

# WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

<b>Title of proposal:</b>	<b>White Paper on Adequate Housing, Fair Rents, and Affordability</b>
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<b>Start Date:</b>	<b>June 2024</b>

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## SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

**In narrative form, please describe the issue and the action proposed by the Welsh Government. How have you applied / will you apply the five ways of working in the Well-being of Future Generations (Wales) Act 2015 to the proposed action, throughout the policy and delivery cycle?**

The White Paper, published alongside this Integrated Impact Assessment (IIA), sets out a range of proposals on how to achieve housing adequacy, including proposals regarding 'fair rents and affordability' in the Private Rented Sector (PRS).

### Background

The White Paper fulfils the Programme for Government commitment to 'Publish a White Paper to include proposals for a right to adequate housing including fair rents and new approaches to making homes affordable for those on local incomes.'

There are a range of proposals in the White Paper, but none of these proposals are for legislation in this Senedd term. Therefore, this document is a strategic impact assessment of the proposals and a further, more detailed assessment will be undertaken if any of the proposals in this White Paper lead to future legislative proposals.

We acknowledge that as there are no proposals for legislation during this Senedd Term in this White Paper, we are limited in our ability to assess the potential impact of the White Paper at this stage. Similarly, some of the proposals for reform in the PRS explore potential ways to achieve policy intentions, rather than a specific mechanism. We have outlined the potential impact of the White Paper and acknowledge where it is not possible to fully assess the impact at this early stage of policy development. We will continue to assess the impact of these proposals in more detail as the policy develops, reflecting on our findings by updating this IIA accordingly through the course of the policy cycle.

The Local Government and Housing Committee published recommendations following the Inquiry into the Right to Adequate Housing<sup>1</sup>. In our response to the Committee<sup>2</sup>, we accepted the recommendations of the Inquiry, and have used the recommendations to inform the development of the proposals in the White Paper.

A Green Paper Call for Evidence on securing a path towards Adequate Housing- including Fair Rents and Affordability, was published in June 2023<sup>3</sup>. The Green Paper was a call for evidence to better understand the rental market in Wales, and approaches for how to

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<sup>1</sup> [The right to adequate housing \(senedd.wales\)](https://www.senedd.wales)

<sup>2</sup> [gen-ld16051-e.pdf \(senedd.wales\)](#)

<sup>3</sup> [housing-adequacy-fair-rents.pdf \(gov.wales\)](#)

achieve housing adequacy. Over the summer in 2023, workshops were held with stakeholders, including private landlords and tenants, as part of the Green Paper consultation. The summary of responses to the Green Paper was published in April 2024.<sup>4</sup> The evidence submitted and contributions to the Green Paper, including the workshops, informed the development of this White Paper.

The proposals in the White Paper have also been developed with support of our external Stakeholder Advisory Group. The group was established to inform the development of the White Paper by ensuring engagement and consideration of stakeholders' views. The Stakeholder Advisory Group consists of membership of organisations providing a representative voice of private sector landlords, letting agents, and the third sector. The Stakeholder Advisory Group has met five times as part of the development of the White Paper.

### **Summary of proposed reforms**

The White Paper includes a chapter outlining the policy context for the proposed reforms, and then includes further chapters on 'Housing Adequacy' and 'Fair Rents'. The chapter on housing adequacy outlines the proposed approach for how the Welsh Government will deliver housing adequacy, and the 'Fair Rents and Affordability' section of the White Paper outlines the shorter to medium term interventions in the PRS which will contribute towards the delivery of housing adequacy. As summarised, the White Paper sets out the following proposals-

Housing Adequacy:

- A proposal to develop legislation during the next Senedd term to establish a framework which will drive forward action for delivering adequate housing. The proposed legislation would place a duty on Welsh Ministers to publish a housing strategy within a defined timescale to address housing adequacy. This housing strategy would consider how to achieve and measure housing adequacy against the framework provided by the United Nations' Committee on Economic, Social, and Cultural Rights (CESCR). This framework is based on seven factors (or criteria) of housing adequacy.

Fair Rents:

The following proposals will consider how to improve affordability in the PRS.

- To consider how to improve data on 'market rents' so that further information can be gathered of market rents at local levels. Following this, to increase the public availability of rent information, including via the potential spatial mapping of average rents by property size to higher postcode level.

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<sup>4</sup> [Consultation Template \(gov.wales\)](#)

- To explore a mechanism that would allow rent increases to be challenged, and to support Rent Officers in accessing property specific rent information for the purpose of calculating relevant Local Housing Allowances.

The following proposal will consider how to improve habitability in the PRS.

- To explore introducing a requirement for Rent Smart Wales licensees to update their Rent Smart Wales account annually to complete an Annual Property Condition Record (APCR) in order to confirm the property has a valid Gas Safety Certificate and Electrical Inspection Condition Report, that property inspections have been completed at the property [date undertaken], and self-certification that none of the 29 matters or circumstances listed in the Schedule to the Renting Homes (Fitness for Human Habitation) (Wales) Regulations 2022 are present in the property, and that:
  - Mains wired smoke alarms are present and have been tested, and
  - Carbon monoxide detectors (where relevant) have been installed and have been tested.

The following proposal will consider how to improve the accessibility of the PRS, ensuring all can access and remain in the PRS.

- A proposal to develop national guidance on providing a Rent Guarantor, to provide a consistent approach that would allow local authorities to support individuals who cannot secure a Rent Guarantor to secure a suitable guarantor through the existing funding streams in place.
- A proposal to make provision to allow a landlord to cover the cost of an additional premium on their insurance policy (or take out a new policy) relating to 'pet damage' as a 'permitted payment' under the Renting Homes (Fees etc.) (Wales) Act 2019.

The following proposal considers how to improve the supply of affordable rental properties.

- To explore amending the Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Act 2017 (the LTTA) to provide a tax refund for private landlords, or inheritance beneficiaries when buying or otherwise acquiring an interest in a property where it will be used as an affordable rental property under the control of the local authority (for example Leasing Scheme Wales).

## **Impact**

This is an IIA on draft proposals and none of these proposals consider legislation during this Senedd term. We will reflect on the evidence submitted to the White Paper consultation and consider how to assess the impact of the proposals in more detail by updating this IIA.

Generally, the proposals will have significant positive impacts, including:

- Progressing towards achieving housing adequacy by proposing to develop legislation during the next Senedd Term to establish a framework that will drive forward action for delivering housing adequacy. The proposed legislation would place a duty on Welsh

Ministers to publish a housing strategy within a defined timescale to take steps to support the progressive realisation of housing adequacy.

- Improving data on market rents in the PRS, which (if data was made publicly available) will enable tenants and prospective tenants to make more informed choices on the asking rent for prospective tenancies. This will be a positive impact on the affordability of the PRS.
- Improving the habitability of PRS properties.
- Improving the accessibility of the PRS by ensuring people can access, and remain, in the PRS.
- Improving the availability of affordable rental properties.

### Wellbeing of Future Generations (Wales) Act 2015

Progressing towards achieving housing adequacy will be a key to wellbeing and a healthy life. Progressing towards housing adequacy will support the seven well-being goals:

- A Prosperous Wales
- A Resilient Wales
- A More Equal Wales
- A Healthier Wales,
- A Wales of Cohesive Communities
- A Wales of Vibrant Culture & Thriving Welsh Language
- A Globally Responsible Wales

### **Long term**

The proposals in the White Paper include both long term and medium-term proposals. Proposals for a housing strategy will be part of long-term reform by setting out a strategic approach to achieving housing adequacy in Wales, which will be measured and monitored over time. Proposals for 'fair rents' could include both short to medium-term proposals.

These proposals form part of the Programme for Government commitments.<sup>5</sup>

### **Prevention**

The White Paper includes a range of proposals which should prevent problems occurring or getting worse and to help public bodies meet their objectives. As housing is one of the key foundational blocks to a healthy life, progressing towards housing adequacy will act as preventative action to support other areas of Welsh life, such as health and the economy.

### **Integration**

An adequate home is the foundational block for ensuring all people can fulfil their potential regardless of their background, including their socio-economic circumstances. The proposals regarding housing adequacy consider how to ensure housing is adequate in that

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<sup>5</sup> [Welsh Government Annual Report 2023-2024](#)

people can find work and educational opportunities in the place they live, and to ensure people can access services such as health-care services, schools, and other social facilities.

The proposals in the White Paper will support the seven well-being goals. As an adequate home is a foundational block for success in other areas of life, these proposals will support the objectives of other public bodies, such as local authorities and third sector organisations. The proposals in the White Paper should support other priorities in the Programme for Government, such as health and the economy.

A Stakeholder Advisory Group was established to support the development of the White Paper. The group consists of membership of organisations providing a representative voice of private sector landlords, letting agents, and the third sector.

## **Collaboration**

It is essential to collaborate with other stakeholders who will be impacted by the proposals to ensure we are fulfilling our well-being objectives. As part of the consultation process for the White Paper, we will continue to work with stakeholders. As we did for the previous engagement in the development of the White Paper, we will hold several consultation events to ensure an opportunity for all views to be presented.

## **Involvement**

Section 5 of The Well-being of Future Generations (Wales) Act 2015<sup>6</sup> indicates that a public body must take account of the importance of involving people who reflect the diversity of the population of Wales in making decisions that interest or impact them. Progressing towards achieving housing adequacy will have an impact on people in all housing tenures in Wales and therefore it is essential to engage with all affected groups.

In June 2023, a Green Paper call for evidence on Securing a path towards Adequate Housing, including Fair Rents and Affordability was published in June 2023 to gather evidence from the sector ahead of developing the proposals in this White Paper. Additionally, workshops were held over summer of that year with various stakeholders, including private landlords and tenants, across Llandudno, Carmarthen, and Cardiff to gain further evidence. The Welsh Government also presented at an online workshop facilitated by the Bevan Foundation to engage with the wider housing sector. An external Stakeholder Advisory Group of experts in both private and third sector organisations has also been formed to collaborate on the development of the White Paper. Ahead of publication of the White Paper, we met with the Welsh Language Commissioner to discuss the impact of the White Paper on the Welsh language. We also recognised the need to gather further information on the opinions of renters in Wales. Therefore, we commissioned Beaufort

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<sup>6</sup> [Well-being of Future Generations \(Wales\) Act 2015: the essentials \[HTML\] | GOV.WALES](#)

Research to conduct a representative survey of tenants' attitudes towards adequate housing in Wales, using the Beaufort Wales June 2023 Omnibus.

An Easy Read version of the White Paper has also been published, to ensure inclusive engagement.

## **Cost and Savings**

While there are likely to be costs associated with proposals to develop a housing strategy, improving housing adequacy is likely to be beneficial to other areas of Welsh society such as health and the economy, and therefore there is likely to be savings over the long-term.

In regard to the proposal to provide LTT refund for properties to be used as affordable housing supply, it is anticipated that the potential loss of tax revenue from a refund being claimed for the LTT higher LTT residential rates could be offset by avoided costs in providing housing via Leasing Scheme Wales rather than temporary accommodation. Data from 2022/2023 indicates that the cost of housing people in temporary accommodation was approximately £34m per year<sup>7</sup>. The impact of this cost saving would need to be considered alongside other factors as part of any impact assessment to support any future amendment to the LTTA that may be taken forward.

As there are no proposals for legislation during this Senedd term, a Regulatory Impact Assessment is not required at this stage of policy development. Any future proposals for legislation be subject to a full Regulatory Impact Assessment, to ensure the cost and benefit assessment of any options.

## **Mechanism**

There are no proposals for legislation during this Senedd term and any proposed changes include using levers within existing legislation. Therefore, a Regulatory Impact Assessment is not required at this stage of policy development. Any future proposals for legislation will include a full Regulatory Impact Assessment.

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<sup>7</sup> [sub-ld16101-em-e.pdf \(senedd.wales\)](#)



## SECTION 2. WHAT WILL BE THE EFFECT ON SOCIAL WELL-BEING?

### 2.1 People and Communities

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal affect people and communities?**

As the White Paper proposes to develop legislation in the next Senedd term, the assessment on the impact of the proposal on people and communities is limited at this stage of policy development and therefore the full impact is not yet known. Further proposals for legislation will assess the impact of proposals on people and communities in more detail.

However, the intention of the White Paper is to take the next step towards achieving housing adequacy for all, and so the White Paper and subsequent policy development following the consultation should have a positive impact social wellbeing. The proposals in the White Paper for the shorter to medium term interventions to improve the affordability, accessibility and habitability in the PRS should have a positive impact on social well-being. Specific impacts on groups of people and communities have been outlined below:

#### Groups of people and communities

The section of the White Paper on proposals for the PRS should have a significantly positive impact on people on lower incomes.

- People on lower incomes

The proposal to improve the supply of affordable rental properties will have a significantly positive impact on individuals on a lower income, as this group of people are more likely to be on a waiting list for affordable rental properties, or reliant on temporary accommodation.

Similarly, one of the objectives of the White Paper is to improve the accessibility of the PRS by removing barriers from individuals being able to access the PRS. The positive impact of this on lower income households has been identified in the Equality Impact Assessment at **Annex B** and in the Socio-economic Duty Impact Assessment at **Annex G**.

- Private landlords

The White Paper should have a low impact on private landlords in respect of additional administration requirements, and it is anticipated the impact would have a neutral impact on their ability to run their rental business.

The White Paper proposes to explore mechanisms to improve data on market rents by requiring landlords to provide information on the amount of rent they charge. The White

Paper does not outline a specific approach to do this, but suggests that Rent Smart Wales (RSW), the existing licensing authority for landlords, would be the most appropriate body to administer the submission of this information. The paper outlines that any rent collection process would need to be done in a way which respects commercial sensitivity and data protection requirements. The paper also outlines that the proposed method to acquire this information through Rent Smart Wales is likely to be of a low administrative burden to private landlords. The White Paper does not propose to restrict the amount of rent a landlord can charge. The proposals are in the early stages of development, and we will continue to assess their impact as the policy develops. Based on our current assessment, we consider the proposals should have a neutral impact on the ability of private landlords to run their rental businesses. However, it is acknowledged that private landlords may disagree with this, and further engagement with the sector will be needed to assess the potential impact of future policy proposals.

The White Paper also includes a proposal for licensees to produce an 'Annual Property Condition Record'. This would contain information on activities which licensees are already legally required to abide by. Therefore, it is anticipated this would be of a low administrative burden to licensees. The White Paper also includes a question on whether an 'Annual Property Condition Record' could be linked to other information, such as the above proposal to collect rent data. This aims to further reduce the administrative burden on licensees. While a further assessment will be required, at this early stage of development, it is anticipated this would be a low administrative burden to landlords.

The proposal in the White Paper on 'renting with pets' may have a positive impact on private landlords. The proposal outlines that when a tenant wishes to have a pet, a landlord should be able to request payment for the cost of an additional premium relating to pet damage (although such permitted payment would not be able to exceed a prescribed limit). The impact of this proposal should be positive on landlords as it provides reassurance that insurance will cover any potential damage caused to their property caused by their tenant's pet. As it is not known how many landlords currently rent to tenants with pets, and whether this proposal would increase the number of landlords who allow pets, it is not possible to assess the impact of this proposal at this stage of policy development.

The proposal to increase the supply of affordable rental properties should have a moderately positive impact on private landlords who are looking to expand their property portfolio. The White Paper seeks views on whether a tax refund should be provided to individuals who buy a property to be used as an affordable rental property under the control of the local authority (such as Leasing Scheme Wales). The proposal should have a positive impact as it may encourage individuals to buy a property and lease it to the local authority. However, it is not possible to fully assess the impact of this proposal on private landlords as many other factors influence an individual's decision to acquire a rental property. The consultation includes a question on whether granting a tax refund would

incentivise individuals to buy a property and lease it to a local authority, and therefore we will continue to assess the potential impact on individuals who may be looking to buy property or existing landlords looking to expand their portfolio.

## **2.2 Children's Rights**

Please see the Children's Rights Impact Assessment at **Annex A**.

## **2.3 Equality**

Please see the Equality Impact Assessment at **Annex B**.

## **2.4 Rural Proofing**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact on rural individuals and communities?**

Please find a Rural Proofing Impact Assessment at **Annex C**.

## **2.5 Health**

**2.5a How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact health determinants?**

The White Paper should have a significantly positive impact on health.

Inadequate housing can have a significant impact on health and wellbeing. Public Health Wales identifies housing as one of the fundamental building blocks for a healthy life<sup>8</sup>.

The White Paper proposes to develop legislation during the next Senedd term to establish a framework which will drive forward action for delivering adequate housing. The proposed legislation would place a duty on Welsh Ministers to publish a housing strategy within a defined timescale to address housing adequacy. This housing strategy would consider how to achieve and measure housing adequacy against the framework provided by the United Nations' Committee on Economic, Social, and Cultural Rights (CESCR). This framework is based on seven factors (or criteria) of housing adequacy.

Unaffordable housing can have a negative impact on well-being. The cost of housing, such as being unable to afford mortgage or rent payments can lead to financial stress and anxiety, negatively impacting mental health. Unaffordable housing can also have a

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<sup>8</sup> [Healthy housing - Public Health Wales \(nhs.wales\)](https://www.nhs.uk/health/wales/healthy-housing/)

negative impact on people's physical health if individuals are unable to afford energy bills and are therefore more likely to live in cold or damp homes, increasing the risk of heart attacks, stroke, and arthritic and respiratory conditions. The negative impact of unaffordable housing on physical health and wellbeing is outlined by Public Health Wales in their report, *Affordable homes for health and well-being*<sup>9</sup>. The White Paper explores mechanisms to improve the affordability of housing through proposals for a future housing strategy, and through proposals to improve affordability in the PRS. The White Paper proposes to improve data in the PRS by exploring mechanism for how rent information could be shared, to improve data on market rents in the PRS. Improved data on market rents in the PRS will be an essential next step in addressing affordability in the PRS as it will provide required evidence for future policy interventions.

The White Paper proposes introducing a requirement on landlords and agents in the PRS to complete an Annual Property Condition Record (APCR). Existing legislation requires landlords and agents to undertake a range of actions to ensure a property is habitable, although evidence indicates not all landlords meet these requirements. Introducing a requirement for landlords and agents to complete an APCR confirming a property is safe is anticipated to drive up standards in the sector with the result that more PRS properties are safe. This would have a positive impact on the health of individuals in the PRS.

