase 2. The below table outlines some of the most significant learnings and how they have been translated into the Council's preparations for Phase 2.

| Issue Identified During Phase 1 | Lesson Identified | Changes Implemented for Phase 2 |
|---|---|---|
| Reliance on multiple systems and manual processes reduced visibility of cases, increased administrative workload and made compliance reporting and assurance more challenging. | Effective compliance management requires a single source of truth supported by integrated digital processes. | Development of a single case management approach to manage cases from initial report through to resolution, monitor statutory timescales, maintain audit trails, improve management oversight and reduce reliance on manual processes. |
| Hazard assessment and prioritisation were undertaken manually by officers based on information available at the point of reporting. | Consistent hazard assessment and prioritisation are essential to ensure statutory requirements are applied consistently and resources directed to the most urgent cases. | Development of a standardised Hazard Triage Procedure, Hazard Decision Matrix and automated workflow controls to support consistent classification, prioritisation and routing of cases whilst maintaining appropriate officer oversight. |
| Performance against the statutory requirement to provide residents with a written summary of findings within three working days was inconsistent, requiring manual administration and creating a risk of delays. | Compliance with statutory timescales should be supported by automated processes wherever possible to reduce manual handling and improve consistency. | The Phase 2 reporting solution incorporates the written findings requirement within the case management process. Once assessment outcomes are recorded, the system will automatically generate and issue the required written communication to residents, improving compliance with statutory timescales and reducing reliance on manual processes. |

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| Performance information did not always provide clear assurance that statutory requirements and timescales were being met across cases, services and contractors. | Effective compliance requires clear performance reporting, management oversight and escalation processes to identify risks and provide assurance that statutory obligations are being met. | Development of enhanced performance reporting and compliance monitoring arrangements, escalation processes, and management oversight. The Phase 2 operating model includes improved case tracking, statutory timescale monitoring and performance reporting to strengthen compliance assurance and support timely intervention where risks are identified. |
| Effective management of housing hazards requires coordinated action across operational services, support services and contractors. | Cross-service collaboration is essential to deliver compliant end-to-end case management and ensure statutory timescales are met. | Development of a single operating model, agreed end-to-end process and clearly defined roles and responsibilities across Housing, Repairs, Customer Services, Digital, Public Health and contractors. |
| Implementation demonstrated that successful compliance depends not only on policy requirements but also on having sufficient operational capacity, clearly defined processes and trained staff in place. | Operational readiness activities must be completed alongside policy and system development to support effective implementation. | A detailed readiness programme has been established covering process design, resource planning, training, contractor mobilisation, digital implementation and operational governance to support delivery of the new requirements. |

## 5. Governance and reporting arrangements

5.1. Performance against the Phase 1 requirements of Awaab's Law for damp and mould cases and emergency repairs continues to be monitored through established operational meetings and governance arrangements. This is done monthly through housing's internal Repairs Board chaired by the Director of Housing, with Damp and Mould performance against Awaab's law timescales discussed at Repairs Board from November 2025 onwards. This provides oversight of delivery, key risks, dependencies, taking into account the wider demands of repairs, and implementation readiness ahead of the Phase 2 implementation date.

5.2. Damp and Mould performance against Awaab's law timescales started going as Management Information to the Housing Service Management Team from February 2026 onwards. Damp and Mould KPIs against Awaab's law timescales have been part of Housing's Key Performance Indicator (KPI) information since April 2026, which is circulated to Housing Board, Housing Improvement Board, Resident Voice Board, and the Housing, Planning and Development Scrutiny Panel.

5.3. Oversight of Awaab's Law and Phase 2 readiness is monitored by the weekly programme arrangements, with readiness updates and progress provided to Repairs Board in the first instance. Progress and performance is also reported quarterly to the Housing Board, which is chaired by the Corporate Director for Adults, Housing and Health. Awaab's Law and preparation for Phase 2 has been reported at all Housing Board meetings since June 2026, reflecting Phase 2 coming into effect on 30 November 2026.

