

North Yorkshire Council

Corporate Director Community Development 9th May 2024

Social Housing (Regulation) Act 2023

Report of the Corporate Director, Community Development

1.0 PURPOSE OF REPORT

1.1 To outline the implications of the Social Housing (Regulation) Act 2023, to present an overview of North Yorkshire Council's compliance, as a registered provider of social housing, with the new regulatory Consumer Standards and recommended next steps.

2.0 SUMMARY

2.1 Further to Local Government Reorganisation (LGR), the new North Yorkshire Council (NYC) is a registered provider of social housing, with responsibility for the safe and effective management of nearly 8500 Council homes.

2.2 This report sets out regulatory changes that affect the Council as a provider of social housing. The changes took effect on 1st April 2024. These new standards, which enhance the existing regulatory framework, have key implications and risks for the Council. The standards also present a unique opportunity for NYC, as a new social landlord, to introduce an informed programme of service improvement which is based upon legislative requirements and industry leading practice.

2.3 This report provides an overview of the requirements along with an assessment of current performance and compliance against them. It also proposes next steps in our relationship with the Regulator of Social Housing.

3.0 BACKGROUND

Social Housing Regulation Reform

3.1 The process of reforming social housing regulation began after the 2017 Grenfell Tower fire. The fire and subsequent investigations exposed a range of issues with social housing nationally and provided an impetus for change, to rebalance the relationship between landlords and tenants and improve health and safety in the sector.

3.2 In July 2023, the Social Housing (Regulation) Act was passed. The legislation brings in new provisions and adds more duties and powers for the Regulator of Social Housing (RSH) in the enforcement of the regulatory standards. These took effect from 1st April 2024.

3.3 The new Consumer Standards are set out under four themes:

- Safety and Quality Standard (**Appendix A**)
- Transparency, Influence and Accountability Standard (**Appendix B**)
- Neighbourhood and Community Standard (**Appendix C**)
- Tenancy Standard (**Appendix D**)

3.4 There are 20 separate requirements and each of these is broken down into more specific expectations with greater detail in the Consumer Standards Code of Practice (**Appendix E**).

3.5 Some of the requirements reflect previous standards but are enhanced or more specific for example, stock condition surveys. The updated requirement is not only for more frequent surveys, but for them to be undertaken both inside and out on every individual property.

3.6 Additionally, there are some completely new requirements such as obligations around domestic abuse, publicising options for mutual exchange and to conduct prescribed tenant satisfaction surveys which will produce a set of Tenant Satisfaction Measures (TSMs) for each organisation, these are to be submitted to the RSH annually.

3.7 There are also some significant changes of emphasis. The most notable of these, is the obligation to consider diverse needs and vulnerabilities of tenants. This involves holding and maintaining an up-to-date profile of our tenants, their needs and the suitability of our properties and services in delivering services to those tenants with diverse needs.

3.8 There is also a strong emphasis on transparency across all the themes, sharing performance and other information with tenants and wider stakeholders.

3.9 In addition to the Consumer Standards there are a set of Economic Standards. The Economic Standards do not apply to Local Authority Landlords except for the Rent Standard (**Appendix F**)

Regulatory Inspection Regime

3.9 The RSH has a new obligation to proactively inspect registered providers at least once every 4 years but more frequently if deemed appropriate.

3.10 The inspection regime is akin to Ofsted, whereby the registered provider is notified of a planned inspection and is obliged to provide a range of evidence, alongside opening its doors, and giving full access for interviews with stakeholders such as tenants, staff and senior leaders like corporate directors and elected members. The RSH will publicly issue grades following such inspections on a scale C1 – C4 with C1 being the best. It is not expected that any organisation will receive a C1 rating on first inspection.

3.11 The RSH will have powers to issue performance improvement plans, issue unlimited fines, undertake management intervention, or enforce stock transfer. Although the RSH has these powers and obligations, it has signalled its intention to adopt a “co-regulatory approach” whereby registered providers are encouraged to be open and honest about failings against the expected standards and work with the RSH on improvement plans, with enforcement action only being taken as a last resort.