In addition to the positive impacts on health and well-being of individuals, the proposed reforms should have a positive financial impact on the National Health Service (NHS). The evidence shows poor quality housing cost the Welsh NHS more than £95m a year<sup>10</sup>. Further evidence of the negative impacts of inadequate housing on health and the cost of inadequate housing to the NHS can be found in the Equality Impact Assessment at **Annex B**.

The proposal to increase the supply of affordable rental properties should have a positive impact on mental health. Evidence has shown the negative impact on mental health for those in unsuitable temporary accommodation, partially due to the insecurity of their living situation<sup>11</sup>. Ensuring that anyone experiencing homelessness can move into a settled home as quickly as possible, rather than staying in temporary accommodation for long periods of time is an important aspect of the Welsh Government's Rapid Rehousing approach. Increasing the supply of affordable settled housing will provide stability to individuals who have been in temporary accommodation and should have a positive impact on wellbeing.<sup>12</sup>

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<sup>9</sup> [Affordable homes for health and well-being \(phwwhocc.co.uk\)](https://phwwhocc.co.uk)

<sup>10</sup> [Poor housing costs health service £95m per year – new report - Public Health Wales \(nhs.wales\)](#)

<sup>11</sup> [Unsuitable-Peoples-experiences-of-temporary-accommodation-in-Wales.pdf \(sheltercymru.org.uk\)](#)

<sup>12</sup> [Rapid Rehousing: guidance \[HTML\] | GOV.WALES](#)

## **2.5b. Could there be a differential health impact on particular groups?**

The White Paper considers how a housing strategy could apply in the context of owner-occupied properties. A significant majority of people in Wales live in owner occupied properties.<sup>13</sup> Older people are more likely to own their own home, with 87% of older people owning their own home<sup>14</sup>. There are specific health concerns for older people in housing, such as houses which require repairs<sup>15</sup>. Considering a housing strategy in the context of owner-occupied properties could therefore have a differential positive impact on older people. Further detail on this can be found in the Equality Impact Assessment at **Annex B**.

The proposals should have a differential positive impact on people on lower incomes. As outlined the Equality Impact Assessment at **Annex B** and the Socio-economic Duty Assessment at **Annex G**, people on lower incomes are more likely to be impacted by the affordability and habitability challenges in the PRS.

At this stage of early policy development, a more detailed health impact assessment is not required at this stage. As there are no proposals for legislation during this Senedd term, it is acknowledged that the assessment on the potential impact on health is limited. Any further proposals for legislation will be subject to further assessment the health impacts of proposals.

## **2.6 Privacy**

### **Will the proposal involve processing information that could be used to identify individuals?**

The White Paper includes a proposal to explore methods for improving data on market rents. One of the options to achieve this is to provide a way for landlords to share rent information on their properties in a way which respects commercial sensitivity and data protection. This would require private landlords to submit information on how much rent they charge at both the start of a new tenancy and whenever there is a rent increase during a tenancy through a rent notice. If rent information was collected in this way, it is proposed that the data could be used to develop an anonymous, publicly available spatial map of market rents that would show market rents by postcode or ward area in a way that would not allow a single property address to be identified.

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<sup>13</sup> [Dwelling stock estimates: as at 31 March 2023 \[HTML\] | GOV.WALES](#)

<sup>14</sup> [Understanding-Wales-ageing-population-July-24.pdf \(olderpeople.wales\)](#)

<sup>15</sup> [From-Wear-and-Tear-to-Disrepair-FINAL-ENG.pdf](#)

The proposal outlines that any requirement would need to respect data protection requirements and therefore this information will not be used to identify individuals. The intention is that it would not be possible to link rent data to an individual and therefore rent data should not constitute personal data. As part of the further policy development on the mechanism to secure rent data it will be necessary to assess if the method of collection of rent data could amount to personal data.

This proposal indicates that such data would be held by Rent Smart Wales (the licencing authority). If Rent Smart Wales did collect this data, the data would be subject to their data protection policies and requirements at such time as any requirement was introduced.

The proposal to collect rent information is in the early stages of policy development and a specific mechanism has not been identified for how to collect rent information at this stage. At this stage, the proposal does not require the processing of personal data and therefore the White Paper does not require a full Data Protection Impact Assessment. Further policy development into the potential collection of rent data will be undertaken and an assessment will be done on data protection.

The Information Commissioner's Office has been informed of the proposal in the White Paper and further engagement will be undertaken with them as policy options are developed further. This will include consultation if there were any future proposals for legislation, regulatory measures, statutory codes of practice or statutory guidance.

## **SECTION 3. WHAT WILL BE THE EFFECT ON CULTURAL WELL-BEING AND THE WELSH LANGUAGE?**

### **3.1 Cultural Well-being**

The Well-being of Future Generations (Wales) Act 2015's goal for culture is 'A society that promotes and protects culture, heritage and the Welsh language and which encourages people to participate in the arts and sports and recreation'. Culture includes museums, archives, libraries and the arts; heritage includes the built historic environment as well as intangible heritage such as traditions; arts encompasses performance and creative sectors including music, literature, theatre and art, whilst sports and recreation include both elite and community sports as well as opportunities to participate in wider outdoor recreation.

**3.1a How can the proposal actively contribute to the goal to promote and protect culture and heritage and encourage people to participate in the arts sports and recreation? (for Welsh Language see section 3.2)**

The Well-being of Future Generations (Wales) Act 2015's goal for culture is 'A society that promotes and protects culture, heritage and the Welsh language and which encourages people to participate in the arts and sports and recreation'.

The proposals in the White Paper to place a duty on Welsh Ministers to publish a housing strategy in the next Senedd term should actively contribute to the promotion of culture and heritage and support people to participate in the arts, sports, and recreation. The proposal considers that a housing strategy should consider how to achieve and measure housing strategy against the CESCO framework. This framework includes 'location' as one of the criteria of adequacy:

'Location. Adequate housing must be in a location which allows access to employment options, health-care services, schools, childcare centres and other social facilities. This is true both in large cities and in rural areas where the temporal and financial costs of getting to and from the place of work can place excessive demands upon the budgets of poor households. Similarly, housing should not be built on polluted sites nor in immediate proximity to pollution sources that threaten the right to health of the inhabitants.'<sup>16</sup>

Placing a duty on Welsh Ministers to consider location as part of housing adequacy will ensure people can access housing which meets all their needs, such as education and employment options. Ensuring people can reach these needs in their housing will support individuals to pursue activities which will benefit their wellbeing, such as the arts, culture, and sports. A society that promotes participation in the arts is seen as a priority by the Welsh Government, as outlined by *Light Springs Through the Dark: A Vision for Culture in Wales*<sup>17</sup> and the more recent consultation on the draft *Priorities for Culture in Wales 2023-2030*.<sup>18</sup>

Additionally, the proposals to improve the affordability, habitability, and accessibility of the PRS could help tenants (and prospective tenants) be healthy and to be able to afford to participate more in the arts, sport and recreation. The proposals to improve the supply of affordable rental properties should have a positive impact on cultural well-being as it will provide property at more affordable price and potentially allow tenants to participate in recreational activities.

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<sup>16</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

<sup>17</sup> [arts-and-culture-vision-statement-light-springs-through-the-dark.pdf \(gov.wales\)](#)

<sup>18</sup> [Consultation on the draft Priorities for Culture in Wales 2024 to 2030 \[HTML\] | GOV.WALES](#)

**3.1b Is it possible that the proposal might have a negative effect on the promotion and protection of culture and heritage, or the ability of people to participate in arts, sport and recreation? If so, what action can you take to avoid or reduce that effect (for example by providing alternative opportunities)?**

It is anticipated that a future housing strategy will help to inform and guide the considerations in local development plans and local housing market assessments, which will determine at a local level the location of housing, and how it will contribute to the promotion and protection of culture and heritage. Therefore, it is not anticipated that the proposals in the White Paper will have a negative impact.

### **3.2 Welsh Language**

Please see the Welsh Language Impact Assessment at Annex E.

## **SECTION 4. WHAT WILL BE THE EFFECT ON ECONOMIC WELL-BEING?**

Supporting growth in the Welsh economy, and through this tackling poverty, is at the heart of the Welsh Government's Programme for Government.

### **4.1 Business, the general public and individuals**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact business and the public?**

In the long term, the proposals in the White Paper should have a significant positive impact on businesses and the public. The aim of the White Paper is to progress towards achieving housing adequacy and this will have a positive impact on growth of the Welsh economy. This will ensure individuals are able to develop to their full potential by developing skills and seeking employment/education. Evidence has shown that improving housing adequacy is associated with higher levels of productivity and economic activity<sup>19</sup>.

As outlined in the assessment on the impact on health, the proposed reforms should also create savings for the NHS by reducing preventable health issues caused by inadequate housing. These savings will have a significant positive impact on the economy. Improving

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<sup>19</sup> [Alma-Economics-Back-the-Bill-Phase-1-Full-Report.pdf \(sheltercymru.org.uk\)](#)



physical and mental health will also contribute towards ensuring Wales has a healthy workforce.

In the shorter-term, there will likely be costs associated with developing future legislation for the delivery of housing adequacy, including staffing costs in the Welsh Government. However, it is anticipated that initial costs will be offset by the long-term improvement of housing in Wales and the positive impact this will have on health and economic growth.

The proposal to explore mechanisms to improve data on market rents should have a neutral impact on the ability of private landlords to run their rental businesses. The proposal explores mechanisms to require private landlord to provide rent information. This should have a neutral impact on private landlords' business as the proposal would not restrict the amount of rent a private landlord can charge. However, there could be a risk that should a landlord not be willing to provide rent information they may choose to leave the sector, which could see a decline in the number of rental properties in the short term, which could have a negative impact if it were to lead to increased costs associated with homelessness. However, as that dwelling would still exist within existing housing stock and would be either bought by an owner occupier or another private landlord, it is not anticipated that there would be any long-term negative impact on the economy. Additionally, in their response to the Green Paper consultation (published in June 2023 to support the development of the White Paper) the National Residential Landlords Association (NRLA) were supportive of requiring landlords providing rent information<sup>20</sup>.

The proposals are in the early stages of development and we will continue to assess their impact as the policy develops. Based on our current assessment, we consider the proposals should have a neutral impact on the ability of private landlords to run their rental businesses. However, it is acknowledged that private landlords may disagree with this, and further engagement with the sector will be needed to assess the potential impact of future policy proposals.

The proposal to introduce an 'Annual Property Condition Record' should have a neutral impact on businesses, and for those that are fully compliant there could be a positive impact as it could help to secure lettings more quickly in the future compared to properties which cannot demonstrate via the register that they are in habitable condition. The proposed requirements of the APCR are matters which licensees are already legally required to abide by but to date have not had to report and confirm that this is in place. The proposal will have no impact on the ability of landlords to run their rental business.

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<sup>20</sup> [Securing a path towards adequate housing including fair rents and affordability | GOV.WALES](#)

The proposal to improve the supply of affordable rental properties should have a significant positive impact on the public. As outlined in the White Paper, the use of temporary accommodation is expensive, and it would be desirable to avoid these costs and provide longer term solutions through increasing the supply of affordable accommodation.

## **4.2 Public Sector including local government and other public bodies**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact the public sector?**

The proposed reforms should have a significant positive impact on local authorities.

As outlined above, increasing the supply of affordable rental properties will reduce the amount of individuals in local authorities on housing waiting lists and reduce the high cost of providing temporary accommodation. Additionally, proposals in the White Paper to provide national guidance on providing a Rent Guarantor will have a significant positive impact on local authorities as it will provide consistency with how they approach providing support to those who require a Rent Guarantor. Funding for Leasing Scheme Wales and discretionary housing support is already provided by Welsh Government to local authorities, and therefore it is not anticipated that the proposals in the White Paper would lead to additional financial impacts on the public sector.

The White Paper suggests that Rent Smart Wales, the licensing authority for private landlords, could collect rent information. If Rent Smart Wales collected rent information, there will likely be increased administrative activity to do this. Although it is not possible to outline the impact on Rent Smart Wales at this time, one of the questions asks whether rent information could be collected as part of the Annual Property Condition Record, which would reduce administrative burden. Further consideration on the potential impact on Rent Smart Wales will be given as policy proposals are developed further.

## **4.3 Third Sector**

**How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact third sector organisations and what they do?**

Third sector organisations provide a range of support and advice to those who are negatively impacted by inadequate housing. For example, the Welsh Government provides funding to advice services to provide independent tenancy information and advice. The White Paper will have a significant positive impact on the third sector as the White Paper

aims to progress towards the delivery of housing adequacy. The White Paper also outlines that one of the key considerations for a future housing strategy will be to consider the extent to which existing mechanisms are effective. This could include the various funding streams to third sector organisations.

The proposed reforms will impact on people who already receive a high level of support from the third sector. The proposal to produce national guidance for local authorities on providing a Rent Guarantor will ensure that local authorities are consistent when they are providing support. This will benefit third sector organisations who provide guidance to people on their housing options as it will ensure that the guidance is consistent between local authorities. The proposal to increase the amount of affordable rental properties will also have a positive impact on the third sector as they are affected by the high levels of individuals in temporary accommodation.

#### **4.4 Justice Impact**

- **Are you bringing forward new primary legislation?**

There are no proposals to develop new primary legislation during this Senedd term. The proposals in this White Paper look at exploring levers in existing legislation, and proposals for legislation during the next Senedd term. Any future proposals for primary legislation will be subject to a full Justice Impact Assessment.

- ♦ **Are you creating, removing or amending an offence?**

N/A

- ♦ **Could your proposal result in any other impact on the justice system e.g. through increased litigation, need for legal aid, appeal against a decision of a public body?**

The White Paper explores the merits of making legislative changes that would enable private tenants who wish to challenge rent increases by asking Rent Officers for a determination of rent and provide a right of appeal to the Residential Property Tribunal (TPT). Such proposals would require primary legislation and would be for the next term of government to incorporate on their legislative programme, should they decide to do so.

Desk instruction 7 of the Welsh Government's guidance outlines the commitment to consult the Lady Chief Justice (LCJ), the Head of the Judiciary of England and Wales and President of the Courts of England and Wales, on proposals which bring changes the criminal law, or which may have an effect on the judiciary and the courts and tribunals system

The White Paper looks only to seek views and therefore there will be no impact on the justice system at present. Any more detailed proposals will be subject to further engagement with the LCJ.

It has been assessed that a full Justice Impact Assessment is not necessary at this stage, as there are no proposals for new primary legislation during this Senedd term, there is no proposal to create, amend or remove an offense, and no impact on the justice system at this time. Any further proposals for primary legislation will be subject to a full Justice Impact Assessment.

## SECTION 5. WHAT WILL BE THE EFFECT ON ENVIRONMENTAL WELL-BEING?

Under Section 9 of the Environment (Wales) Act 2016, the Welsh Ministers are required to prepare, publish and implement a natural resources policy and to take all reasonable steps to implement it and to encourage others to take such steps. The [Natural Resources Policy](#) was published in August 2017.

**You will need to consider and, where required, complete the following assessments** to ensure all reasonable steps have been taken:

<b>Required for all proposals:</b>	<ul style="list-style-type: none"> <li>Natural Resources Policy national priorities, challenges and opportunities</li> </ul>	5.1a 5.1b
<b>Required for all proposals</b>	<ul style="list-style-type: none"> <li>Biodiversity</li> </ul>	5.2 and Annex F
<b>Required for all proposals</b>	<ul style="list-style-type: none"> <li>Climate Change</li> </ul>	5.3
Certain plans and programmes requiring SEA under the Environmental Assessment of Plans and	<ul style="list-style-type: none"> <li>Strategic Environmental Assessment</li> </ul>	5.4 and IIA Guidance

Programmes (Wales) Regulations 2004		
Proposals which may affect a Special Area for Conservation or a Special Protected Area (SAC/SPA):	<ul style="list-style-type: none"> <li>Habitats Regulations Assessment</li> </ul>	5.5 and IIA Guidance
Certain projects relating to town and country planning; transport; agriculture; forestry; marine, land drainage; and electricity which require EIA under the various EIA Regulations	<ul style="list-style-type: none"> <li>Environmental Impact Assessment</li> </ul>	5.6 and IIA Guidance

## 5.1 Natural Resources

### 5.1a How will the proposal deliver one or more of the National Priorities in the Natural Resources Policy (NRP)?

The White Paper is not considered to have any impact on National Priorities in the Natural Resources Policy (NRP).

### 5.1b Does the proposal help tackle the following national challenges and opportunities for the sustainable management of natural resources?

While the White Paper does not have a direct impact on Natural Resources, the proposals are likely to take a place-based approach by involving local communities in designing and developing proposals. The proposals will have a positive impact in the following areas:

- Supporting action to tackle health and economic inequalities by providing the next step towards housing adequacy for all, which is linked to health and economy inequality.
- Supporting community cohesion by exploring housing adequacy through location as a factor of housing adequacy.

- Supporting secure and stable employment by exploring housing adequacy via location and considering housing as inadequate if individuals cannot access employment.

## **5.2 Biodiversity**

**To demonstrate compliance with Section 6 of the Environment (Wales) Act 2016, you must complete the Biodiversity Impact Assessment, at annex F below.**

Please see the Biodiversity Impact Assessment at **Annex F**.

## **5.3 Climate Change**

### **5.3a Carbon**

**How will the proposal affect greenhouse gas emissions?**

Officials have considered the carbon impact of this advice. We have not quantified the emissions associated with it because we expect them to fall below the threshold for a quantitative analysis. We have high confidence in our assessment.

### **5.3b Climate resilience**

- Will this proposal be affected by any of the risks set out in the UK Climate Change Risk Assessment?

No. None of the proposals will be affected by any of the risks set out in the UK Climate Change Assessment<sup>21</sup>.

- Will this proposal exacerbate any of the risks set out in the UK Climate Change Risk Assessment?

No.

- Will this proposal reduce any of the risks set out in the UK Climate Change Risk Assessment?

No.

## **5.4 Strategic Environmental Assessment (SEA)**

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<sup>21</sup> [Summary for Wales \(CCRA3-IA\) - UK Climate Risk](#)

A SEA is not required for this White Paper as the proposals are not likely to have an impact in the key areas of agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, tourism, town and country planning or land use.