5.4. From December 2026, damp and mould performance against Awaab's Law timescales will become part of the wider reporting on all relevant hazards through the current structure. However, the introduction of Phase 2 means that the scope of Awaab's Law extends to more services than just HRS. The Council will continue to report through the current governance structure, however officers will ensure that the report covers all relevant hazards, and considerations will be made in future through the wider governance review as to what internal board provides the most suitable level of oversight and assurance.

## 6. Progress Towards Phase 2 Readiness

6.1. Given the breadth of hazards brought into scope and the number of services affected, Phase 2 represents a significant organisational change requiring a coordinated response across multiple Council services, contractors and partner organisations. The HRS will continue to deliver the bulk of the work associated with the new scope, however through new processes the Council will triage and assign works to the relevant teams, and work closely with them to ensure a seamless delivery for residents. The workload is anticipated to increase, specifically regarding the case management and administration to ensure that reporting accurately reflects the Council's ability to cope with demand.

6.2. Unlike Phase 1, which was primarily delivered through Housing and HRS, implementation of Phase 2 requires collaboration across Housing Repairs, Customer Services, Mechanical & Engineering, Building Safety, Building Control, Digital Services, Tenancy Management, Estate Management, Pest Control, Public Health and other specialist services, together with the Council's contractors and delivery partners.

6.3. In their regulatory judgement made in October 2026, the RSH outlined very serious failings with regards to the Council's repairs service under the Safety and Quality Standard. Whilst there are a number of other services involved because of Phase 2, a large proportion of responsibility lies within HRS to ensure sufficient delivery of service to meet the requirements of both Phase 1 and Phase 2. As there will be significant improvement work to be undertaken in the repairs service to address the repairs backlog in addition to the implementation of Phase 2, there is recognition that two significant workstreams will be running concurrently and this is reflected in the risks below. Additional resources will be recruited to ensure that management of Phase 2 is completed and compliance is achieved. The Council are working with their suppliers to identify additional surveying and planning/administration capacity.

6.4. In September 2026 the Council established a strengthened and formalised cross-service Awaab's Law Readiness Group to coordinate delivery of the Phase 2 implementation programme and oversee preparations for implementation. The group has brought together representatives from all participating services and has overseen the development of the Council's Phase 2 operating model through a programme of workshops, process design sessions, policy development and service readiness activities.

6.5. The readiness programme is structured around eight key workstreams:

- Policy and Governance
- Hazard Assessment and Compliance Framework
- Reporting and Triage Arrangements
- Digital Readiness
- Operational Readiness
- Communications and Training
- Resident Engagement
- Resource Planning

6.6. Together, these workstreams are intended to ensure that hazards are identified, triaged, assessed, escalated, monitored and resolved in accordance with statutory requirements, whilst providing clear accountability and reporting, consistent resident communication and effective performance oversight across all participating services.

6.7. It is noted that some of the changes proposed will potentially overlap with wider improvement actions taken by the Council in response to the RSH's regulatory judgement. Whilst it is intended to align this Phase 2 workplan with the wider housing services plan, to ensure consistency, efficiency and effectiveness, essential changes necessary to ensure the Council is compliant with Phase 2 will not be deferred or delayed.

<u>Readiness Assessment by Workstream</u>

6.8. The below table sets out the eight key workstreams and as assessment of readiness:

| Workstream | RAG | Summary Position |
|---|---|---|
| Policy and Governance | Amber | The former Damp and Mould Policy has been expanded and renamed as the Housing Hazards Compliance (Awaab's Law) Policy, establishing a single framework for the identification, assessment, management and monitoring of all hazards brought into scope under Awaab's Law. The policy has been reviewed by the Repairs Board and the Residents' Repairs Continuous Improvement Group (CIG) and the Housing Board and following Cllr for Housing briefing on 11/11/2026, will progress through the Council's governance process for Cabinet approval in Q4 2026/27.<br><br>Implementation will be supported through staff training, operational processes and resident communications. Compliance with policy requirements and statutory timescales will be monitored through |

