

# Cheltenham Borough Council Housing Health and Safety Rating System (HHSRS) Policy

## Version control

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Responsible officer

- Director of Governance, Housing and Communities

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## Revision history

Revision date	Version	Description
January 2026	1	New policy

## Consultees

### Internal

- Housing service managers

### External

- None

## Distribution

All housing staff

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## 1. Introduction

- 1.1 Phase 1 of Awaab's Law came into force for the social rented sector on **27 October 2025**, which requires all social landlords to address **all emergency hazards, all damp and mould and all significant hazards** present risk of harm to tenants to fixed timeframes.
- 1.2 In 2026 the regulations will be extended to include the following hazards where they present a significant risk of harm:
  - excess cold and excess heat
  - falls associated with baths etc., on level surfaces, on stairs and between levels
  - structural collapse, and explosions
  - fire, and electrical hazards
  - domestic and personal hygiene and food safety
- 1.3 In 2027, the regulations will be further extended to all remaining HHSRS hazards (apart from overcrowding) where they present a significant risk of harm.
- 1.4 CBC will prepare for the future expansion of Awaab's Law. This guidance includes information in relation to damp and mould hazards that will be in scope for the first phase of Awaab's Law and will be updated to include other hazards ahead of the coming into force of further phases. We want to make sure that this policy works

effectively through taking a ‘test and learn’ approach and will implement any lessons learned between phases.

1.5 The phased approach does not mean that CBC have leeway on addressing dangerous issues in our homes in the meantime and therefore we must continue to meet our legal duties to keep homes safe by fixing disrepair, and keeping our homes fit for human habitation and free of dangerous ‘category 1’ health or safety hazards. We will also continue to meet the outcomes set out by the Regulator of Social Housing in its Safety and Quality standard.

## 2. Context

2.1 The Regulations are also known as ‘Awaab’s Law’ in memory of 2-year-old Awaab Ishak, who died tragically in 2020 as a result of a severe respiratory condition due to prolonged exposure to mould in his home. Awaab’s parents had complained repeatedly to their social landlord in the three years prior to Awaab’s death, but no action was taken by their social landlord to treat the mould.

2.2 Living in hazardous conditions can have a substantial impact on people’s health, safety and wellbeing. While many landlords take timely and effective action to address hazards, Awaab’s Law serves as a legal backstop for the cases where social landlords are failing to make repairs quickly enough, leaving their tenants at risk.

2.3 The primary legislation for Awaab’s Law was first introduced through the [Social Housing \(Regulation\) Act 2023](#), and inserts (or in legal terms ‘implies’) into social housing tenancy agreements a term that requires social landlords to comply with the requirements that are set out in these Regulations. This means all social landlords have to meet the requirements in the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025. If they do not, tenants can hold their social landlords to account by taking legal action through the courts for a breach of contract. Other avenues of redress are available to tenants via the social landlord’s complaints procedure and the Housing Ombudsman Service.

## 3. Policy Statement

3.1 CBC is committed to meeting its legal duties to keep our homes safe by fixing disrepair and keeping them fit for human habitation and free of ‘category 1’ hazards ensuring that all our homes and communal areas managed by CBC Housing Services are safe and healthy for tenants and visitors. This policy outlines our approach under HHSRS to identify, assess, mitigate and eliminate hazards.

3.2 CBC will comply with relevant legislation and guidance, including:

- Health and Safety at Work etc Act 1974
- Housing Act 2024.
- Defective Premises Act 1972.
- Landlord and Tenant Act 1985.
- Homes (Fitness for Human Habitation) Act 2018.
- Decent Homes Standard 2006.
- Consumer Regulations 2024 – Regulator for Social Housing.
- Pre-Action Protocol for Housing Conditions Claims (England), 2021.
- Social Housing (Regulation) Act 2023.
- Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025.

## 4. Scope

4.1 This policy applies to all properties and communal areas managed by CBC – Housing Services where we hold responsibility for repairs and maintenance.