## **5.5 Habitats Regulations Assessment (HRA)**

A HRA is not required for this white paper as the proposals will not affect:

- Sites of Special Scientific Interest (SSSI);
- Special Areas of Conservation (SAC);
- Candidate Special Areas of Conservation (cSAC);
- Special Protection Areas (SPA);
- Potential Special Protection Areas (pSPA);
- Ramsar Sites (sites designated under the 1971 Ramsar Convention for the internationally important wetlands); and,
- National Nature Reserves (NNR).

## **5.6 Environmental Impact Assessment (EIA)**

An EIA is not required for this White Paper as there will not be any work carried out which involves any of the following:

- Construction, mining, extraction or waste disposal works on land and at sea (including urban development, highways, ports, energy, agriculture and fish farming);
- The change of use of land;
- Afforestation or deforestation;
- Agricultural improvement on uncultivated or semi-natural areas;
- Restructuring of rural land holdings; or
- Water extraction or land drainage.

## SECTION 6. SOCIO-ECONOMIC DUTY WHAT WILL BE IMPACT ON SOCIO-ECONOMIC DISADVANTAGE?

### 6.1 The Socio-economic Duty.

The socio-economic duty means that public bodies need to consider how their strategic decisions, such as setting objectives and developing public services, can improve inequality of outcome for people who suffer socio-economic disadvantage.<sup>22</sup>

Please find the full Socio-Economic Duty Impact Assessment at **Annex G**.

## SECTION 7. RECORD OF FULL IMPACT ASSESSMENTS REQUIRED

You have now decided which areas need a more detailed impact assessment. Please list them below.

Impact Assessment	Yes/No	If yes, you should
Children's rights	Yes	Complete the Children's Rights Impact Assessment below
Equality	Yes*	Complete the Equality Impact Assessment below
Socio-economic Duty	Yes	Complete the Socio-economic Duty Assessment below
Rural Proofing	Yes	Complete the Rural Proofing Impact Assessment below
Health	No	Refer to the Integrated Impact Assessment Guidance
Privacy	No	Complete the <b>Error! Reference source not found.</b> below
Welsh Language	Yes	Complete the Welsh Language Impact Assessment below

<sup>22</sup> [A More Equal Wales: The Socio-economic Duty | GOV.WALES](#)



Economic / RIA	No	Refer to the Integrated Impact Assessment Guidance
Justice	No	Complete the Justice System Impact Identification form on the intranet
Biodiversity	Yes*	Complete the Biodiversity Impact Assessment below
Climate Change	No	Refer to the Integrated Impact Assessment Guidance
Strategic Environmental Assessment	No	Refer to the Integrated Impact Assessment Guidance
Habitat Regulations Assessment	No	Refer to the Integrated Impact Assessment Guidance
Environmental Impact Assessment	No	Refer to the Integrated Impact Assessment Guidance

\* Mandatory for all proposals in order to meet statutory obligations.

## SECTION 8. CONCLUSION

### **8.1 How have people most likely to be affected by the proposal been involved in developing it?**

To support the development of the White Paper, an external Stakeholder Advisory Group was established which included membership of representative organisations in the sector, including private landlords, letting agents, and third sector organisations.

In June 2023, we published a Green Paper consultation on Securing a path towards Adequate Housing, including Fair Rents and Affordability. The Green Paper was published as a call for evidence from stakeholders on their views on how to achieve housing adequacy, and fair rents and affordability in the PRS. Over the summer of 2023, workshops were held with stakeholders, including private landlords and tenants, as part of the consultation period. We received a range of evidence in response to the Green Paper which we have used in our policy development for the White Paper.

TPAS Cymru, in collaboration with Single Parents Wellbeing, provided a report on tenant's views as part of their response to the Green Paper, which outlined affordability, habitability and security of tenure as the most important aspects of housing adequacy.

We commissioned Beaufort Research to publish a report into tenant's views on housing adequacy, which will be published in Autumn 2024. This has ensured we have endeavoured to consider the views of renters in Wales.

We will continue our engagement with stakeholders throughout this consultation process, including through consultation events.

### **8.2 What are the most significant impacts, positive and negative?**

The proposal in the White Paper to develop legislation during the next Senedd term to establish a framework to drive forward action on delivering adequate housing should have a positive impact on many aspects of Welsh society.

The most significant impacts include:

- Demonstrating commitment to progress housing adequacy in Wales by proposing legislation in the next Senedd term to establish a framework which will drive forward action for delivering adequate housing.
- Improving affordability of rental accommodation by improving data on market rent in the PRS. This will enable tenants and prospective tenants to make more informed choices on the asking rent for prospective tenancies, which in turn will influence how future rents change over time.
- Improving the habitability of PRS properties by exploring introducing a requirement for Rent Smart Wales licencees to update their Rent Smart Wales account annually to complete an Annual Property Condition Record (APCR).

- Improving the accessibility of the PRS, particularly for those first time renters, those on lower incomes or those wishing to rent with a pet.
- Improving the supply of affordable rental properties for lower income households or for those at risk of, or are homeless.

The proposal to develop legislation in the next Senedd term to establish a framework on housing adequacy and further proposed reforms should have a significant positive impact on health. The proposed reforms should have a positive impact on both physical and mental health as housing is one of the essential foundations for a healthy life. In addition to the positive impacts on health and well-being of individuals, the proposed reforms should have a positive financial impact on the NHS.

The proposed reforms should also have a positive impact on the economy, as while there are likely to be costs associated with developing a future housing strategy, improving housing adequacy is likely to be beneficial to other areas of Welsh society such as health. Therefore, there is likely to be savings over the long-term. In regard to the proposal on potential tax refund for properties where it will be used to the local authority to be used as an affordable property, while there may be modest reduction in tax revenue, this may lead to costs avoided in respect of temporary accommodation costs, which would be greater than the loss of revenue, and therefore providing a positive impact on the economy.

The proposed reforms should have a significant positive impact on individuals on lower incomes. The CESC includes 'affordability' as one of the criteria for housing adequacy. The proposal to improve the supply of affordable rental properties will have a significantly positive impact on individuals on a lower income, as this group of people are more likely to be on a waiting list for affordable rental properties, or reliant on temporary accommodation. The proposal to explore a mechanism to acquire rent data have a positive impact on individuals on lower incomes as it will enable tenants to make more informed choices on the asking rent for prospective tenancies, which in turn will influence how future rents change over time. However, although the intention of the proposal is to improve affordability, there is a potential negative impact on the proposal for individuals on lower incomes. If rent information is acquired and a data sharing agreement is reached with Rent Officers, it is possible the amount of housing benefit entitlement could decrease. However, it is important to emphasise that it is also possible the amount of housing benefit could also increase and it is not yet possible to assess the impact of this proposal. Further detail on this impact can be found in the Equality Impact Assessment at **Annex B**, under the section on lower incomes.

Another potential negative impact is on the proposals regarding renting with pets. The proposal in the White Paper on renting with pets should have a positive impact on lower-income households who own a pet, as it will remove a barrier from being able to access the PRS and because such permitted payments used to cover pet damage would not

exceed a prescribed limit. This should prevent landlords making other charges, such as by increasing the deposit. However, it is possible the proposal could have a negative impact on lower-income households. It is possible there are currently renters from lower-income households who already have a pet, because their landlord allows pets in their property. It is possible that allowing a landlord to cover the cost of an additional premium on their insurance (or take out a new policy) relating to 'pet damage' could encourage landlords to request for a payment when an occupation contract is renewed. Therefore, a consequence of this proposal could be that tenants are charged an additional payment that they wouldn't have been charged before, which they may be unable to afford which existing tenants with pets. However, it is not possible to fully assess the impact of this proposal and further policy development and engagement will be needed.

We are early in the policy development of proposed reforms and therefore are limited in our ability to assess the potential impact of the White Paper at this stage. We have outlined the potential impact of the White Paper and acknowledge where it is not possible to fully assess the impact at this early stage of policy development. We will continue to assess the impact of these proposals in more detail as the policy develops.

### **8.3 In light of the impacts identified, how will the proposal:**

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- **avoid, reduce or mitigate any negative impacts?**

The proposals set out in the White Paper contribute to the seven well-being goals prescribed in section 4 of the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The proposed reforms should contribute to the seven well-being goals as they look to improve housing adequacy, which will have positive impacts on society. Improving housing adequacy should support the goal of a prosperous Wales as it will increase productivity and economic activity. The proposed reforms should also create savings for the NHS which will have a positive impact on the economy. The proposals to increase the supply of affordable rental properties should contribute to the goal of a resilient Wales as it aims to increase the availability of affordable supply through existing housing stock. The proposed reforms should contribute significantly to the goal of a healthier Wales as

improving housing adequacy will improve both physical and mental health. Affordability is one of the main aspects of the White Paper and the proposed reforms should improve affordability for people on lower incomes, contributing to the goal of a more equal Wales. The CESCR criteria for housing adequacy includes 'location', which outlines that housing must be in a location which allows access to employment options, health-care services and other essential services. Further policy development on housing adequacy should contribute towards the goal of a Wales of Cohesive Communities, as consideration will be given to how to ensure housing is well-connected, attractive, and viable. THE CESCR criteria of 'location' and 'availability of services' should also contribute towards the wellbeing goal of A Wales of vibrant culture and thriving Welsh language, as a future housing strategy would consider the housing needs of Welsh language communities and assess the impact of existing measures to preserve the sustainability of the Welsh language. The proposed reforms should contribute to the goal of a globally responsible Wales. 1.8 billion people worldwide live in informal settlements or inadequate housing<sup>23</sup>. A future housing strategy which considers the CESCR criteria for adequate housing as a framework will demonstrate global leadership in how Wales approaches progressing towards achieving housing adequacy.

#### **8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?**

Following the publication of the White Paper, we will engage in a consultation period. We will hold consultation events with private landlords, tenants and other potentially impacted stakeholders to ensure all views have been considered. All responses to the consultation will be analysed and used to develop proposals further.

Further policy proposals will be subject to a revised, more detailed Integrated Impact Assessment.

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<sup>23</sup> [The human right to adequate housing | OHCHR](#)

## SECTION 9. DECLARATION

### Declaration

I am satisfied that the impact of the proposed action has been adequately assessed and recorded.

Name of Senior Responsible Officer / Deputy Director: Sarah Rhodes

Department: Housing and Regeneration

Date: 17/10/2024

# FULL IMPACT ASSESSMENTS

## A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

**All** completed Children's Rights Impact Assessments must be sent to the [CRIA@gov.wales](mailto:CRIA@gov.wales) mailbox

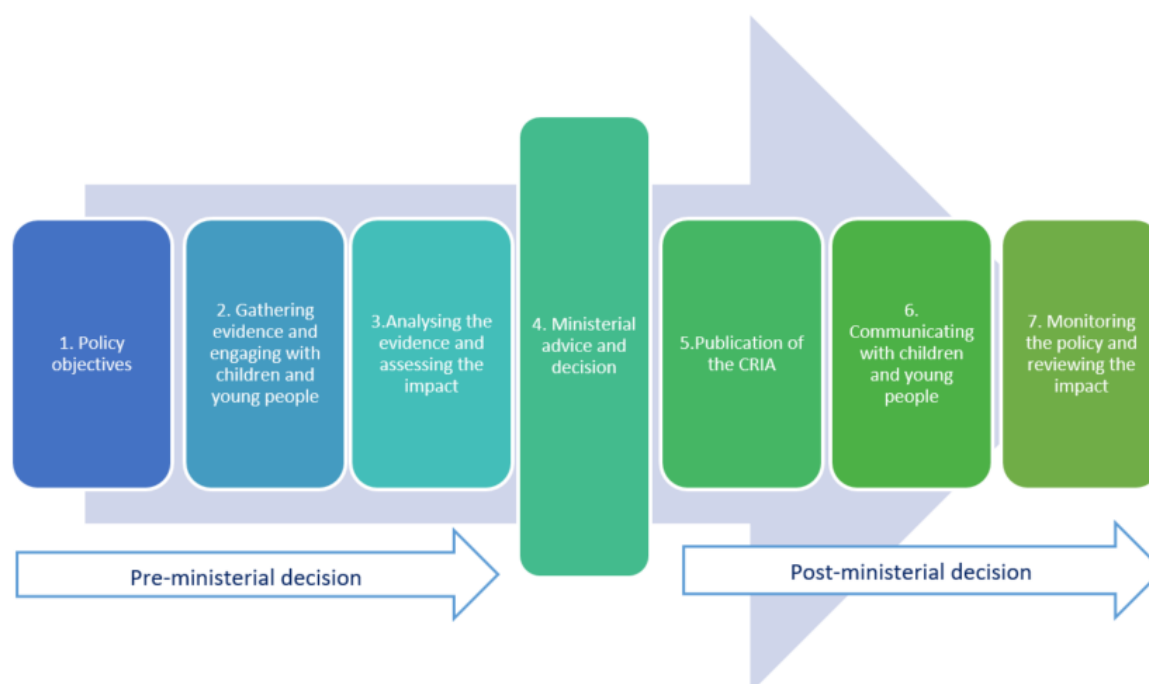
The Rights of Children and Young Persons (Wales) Measure 2011 places a duty on the Welsh Ministers to pay due regard to the [United Nations Convention on the Rights of the Child \(UNCRC\)](#) and its [Optional Protocols](#) when exercising any of their functions.

The CRIA process is the agreed mechanism officials should use to support Ministers to meet this duty and ensure they give balanced consideration to children's rights in their decision making. A CRIA should be used to inform ministerial advice and **must** be completed prior to a ministerial decision being made. Once a decision has been reached, your CRIA must also be published.

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*Please note we have an established Children's Rights Advisory Group (CRAG), comprising the Children's Commissioner for Wales's office, UNICEF, the Wales Observatory on Human Rights of Children and Young People, and Children in Wales, who can be used to discuss or test your draft CRIA. Please contact the Children's Branch [CRIA@gov.wales](mailto:CRIA@gov.wales) for further information.*

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*For further advice and guidance on the CRIA process, please consult the [Children's Rights Manual for Staff](#) or contact the Children's Branch [CRIA@gov.wales](mailto:CRIA@gov.wales)*

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## A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

### 1. Policy objectives

- What decision are you impact assessing?

The Equality Impact Assessment at Annex B outlines the impact of the proposals on young people aged 18-24. This impact assessment assesses the impact of the proposals on children and young people up to the age of 18.

The White Paper is the result of the Programme for Government commitment to 'Publish a White Paper to include proposals for a right to adequate housing including fair rents and new approaches to making homes affordable for those on local incomes.'

The White Paper proposes to develop legislation in the next Senedd term to establish a framework which will drive forward action for delivering adequate housing. It is proposed the legislation would place a duty on Welsh Ministers to publish a housing strategy. The housing strategy would consider how to achieve and measure housing adequacy against the United Nations' Committee on Economic, Social, and Cultural Rights (CESCR) framework. This framework is based on seven factors (or criteria) of housing adequacy.

The White Paper also outlines proposals for short to medium term interventions to progress towards housing adequacy in the Private Rented Sector (PRS). These proposals aim to improve the habitability, affordability and accessibility of the PRS. As summarised, the proposed reforms for the PRS include:

- To consider how to improve data on 'market rents' so that further information can be gathered of market rents at local levels. Following this, to increase the public availability of rent information, including via the potential spatial mapping of average rents by property size to higher postcode level.
- To explore a mechanism that would allow rent increases to be challenged, and to support Rent Officers in accessing property specific rent information for the purpose of calculating relevant Local Housing Allowances.
- To explore introducing a requirement for Rent Smart Wales licensees to update their Rent Smart Wales account annually to complete an Annual Property Condition Record (APCR) in order to confirm activity to ensure the habitability of the property has been undertaken.
- Proposals to develop national guidance for providing a Rent Guarantor, to provide a consistent approach for local authorities to support individuals who cannot secure a Rent Guarantor.
- Proposals to support tenants/prospective tenants with pets.
- Proposals to increase the supply of affordable rental properties.

The Equality Impact Assessment at Annex B outlines the impact of the proposals on young people aged 18-24. This impact assessment assesses the impact of the proposals on children and young people up to the age of 18.



## 2. Gathering evidence and engaging with children and young People

- **What existing research and data on children and young people is available to inform your specific policy? Your policy objective may impact on other policy areas – discussions with other policy teams will be an important part of the impact assessment process ensuring you have gathered a range of information and evidence.**

The PRS has grown in recent years and has become a popular tenure type. Data from the most recent census shows that there has been a decrease in households that own their accommodation, from 67.8% in 2011 to 66.4% in 2021, and an increase in the proportion of households that rent their accommodation, from 30.6% in 2011 to 33.5% in 2021<sup>24</sup> This decrease in home ownership can be explained by data which shows that house prices have grown far beyond the increase in wages, and therefore home ownership is a less accessible option. Across England and Wales, whilst earnings have doubled since 1997, house prices have increased four-and-a-half times.<sup>25</sup> Families make up a third of all private tenants, with about half being lone parent families<sup>26</sup>. The Child Poverty Strategy for Wales outlines that 28% of children were living in relative income poverty in the three financial years ending 2020-2022. Additionally, the strategy outlines that lone parent households are the most likely to be in relative income poverty<sup>27</sup>.

The White Paper proposes that a future housing strategy would consider how to achieve and measure housing adequacy against the CDESCR framework. A key aspect of housing adequacy under the CDESCR framework is affordability, which outlines that household costs should be at a level that they do not threaten or compromise other basic needs<sup>28</sup>. The White Paper considers measures to improve affordability of housing. When assessing the impact of proposals on children and young people, it is important to assess the impact of proposals for individuals on lower incomes, as a significant group of individuals in the PRS are on lower incomes<sup>29</sup>.

The impact of the proposals for individuals on lower incomes has been assessed in the Equality Impact Assessment at Annex B and the Socio-economic Duty Assessment at Annex G.