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| | | performance reporting and governance oversight arrangements to provide assurance that requirements are being consistently applied across services. |
| Hazard Assessment and Compliance Framework | Green | A Hazard Triage Procedure, Hazard Decision Matrix, emergency and significant hazard classifications, and vulnerability assessment criteria have been developed through staff workshops which will be incorporated into a new online repairs form to provide a consistent framework for assessing, prioritising and managing Phase 2 hazards in line with statutory requirements. Training will be provided to relevant staff before 30 November 2026. |
| Hazard Reporting and Triage Arrangements | Amber | A future operating model based on a single reporting route, automated triage, service-based routing and integrated resident communications has been agreed. The core reporting, triage and routing model has been established, providing a consistent approach to the identification, classification and allocation of hazards. Detailed service-specific arrangements, including ownership, escalation pathways and response procedures, are being finalised with specialist services and contractors ahead of implementation. |
| Digital Readiness | Amber | An interim digital solution is being developed to support implementation, including a single reporting route, automated triage, enhanced vulnerability assessments and improved compliance reporting. Work is also underway to develop a longer-term integrated solution to improve case management, automation, reporting, tracking and the resident experience. |
| Operational Readiness | Red | Significant progress has been made in developing the operational model through cross-service workshops and engagement with specialist services and contractors. Whilst many of the activities brought into scope by Phase 2 are already undertaken by existing services, implementation will introduce additional statutory requirements, administrative processes and performance monitoring obligations. Detailed operational arrangements with specialist services are still being finalised, including service ownership, escalation pathways, response procedures and performance monitoring arrangements. In addition, contractual requirements and implementation arrangements are being reviewed and, where necessary, need to be updated with relevant contractors to reflect new responsibilities and reporting requirements. Given the limited time remaining before implementation, there is a significant risk that all operational arrangements, specialist service mobilisation activities and contractor readiness requirements will not be fully embedded by 30 November 2026. |
| Communication plan | Green | A communications and engagement plan has been developed covering residents, contractors, Members and Council services. Resident communications, advice and guidance materials have been developed to support implementation and ongoing awareness of the new requirements. |
| Training | Amber | A staff training programme is being developed to support implementation of Phase 2. Training for staff directly involved in the delivery of the new requirements will be provided before 30 November 2026. A broader corporate training and awareness programme, being developed with support from Public Health, is planned for rollout from January 2027 to support longer-term organisational awareness and embedding of the requirements. |

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| Resident Engagement | Green | Resident engagement has informed the Council's Phase 2 approach through Residents Repairs CIG review of the revised policy and consideration of resident experience in the design of reporting arrangements. Resident communications, advice and preventative guidance are being developed to support residents in identifying, reporting and helping to prevent housing hazards. Further engagement, including user testing of the new reporting form, is planned ahead of implementation. |
| Resource Planning | Red | Resource planning has identified the need for additional capacity within Customer Services and HRS to support increased call handling, repairs administration, resident communications and compliance reporting requirements. Business cases and approval routes are being progressed; however, there is a significant risk that all required resources will not be fully mobilised and embedded by 30 November 2026. Additional operational capacity will be required to support manual case management, reporting and communication processes until longer-term system integration and process automation are delivered. |
| **Overall Readiness Assessment: RED** | | |

6.9. The Council has made substantial progress towards implementation of Phase 2 within a challenging operational and regulatory environment. This includes preparing for the expanded requirements of Awaab's Law whilst responding to the findings of the Regulator of Social Housing's C4 judgement and developing a wider Housing Transformation Programme. Policy, hazard assessment, communications and resident engagement arrangements have been established, with significant progress also made in the development of reporting, digital and operational arrangements.

6.10. Overall readiness is assessed as **red**. Whilst significant progress has been made, and the core operating model has been established, several critical implementation activities remain in progress ahead of 30 November 2026. These include mobilisation of additional resources within Customer Services and HRS, finalisation of operational arrangements with specialist services, contractor mobilisation activities and implementation of new reporting and performance management processes. There remains a significant risk that not all operational arrangements will be fully embedded by the implementation date.