4.2 This policy does not apply to:

- Leasehold properties
- Any other dwelling/building managed by CBC which are not otherwise included in the property portfolio of Housing Services
- Hazards resulting from a breach of tenancy agreement by the resident, including deliberate damage or unauthorised alterations.
- Hazards which are 'non-significant' hazards otherwise known as Category 3 or 4 hazards.

4.3 Leaseholders and shared owners are responsible for repairs within their demised premises, as outlined in their lease agreements. If the issues arise within the communal area or involves a structural building defect, CBC is responsible for carrying out the repairs in line with the terms of the relevant lease agreement.

4.4 Hazards that pose a significant risk to the health or safety of our tenants within the affected home fall within scope of Awaab's Law. CBC is responsible for determining whether a hazard poses a significant risk to a customer(s) health or safety.

4.5 This policy has been developed to ensure full compliance with all HHSRS hazards falling within the scope of Awaab's Law, including those introduced through its phased implementation from 27 October 2025 onwards.

## 5. Definitions

Term	Definition
Housing Health and Safety Rating System (HHSRS)	The risk-based evaluation tool used to assess potential hazards in residential properties, as defined under the Housing Act 2004
Emergency Hazard (Category 1)	An emergency hazard otherwise known as <b>Category 1 hazards</b> are those that poses 'an imminent and significant risk of harm' to the health or safety of the tenant.
Significant Hazard (Category 2)	A 'significant hazard' otherwise known as Category 2 hazards are those that poses a 'significant risk of harm' to the health or safety of a tenant. 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'.
Non-Significant Risk (Category 3 and 4)	A 'non-significant' otherwise known as Category 3 or 4 hazards are those that do 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

## 6. Groups, 29 Hazards and Vulnerabilities

6.1 A potential source of harm or adverse health effect on a person.

Under HHSRS there are currently 29 hazards of which the most common are damp and mould, excess cold, falls and fire safety. These fall into 4 Groups A – D

Groups	Hazards	Vulnerabilities	Responsible Team/Department
a	b	c	d
<b>Group - A</b> Physiological Requirements	1. Damp and mould growth	14yrs of less	Repairs - DMC
	2. Excess cold	65yrs plus	T&I Compliance
	3. Excess heat	65yrs plus	T&I Compliance
	4. Asbestos and manufactured mineral fibres)	No specific group	T&I Compliance
	5. Biocides	No specific group	T&I Compliance
	6. Carbon monoxide and combustible products	CO, 65yrs plus NO <sub>2</sub> SO <sub>2</sub> and smoke – No specific group	T&I Compliance
	7. Lead	Under 3yrs	T&I Compliance
	8. Radiation	All persons aged between 60-64 who have had lifetime exposure to radon	T&I Compliance
	9. Un-combusted fuel gas	No specific group	T&I Compliance
	10. Volatile organic compounds	No specific group	T&I Compliance
<b>Group - B</b> Physiological Requirements	11. Crowding and space	No specific group	TMO
	12. Entry by intruders	No specific group	Customer Services
	13. Lighting	No specific group	Customer Services
	14. Noise	No specific group	?
<b>Group - C</b> Protection Against Infection	15. Domestic hygiene, pests and refuse	No specific group	TMO
	16. Food safety	No specific group	TMO
	17. Personal hygiene sanitation and drainage	Under 5yrs	TMO – Personal Hygiene Customer Services - Drainage
	18. Water supply	No specific group	Repairs
<b>Group - D</b> Protection Against Accidents	19. Falls associated with baths etc	60yrs plus	Repairs
	20. Falling on level surfaces etc	60yrs plus	Repairs
	21. Falling on stairs	60yrs plus	Repairs
	22. Falling between levels	Under 5yrs	Repairs
	23. Electrical hazards	No specific group	Electrical
	24. Fire	No specific group	Repairs
	25. Flames, hot surfaces and materials	No specific group	TMO
	26. Collision and entrapment	No specific group	TMO
	27. Explosions	No specific group	Repairs
	28. Ergonomics	No specific group	Repairs
	29. Structural collapse and falling elements	No specific group	Repairs

## 7. Emergency Hazards (category 1)

7.1 **Step 1 – (Day Zero)** A potential emergency hazard is reported, or a CBC colleague or contractor identifies a potential emergency hazard during a property visit.