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<sup>24</sup> [Housing in Wales \(Census 2021\) \[HTML\] | GOV.WALES](#)

<sup>25</sup> [Housing affordability in England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>26</sup> [Generation rent? - Bevan Foundation](#)

<sup>27</sup> [Child Poverty Strategy for Wales 2024 \[HTML\] | GOV.WALES](#)

<sup>28</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

<sup>29</sup> [Generation rent? - Bevan Foundation](#)

A Green Paper consultation on Securing a path towards Adequate Housing, including Fair Rents and Affordability, was published in June 2023. The Green Paper was published as a call for evidence from stakeholders on their views on how to achieve housing adequacy, and fair rents and affordability in the PRS. We received a range of evidence in response to the Green Paper which we have used in our policy development for the White Paper.

The Tenant Participation Advisory Service Cymru (TPAS Cymru), one of our key stakeholders for tenant engagement, produced a Tenants Pulse report in collaboration with Single Parents Wellbeing.<sup>30</sup> The report asked tenants in Wales what 'fair rents' meant to them and what they value when it comes to renting a home. The evidence from the report outlined that affordability, security of tenure, and habitability to be the most important factors. Almost 60% of single parents valued affordability as the key factor to housing adequacy. Amongst the sample of young people aged 18-24, affordability and habitability as was as equally important, whereas 63% of the age group 25-34 felt affordability was the most important factor.

The Children's Commissioner for Wales responded to the Green Paper and provided evidence on their survey, 'Ambitions for Wales', which received over 10,000 responses from children, young people and adults<sup>31</sup>. The research outlines that half of children aged 7-11 worried about having somewhere to live. For ages 12-18, 51.3% of children worried about their family having enough money and 24.9% worried about having somewhere to live. Concerns regarding housing were the highest among parents and carers, with 66.5% of them reporting they are worried about their children having somewhere to live.

- **Using this research, how do you anticipate your policy will affect different groups of children and young people, both positively and negatively? Please remember policies focused on adults can impact children and young people too.**

The proposed reforms should have a positive impact on children and young people. However, there is limited evidence at this stage of policy development to identify the impact. Further engagement work will be needed during and after the consultation period to develop policy proposals further.

The White Paper also outlines that a key issue to consider in the context of developing a housing strategy will be to assess the extent to which existing mechanisms are effective in driving forward progress towards achieving housing adequacy. This should have a positive impact on children and young people because it will provide a strategic approach to

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<sup>30</sup> [Fair Rents Report \(e\).pdf \(tpas.cymru\)](#)

<sup>31</sup> [AmbitionsforWales\\_FINAL\\_ENG.pdf \(childcomwales.org.uk\)](#)

assessing how to achieve housing adequacy for different groups of children and young people.

The CESC criteria for adequate housing also include 'location' as one of the factors of housing adequacy. The White Paper explores how to take the local context into account in responding to housing challenges. At a local level, children living in Rhondda, Cynon Valley and Blaenau Gwent are most likely to be living in poverty before housing costs. After housing costs have been considered, children in Rhondda, Newport East and Cardiff South and Penarth are most likely to live in poverty.<sup>32</sup> Future policy developments will need to consider the needs of children in differential geographical areas in Wales.

The CESC criteria also includes 'habitability'. The proposal to require the completion of an Annual Property Condition Record should have a positive impact on children who live in the PRS, as the proposal aims to improve habitability. This will likely mitigate some of the negative health consequences of inhabitable housing. Evidence has shown the negative physical health impacts caused by inadequate housing, such as research from Public Health Wales<sup>33</sup>. Poor housing conditions can cause health conditions for children, and evidence has shown that children who grew up in poor housing conditions can experience worse health later in life<sup>34</sup>. Therefore, the proposal should have a positive impact on children who live in the PRS.

The proposed reforms for the PRS will have a disproportionate impact on children and young people, as families with children make up a third of individuals who live in the PRS. The proposed reforms should have a significant positive impact on children, as the proposed reforms aim to improve the affordability, habitability, and accessibility of the PRS.

The proposal to improve the supply of affordable rental properties will have a disproportionate impact on children and young people. Waiting lists for affordable properties are based on priority need which includes individuals living with children. The Welsh Government data on the occurrences of people placed into temporary accommodation in June 2024 shows that of the 1,371 homeless people placed into temporary acoustic accommodation, 300 of these were dependent children aged under 16, and 255 were 16–24-year-olds<sup>35</sup>. Evidence has shown the negative impact on living in temporary accommodation on children's physical health and wellbeing<sup>36</sup>. Improving affordable housing supply will have a significant positive impact on children and young people as it will provide secure accommodation.

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<sup>32</sup> ["The biggest issue affecting children in Wales" – tackling child poverty \(senedd.wales\)](https://www.senedd.wales)

<sup>33</sup> [Affordable homes for health and well-being \(phwwhocc.co.uk\)](https://phwwhocc.co.uk)

<sup>34</sup> [Poor housing conditions harm children's health and development | ESRI](#)

<sup>35</sup> [Homelessness accommodation provision and rough sleeping: June 2024 \[HTML\] | GOV.WALES](#)

<sup>36</sup> [Unsuitable-Peoples-experiences-of-temporary-accommodation-in-Wales.pdf \(sheltercymru.org.uk\)](#)

- **What participatory work with children and young people have you used to inform your policy? If you have not engaged with children and young people, please explain why.**

As part of the Green Paper consultation, TPAS Cymru produced a Tenants Pulse report on views on the private rented sector, including affordability, in collaboration with Single Parents Wellbeing. TPAS Cymru are tenant engagement experts in Wales.

Our external Stakeholder Advisory Group includes varied stakeholders, including third sector stakeholders with a range of evidence and views of people with lived experience.

### 3. Analysing the evidence and assessing the impact

- *How does your proposal enhance or challenge children’s rights, as stipulated by the UNCRC articles and its Optional Protocols? Please refer to the [articles](#) to see which ones apply to your own policy.*

UNCRC Articles or Optional Protocol	Enhances (X)	Challenges (X)	Explanation
<p>Article 2- Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language.</p> <p>Article 3 – All organisations concerned with children should work towards what is best for each child.</p> <p>Article 6- All children have the right of life. Governments should ensure that children survive and develop healthily.</p> <p>Article 9- Children should not be</p>	X		<p>Safe and secure housing is essential for every child and young person’s physical and mental wellbeing. The CESCR framework for housing adequacy outlines the seven criteria that must be reached for housing to be considered adequate. The proposed reforms in the PRS will support many of these criteria. children and families in the PRS.</p> <p>The objectives of the White Paper aim to ensure all the referenced Articles of the Convention are met.</p>

<p>separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.</p> <p>Article 12- Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.</p> <p>Article 18- Both parents share responsibility for bringing up their children and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.</p> <p>Article 19- Governments should ensure that children are properly cared for, and protect them from violence, abuse and</p>			
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<p>neglect by their parents or anyone else who looks after them.</p> <p>Article 23- Children who have any kind of disability should have special care and support so that they can lead full and independent lives.</p> <p>Article 24- Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy. Rich countries should help poorer countries achieve this.</p> <p>Article 26- The Government should provide extra money for the children of families in need.</p> <p>Article 27- Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.</p>			
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#### **4. Communicating with Children and Young People**

We will continue to consider how to engage with stakeholders following the publication of the White Paper and during the consultation period.

#### **5. Monitoring and Review**

We will consider the evidence submitted in response to the White Paper and consider any risks or issues identified. This will inform future policy direction post the consultation period.

## B. EQUALITY IMPACT ASSESSMENT

### 1. Describe and explain the impact of the proposal on people with protected characteristics as described in the Equality Act 2010.

#### What are the positive or negative impacts of the proposal?

Under the equality duty (set out in Section 149 of the Equality Act 2010), many public authorities, including the Welsh Government, must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not<sup>37</sup>.

Promoting equality is at the centre of proposals to deliver housing adequacy. The White Paper proposes to develop legislation during the next Senedd term to establish a framework which will drive forward action for delivering adequate housing. The proposed legislation would place a duty on Welsh Ministers to publish a housing strategy within a defined timescale to address housing adequacy. This housing strategy would consider how to achieve and measure housing adequacy against the framework provided by the United Nations' Committee on Economic, Social, and Cultural Rights (CESCR). This framework is based on seven factors (or criteria) of housing adequacy. A framework should work alongside other legislation which seeks to improve equality of outcomes, including the well-being goals of the Wellbeing of Future Generations Act and the Socio-economic duty within the Equality Act 2010.

The White Paper also includes proposals on shorter to medium-term interventions in the Private Rented Sector (PRS) which will contribute towards achieving housing adequacy. The proposals in the PRS look to improve affordability, habitability, and the accessibility of the PRS. The lack of adequate housing supply has also been identified as a barrier towards equality in housing, and so also included is a proposal to improve the supply of affordable rental properties.

In the development of the White Paper, we have considered the impact of the proposals on individuals with protected characteristics when engaging with our stakeholders, who have shared their evidence of people's lived experience. In June 2023, we published a Green Paper consultation on securing a path towards adequate housing, including fair rents and affordability.

As outlined above, the White Paper proposes that a future housing strategy will consider how to achieve and measure housing adequacy against the CESCR framework. A housing strategy will likely include an outcomes framework which links the activities within housing with the goal of achieving housing adequacy. We will assess the impact of the proposals in

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<sup>37</sup> [Equality Act 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)



the White Paper to improve housing adequacy in the PRS and further consider the existing gaps for achieving housing adequacy across all tenures in Wales.

The White Paper outlines evidence in relation to housing adequacy for owner-occupied properties and outlines that the Welsh Government is interested in receiving views in how an adequate housing framework could apply in the context of owner-occupied properties. Consideration has been given to housing adequacy for owner-occupiers (particularly for older people who are statistically more likely to live in owner occupied properties). However, at this stage, a full assessment has not been carried out as policy development is in the early stages of considering how an adequate housing framework could operate in practice for owner-occupiers.

Intersectionality between protected characteristics and socio-economic disadvantage has been considered for the proposed reforms. In some instances, intersectionality can create a compounding experience of discrimination.

### **Record of Impacts by protected characteristic:**

#### **Age**

##### Reasons for your decision (including evidence)

- Older people (aged 60 or over).

The Older People's Commissioner for Wales protects and promotes the rights of people aged 60 or over<sup>38</sup>. Therefore, the impact of the proposals has been considered for those aged 60 or over.

The White Paper should have a positive impact on older people.

Wales is a growing but ageing nation. According to the latest census data, the population of Wales has grown by 44,000 since the last census in 2011. There were more people than ever before in the older age groups- the proportion of the population who were aged 65 years and over was 21.3% (up from 18.4% in 2011)<sup>39</sup>. 87% of over 65s own their own home, with 10% in social housing and 4% in the PRS.<sup>40</sup> The proposals regarding housing adequacy consider defining housing adequacy as set out by the CESC criteria. Regarding housing adequacy for older people, this will consider security of tenure (for the current 4% of older people who live in the PRS), affordability, accessibility (such as ensuring housing has any necessary adaptations), and location (such as ensuring housing has access to social facilities and health care facilities).

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<sup>38</sup> [Older People's Commissioner for Wales | GOV.WALES](#)

<sup>39</sup> [Population and household estimates, Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>40</sup> [Understanding-Wales-ageing-population-July-24.pdf \(olderpeople.wales\)](#)

The White Paper considers whether owner-occupied properties should be considered as part of securing housing adequacy for all, which will impact on older people as the majority live in owner occupied homes. Should owner-occupied tenures be included in future proposals to support housing adequacy, this will have a positive impact on older people.

The age demographics in the PRS are changing. 4% of over 65s currently live in the PRS. Data for England published by ONS showed that people in their mid-30s to mid-40s are three times more likely to rent in 2017 than in 1997.<sup>41</sup> In the future, it is likely we will have more older people living in the PRS than we have today. Therefore, it is likely there will be more older people using their pension to pay rent or working until older than before to be able to afford rent. It is likely there could be affordability issues for older people in the PRS at pension age, an issue which will deepen over time due to our ageing population.

It is important to consider the intersectionality between older people and disability, as while older people are most likely to own their own home, disabled people are less likely to own their own home compared to non-disabled people<sup>42</sup>. Evidence from Age Cymru's annual report showed that 28% of older people reported to have a disability under the Equality Act<sup>43</sup>.

Care and Repair Cymru, a housing adaptations charity who support older people in the PRS to live independently through repairs, adaptations and home maintenance, responded to the Green Paper consultation. Care and Repair Cymru emphasised the importance of achieving housing adequacy to ensure that Wales becomes an age-friendly nation. Following Care and Repair Cymru's response to the Green Paper, we invited them to our external Stakeholder Advisory Group, and they have contributed to the development of the White Paper via participation of this group.

Age Cymru also responded to the Green Paper consultation and outlined that affordability is an issue for older people, particularly for older people who are unable to retire and live in the PRS. They also outlined that older people have reported poor conditions of houses and the need for repairs, particularly in the owner-occupied sector. Age Cymru's annual survey of the experiences of people aged 50 or over in Wales, published in August 2024, outlined that nearly a quarter of older people reported that their house was in need of repairs.<sup>44</sup>

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<sup>41</sup> [Living longer - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

<sup>42</sup> [Disability and housing, UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

<sup>43</sup> [age-cymru---what-matters-to-you---august-2024.pdf \(ageuk.org.uk\)](https://ageuk.org.uk)

<sup>44</sup> [age-cymru---what-matters-to-you---august-2024.pdf \(ageuk.org.uk\)](https://ageuk.org.uk)

The proposals support the strategy to support older people and to effectively respond to the challenges brought to governments by an ageing population as set out in An Age Friendly Wales.<sup>45</sup>

The proposals in the White Paper on proposed reforms will have a disproportionate impact on private landlords, as older people make up a large percentage of private landlords in Wales. Older people are more likely to be private landlords themselves, with 27.2% of private landlords in Wales between 55-64 and 27.2% aged 65+.<sup>46</sup>

Although the proposals for PRS reform will have a disproportionate impact on older private landlords, it is anticipated that the proposals should have a neutral impact. For example, as there are no proposals in the White Paper to restrict the amount of money a private landlord can charge in rent, it is anticipated there will be no negative impact on the ability for a private landlord to profit from their rental business. Additionally, the proposal to require an Annual Property Condition Record is likely to have a neutral impact, as the proposal would require landlords/licensees to prepare a report including information they are already required to legally abide by. There is potential that requiring the report could be seen as additional, unnecessary burden, but the White Paper outlines that the proposal aims to reduce the administrative burden as much as possible. It is anticipated the administrative burden would be low.

- Young people (aged 18-24)

There is no single definition of a young person, but the age group of 16-24 is often used. For example, the Welsh Government's Young Person's Guarantee provides individuals between 16-24 the offer of support for a place in education, training or employment<sup>47</sup>. The impact of young people up to the age of 18 has been assessed in the Children's Rights Impact Assessment at Annex A. This section considers the impact on 18–24-year-olds.

In Wales, housing affordability ratios doubled from 1997 to 2005 and peaked at 6.6 in 2007. Since then, house purchase affordability has remained between 5.5 and 6.5<sup>48</sup>. While earnings have risen, they have not risen in line with the rise of house prices. Estimates on the ratio of houses prices to earnings indicate that it has become less attainable to buy a property. The Office of National Statistics (ONS) estimates that in the 12 months to September 2023 in Wales, the average (medium) home sold for £196,500, while the average (medium) workplace-based full-time earnings were £32,400, giving a ratio of 6.1<sup>49</sup>. Therefore, the proposals to reform the PRS should have a disproportionately positive

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<sup>45</sup> [Our Strategy for an Ageing Society - Age Friendly Wales \(gov.wales\)](#)

<sup>46</sup> Rent Smart Wales demographic data

<sup>47</sup> [Young Person's Guarantee | Working Wales \(gov.wales\)](#)

<sup>48</sup> [Housing affordability in England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>49</sup> [Housing affordability in England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

impact on young people, as young people are less likely to be owner-occupiers and more likely to be in other housing tenures.

The White Paper proposes to develop legislation during the next Senedd term to drive forward housing adequacy in Wales. The CESCR criteria includes affordability as a factor of housing adequacy, which is particularly pertinent to young people. Purchasing a house is less attainable than ever before and more young people will be living in the PRS as they are unable to buy, the White Paper should have a positive impact as a housing strategy will address affordability in all housing tenures, while the shorter to medium term interventions will address issues of affordability, habitability and accessibility in the PRS.

Research by The Chartered Institute of Housing (CIH) and The Health Foundation identified themes of young people's (18-24) experiences of the PRS. Some of the main themes from the report includes accessibility to the sector, housing quality, and affordability<sup>50</sup>. The proposals in the White Paper on proposed reforms for the PRS aim to improve the affordability, accessibility, and habitability of the PRS.

Young people are also more likely to be on low pay, with evidence showing that 37% of 18–24-year-olds on low hourly pay in 2022. Younger people are therefore more likely to be on lower incomes and be affected by affordability challenges in the PRS. Additionally, for those eligible to apply for housing benefit, under 35s who do not live with a partner or with their children are only able to claim for a single room in a shared house<sup>51</sup>.

The proposal in the White Paper to improve data collection on rents should be beneficial to further understand the affordability issues in the PRS for each age demographic, including for young people. Understanding affordability issues in the PRS will support future interventions regarding the affordability of the PRS.

The proposal in the White Paper to create national guidance on Rent Guarantors should have a disproportionate positive impact on young people. The proposed eligibility criteria include people at risk of homelessness, and evidence has shown that young people are at a high risk of experiencing homelessness. For example, research by the Youth Engagement and Progression Framework has shown that of a sample of homeless people in Wales, 59% first become homeless before the age of 21.<sup>52</sup> End Youth Homelessness Cymru responded to the Green Paper consultation and outlined that achieving 'fairness' in the PRS will include considering the wider social implications of housing accessibility, including barriers besides price (such as guarantors and deposits). Therefore, the proposal should have a disproportionate positive impact on young people, as young people are more vulnerable to becoming homeless. The proposal should have a positive impact on young people as it aims to remove a barrier from young people being able to access the PRS. Additionally, the proposals included in the section on renting with pets aims to

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<sup>50</sup> [young-people-future-health-prs.pdf \(cih.org\)](#)

<sup>51</sup> [Housing costs and Universal Credit: Renting from a private landlord - GOV.UK \(www.gov.uk\)](#)

<sup>52</sup> [Youth Engagement and Progression Framework: guidance on early identification \[HTML\] | GOV.WALES](#)

remove barriers from accessing the PRS, which should have a disproportionately high impact on young people.