6.11. Whilst the Council remains focused on achieving compliance from 30 November 2026, some elements of the programme, particularly those relating to digital integration, service refinement and organisational embedding, will continue to evolve beyond implementation. Ongoing monitoring, assurance and continuous improvement activity will support the continued development of the operating model and compliance framework.

## 7. Key Risks

7.1. The below table outlines some of the key risks, status, and mitigations with regards to Awaab’s Law and the Council’s ability to deliver against the requirements.

| Risk | Description | Mitigation | RAG |
|---|---|---|---|
| Implementation Readiness | Critical implementation activities, including resource mobilisation, specialist service arrangements, contractor mobilisation, training and reporting arrangements, remain in progress. There is a risk that not all implementation activities will be fully embedded by 30 November 2026. | Daily implementation meetings, weekly readiness governance, escalation of critical dependencies and focused oversight of operational readiness, resourcing and contractor mobilisation. | Red |
| Capacity of the Repairs service | The Council is simultaneously implementing Awaab's Law Phase 2 and responding to the findings arising from the Regulator of Social Housing's C4 judgement. Significant improvement activity is required across HRS whilst implementing new statutory requirements under Awaab's Law. The concurrent delivery of these programmes may impact service capacity and the ability to deliver both programmes effectively. Existing challenges relating to resident contact and repairs service accessibility, identified through the regulatory judgement, may be exacerbated by increased demand arising from the new reporting arrangements. | Awaab's Law implementation is being aligned with the wider Housing Transformation Programme wherever possible to minimise duplication and maximise existing improvement activity. Additional resource requirements have been identified, critical implementation activities are being prioritised, and enhanced programme governance is in place to monitor capacity pressures and delivery risks. | Red |
| Operational capacity and statutory timescale compliance | The introduction of new reporting requirements and shorter statutory response times may result in increased demand on Customer Services and HRS. There is a risk that call volumes, case administration and performance monitoring requirements exceed available capacity, impacting the Council's ability to capture, triage, track, report and manage cases within statutory timescales. Delays in processing cases, issuing resident communications or recording performance information could reduce compliance assurance. This is particularly significant given the RSH findings around barriers to reporting repairs. | Resource planning has identified additional capacity requirements within Customer Services and HRS. Business cases are being developed to secure additional resources. A longer-term integrated digital solution is being developed to integrate multiple systems and automate key operational and reporting processes. This will reduce reliance on manual administration, improve data quality and provide more efficient compliance monitoring and performance reporting. | Red |

| Risk | Description | Mitigation | RAG |
|---|---|---|---|
| Unable to report on compliance | Work may be completed to deal with hazards reported in time but are unable to evidence and report on delivery due to inadequate reporting measures. | A new process will channel all new repairs reports through a triaging process utilising a single e-form. This will ensure all in-scope repairs are captured and the timescales benchmarked to ensure accurate reporting by the delivery team through their current reporting processes and systems. | Amber |
| Unsustainable cost | The legislation significantly expands the range of hazards and places greater emphasis on evidencing compliance throughout the customer journey, requiring enhanced case management, monitoring, reporting and audit trails. Without a digital solution, the Council will incur on-going additional resource costs at both front and back-end management of in-scope hazards and repairs. | The Council will initially rely on an interim Phase 2 digital solution whilst a longer-term integrated solution is developed. Implementation of a single reporting route, resident reporting form and automated triage. Digital Services are also progressing a longer-term integrated solution linking hazard management, repairs and housing systems. | Amber |
| Unable to deliver repairs and actions to mitigate risk within the required timescales. | Successful implementation relies upon coordinated working across multiple Council services, specialist functions and contractors to process, communicate, hand-off, follow-on and report on works to address and remove hazards. | Further engagement is on-going to finalise operational arrangements, responsibilities, escalation routes and response arrangements with specialist services and delivery partners. | Red |

## 8. Next Steps

8.1. The programme has now moved from policy development and process design into implementation and operational readiness.