- Immediately inform either the duty supervisor on **07786 640 814** or Building Services Logistics team on **01242 387 639**
- Building Services Logistics Team assigns the case to a supervisor or T&I surveyor
- The assigned supervisor/surveyor then reviews all available information about the hazard and the resident's circumstances. Based on this, they make an initial assessment to decide whether the issue is a potential 'emergency hazard or if it needs to be downgraded to a significant' hazard or if it falls outside the scope of Awaab's Law.
- The supervisor/surveyor must further investigate and visit the property if after reviewing all available information concludes the presence of a potential emergency hazard. If the investigation confirms an emergency hazard at the property, then the supervisor/surveyor must arrange for the relevant safety work to be undertaken as soon as reasonably practicable. The investigation and the work must both take place within **24 hours** of becoming aware of the hazard.

## 8. Significant Hazards (category 2)

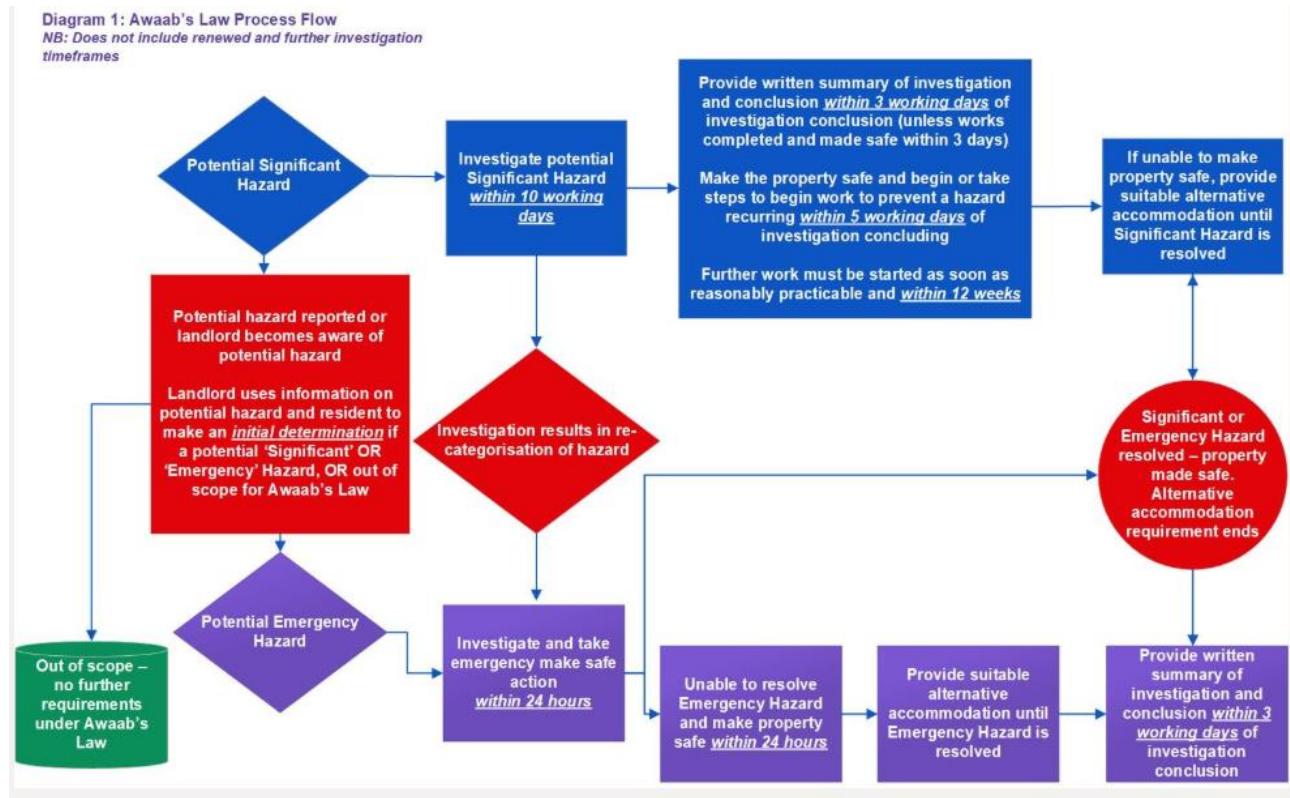
8.1 **Step 1 – (Day Zero)** A potential significant hazard is reported, or a CBC colleague or contractor identifies a potential significant hazard during a property visit.

