

Key measures of the Social Housing Regulation Act

A summary

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The National Housing Federation (NHF) is the voice of housing associations in England, representing almost 800 housing association members that provide homes for around six million people.

The Social Housing Regulation Act aims to balance the relationship between landlords and their residents by facilitating a new, proactive approach to regulating social housing landlords on consumer issues. The Act aims to drive landlords compliance with the consumer standards by empowering the regulator with new enforcement powers to tackle failing landlords.

The Social Housing Charter detailed what social housing residents should be able to expect from their landlords, including feeling safe in their homes, knowing how their landlords are performing and having their complaints dealt with promptly. Below, we summarise how the Act sets out to deliver against each of the following commitments

To be safe in their home

- The Act amends the regulator's objectives to explicitly include safety and requires landlords to nominate a designated person responsible for complying with health and safety standards
- The Act makes new provision for the introduction of new requirements for social housing landlords relating to electrical safety checks
- Registered provider must also comply with all applicable health and safety legal requirements, for example, gas safety, fire safety and smoke alarms and carbon monoxide.
- The Act introduces greater protections for tenants against serious hazards such as damp and mould in homes (Awaab's law). Social landlords will be required to investigate and fix reported hazards in their homes within a specified timeframe, or rehouse tenants where a home cannot be made safe.
- The Act sets a requirement for registered providers to work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and service

To know how their landlord is performing

The Act will implement a set of policy measures to ensure that residents know how their landlord is performing and are able to hold them to account.

- It introduce a new **access to information scheme** permitting residents to access information concerning the management of their homes. tenants of housing

associations will be able to request information from their landlord in a similar way to how the Freedom of Information Act works for tenants of local authority landlords

- Registered providers are required to collect and provide information in relation to the Regulator's **Tenant Satisfaction Measures** that will enable residents to know how their landlord is performing.
- Registered providers must inform the regulator on all material issues that relate to non-compliance or potential non-compliance with the consumer standards

To have their complaints dealt with promptly

- The Act adds measures to formalise the relationship between the regulator and the housing ombudsman; building on the current Memorandum of Understanding to facilitate co-operation and provide better protection for tenants.
- The Act empowers the Housing Ombudsman to issue a code of practice about the procedures registered providers should have in place for considering complaints against them
- The Housing Ombudsman is also empowered to issue guidance as to good practice and order a registered provider to self-assess that their policies and practices are consistent with the guidance issued.
- The Act enables the regulator to gain entry and conduct a survey of the condition of properties more quickly by reducing the notice period which must be given to 48 hours.

To be treated with respect

- To ensure residents received a high level of service and are treated with respect at all time, the Act introduces a set of standards **for registered housing providers, requiring social housing managers and executives to possess specific qualifications or be actively working towards gaining them.**
- The Act mandates registered providers to provide tenants with information regarding their rights concerning their homes and how to make a complaint against their landlords.

To have their voice heard by their landlord

- The regulator is required to establish an 'Advisory Panel' comprising of a range of voices across the sector including tenants of social housing to provide information and advise the regulator about matters concerning its functions.
- To improve the quality of the landlord tenant relationship, the consumer standards have been revised to require landlords to take into account tenants' views, ensure equitable outcomes for all tenants and support effective scrutiny of their services by their tenants.

To have a good quality home and neighbourhood to live in

- The Act removes the 'serious detriment test' enabling the regulator to proactively use its monitoring and enforcement powers to intervene where landlords are performing poorly on consumer issues

- The Act empowers the regulator to conduct routine inspections of social housing properties and issue a registered provider with a 'performance improvement plan notice' to landlords who are failing to meet regulatory standards.
- In addition to reducing the notice period, the Act enables the regulator is able to arrange emergency repairs following a completion of a survey where an imminent serious health and safety risk has been identified.
- The Regulator is empowered to impose unlimited fines on registered providers who fails to meet required standards.

Revised Consumer Standards

A fundamental aspect of the enhanced consumer regulation role is the introduction of a revised set of consumer standards, establishing mandatory requirements for registered housing providers. The Regulator will proactively assess registered providers' compliance with these standards, strengthening the accountability of landlords to their tenants. To effectively fulfil its expanded consumer regulation objective and tackle issues affecting the social housing sector, the Regulator has conducted a review of its existing consumer standards, that will underpin the regulator's approach to consumer regulation.