8.2. Prior to implementation on 30 November 2026, the Council will focus on the following priorities:

a) <u>Deliver the interim digital solution</u>

Implement the Phase 2 reporting solution by 30 November 2026, including the single reporting route, resident reporting form, automated triage capability and compliance monitoring functionality. This will include user testing of the resident reporting form and completion of implementation testing activities

ahead of go-live. Development of a longer-term integrated solution will continue to support system integration and automation of key operational and reporting processes by March 2027.

b) Finalise organisational and service readiness

Complete the remaining implementation activity across specialist services and contractors, ensuring responsibilities, procedures, escalation routes, emergency response arrangements, contractual requirements and governance processes are fully embedded. Staff will operate in accordance with the draft Housing Hazards Compliance (Awaab's Law) Policy, which have progressed through internal governance and Member review on 11/11/2026, pending formal Cabinet approval. The Policy is expected to progress through internal governance, culminating in Cabinet approval in Q4 of 2026/27.

c) Secure and mobilise required resources

Progress approval and mobilisation of the additional capacity identified within Customer Services and Housing Repairs Services (HRS) to support call handling, repairs administration, resident communications and compliance reporting. Additional operational capacity will be required until longer-term digital integration and process automation are implemented.

d) Complete contractor mobilisation and readiness

Complete implementation activity with relevant contractors, including confirmation of reporting arrangements, clarification of roles and responsibilities, and agreement of any contractual amendments required to support compliance with Awaab's Law requirements.

e) Deliver communications, awareness and training

Implement resident communications, advice and preventative guidance ahead of go-live. Deliver training and awareness activities for staff directly involved in the delivery of Phase 2 requirements before 30 November 2026. Working with Public Health continue to develop the wider corporate awareness and training programme for rollout from January 2027.

f) Complete readiness assurance

Undertake final readiness reviews, establish compliance monitoring and reporting arrangements, and provide assurance that systems, processes, resources and governance arrangements are in place ahead of implementation. Progress against the readiness programme will continue to be monitored through established programme and housing governance arrangements.

## 9. Use of appendices

9.1. Appendix A – Summary of Awaab’s Law Requirements

## 10. Background papers

10.1. MHCLG “Awaab’s Law Phase 2: Guidance for social landlords” https://www.gov.uk/government/publications/awaabs-law-phase-2-guidance-for-social-housing-landlords/awaabs-law-phase-2-guidance-for-social-landlords

10.2. Cabinet Report from January 2026: Adopting an updated Damp and Mould Policy Cabinet Report - Adopting an updated Damp and Mould Policy.pdf

## Appendix A: Summary of Awaab's Law requirements

Timescales required under Awaab's Law

| Requirement | Timescale |
|---|---|
| Investigate potential emergency hazards and complete any necessary safety work | As soon as reasonably practicable and at least, within 24 hours |
| Investigate potential significant hazards | Within 10 working days of becoming aware |
| Provide written summary of investigation findings to the tenant | Within 3 working days |
| Complete works to make safe significant hazards | Within 5 working days |
| Commence any supplementary preventative work | Within 5 working days, but if not possible as soon as reasonably practicable and within 12 weeks |

Key Definitions

### Emergency Hazard:

An emergency hazard is a hazard that "*poses an imminent and significant risk of harm to the health or safety of an occupier of the social home*". An "*imminent and significant risk of harm*" means "*a risk of harm to the occupier's health or safety that a reasonable lessor with the relevant knowledge would make safe within 24 hours*".

### Significant Hazard:

A significant hazard is a hazard that "*poses a significant risk of harm" to the health or safety of an occupier of the social home*". A "*significant risk of harm*" means "*a risk of harm to the occupier's health or safety that a reasonable lessor with the relevant knowledge would make safe within 15 working days (but not within 24 hours)*".