- Immediately inform either the duty supervisor on **07786 640 814** or Building Services Logistics team on **01242 387 639**
- Building Services Logistics Team assigns the case to a supervisor or T&I surveyor
- The assigned supervisor/surveyor then reviews all available information about the hazard and the resident's circumstances. Based on this, they make an initial assessment to decide whether the issue is a potential 'significant' or needs upgrading to an 'emergency' hazard, or if it falls outside the scope of Awaab's Law.

8.2 **Step 2 -** If a potential significant hazard is identified, the assigned supervisor/surveyor must carry out an investigation within **10 working days**. If their investigation confirms a significant hazard, they must:

- Provide a written summary of the investigation and its findings to the resident within **3 working days** of the conclusion (unless the property is made safe and works are completed within 3 working days)
- Complete relevant safety works and begins or take steps to begin any further supplementary works to prevent the hazard from reoccurring within **5 working days** of concluding the investigation
- Where further supplementary works are required and it is not possible to begin them within 5 working days, then CBC must start these as soon as reasonably practicable and **within 12 weeks** of the investigating concluding

8.3 This diagram shows a simplified process to support understanding of Awaab's Law timeframes resolving a significant or emergency hazards, full details of which can be found within the guidance.



## 8.4 Renewed Investigations

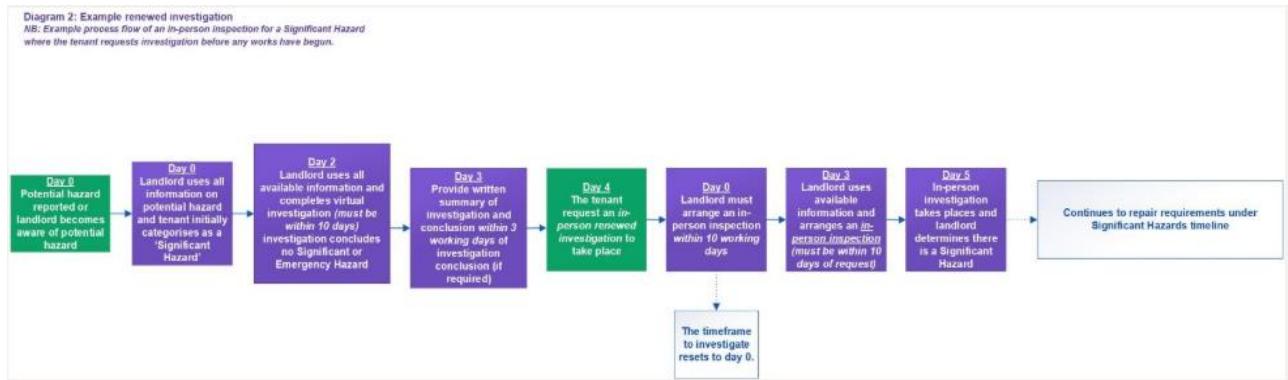
8.4.1 If a tenant specifically requests an in-person inspection after an investigation has been done remotely, a 'renewed' in-person investigation must be carried out. For potential significant hazards, the renewed investigation must be completed **within 10 working days** of the request, so the timeline for investigation is effectively reset.

8.4.2 This must confirm whether or not there is a significant or emergency hazard and must also, if possible, identify the required work to make a property safe and prevent the hazard from recurring.

8.4.3 Tenants should therefore be encouraged to request an in-person inspection in the first instance if they believe one is required. For potential emergency hazards, the tenant may request an in-person investigation **within 10 working days** if an initial remote investigation concludes there is not an emergency hazard or if the initial investigation finds an emergency hazard but does not identify any relevant safety work to address the emergency hazard.