The proposal to improve the supply of affordable rental properties via tax relief for properties purchased and added to Leasing Scheme Wales should have a positive impact on young people. Further evidence from ONS indicates that over half of people across England and Wales identified as homeless are between the age of 15 and 35 years old.<sup>53</sup> This proposal should have a disproportionate, positive impact on young people as they are more likely to be on a waiting list for an affordable rental property.

The proposal to require the completion of an Annual Property Condition Record will have a disproportionate impact on young people, as young people are more likely to live in the PRS than other tenures. The proposal should have a positive impact, as it aims to improve the habitability of the PRS.

### **Children and young people up to the age of 18**

As outlined in the Children's Rights Impact Assessment, the White Paper should have a positive impact on children and young people up to the age of 18. The measures to improve housing adequacy in the PRS should have a positive impact on children and young people, there are high levels of families in the PRS. The White Paper proposals considered evidence provided by parents on which CESC criteria they would prioritise for housing adequacy.

Please see the Children's Rights Impact Assessment at **Annex A**.

### **Other age groups**

The Office of National Statistics (ONS) estimates that in the 12 months to September 2023 in Wales, the average (medium) home sold for £196,500, while the average (medium) workplace-based full-time earnings were £32,400, giving a ratio of 6.1<sup>54</sup>. The average age for a first-timer buyer in the UK is 32<sup>55</sup>. Data from Census 2021 shows that households where the household reference person was 65 years or over were most likely to own their accommodation outright (73%), those aged 35-49 were most likely to own their accommodation with some form of mortgage or loan (50%), whilst those aged 16-34 had the highest percentage in social rented (21%) or PRS or lived rent free (41%)<sup>56</sup>.

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<sup>53</sup> [People experiencing homelessness, England and Wales \(ons.gov.uk\)](https://ons.gov.uk/people-experiencing-homelessness)

<sup>54</sup> [Housing affordability in England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/housing-affordability)

<sup>55</sup> [Age of first-time buyers - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](https://ethnicity-facts-figures.service.gov.uk)

<sup>56</sup> [Household characteristics by tenure, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/household-characteristics)

Additionally, as outlined in the section on those aged 18-24 of those eligible to apply for housing benefit, under 35s who live alone can only claim for a single room in a shared house<sup>57</sup>.

The proposed reforms in the White Paper to improve the affordability, habitability and accessibility of the PRS should have a disproportionate impact on people up to the age of 35, as these people are more likely to live in the PRS.

As outlined in the section on the impact of the proposals on young people, the proposal to improve the supply of affordable rental properties should have a disproportionate, positive impact on people under the age of 35, as evidence shows that over half of people identified as homeless are between the age of 15 and 35 years old.<sup>58</sup>

### How will you mitigate Impacts?

- Older people (aged 60 or over).

It is anticipated that the proposals should have a positive impact on older people in the PRS and other housing tenures, although it is clear there are challenges in how to achieve housing adequacy for older people. It is anticipated that the proposals will have a neutral impact on older private landlords. However, we will continue to assess the impact of these proposals and respond to the evidence received from the White Paper consultation. We will welcome engagement from representations of older people, including Care & Repair Cymru and the Older People's Commissioner for Wales.

- Young people (aged 18-24)

It is anticipated that the proposed reforms for the PRS should have a disproportionately positive impact on young people in the PRS, as young people are more likely to live in the PRS than other tenures. However, we will continue to assess the impact of these proposals in response to further evidence received from the White Paper consultation. We will consider the impact of proposals which look to remove barriers from people to access and remain in the PRS, as these will have a disproportionate impact on young people.

- Other age groups

It is anticipated that the proposed reforms for the PRS should have a disproportionately positive impact on people up to the age of 35 as these groups are more likely to live in the PRS than other tenures. We will continue to consider the impact of the proposals on other age groups.

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<sup>57</sup> [Housing costs and Universal Credit: Renting from a private landlord - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

<sup>58</sup> [People experiencing homelessness, England and Wales \(ons.gov.uk\)](https://ons.gov.uk)



**Disability (consider the social model of disability<sup>3</sup> and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)**

Reasons for your decision (including evidence)

In Wales, census data on disability within households shows that 29.5% of households include one disabled member, and in 8.4% of households, two or more people are disabled within the household<sup>59</sup>. The White Paper aims to progress towards achieving housing adequacy, with consideration of the CDESCR criteria for housing adequacy. The CDESCR criteria includes 'accessibility', which outlines that adequate housing must be accessible to disadvantaged groups, including older people and disabled people.<sup>60</sup> The intersectionality of older people and disabled people need to be considered, as many older people are also disabled. For example, Age Cymru's annual report showed that 28% of older people reported they have a disability under the Equality Act.<sup>61</sup> It is also important to consider intersectionality between disability and other protected characteristics. As outlined in the assessment on age, older people may be likely to have a disability. Additionally, women are more likely to be disabled than men. In Wales, 22.3% of females and 19.8% of males are disabled and a higher proportion of females indicated they were limited a lot by their disability than males<sup>62</sup>.

According to census data, individuals in the ethnic group of 'White: Gypsy or Irish Traveller' were the most likely to report being disabled (39.1%). Other research outlines that Gypsy or Irish Traveller households were less likely to own their own home than other ethnic groups and more likely to rent in the PRS or in social housing<sup>63</sup>. The impacts are therefore likely to have a greater impact on disabled Gypsy or Irish Travellers.

Disabled people or those living in a household with a disabled member are also more likely to be on low income than non-disabled people<sup>64</sup>.

As outlined in the White Paper, the Welsh Government's housing related activities already contribute to improving accessibility. The Welsh Government provides funding for disabled or older people via various funding programmes (including ENABLE, disabled facilities

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<sup>59</sup> [Disability, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>60</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

<sup>61</sup> [age-cymru---what-matters-to-you---august-2024.pdf \(ageuk.org.uk\)](#)

<sup>62</sup> [Disability by age, sex and deprivation, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>63</sup> [Gypsy, Roma and Irish Traveller ethnicity summary - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](#)

<sup>64</sup> [Households Below Average Income: an analysis of the UK income distribution: FYE 1995 to FYE 2023 - GOV.UK \(www.gov.uk\)](#)

grants, physical adaptations grants, and rapid response adaptations). The White Paper outlines that a future housing strategy will consider to what extent the various mechanisms are effective in delivering housing adequacy. The proposals in the White Paper to progress towards the delivery of housing adequacy should have a positive impact on disabled people, as a housing strategy will consider accessibility across housing tenures.

The proposals in the White Paper to progress towards achieving housing adequacy in the PRS should also have a positive impact on disabled people. The proposal to introduce an Annual Property Condition Report will improve habitability in the PRS. The White Paper also aims to remove barriers from people being able to access and remain in the PRS, which could support tenants to re-locate to a property which is more suited to their accessibility needs.

It is clear there are not enough accessible houses across all tenures. Evidence from the Equality and Human Rights Commission report, *Housing and Disabled People: Wales's hidden crisis*, outlines that disabled people face a longer waiting list for social housing due to a lack of accessible social homes<sup>65</sup>. The proposal to increase the supply of affordable rental properties may have a negative impact on disabled people, as the properties made available by the proposal may not be accessible to disabled people.

#### How will you mitigate Impacts?

As outlined in the White Paper, the proposal to develop a future housing strategy will consider to what extent the existing mechanisms are effective in delivering housing adequacy. This should have a positive impact on disabled people as it will consider how housing adequacy can be improved across all housing tenures. Progressing towards achieving housing adequacy will consider accessibility and the specific housing needs of disabled people.

The proposal to improve the amount of affordable rental properties may have a negative impact on disabled people, as the properties made available may not be accessible to disabled people. The White Paper outlines that the lack of housing supply is a barrier towards progressing towards housing adequacy. If legislation is developed, it may consider how to increase the housing supply, but more specifically how to increase the supply of accessible housing for disabled people.

We will continue to consider the evidence provided by disabled representative bodies as we further develop proposals to achieve housing adequacy.

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<sup>65</sup> [housing-and-disabled-people-britains-hidden-crisis-executive-summary.pdf \(equalityhumanrights.com\)](#)



## Gender Reassignment (the act of transitioning and Transgender people)

### Reasons for your decision (including evidence)

Generally, the proposals in the White Paper are neutral on the grounds of gender reassignment. However, the framework outlined by the CESC outlines that housing must be accessible to disadvantaged groups and the White Paper proposes that a future housing strategy should consider the CESC criteria for adequate housing. Any further proposals will also consider the well-being indicators of the Well-being of Future Generations Act and the Socio-economic duty, and therefore will consider how to ensure transitioning and transgender people can access adequate housing.

There is limited data on transgender people's experiences of housing in Wales. Shelter Cymru carried out a study on 25 trans people in Wales who had experienced homelessness, and while this is a small sample size, it is believed to be one of the largest datasets of homeless transgender people in the UK<sup>66</sup>.

Transgender people are considered to be one of the most vulnerable groups in society<sup>67</sup>. Transgender people experience high levels of discrimination due to their gender identity. The evidence from Stonewall's LGBT in Britain: Trans Report outlines that one in four transgender people were discriminated against when looking for a house or flat to rent or buy.<sup>68</sup> Further evidence from this report shows that transgender people experience discrimination at work. Other research indicates that transgender people are more likely to be on lower incomes and less likely to be in stable employment.<sup>69</sup> The affordability challenges in housing are greater for transgender people.

The proposal in the White Paper to develop guidance for providing a Rent Guarantor should have a disproportionate positive impact on transgender people. There is limited research into transitioning and transgender people in the PRS, however evidence has shown one in four trans people have experienced homelessness at some point of their lives.<sup>70</sup> Evidence from Stonewall's Trans Report also found that 28% of transgender people in a relationship have experienced domestic abuse from a partner in the year they were surveyed.<sup>71</sup> Further research from Shelter Cymru outlined that relationship/family breakdown and domestic abuse were one of the factors to cause transgender people to

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<sup>66</sup> [Homelessness-among-trans-people-in-Wales.pdf \(sheltercymru.org.uk\)](#)

<sup>67</sup> [Homelessness-among-trans-people-in-Wales.pdf \(sheltercymru.org.uk\)](#)

<sup>68</sup> [lgbt\\_in\\_britain\\_-\\_trans\\_report\\_final.pdf \(stonewall.org.uk\)](#)

<sup>69</sup> [Homelessness-among-trans-people-in-Wales.pdf \(sheltercymru.org.uk\)](#)

<sup>70</sup> [lgbt\\_in\\_britain\\_-\\_trans\\_report\\_final.pdf \(stonewall.org.uk\)](#)

<sup>71</sup> [lgbt\\_in\\_britain\\_-\\_trans\\_report\\_final.pdf \(stonewall.org.uk\)](#)

become homeless<sup>72</sup>. The White Paper proposes eligibility criteria for local authorities to prioritise the use of funding to support people who need to rent a property in the PRS but are unable to secure a UK guarantor. The eligibility criteria include people who are homeless or who have experienced domestic abuse, and therefore the proposals should have a disproportionate impact on transgender people as they are more likely to be within these groups.

It is also important to consider the intersectionality between transgender people and age. As outlined in Shelter Cymru's report *Homelessness among trans people in Wales*, research on homelessness among trans people often focuses on young people as a sub-section of LGBT youth, and while it is important to improve understanding on these groups, more data is needed on transgender people in other age groups.

### How will you mitigate Impacts?

Transitioning and transgender people are more likely to experience homelessness, domestic abuse and are also likely to have unstable employment and be on lower incomes. The proposals in the White Paper should generally have a neutral impact on transgender people, but there are anticipated positive impacts for transgender people due to the intersectionality between other protected characteristics such as age, or from the increased likelihood of being on a lower income.

We will ensure any further proposals consider the impact on transitioning and transgender people. We will consider responses to the White Paper regarding the Rent Guarantor Scheme and ensure the eligibility criteria considers potential impacted groups of people.

We will continue to engage with stakeholders through the consultation period.

### **Sexual orientation (Lesbian, Gay and Bisexual)**

#### Reasons for your decision (including evidence)

Generally, the proposals in the White Paper are neutral on the grounds of sexual orientation. However, the CESC framework for adequate housing outlines that housing must be accessible for disadvantaged groups. Any further proposals will also consider the well-being indicators of the Well-being of Future Generations Act and the Socio-economic duty, and therefore will consider how to ensure lesbian, gay, and bisexual people can access adequate housing.

Evidence has shown that compared to non-lesbian, gay, bisexual and transgender (LGBT) people, LGBT people have higher rates of poverty, lower rates of homeownership, and higher rates of homelessness.<sup>73</sup> The Stonewall report LGBT in Britain- Home and

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<sup>72</sup> [Homelessness-among-trans-people-in-Wales.pdf \(sheltercymru.org.uk\)](https://sheltercymru.org.uk/Homelessness-among-trans-people-in-Wales.pdf)

<sup>73</sup> [LGBT People and Housing Affordability, Discrimination, and Homelessness - Williams Institute \(ucla.edu\)](https://williamsinstitute.ucla.edu/reports/lgbt-people-and-housing-affordability-discrimination-and-homelessness/)

Communities found a key theme among LGBT people were the persistent challenges with being open about their sexual orientation or gender identity with their family or friends.<sup>74</sup>

Research shows that LGBT people are likely to experience domestic abuse. Stonewall's report *LGBT in Britain: Homes and Communities* found that 1 in 10 LGBT people had faced domestic abuse from a partner in the last year<sup>75</sup> 18% of LGBT people have experienced homelessness in their lives<sup>76</sup>. The White Paper proposal to create national guidance for local authorities on providing a Rent Guarantor includes the proposed eligibility criteria of those who are homeless or who have experienced domestic abuse. Therefore, the proposal should have a disproportionate impact on lesbian, gay, and bisexual people. The proposal should have a significant impact, as it aims to remove a barrier from individuals being able to access the PRS.

It is also important to consider intersectionality between lesbian, gay, and bisexual people and other protected characteristics. For example, Stonewall report that nearly three in ten of LGBT disabled people have experienced homelessness in their lives, compared to nearly one in ten for non-disabled LGBT people<sup>77</sup>. It is also important to consider the impact of socio-economic disadvantage, as outlined in the section on lower incomes below.

#### How will you mitigate Impacts?

Lesbian, gay and bisexual people have higher rates of poverty and are more likely to experience domestic abuse and homelessness. The proposals in the White Paper should generally have a neutral impact on lesbian, gay, and bisexual people, but there will be anticipated positive impacts due to the intersectionality between other protected characteristics such as age, or from the increased likelihood of being on a lower income.

We will ensure any further proposals consider the impact on lesbian, gay and bisexual people. We will consider responses to the White Paper regarding the Rent Guarantor Scheme and ensure the eligibility criteria considers potential impacted groups of people.

We will continue to engage with stakeholders through the consultation period.

### **Pregnancy and maternity**

#### Reasons for your decision (including evidence)

Inadequate housing can have significant negative health impacts on pregnant women. Inhabitable housing will have a negative impact on both the mother and the unborn child.

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<sup>74</sup> [Stonewall report: LGBT in Britain - Home and Communities - Equally Ours](#)

<sup>75</sup> [lgbt\\_in\\_britain\\_home\\_and\\_communities.pdf \(stonewall.org.uk\)](#)

<sup>76</sup> Ibid

<sup>77</sup> [lgbt\\_in\\_britain\\_home\\_and\\_communities.pdf \(stonewall.org.uk\)](#)

Insecure housing can also have a negative impact on the mental wellbeing of the expectant mother, as it is likely to cause extreme stress and anxiety being pregnant while living in an insecure housing situation.

Insecure living conditions and inhabitable housing during pregnancy can cause significant health issues for both the mother and child. International research has shown that the children of expectant mothers who lived in insecure housing conditions often had a low birth weight or preterm birth, admission to neonatal intensive care units, extended hospitalisation after delivery, and other negative health impacts<sup>78</sup>. Research has also shown that pregnant women living in temporary accommodation have felt their living situation has had significant health impacts on their pregnancy and postnatal wellbeing<sup>79</sup>.

The White Paper proposes legislation for the next Senedd term which would place a duty on Welsh Ministers to publish a housing strategy, which could set out the criteria outlined by the CESCR for adequate housing. The CESCR criteria defines security of tenure as:

*Legal security of tenure:* housing is not adequate if its occupants do not have a degree of tenure security which guarantees legal protection against forced evictions, harassment, and other threats.<sup>80</sup>

Security of tenure is essential during pregnancy as expectant mothers need to access maternity care, such as health visits from midwives. Research has shown that expectant mothers in temporary accommodation are often forced to move with short notice and are unable to arrange routine midwife care, scans and other important screening tests<sup>81</sup>.

The White Paper outlines that a key consideration in developing a housing strategy would be assessing the extent to which existing mechanisms (such as the extended no fault eviction notice periods to 6 months under The Renting Homes (Wales) Act 2016) are effective in driving progress towards housing adequacy.

The White Paper also proposes to improve habitability of the PRS by ensuring landlords/licensees complete an Annual Property Condition Record, which will include activities landlords/licenses are already legally required to abide by. This will have a positive impact on pregnant women in the PRS because it will improve the habitability of the PRS and mitigate some of the negative health consequences of inhabitable housing.

The White Paper proposal to develop national guidance for a Rent Guarantor Scheme will have a disproportionate positive impact on pregnant women. The proposed eligibility criteria places priority onto homeless people and people who have experienced domestic violence. Pregnant women are given priority need for homelessness assistance<sup>82</sup>. As

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<sup>78</sup> [Severe Housing Insecurity during Pregnancy: Association with Adverse Birth and Infant Outcomes - PMC \(nih.gov\)](#)

<sup>79</sup> [Improving maternity care for pregnant women experiencing homelessness - Wellbeing of Women](#)

<sup>80</sup> [General comment No. 4: The right to adequate housing \(art. 11 \(1\) of the Covenant\).](#)

<sup>81</sup> Ibid

<sup>82</sup> [Priority need - Shelter Cymru](#)

outlined by research by Women's Aid, pregnant women are likely to experience high levels of domestic abuse during pregnancy.<sup>83</sup> Therefore, this proposal is likely to have a disproportionate impact on pregnant women, as they are more likely to be included in the eligibility criteria, and the proposal should have a significant positive impact as it aims to remove a barrier from individual's being able to access the PRS.