8.4.4 Under Awaab's Law, CBC are not required to undertake a renewed investigation if required works to prevent the hazard from recurring have already begun, or if relevant safety work under regulation 5 (emergency action) or a further investigation (under regulation 8) is required. However, in a case where a further investigation is required CBC will conduct an in-person inspection under the provision relating to further investigations, if the tenant so requests.

8.4.5 The process flow shows a hypothetical scenario and simplistic example of a renewed investigation. This example is not reflective of all possible circumstances and should not be relied upon exclusively for understanding the requirements.



## 9. Decants (required moves)

### 9.1 Securing Suitable Alternative Accommodation

- 9.1. If we are unable to complete the relevant safety work within the initial remediation period (5 working days from the completion of the investigation that identified the hazard for a significant hazard or 24 hours for an emergency hazard), then arrangements will be made to secure the provision of suitable alternative accommodation, until the relevant safety work has been completed.
- 9.1.2 The provision of suitable alternative accommodation will extend to anybody who usually lives in the property as a member of the tenant's family and in accordance with the tenancy agreement, including children who would usually stay in the property overnight for at least one night a week.
- 9.1.3 The ultimate decision as to whether to leave their home and move into alternative accommodation sits with the tenant.

### 9.2 Tenant Refusing Alternative Accommodation

- 9.2.1 If the tenant refuses the offer of suitable alternative accommodation and chooses to make their own arrangements, then they **must inform us in writing**.
- 9.2.2 It should be noted that raising concerns that a property is unsuitable is not the same as refusing an offer of any alternative accommodation. Should the tenant refuse alternative accommodation as an option, it should be made clear to them that CBC is not required to provide further offers of suitable accommodation. However, where a tenant has previously refused an offer of alternative accommodation, CBC will also consider their wider duties, procedures and policies to keep tenants safe.

### 9.3 Remaining in the Property

- 9.3.1 If anyone chooses to remain in the property in the period before the relevant safety work is completed (for example if an alternative accommodation offer is declined, or if only part of the household move out), then we must provide information on any actions that occupants could take or avoid to mitigate the risk of harm, or let the tenant know if they do not think it is possible for the occupant to do anything to mitigate that risk.

### 9.4 Returning to the Home

9.4.1 Tenants can choose to end the provision of alternative accommodation and return to their home at any time and in doing so the tenant must inform us in **writing**, resulting in the provisions of the already provided alternative accommodation being brought to an end.

## **10. GDPR**

10.1 Information about tenants is personal data and may be sensitive. GDPR informed consent requires individuals to be fully aware of how their data will be used and to have the power to control their data by freely agreeing, specifically, and unequivocally to the processing. In recording and handling this data, we must ensure that we comply with UK General Data Protection Regulation UK (GDPR) and the Data Protection Act 2018, noting that GDPR places special restrictions on the collection and recording of health data.

## **11. Defence**

### **11.1 Reasonable Endeavours**

11.1.1 CBC have a defence for a failure to comply with Awaab's Law requirements if we can prove that we have used all reasonable endeavours to avoid it, meaning we have taken all reasonable steps to comply with the requirements of the Awaab's Law, but it has not been possible for reasons genuinely beyond our control. Examples could include:

- Unable to complete work within the timeframes because asbestos removal which would otherwise require a 14-day notification. Likewise, other approvals and permissions might be needed from external bodies, which requires CBC to evidence that appropriate steps to obtain these in good time are being carried out.
- Tenant refusing access to the property to enable CBC to complete relevant safety works within the specified timeframes.
- Unable to source specialist contractors or materials within the required timeframes but has made reasonable efforts to do so.
- CBC have made reasonable efforts to secure suitable alternative accommodation, but there may be no suitable properties which are within a reasonable distance of schools/places of work or in the local area. In this case CBC will work with the tenant to identify the best option.
- The tenant no longer wishes to remain in the alternative accommodation, and the tenant gives CBC notice of this in writing.