### How will you mitigate Impacts?

The consequences of inadequate housing for pregnant women include negative health impacts for both the mother and unborn child. The data shows that secure housing is essential for the health and wellbeing of both the mother and unborn child. The CESC criteria includes 'security of tenure', 'habitability', and 'availability of services'. Further proposals will assess how to achieve adequate housing for pregnant women, such as ensuring pregnant women have a secure home so they can access health-services and live in a habitable home so ensure the health of the mother and child.

We will engage with stakeholders throughout the consultation period and consider the impact of the proposals on pregnancy and maternity.

### **Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)**

#### Reasons for your decision (including evidence)

The White Paper is considered to have a neutral impact in respect of race. However, our proposals on how to achieve housing adequacy propose develop legislation in the next Senedd term to drive forward progress towards housing adequacy. Any future housing strategy will consider to what extent existing mechanisms and/or legislation is effective towards promoting equality to people with protected characteristics. In regards to race, this will include considering progress towards the well-being indicators of the Well-Being of Future Generations Act, the Socio-economic duty, and how to ensure housing policy is developed in an anti-racist way (as outlined in the Anti-Racist Wales Action Plan)<sup>84</sup>.

- Black, Asian and Minority Ethnic People

The proposals on measures to improve housing adequacy in the PRS may have a disproportionate impact on those from a Black or Black Minority Ethnic background, as there is a higher proportion of Black or Black Minority Ethnic people in the PRS than in other tenures<sup>85</sup>. The proposed reforms for the PRS should have a significant positive impact on those from a Black, Asian or Black Minority Ethnic background, as the proposals

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<sup>83</sup> [Supporting-women-and-babies-after-domestic-abuse.pdf \(womensaid.org.uk\)](#)

<sup>84</sup> [An introduction to an Anti-racist Wales \(gov.wales\)](#)

<sup>85</sup> [Ethnic group differences in health, housing, education and economic status in Wales \(Census 2021\) \[HTML\] | GOV.WALES](#)

aim to improve the affordability and habitability of the PRS, as well as removing barriers from being able to access the PRS.

Data from the most recent census<sup>86</sup> outlines that people in the ‘Black, Black Welsh, Black British, Caribbean or African’ high-level ethnic group were the least likely to own their own home.<sup>87</sup> Renting in the PRS was the most common form of housing tenure for people in this high-level ethnic group.<sup>88</sup> People from this high-level ethnic group were also the most likely to live in social rented housing. However, people from the ‘Asian, Asian Welsh or Asian British’ group were the most likely to own a home with a mortgage, and the least likely to live in social housing.<sup>89</sup>

According to census data, individuals in the ethnic group ‘Mixed or Multiple ethnic groups: White and Black Caribbean’ were the second highest ethnic group to identify as disabled<sup>90</sup>. Therefore, measures to improve the accessibility of housing for disabled people may have a disproportionate impact on people in this ethnic group, as there is a high proportion of people in this ethnic group who identify as disabled.

Affordability is part of the CESC criteria for adequate housing, as outlined in the White Paper. Evidence shows high rates of poverty for Black, Asian and Minority Ethnic people. For example, research has shown that out of the proportion of people living in poverty in 2022/2023, the poverty rate for people of black ethnicity is 40%. For people of Indian ethnicity, the poverty rate was 24%, and the poverty rate for people of Pakistani and Bangladeshi ethnicity is more than twice as high than for people of white ethnicity (as 48% and 56% respectively)<sup>91</sup>. Therefore, the impact of the proposals on people on lower incomes may have a disproportionate impact on people from Black, Asian, and Minority Ethnic backgrounds. As outlined in the Anti-Racist Wales Action Plan, one of the areas for inclusion in the PRS Action Plan is to strengthen the support to those on lower incomes to access affordable tenancies<sup>92</sup>.

- Gypsies and Travellers

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<sup>86</sup> In June 2022 the Welsh Government published its [Anti-Racist Wales Action Plan](#) which includes guidance on Anti-Racist language. This bulletin uses the ethnic group categories collected as part of the census. These categories do not necessarily align with this guidance.

<sup>87</sup> [Ethnic group differences in health, housing, education and economic status in Wales \(Census 2021\) \[HTML\] | GOV.WALES](#)

<sup>88</sup> Ibid

<sup>89</sup> Ibid.

<sup>90</sup> [Protected characteristics by disability status, England and Wales: Census 2021 - Office for National Statistics \(ons.gov.uk\)](#)

<sup>91</sup> [Inequalities in poverty - The Health Foundation](#)

<sup>92</sup> [Anti-Racist Wales Action Plan \(gov.wales\)](#)



The proposals in the White Paper to develop legislation in the next Senedd term on housing adequacy should have a positive impact on Gypsies and Travellers. As outlined in the White Paper, many Welsh Government housing related activities already support the delivery of housing adequacy. The White Paper outlines that one of the key issues in developing a housing strategy will be to assess the extent to which various mechanisms are effective. The Housing (Wales) Act places a duty on local authorities to assess the accommodation needs of Gypsies and Travellers.<sup>93</sup> Evidence from the Senedd report on Provision of sites for Gypsy, Roma and Travellers outlines several issues regarding the availability of local authority and private traveller sites, and issues such as local authority sites being situated in inappropriate areas and away from services.<sup>94</sup> Housing adequacy within the CESCR criteria would consider this housing to be inadequate.

Additionally, the CESCR criteria for housing adequacy outlines cultural adequacy as one of the criteria for housing adequacy.<sup>95</sup> The criteria outline that housing which is constructed must be done so in a way which ensures that the cultural dimensions of housing are not sacrificed. In respect of Gypsies and Travellers, future proposals may consider how local authorities are assessing the accommodation needs of Gypsies and Travellers.

According to Census 2021 data, people who identified as Gypsy and Traveller were four times less likely to own their accommodation with a mortgage, loan or shared ownership, and are twice as likely to live in social rented accommodation.<sup>96</sup> Therefore, future measures to improve housing adequacy in the social housing and PRS will have a disproportionate impact on Gypsies and Travellers.

As outlined in the section on disability, according to census data, individuals in the ethnic group 'White: Gypsy or Irish Traveller' are the most likely to report being disabled. The impact of potential future measures to improve the accessibility of homes for disabled people will therefore have a disproportionately high impact on Gypsies and Travellers. Additionally, those identifying as 'White: Gypsy or Irish Traveller' were more likely to say they were in poor health. Health is often related to age, with older people being more likely to say they are in poorer health, according to census data. However, the age average for this ethnic group is 28, and therefore the poor health in this ethnic group is not explained by age<sup>97</sup>.

- Asylum Seekers and Refugees

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<sup>93</sup> [Housing \(Wales\) Act 2014 - Explanatory Notes \(legislation.gov.uk\)](#)

<sup>94</sup> [Provision of sites for Gypsy, Roma and Travellers \(senedd.wales\)](#)

<sup>95</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

<sup>96</sup> [Gypsy or Irish Traveller populations, England and Wales - Office for National Statistics](#)

<sup>97</sup> [Ethnic group differences in health, employment, education and housing shown in England and Wales' Census 2021 - Office for National Statistics \(ons.gov.uk\)](#)

Immigration is reserved to the UK Government. However, we are aware of the disadvantage faced by people with 'no resource to public funds' (NRPF). People with NRPF include refugees, asylum seekers, and migrants who come to the UK and have restrictions placed on their ability to access public funds.

The Nation of Sanctuary Refugee and Asylum Seeker Plan outlines that people with NRPF can be made vulnerable to insecure housing conditions due to their inability to access public funds.<sup>98</sup>

Our proposal to develop national guidance on providing a Rent Guarantor may include refugees in the eligibility criteria. This will have a significant positive impact on refugees as it will remove a barrier from being able to access the PRS.

#### How will you mitigate Impacts?

We will continue to engage with our stakeholders throughout the consultation period and consider the impact of the proposals on race. We will ensure that further proposals contribute towards the delivery of the Anti-Racist Wales Action Plan.

#### **Religion, belief and non-belief**

References in the Equality Act 2010 to 'religion' and 'belief' include 'a lack of religion' and 'lack of belief'.

#### Reasons for your decision (including evidence)

There is limited data on the impact of religion, belief and non-belief on the ability access adequate housing. However, CESC criteria for housing adequacy, which the White Paper suggests should be considered in measuring progress towards housing adequacy, includes location and cultural adequacy in the criteria.<sup>99</sup> These criteria may have a positive impact on the ability to practice a religion, belief, or to have the choice to not follow a religion or belief.

The criteria outline that adequate housing must be in a location which allows access to social facilities. This will include the ability to access places of worship, faith-based community groups or other social facilities where people can participate in religious or cultural practices or participate in non-faith based community based groups. The criteria regarding location also considers that people will want to live in an accessible area which has close proximity to social or support networks from within their religious or faith communities. The criteria regarding cultural adequacy will consider that housing is constructed in a way that appropriately enables the expression of cultural identity and diversity of housing.

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<sup>98</sup> [Nation of Sanctuary Refugee and Asylum Seeker Plan \(gov.wales\)](#)

<sup>99</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)



The most recent census data outlines 46.5% of residents in Wales reported they had 'no religion' and 43.6% of residents described their religion as 'Christian', although the proportion of the population identifying as Christian has decreased in all Welsh local authorities between 2011 and 2021.<sup>100</sup> The next largest religious affiliation in Wales was 'Muslim', 2.2% of the population<sup>101</sup>.

74.10% of private landlords in Wales identified as having no religion. 22.35% identified as Christian.<sup>102</sup>

The local authorities with the highest levels of religious diversity were urban areas, with Cardiff having the highest concentration of religious groups other than Christian.<sup>103</sup> Therefore, as outlined above, considering location as part of housing adequacy will have a positive impact on religious groups, as further proposals will consider how the location of housing can impact on religion, belief or non-belief.

Regarding intersectionality between religion and age, census data shows that those who identified as 'Christian' across England and Wales had the oldest average age, at 51, compared to the overall population of England and Wales<sup>104</sup>. In comparison, those who described themselves as 'Muslim' had the youngest average age at 27 years<sup>105</sup>. Therefore, impact of the proposals on older people may disproportionately impact on individuals who identify as Christian. Similarly, the impact of proposals on younger people may disproportionately impact on individuals who identify as Muslim.

#### How will you mitigate Impacts?

Further progress on the delivery of housing adequacy will consider the location and cultural adequacy of housing. Further consideration will be given on how progressing towards housing adequacy will consider the impact of religion, belief and non-belief. This will include further consideration of the intersectionality between religion and other protected characteristics.

We will engage with our stakeholders throughout the consultation period and consider the impact of the proposals on religion, belief and non-belief. We will also consider the impact

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<sup>100</sup> [Ethnic group, national identity, language and religion in Wales \(Census 2021\) \[HTML\] | GOV.WALES](#)

<sup>101</sup> Ibid

<sup>102</sup> Rent Smart Wales landlord demographic data

<sup>103</sup> Ibid

<sup>104</sup> [Religion by age and sex, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>105</sup> Ibid

of intersectionality of protected characteristics, such as the impact of both religion, race, and gender.

## **Sex**

### Reasons for your decision (including evidence)

Generally, the proposals in the White Paper are neutral on the grounds of sex. However, aspects of the proposals will have a differential impact based on sex, as outlined below.

- Women

The gender pay gap, based on a median hourly basis, was 11.8% in Wales<sup>106</sup>. Therefore, there is likely a gendered difference between housing affordability for men and women. According to the Bevan Foundation, 86% of single parents are mothers<sup>107</sup>. The affordability challenges of housing may be particularly acute for single mothers, as evidence has shown that 46% of single-parent households in Wales were in poverty between 2017-2020<sup>108</sup>. Further evidence outlines that even in two-parent households, nearly two thirds of mothers are mainly responsible for childcare, which can leave them often in part time, lower paid employment<sup>109</sup>. Therefore, women with children are more likely to be on lower incomes and struggle with affordability challenges in housing.

The proposed eligibility criteria for support in providing a Rent Guarantor includes those who have experienced domestic abuse. Statistically, women are more likely to experience domestic abuse than men.<sup>110</sup> Additionally, as outlined in the section on pregnancy and maternity, women are more likely to experience high levels of domestic abuse during pregnancy. Therefore, the proposal for guidance for providing a Rent Guarantor should have a disproportionate impact on women. The proposal aims to remove a barrier from being able to access the PRS, and therefore should have a significant positive impact.

Welsh Women's Aid responded to the Green Paper consultation on Securing a path towards Adequate Housing, including Fair Rents and Affordability. They outlined that while women face the same barriers to accessing suitable and affordable housing, these are further exacerbated by those escaping domestic abuse.

- Men

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<sup>106</sup> [Annual survey of hours and earnings: 2023 | GOV.WALES](#)

<sup>107</sup> [The link between childcare and poverty - Bevan Foundation](#)

<sup>108</sup> Ibid

<sup>109</sup> Ibid

<sup>110</sup> [Domestic abuse victim characteristics, England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

According to ONS data, most homeless applicants in Wales are men.<sup>111</sup> The proposed eligibility criteria for support in providing a Rent Guarantor includes homelessness, and therefore the proposal should have a disproportionate impact on men. The proposal aims to remove a barrier from being able to access the PRS, and therefore should have a significant positive impact.

It is important to consider the intersectionality between sex and age. ONS data shows that over half of people who identified as homeless were between 15 and 35 years of age<sup>112</sup>. It is therefore important to consider the impact on individuals aged under 35 and those on lower incomes.

The proposal to improve the supply of affordable rental properties may have a negative impact on single men. Waiting lists for affordable properties are based on priority need which includes living with children or being pregnant, and therefore single men will be deprioritised over higher priority groups. However, some men may also be included in priority need, such as men who are homeless, so more research may be needed to assess the impact.

#### How will you mitigate Impacts?

Further research will be needed to assess the impact of proposals on men and women. As outlined, potential impacts have been identified for men and women and it is also important to consider the intersectionality between sex and other protected characteristics, such as age. We will continue to consider the impact of the proposals based on sex and gender and engage with stakeholders through the consultation period.

### **Marriage and civil partnership**

#### Reasons for your decision (including evidence)

This protected characteristic is focused on provision relating specifically to employment. The assessment of impact on marriage and civil partnership has not been considered in relation to the proposals in the White Paper as they are not related to employment. Therefore, no specific positive or negative impacts have been identified.

#### The Socio-economic Duty

The socio-economic Duty requires relevant public bodies, including Welsh Ministers when taking strategic decisions, to have due regard to the need to reduce inequality of outcome that results from socio-economic disadvantage.<sup>113</sup>

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<sup>111</sup> [UK homelessness - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

<sup>112</sup> [People experiencing homelessness, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

<sup>113</sup> [WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](https://gov.wales)

The impact of the proposals on lower-income households is outlined below.

## **Lower-income households**

### Reasons for your decision (including evidence)

The affordability of housing is one of the key aspects of the White Paper and the proposed reforms should have a positive impact on individuals on lower incomes.

The White Paper proposes to develop legislation in the next Senedd term to drive forward housing adequacy, which may consider the CESC criteria on housing adequacy. One of the key criteria of the CESC is affordability. The CESC defines housing as inadequate if its costs threatens or compromises the occupants' enjoyment of other human rights.

The proposal in the White Paper to require landlords and/or licensed agents to provide rent information should have a positive impact on lower-income households. There is a lack of data of the cost of rents in the PRS, or the true 'market rent'. Improving rent data will benefit people on lower incomes in the PRS as it will provide more data to understand the impact of the cost of rent and support any future policy interventions regarding affordability in the PRS.

Although the intention of the proposal to improve data on market rents is to have a positive impact on lower-income households, there is a potential negative impact of the proposal. There is potential that requiring landlords and/or licensed agents to provide rent information could lead to the amount of Local Housing Allowance (LHA) to go down per Broad Rental Market Area (BRMA). The White Paper proposes to share rent information with Rent Officers. Rent Officers collect data on market rents to inform the calculation of LHA (otherwise known as housing benefit) per each BRMA<sup>114</sup>. Eligibility for people to receive LHA, or housing benefit, depends on their household income (and other circumstances, such as age or disability). Rent Officers have a statutory role to collect rent data to inform the calculation of LHA, and currently aim to collect data on 15% to 20% of tenancies in Wales. If landlords are required to provide rent information, a data sharing agreement is reached so that this information is shared with Rent Officers, it is possible the amount of housing benefit entitlement could decrease. For example, if a landlord has charged substantially below the average market rent for many years, and this data is now collected, it could bring down the average market rent for the area and bring down the amount of housing benefit entitlement. This would be a negative impact on lower-income households, who may be more likely to be in receipt of housing benefit.

However, it is important to emphasise that it is also possible that many landlords are charging significantly above the market rent, and therefore the amount of housing benefit entitlement would go up. In this instance, the proposal would have a positive impact on lower-income households. Currently, there is not enough evidence to identify if this proposal would have a negative impact on lower-income households, and further consideration will be needed to assess the risk of this proposal.

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<sup>114</sup> [Local Housing Allowance | GOV.WALES](#)

The proposal for the development of a Rent Guarantor Policy will have a positive impact on lower-income households. The proposal will support people from lower-income households as it will remove a barrier from them being able to access the PRS.

The proposal in the White Paper on renting with pets should have a positive impact on lower-income households who own a pet, as it will remove a barrier from being able to access the PRS. However, it is possible the proposal could have a negative impact on lower-income households. It is possible there are currently renters from lower-income households who already have a pet, because their landlord allows pets in their property. If this proposal was introduced, it is possible that tenants who already have pets may be asked by landlords to pay an additional payment to cover the cost of an additional premium on a landlords insurance policy (or to take out a new policy) when an occupation contract is renewed. Therefore, a consequence of this proposal could be that tenants are charged an additional payment that they wouldn't have been charged before, which they may be unable to afford.

The White Paper also proposes to provide tax relief to those who purchase a property for the purpose of using the property as an affordable rental property under the control of the local authority (for example, Leasing Scheme Wales). This proposal has been assessed to have a positive impact on lower-income households. The proposal will increase the supply of properties for people on lower incomes, as Leasing Scheme Wales provides affordable rental properties at the LHA rate.

## **Human Rights and UN Conventions**

Do you think that this policy will have a positive or negative impact on people's human rights?

The main source of human rights law in the UK is the Human Rights Act 1998 (HRA) which incorporated into UK law most of the rights that are contained in the European Convention on Human Rights (ECHR). We have considered whether and how the proposals set out in the White Paper will have a positive or negative impact on people's human rights and have set out below the anticipated impacts in relation to relevant Articles of the HRA/ECHR.

### **HRA Article 2 - The right to life**

What are the positive or negative impacts of the proposal? What are the reasons for your decision (including evidence)?

The proposals set out in the White Paper are expected to have a positive impact on people's ability to exercise their right to life (Article 2).

The White Paper proposes to develop legislation requiring Welsh Ministers to take actions that could support delivery of adequate housing to people in Wales. Delivering adequate housing could have a positive impact on the ability of people to exercise their right to life.

This is especially the case for people who are experiencing homelessness or live in inadequate housing.

Evidence suggests people who can access adequate housing live longer and enjoy better health. The US-based non-profit organisation Community Solutions<sup>115</sup> summarises the academic literature on homelessness and health as follows:

- “People experiencing homelessness have significantly higher rates of mortality and reduced life expectancies.
- The rates of several chronic conditions are significantly higher among people with a history of homelessness.
- Homelessness places individuals at significantly greater risk of infectious disease.
- Individuals experiencing homelessness are disproportionately likely to experience a traumatic brain injury in their lifetime.”

These findings are reinforced by studies relating to the Welsh and UK context. For example, Public Health Wales reports:

“Experiencing homelessness can have a significant impact on health, with individuals often suffering poor mental health, physical illness, substance dependencies, reduced life expectancy, and excess preventable morbidities... Individuals with lived experience of homelessness are also more likely to be managing multiple long-term health conditions.”<sup>116</sup>

Statistics for Wales and England show:

Among homeless people, the mean age at death was 45.9 years for males and 43.4 years for females in 2019; in the general population of England and Wales, the mean age at death was 76.1 years for men and 80.9 years for women.<sup>117</sup>

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<sup>115</sup> Chimowitz, H. and Ruege, A. (2023) *The Costs and Harms of Homelessness: A Learning Brief Examining the Costs Borne by Individuals, Communities, Systems, and Society*, Community Solutions, published 25 September 2023.

<sup>116</sup> Song, J., Moreno-Stakoe, C., Grey, C.N.B., Davies, A.R. (2021), *Health of individuals with lived experience of homelessness in Wales, during the COVID-19 pandemic*, Public Health Wales NHS Trust, p. 2–3.

<sup>117</sup> Office for National Statistics (ONS) (2020), *Deaths of homeless people in England and Wales: 2019 registrations*.

Further, an influential study<sup>118</sup> on the causes of deaths among homeless people in England that found ‘at least one a third of homeless people die from readily treatable conditions’.<sup>119</sup>

Delivering adequate housing is also anticipated to benefit people who live in inadequate housing. The proposals are anticipated to result in homes being safer. One of the factors that is part of the proposed new framework is ‘habitability’, with housing understood to be inadequate ‘if it does not guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards’. Ensuring homes are safe would have the result of limiting risks to human life.

Eradicating inadequate housing could also have positive impacts on users of the NHS in Wales, regardless of their housing status. The evidence shows poor quality housing costs the Welsh NHS more than £95m per year, due to the need to provide treatment for ailments arising due to the effects of inadequate housing.<sup>120</sup> Addressing inadequate housing could lead to improvements in the services provided to all users of the NHS, thereby supporting more people to exercise their right to life.

Further, the White Paper proposes introducing a requirement on landlords and agents in the PRS to complete an Annual Property Condition Record (APCR). Existing legislation requires landlords and agents to undertake a range of actions to ensure a property is habitable, although evidence indicates not all landlords meet these requirements. Introducing a requirement for landlords and agents to complete an APCR confirming a property is safe is anticipated to drive up standards in the sector with the result that more PRS properties are safe. This would have a positive impact on the ability of PRS tenants to exercise their right to life.

#### How will you mitigate negative impacts?

No negative impacts have been identified and therefore it is not necessary to develop a mitigation strategy.

### **Article 8 – Respect for private and family life, home and correspondence**

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<sup>118</sup> Aldridge, R.W., Menezes, D., Lewer, D., Cornes M., Evans, H., Blackburn, R.M., Byng, R., Clark, M., Denaxas, S., Fuller, J., Hewett, N., Kilmister, A., Luchenski, S., Manthorpe, J., McKee, M., Neale, J., Story, A., Tinelli, M., Whiteford, M., Wurie, F., Hayward, A.C. (2019), ‘[Causes of death among homeless people: a population-based cross-sectional study of linked hospitalisation and mortality data in England](#)’, Wellcome Open Research.

<sup>119</sup> UCL Population Health Sciences (2020), ‘[Improving life expectancy for people experiencing homelessness](#)’.

<sup>120</sup> Watson, I., MacKenzie, F., Woodfine, L., Azam, S. (2019), ‘[Making a Difference - Housing and Health: A Case for Investment](#)’, Public Health Wales.

What are the positive or negative impacts of the proposal? What are the reasons for your decision (including evidence)?

We have considered whether the proposals set out in the White Paper are likely to have an impact on people's ability to exercise their rights under Article 8. While Article 8 provides people with the right to 'respect for... [their] home', the Equality and Human Rights Commission's guidance makes clear this:

"does not give you a right to housing. It is a right to enjoy your existing home peacefully. This means that public authorities should not stop you entering or living in your home without very good reason, and they should not enter without your permission. This applies whether or not you own your home."

Therefore, while the White Paper proposes to develop legislation in relation to housing, we do not expect the proposals would have a positive or a negative impact on people's ability to exercise their right under Article 8.

How will you mitigate negative impacts?

No negative impacts have been identified and therefore it is not necessary to develop a mitigation strategy.

**Article 14 – Prohibition of discrimination**

What are the positive or negative impacts of the proposal? What are the reasons for your decision (including evidence)?

Article 14 outlines that individuals can expect to exercise the rights and freedoms set out in the convention without facing discrimination. The Equality and Human Rights Commission states that discrimination occurs when a person is 'treated less favourably than another person in a similar situation and this treatment cannot be objectively and reasonably justified'.<sup>121</sup> The proposals set out in the White Paper are expected to have a positive impact on people's ability to exercise their right not to be subject to discrimination.

The proposal to bring forward legislation making provision that would support delivery of housing adequacy for all is likely to have a positive impact on people with protected characteristics who may face discrimination in the context of accessing housing. The legislation would place a requirement on Welsh Ministers to publish a housing strategy, and it is envisaged the strategy will focus on delivering housing adequacy as defined by the UN's seven factors of housing adequacy. One of these factors is 'Accessibility: housing is not adequate if the specific needs of disadvantaged and marginalised groups are not taken into account'. While it would be for Welsh Ministers to determine the contents of any

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<sup>121</sup> The Equality and Human Rights Commission (2024), '[Article 14: Protection from discrimination](#)'.



such strategy, it is reasonable to expect they will include in any such strategy measures to support people with protected characteristics to access adequate housing. This is anticipated to have a positive impact on people's ability to exercise their rights under Article 14.

In this context, it is worth noting that in developing this White Paper consideration has been given to the socio-economic duty<sup>122</sup> and the equality duty.<sup>123</sup>

#### How will you mitigate negative Impacts?

No negative impacts have been identified and therefore it is not necessary to develop a mitigation strategy.

#### **Article 1 of Protocol 1: Protection of property**

##### What are the positive or negative impacts of the proposal? What are the reasons for your decision (including evidence)?

We have considered whether the proposals set out in the White Paper are likely to have an impact on people's ability to exercise their rights under Article 1 of Protocol 1 (A1P1). A1P1 protects people's right to enjoy their property peacefully. This includes people's homes and other buildings people may own that are used as dwellings or could be used as dwellings. The Equality and Human Rights Commission's guidance states that '[a] public authority cannot take away your property, or place restrictions on its use, without very good reason'.<sup>124</sup>

The White Paper's proposal to develop legislation to (among other measures) place duties on Welsh Ministers in relation to the publishing of a housing strategy is not expected to have an impact on people's ability to exercise their rights under A1P1. The obligations placed by the proposed legislation would fall on Welsh Ministers rather than on members of the public, and it is not anticipated that the actions taken by Welsh Ministers in exercising these duties would impact on people's A1P1 rights.

Consideration has been given to whether the proposals set out in the White Paper's chapter on 'Fair Rents and Affordability in the Private Rented Sector' have an impact on people's ability to exercise their A1P1 rights. It is not anticipated these proposals will have an impact.

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<sup>122</sup> [A More Equal Wales: The Socio-economic Duty | GOV.WALES](#)

<sup>123</sup> [Equality Act 2010 \(legislation.gov.uk\)](#)

<sup>124</sup> The Equality and Human Rights Commission (2024), [Article 1 of the First Protocol: Protection of property](#).

## How will you mitigate negative impacts?

No negative impacts have been identified and therefore it is not necessary to develop a mitigation strategy.

### **EU/EEA and Swiss Citizens' Rights**

Part 2 of the EU-UK Withdrawal Agreement, along with the EEA EFTA Separation Agreement and Swiss Citizens Rights Agreement (“Citizens Rights Agreements”) give EU, EEA<sup>125</sup> and Swiss citizens who were lawfully resident in the UK by 31 December 2020 certainty that their citizens’ rights will be protected.

The Citizens Rights Agreements are implemented in domestic law by the European Union (Withdrawal Agreement) Act 2020 (EUWAA)<sup>126</sup>

Eligible individuals falling within scope of the Citizens Rights Agreements will have broadly the same continued entitlements to work, study and access public services and benefits, in as far as these entitlements have derived from UK membership of the EU as well as its participation in the EEA Agreement and the EU-Swiss Free Movement of Persons Agreement.

Subject to certain limited exceptions<sup>127</sup>, individuals will need to have applied for a new residence status (either pre-settled or settled status) through the EU Settlement Scheme. The deadline for making such an application expired on 30 June 2021.

- Have you considered if your policy proposal will impact EU, EEA or Swiss citizens whose rights are protected by the Citizens Rights Agreements?

At this stage of policy development, it is not anticipated that the policy proposals in the White Paper will impact on EU, EEA or Swiss citizens who are rights are protected by the Citizens Rights Agreements.

- If there is the potential for any negative impact on such EU EEA or Swiss citizens, how will any such impacts be eliminated or managed if management is deemed appropriate?

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<sup>125</sup> The EEA includes the EU countries as well as Iceland, Liechtenstein and Norway.

<sup>126</sup> Sections 5 and 6 of EUWAA.

<sup>127</sup> E.g. where an individual has Irish citizenship (including dual British and Irish citizenship) or where they had indefinite leave to enter or remain in the UK)

At this stage of development, no negative impacts have been identified but as policy development continues throughout and post the consultation period, we will continue to assess potential impacts.

- Is legal advice required?

Legal advice is not required at this time. Presently, there are no proposals for legislation within this Senedd term.

**Residency – the right to reside and other rights related to residence: rights of exit and entry, applications for residency, restrictions of rights of entry and residence;**

No impacts identified.

**Mutual recognition of professional qualifications –the continued recognition of professional qualifications obtained by EU/EEA/Swiss citizens in their countries (and already recognised in the UK);**

No impacts identified.

**Access to social security systems – these include benefits, access to education, housing and access to healthcare**

No impacts identified.

**Equal treatment – this covers non-discrimination, equal treatment and rights of workers**

No impacts identified.

**Workers rights - Workers and self-employed persons who are covered under the Citizens Rights Agreements are guaranteed broadly the same rights as they enjoyed when the UK was a Member State. They have a right to not be discriminated against due to nationality, and the right to equal treatment with UK nationals.**

No impacts identified.

## C. RURAL PROOFING IMPACT ASSESSMENT

### 1. Describe and explain the impact of the proposal on rural people, businesses and communities.

It can be more challenging for individuals to access adequate housing in rural areas. The lack of housing supply is an issue throughout Wales but can be more acute in rural areas. The White Paper acknowledges that the lack of housing supply is one of the barriers to achieving housing adequacy. Research from the Joseph Rowntree Foundation shows that housing issues in Wales are exacerbated in rural areas, such as increased levels of homelessness, affordability issues, and limited social housing supply<sup>128</sup>. Research from *Generating Growth in the Rural Economy: an inquiry into rural productivity in Wales 2024* by The Rural Growth Cross-Party Group also outlines the need for more rural housing<sup>129</sup>. The issues regarding housing adequacy in rural areas is often relevant to Welsh-speaking communities, as many of these communities are located in rural areas of north and west Wales.

The White Paper proposes to develop legislation in the next Senedd term to establish a framework which will drive forward action for delivering adequate housing. It is proposed the legislation would place a duty on Welsh Ministers to publish a housing strategy. The housing strategy would consider how to achieve and measure housing adequacy against the United Nations' Committee on Economic, Social, and Cultural Rights (CESCR) framework. A key aspect of housing adequacy under the CESCR framework is location, which outlines that housing must be in a location which allows access to employment options, health-care services, schools and other essential services<sup>130</sup>.

The ability to measure the impact of the proposals on rural areas is limited at this stage of policy development. However, using the CESCR framework to measure housing adequacy should have a positive impact on rural areas as the criteria in regard to location should focus on the main challenges to achieving housing adequacy in rural areas.

The White Paper also outlines that a key issue to consider in the context of developing a housing strategy will be to assess the extent to which existing mechanisms are effective in driving forward progress towards achieving housing adequacy. This should have a positive

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<sup>128</sup> [Rural housing in Wales | Joseph Rowntree Foundation \(jrf.org.uk\)](https://www.jrf.org.uk/our-work/our-reports/rural-housing-in-wales)

<sup>129</sup> [Generating Growth – CPG report English ONLINE – 050324 \(cla.org.uk\)](https://www.cla.org.uk/generating-growth)

<sup>130</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](https://www.refworld.org/docid/4d9d9d9d.html)

impact because it will provide a strategic approach to assessing how to achieve housing adequacy in rural areas.

The White Paper outlines a 'minimum core' for using the CDESCR framework in achieving housing adequacy. The paper outlines that the local context may need to be considered in achieving housing adequacy as there will be different challenges in meeting the requirements of the CDESCR criteria (such as existing housing stock and the availability of essential services).

'Affordability' is also one of the CDESCR criteria<sup>131</sup>. Evidence shows that housing costs can be particularly high in some rural areas. As outlined in the Welsh Language Impact Assessment, affordability challenges are often in areas with a large amount of tourism and second homes. The ongoing Second Homes and Affordability pilot in Dwyfor, Gwynedd, is based in a rural, Welsh-speaking communities. Dwyfor was chosen due to the high density of second homes and short-term lets and the potential impact this is having on the rural community of Dwyfor. The pilot is creating greater evidence to support future policy interventions and in rural Wales. This White Paper should have a positive impact on rural areas because a future housing strategy will assess the effectiveness of existing mechanisms, such as the Dwyfor pilot. The White Paper also outlines proposals for short to medium term interventions to progress towards housing adequacy in the PRS. At this stage of policy development, it has been assessed that these proposals will have a neutral impact on rural areas. However, the proposal to create spatial mapping of market rents could identify pockets of relative unaffordability in the PRS in certain areas of Wales. This may have a positive impact on rural areas, as it will provide further data on affordability challenges and support any future potential policy interventions.

There is limited evidence at this stage of policy development to identify the impact on rural areas. Further engagement work will be needed during and after the consultation period to develop policy proposals further.

#### Evidence used to inform the assessment

In June 2023, we published a Green Paper consultation on securing a path towards adequate housing, including fair rents and affordability, to support the development of the White Paper. We received multiple responses to the Green Paper from stakeholders who provided evidence regarding rural areas.

The White Paper outlined that the local context may need to be considered in developing a 'minimum core' towards achieving the factors of housing adequacy outlined by the CDESCR framework. The Central Association of Agricultural Valuers (CAAV) outlines that some

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<sup>131</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

people may choose to live rurally and not be near public services and that the framework may need to take into account geographical differences. The Country Land and Business Association (CLA), a membership organisation for owners of land, property, and businesses in rural England and Wales, also responded to the Green Paper. The CLA outlined that the lack of housing supply is particularly acute in rural areas. They also outlined that any mechanisms introduced to progress towards adequate housing would need to consider the impact on rural areas too as ‘too often rural areas are left behind’<sup>132</sup>.

We will continue to assess the impact of the proposals on rural areas and consider how to engage further with stakeholders with knowledge of challenges of securing adequate housing in rural areas.

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<sup>132</sup> [Securing a path towards adequate housing including fair rents and affordability | GOV.WALES](#)

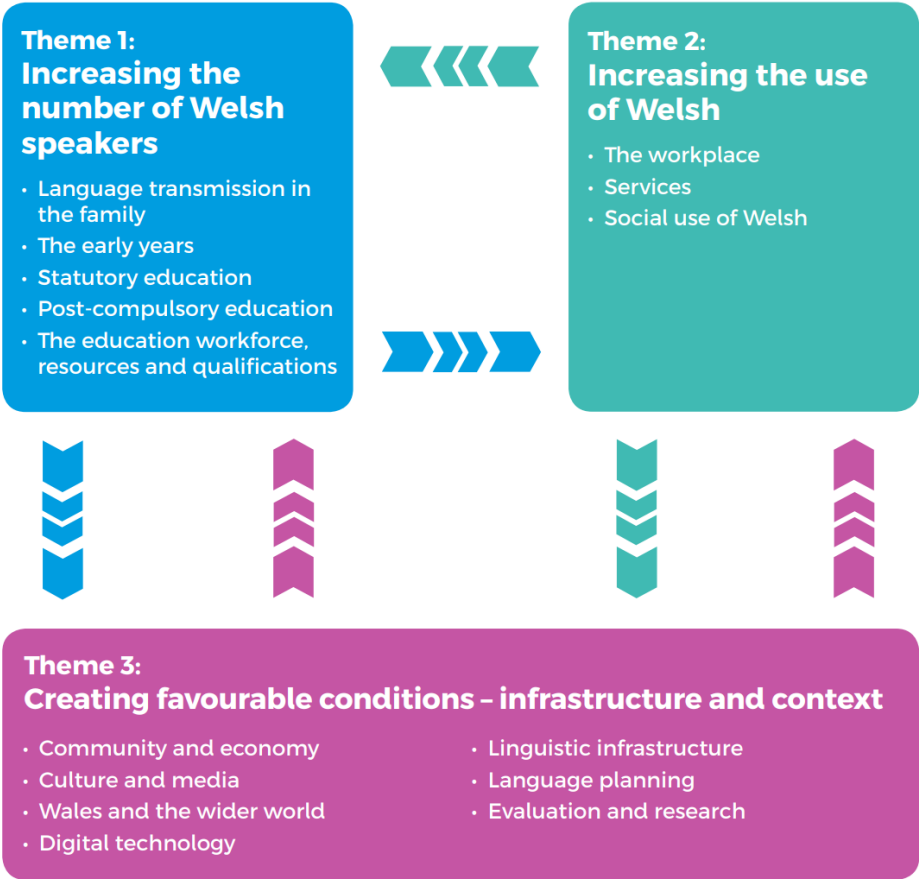
## E. WELSH LANGUAGE IMPACT ASSESSMENT

*Cymraeg 2050* is our national strategy for increasing the number of Welsh speakers to a million by 2050.