## **12. Stock Condition Surveys**

12.1 Stock condition survey will be carried out at 5 yearly intervals. If during a stock condition survey, the surveyor identifies a Category 1 or 2 hazard then they must report it immediately to either the duty supervisor on 07786 640 814 or logistics on 01242 387 639

## **13. Post Inspections**

13.1 All remedial works relating to Category 1 or 2 hazards will be post inspected to ensure that the hazard(s) have been mitigated and the remedial works has been completed to a satisfactory standard.

13.2 Under Awabb's Law, there is no requirement to contact tenants post completion of remedial works. However, CBC will periodically contact the tenant after completion of the works to ensure the hazard has not returned at the following intervals:

- 14 days after completion of remedial works
- 2 months after completion of remedial works
- 12 months after completion of remedial works

13.3 If the tenant is unwilling or unable to provide access within the above timescales, CBC will not be in breach for missing the timescales and will not record this as a failure. However, we will continue to work with the tenant and arrange access so that we can establish if the remedial works has mitigated the hazard or further works is required.

## 14. Record Keeping

Records relating to the case must be maintained such as:

- Correspondance to and from the tenant
- Correspondance to and from contractors
- Investigation reports
- Completion records/certificates
- Any other record which might otherwise be relevant to the case.

## 15. Training

15.1 Mandatory HHSRS training requirements for all property visiting colleagues:

Role	Course Type	Delivery Method
T&I Managers & Surveyors	Enhanced	Virtual or in-person
Building Services Managers & Supervisors	Enhanced	Virtual or in-person
Building Services Tradesmen	Condensed	In-person
Health & Safety Manager	Condensed	Virtual or in-person
TMOs, ASB, Empty Homes, Income & any other property visiting teams	Condensed	Virtual or in-person

15.2 Training is to be repeated at 3 yearly intervals with records maintained in T100.

## 16. Responsibility and Decision Making

16.1 The table below illustrates the structure for responsibility and decision-making in relation to this policy.

Person Responsible	Scope
Director of Housing	<ul style="list-style-type: none"> <li>• Responsible for the implementation, day-to-day application and adherence to this Policy and Procedure.</li> </ul>
Director of Governance, Housing and Communities	<ul style="list-style-type: none"> <li>• Policy owner.</li> </ul>
Operations Manager Technical and Investment	<ul style="list-style-type: none"> <li>• Ensure that all properties meet the Decent Homes Standard</li> <li>• Ensure all Stock Condition Surveys (SCS) on the 5-year programme include a suitable &amp; sufficient HHSRS assessment.</li> <li>• To ensure HHSRS CAT 1 or CAT 2 actions identified during a SCS are logged correctly and actioned by the relevant teams</li> </ul>
Tenancy Team Leader/ Repairs Manager	<ul style="list-style-type: none"> <li>• Review and action any HHSRS reports, ensuring that they are actioned within the specified timeframes</li> </ul>

Health & Safety Manager	<ul style="list-style-type: none"> <li>Record monthly on the compliance report any recorded CAT 1 or CAT 2 cases.</li> </ul>
All frontline staff including CBC contractors	<ul style="list-style-type: none"> <li>Identification and reporting of hazards identified during any visit to our homes.</li> </ul>

## 17. Associated policies and procedures

### 17.1 Associated Policies and Procedures

- CEOs Health and Safety Policy Statement
- Repairs & Maintenance Policy
- Damp, Mould & Condensation Policy
- Asbestos Policy
- Electrical Safety Policy
- Fire Safety Policy
- Gas and Heating Policy
- Lift Safety Policy
- Water Hygiene Policy
- Asset Management Strategy
- Complaints Policy
- No Access Procedure

## 18. Review

18.1 This policy will be reviewed within **six months** of its initial implementation. Subsequent reviews will occur every **three years**, or earlier if prompted by changes in legislation, operational requirements, or any other relevant circumstances.

18.2 The Director of Governance, Housing and Communities is responsible for leading on the reviewing of this policy, which must include all Responsible Persons listed in the table at 16.1 with exception of frontline staff and contractors.