The Welsh Government is fully committed to the new strategy, with the target of a million speakers included in its Programme for Government. A thriving Welsh language is also included in one of the 7 well-being goals in the Well-being of Future Generations (Wales) Act 2015.

We also have a statutory obligation to fully consider the effects of our work on the Welsh Language. This means that any Welsh Government policy should consider how our policies affect the language and those who speak it.

The *Cymraeg 2050 strategy* has three interrelated themes:



1. Welsh Language Impact Assessment reference number (completed by the Welsh Language Standards Team, email: [Safonau.Standards@gov.wales](mailto:Safonau.Standards@gov.wales)):

**06/09/2024**

2. Does the proposal demonstrate a clear link with the Welsh Government's strategy for the Welsh language? – [Cymraeg 2050 A million Welsh speakers](#) and the related Work Programme for 2021-2026? [Cymraeg 2050 work programme 2021-2026](#)

The White Paper should have a positive impact on the Welsh language.

As outlined above, the White Paper proposes to develop legislation in the next Senedd term which will establish a framework for delivering adequate housing, considering the CDESCR framework. One of the criteria for adequate housing in the CDESCR framework is 'location'. The CDESCR framework outlines that housing must be in a location which allows access to employment options, health care services, schools and other social facilities.<sup>133</sup> . The demography of Welsh speakers vary in different areas of Wales and we also acknowledge that the socio-economic and linguistic needs of our communities vary across Wales. Therefore it will be important to consider the location of housing and the impact it can have on the Welsh language. Census data shows there are 538,296 Welsh speakers in Wales.<sup>134</sup> The highest estimated percentage of Welsh speakers are found in Gwynedd (64.3%), Anglesey (55.8%) Ceredigion (45.3%) and Carmarthenshire (39.9%)<sup>135</sup>. 'Affordability' is also one of the criteria included in the CDESCR framework and one of the considerations in the White Paper. Affordability challenges have been identified in Welsh-speaking communities with many coastal areas historically been an attractive destination for second homes buyers. We are also aware that issues surrounding affordability is a challenge across the whole of Wales. In particular we acknowledge that some post-industrial communities in north and west Wales,(ie the Ogwen Valley and the Aman Valley) many are Welsh language strongholds where there is a wide disparity between local incomes and house price ratios in the area.

The White Paper outlines that a key issue to consider in the context of developing a future housing strategy will be to assess the extent to which existing mechanisms are effective in driving forward progress towards housing adequacy. The White Paper outlines the existing measures in place which support the realisation of the CDESCR criteria for Welsh speakers. The Wellbeing of Future Generations (Wales) Act 2015 includes the goal of a Wales of

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<sup>133</sup> [General Comment No. 4: The Right to Adequate Housing \(Art. 11 \(1\) of the Covenant\) | Refworld](#)

<sup>134</sup> [Ability of people aged three or older to speak Welsh by local authority and single year of age, 2011 and 2021 \(gov.wales\)](#)

<sup>135</sup> [Welsh language data from the Annual Population Survey: October 2022 to September 2023 | GOV.WALES](#)



Vibrant Culture and Thriving Welsh Language. Activities to support the preservation of the Welsh language includes planning policy, informed by *Future Wales: the National Plan 2040*<sup>136</sup>. The plan outlines that strategic and local development plans must have consideration of how to ensure there are jobs and homes to enable the Welsh language to remain central to these communities' identities. The Welsh Government has also developed the Welsh Language Communities Housing Plan, which aims to address the challenges facing Welsh-speaking communities with a high concentration of second homes. The Welsh Government has introduced a suite of nationally available interventions, as well as the Dwyfor second homes and affordability pilot, to provide more leverage to better manage large numbers of second homes and short-term lets<sup>137</sup>. In work on the Dwyfor pilot, the Welsh Government, alongside Cyngor Gwynedd, have undertaken in-depth analysis of local affordability data. This has illustrated, as expected, that relative housing affordability can vary greatly between different community council areas within a single local authority area. The pilot is subject to an ongoing independent evaluation. It is also the intention to extend this data approach beyond the pilot. In March 2022, the Welsh Government also published a revised approach to undertaking Local Housing Market Assessments. For the first time, this approach also included an assessment for Market Housing and a focus on key policy areas including the impacts of Welsh Language and Second Homes on housing need, as well as a Welsh Government review and sign-off of all LHMA's. The White Paper considers how the local context will be considered. This will be important not only in the context of the sustainability of the Welsh language, but also in considering how a future housing adequacy framework may be applied in different parts of Wales to take localised factors into account. The assessment of the impact of the White Paper on rural communities is outlined in the Rural Proofing Impact Assessment at **Annex C**.

The White Paper also outlines proposals for short to medium term interventions to progress towards housing adequacy in the PRS. At this stage of policy development, it has been assessed that the proposals will have a neutral impact on the Welsh language. However, the proposal to create spatial mapping of market rents could identify pockets of relative unaffordability in the PRS in certain areas of Wales. This may have a positive impact on the Welsh language, as it has already been identified there are affordability challenges in certain Welsh-speaking communities, and further data will support any future potential interventions regarding affordability.

Further engagement work will be needed during and after the consultation period to develop policy proposals further. We will work with colleagues within the Welsh Language

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<sup>136</sup> The Welsh Government (2021), [Future Wales: the national plan 2040](#)

<sup>137</sup>

Division as well as other key stakeholders to ensure that Welsh language matters are considered.

### Evidence used to inform assessment

In June 2023, we published a Green Paper consultation on securing a path towards adequate housing, including fair rents and affordability to support the development of the White Paper.

Cyngor Tref Aberystwyth, Cymdeithas yr Iaith and the Welsh Language Commissioner responded to the Green Paper, and we have used their contributions in the development of the White Paper. Cyngor Tref Aberystwyth outlined the affordability challenges in the local area which has led to young people being priced out of the area and related issues such as empty homes, second homes and Aberystwyth's role as a tourist destination. Cyngor Tref Aberystwyth also outlined that Local Development Plans can be seen as harmful to communities and the Welsh language.

The Green Paper asked respondents for their views on the impact of the consultation on the Welsh language. In the main, respondents saw the issues as disparate.<sup>138</sup> However, the main views regarding the connection of the Green Paper to the Welsh language included issues regarding the challenges for Welsh speaking people to afford to live in Welsh-speaking communities, and the impact this has on the sustainability of our Welsh language and culture. The main reason for affordability issues was cited at the impact of second home ownership in predominantly Welsh-speaking communities. We have addressed these concerns as part of the development of the White Paper as well as having brought about significant changes to the future management of second home numbers, including in areas of linguistic sensitivity. As outlined above, any future housing adequate framework will need to assess the effectiveness of existing measures (such as the existing programme of work regarding second home ownership, short-term lets, and empty homes) to progress towards housing adequacy.

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<sup>138</sup> [Consultation Template \(gov.wales\)](#)

## F. BIODIVERSITY IMPACT ASSESSMENT

Consider Questions 1 - 9 for ALL policies:

### Embedding biodiversity

#### 1. How will your proposal integrate biodiversity into decision making?

- Have you considered the impacts and positive opportunities for action for biodiversity at the early stages of thinking or project design?
- What impacts will procurement have on biodiversity, including global biodiversity?
- Are products sourced sustainably?
- Does your project include the use of materials or practices harmful to biodiversity?
- Does it require partners and beneficiaries to consider the impacts and opportunities for positive action for biodiversity at the early stages of thinking and project design?
- Is the consideration of biodiversity a requirement of funding applications and project specifications?
- Does your evaluation of these seek to ensure that biodiversity is maintained and enhanced?

The White Paper will not have any impact on biodiversity. The White Paper does not propose the use of materials or practices which are harmful to biodiversity.

#### 2. Has your proposal ensured biodiversity is accounted for in business decisions?

- Has it considered whole of life costs which include the value of biodiversity and natural resources within the cost benefit analysis, even if this is an informal process?
- Have you thought about how enhancing biodiversity can help deliver across WG's activities for example, to support active recreation, education, flood prevention, and local food growing. (For example, green roofs help to provide wildlife habitats, reduce energy consumption and improve drainage systems.)
- Has it considered the long term costs of degradation of biodiversity and natural resources, and the potential for savings for health and well-being, flood risk etc?
- Can it encourage partners and beneficiaries to take these costs and savings into account?

The White Paper will not have any impact on biodiversity. Therefore, there are no costs to be considered on the degradation of biodiversity or natural resources.

### **3. How does your proposal improve understanding and raise awareness of the importance of biodiversity, encouraging others to act?**

- Can you work with partners and beneficiaries to promote understanding of biodiversity?
- Can you promote the benefits of access to biodiversity through the delivery of public goods and services such as social care, community development, health and recreation?
- Can you provide, or source, specialist training where necessary?
- Can you link to other communications strategies and initiatives for biodiversity, for example award schemes, local events?

The White Paper does not impact on biodiversity and therefore does not focus on improving the understanding or raising awareness of biodiversity.

### **Improving our evidence, understanding and monitoring**

#### **4. Have you used the best available evidence of biodiversity to inform your proposal and this assessment?**

- You **must** have regard to
  - the lists of species and habitats of principal importance published under Section 7 of the Environment (Wales) Act
  - the State of Natural Resources Report
  - any relevant area statement published by NRW.
- If your proposal is in regard to construction or land management directly or indirectly, it should reference biodiversity records available through
  - Local Environment Record Centres
  - Atlas of Living Wales
  - Lle

The White Paper proposals do not pose a threat to any species or habitats of principal importance published under Section 7 of the Environment (Wales) Act. The White Paper is not in relation to the use of Natural Resources.

Housing building programmes within the Housing and Regeneration directorate aimed at improving the supply of housing may have an impact on biodiversity. However, house building activity does not fall under proposals in this White Paper and therefore does not relate to construction or land management.

#### **5. Have you used up to date knowledge of the key impacts on biodiversity to make evidence-based decisions?**

- ◆ Do you know what the drivers of change and key negative factors are which could arise from your proposal?
- ◆ Are you satisfied that these do not apply or have been avoided?

The lack of housing supply has been identified as one of the barriers towards achieving housing adequacy in Wales. Increased house building could have a detrimental impact on biodiversity, but there are no proposals in this White Paper for house building. The White Paper proposes to increase the supply of affordable rental properties via potential tax relief for properties which are purchased and leased to the local authority. This proposal is a means to increase supply through already existing properties and there is no impact on biodiversity.

#### **6. Can your proposal contribute to our body of knowledge for biodiversity?**

- Can it support citizen-science initiatives, and monitoring schemes?
- Have you ensured that any biodiversity data collected is made publicly available?

The White Paper will have no impact on the above.

### **Governance and support for delivery of biodiversity action**

#### **7. Can your proposal support biodiversity action in any way?**

- Can staff get involved in practical action?
- Can you fund action directly, or indirectly?
- Can you support partnerships and/or collaboration for local and community-based biodiversity action?

The White Paper does not have any impact on biodiversity and does not support biodiversity action in any of the above ways.

#### **8. Can your proposal help to build capacity for biodiversity action?**

- Can you support skills acquisition and training?
- Does your proposal ensure the appropriate level of qualifications of those involved in decision making regarding biodiversity?
- Can your proposal fund capacity building for biodiversity action?

The White Paper will not have any impact on the above. The proposals do not help to build capacity for biodiversity action.

#### **9. Have you recorded decisions and actions to maintain and enhance biodiversity?**

- ♦ A report on what the public authority has done to comply with the duty must be published by the end of 2019 and then every three years after this date.

It has not been necessary to record decisions or actions to maintain and enhance biodiversity, as there is no impact on biodiversity in this White Paper.

## G. SOCIO-ECONOMIC DUTY IMPACT ASSESSMENT

### **What evidence has been considered to understand how the proposal contributes to inequalities of outcome experience as a result of socio-economic disadvantage?**

The Socio-economic Duty requires relevant public bodies, including Welsh Ministers when taking strategic decisions, to have due regard to the need to reduce inequality of outcome that result from socio-economic disadvantage.

Page 8 of the statutory guidance for The Socio-economic Duty refers to ‘communities of interest’<sup>139</sup>. These are groups of people who share an interest, such as lone parents, carers, those who share a common first language, or those who share one or more of the protected characteristics listed in the Equality Act 2010.<sup>140</sup> The guidance also outlines groups of people who share an experience, for example people who have experienced homelessness; the same local health and social care system; or a local service.

The guidance also outlines ‘communities of place’ as those who share a geographical location. For example, where people reside, work, visit or otherwise spend a substantial portion of their time.

A key term associated with the Duty is socio-economic disadvantage. This is defined in the guidance as ‘living in less favourable social and economic circumstances than others in the same society’. Socio-economic disadvantage can be disproportionate in both communities of interest and communities of place, which can be further increased when considering intersectionality.

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<sup>139</sup> [WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](#)

<sup>140</sup> [Equality Act 2010 \(legislation.gov.uk\)](#)

In the development of the White Paper, we have considered the impact of proposals on individuals who have been affected by socio-economic disadvantage when engaging with our stakeholders who have shared their evidence of people's lived experiences. In June 2023, we published a Green Paper consultation on securing a path towards adequate housing, including fair rents and affordability.

We had several responses to the Green Paper from organisations who represent individuals affected by socio-economic disadvantage and the impact on socio-economic disadvantage on groups of people with protected characteristics.

We have an external Stakeholder Advisory Group, which includes a membership of experts in the housing sector, many of whom responded to the Green Paper.

The insights provided by stakeholders has informed the development of the White Paper. As housing is a foundational key to a healthy life, it has been assessed that the White Paper will have a positive impact and reduce the inequality of outcome which can result from socio-economic disadvantage.

### Rent Guarantor Scheme

The proposal to develop a consistent approach for local authorities to develop guidance on Rent Guarantors should have a positive impact on people with socio-economic disadvantage. The proposal looks at setting certain eligibility criteria and priority would be given to people who have been impacted by socio-economic disadvantage in some way, such as those who have experienced homelessness, care leavers, , or those who have experienced domestic violence. The White Paper also asks respondents if there are other groups of people who should also be considered when considering the eligibility criteria and therefore following the White Paper, we will consider further if other groups of people impacted by socio-economic disadvantage should be considered with the eligibility criteria.

This proposal is likely to reduce the inequality of outcome that results from socio-economic disadvantage, as the eligibility criteria is likely include communities of interest and communities of place. The eligibility criteria considers the socio-economic disadvantage faced by those with 'no resource to public funds' (NRPF). People with NRPF include refugees, asylum seekers and migrants who come into the UK and have restrictions placed in their ability to access public funds. People with NRPF can then be made vulnerable to insecure housing conditions due to their inability to ensure public funds, as outlined in the Nation of Sanctuary Refugee and Asylum Seeker Plan.<sup>141</sup> This

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<sup>141</sup> [Nation of Sanctuary Refugee and Asylum Seeker Plan \(gov.wales\)](#)

proposal is likely to have a positive impact on the groups of people included in the eligibility criteria.

*Provide a summary of evidence and links*

[WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 \(gov.wales\)](#)

[Equality Act 2010 \(legislation.gov.uk\)](#)

[Nation of Sanctuary Refugee and Asylum Seeker Plan \(gov.wales\)](#)

[housing-adequacy-fair-rents.pdf \(gov.wales\)](#)

[Consultation Template \(gov.wales\)](#)

**How could the proposal potentially further exacerbate inequality of outcome experienced as a result of socio-economic disadvantage?**

As outlined in the Equality Impact Assessment under **Annex B**, although the White Paper aims to improve equality of outcome that results from socio-economic disadvantage, two potential negative impacts have been identified on lower-income households regarding the proposals to improve data on market rents and the proposal regarding pets in the PRS. However, as identified in the EIA, we do not currently have enough evidence to identify how much of a real risk there is that the proposal will have a negative impact.

Please see the section on the Socio-economic Duty in the Equality Impact Assessment under **Annex B** for further details.

*Provide a summary of evidence and links*

Please see the links included under the Socio-economic Duty in the Equality Impact Assessment under **Annex B**.

**How could the decision potentially improve outcomes for those who experience socio-economic disadvantage?**



As outlined in the Equality Impact Assessment, the proposals in the White Paper should improve equality of outcomes for those who experience socio-economic disadvantage. The Equality Impact Assessment also considers intersectionality, outlining the impact of those impacted by socio-economic disadvantage and individuals with protected characteristics which can make them more likely to be affected by socio-economic disadvantage.

Please see the section on the Socio-economic duty in the Equality Impact Assessment under **Annex B** for further details.

*Provide a summary of evidence and links*

Please see the links included under the Socio-economic Duty in the Equality Impact Assessment under **Annex B**

**How will you monitor the impact of this decision? (Please consider wider outcomes)**

We will monitor the socio-economic impact of the proposals in the White Paper through further engagement with stakeholders in our Stakeholder Advisory Group. We will hold several consultation events with private landlords, tenants and other potentially impacted stakeholders to ensure all views have been considered. Following the end of the consultation period, we will consider if further monitoring information needs to be collected.