3.12 The RSH will take a risk-based approach to prioritising its inspection programme, using a range of data from statutory returns, complaints information and TSMs to inform their planning. The inspection programme is already underway and the first organisations to be inspected have already been notified, the next cohort will be in Quarter 2, July 2024.

3.13 An introductory meeting has taken place between NYC officers and the assigned contacts at the RSH in which they strongly emphasised the requirements of self-regulation and their expectation that landlords communicate promptly about any material issues that result, or may potentially result, in a failure to deliver the outcomes of the standards. This includes newly arising issues, as well as existing issues that may not have previously been notified to the Regulator (which may already be in process of being addressed) that fall within scope.

4.0 COMPLIANCE WITH THE UPDATED CONSUMER STANDARDS

Work Undertaken to Assess and Improve Compliance at North Yorkshire Council

4.1 It is clear that in the lead up to LGR limited preparatory work was undertaken in respect of compliance with the incoming consumer standards by the former district Councils. This was a significant omission and has left the new Council vulnerable and needing to change and develop plans at pace.

4.2 Post LGR a significant amount of work has been undertaken to understand and improve our compliance position including:

- A gap analysis has been undertaken to identify compliance against the standards. This involved reviewing the standards, line by line, assessing where we currently are, what information and data do we hold (or not hold) and how reliable that data is, what we need to change going forward. This has been a lengthy but important piece of work as its findings form the basis of a detailed improvement plan.
- External consultants were asked to undertake a deep dive of the Councils financial capacity within its Housing Revenue Account (HRA). This work was important with key implications for the Housing Investment Plan. In summary they concluded there is headroom within the overall business plan to free up resources where needed to ensure compliance where gaps are identified that have key resource implications, including for example the need to undertake a rolling programme of stock condition surveys. The Council approved a new HRA Investment Plan in February 2024 that makes sufficient financial provision (£2.1million) to ensure compliance going forward.
- The same consultants performed a 'health check' on the Councils preparedness for the new regulatory standards. Whilst this was a light touch exercise (it was not a mock inspection) the outcomes from this very much supported the conclusions of our own gap- analysis.
- A draft improvement plan has been developed. The plan sets out the key areas for improvement, the scale of the challenge ahead, how various actions should be prioritised, taking a risk-based approach. An Improvement Board, integrated into the Council's wider transformation programme has been created to oversee delivery of the plan.
- A new staffing structure has been implemented for the housing service, bringing together the three stock holding authorities into one. This was a key priority as it creates the necessary platform to take forward the changes that are needed. The new structures reflect the requirements of the consumer standards and have been benchmarked against other Councils. As well as simply bringing three into one, key changes include a greater degree of emphasis around tenant engagement and tackling anti-social behaviour. The new structures provide the platform for growth where needed, particularly in relation to the asset management and repairs and maintenance. In addition, new roles have been created to help drive forward necessary improvement within the service.
- A dedicated Complaints Officer has been employed within the Community Development Directorate to ensure that complaints are handled consistently, in line with Housing Ombudsman requirements.
- Governance arrangements have been strengthened with agreement that a Housing and Leisure Overview and Scrutiny Committee will be created with a specific remit including compliance with social housing regulation and performance monitoring of landlord services. This is critical to the RSH requirement that there should be demonstrable oversight from Elected Members.
- The first Tenant Satisfaction Survey has been undertaken. The survey elicited 2241 responses and an overall satisfaction level of 70%. The survey demonstrated high levels of satisfaction among tenants in relation to home safety (73%) and repairs undertaken within the last 12 months (73%). However, some measures received satisfaction levels below 60%, these being the positive contribution made by NYC to the neighbourhood and how they listen to tenants' views and act upon them (both 55%), handling anti-social behaviour (50%) and just 29% are satisfied with the way complaints are handled. As this is the first TSM survey to be conducted it will form the baseline to compare future surveys against.

- Work to meet our Health and Safety compliance requirements has been prioritised. As of 31 December 2023, we were able to report 100% valid gas safety certificates. All eligible properties in Harrogate and Richmond have carbon monoxide alarms installed, Selby locality has improved their position greatly and is now reporting 80% carbon monoxide alarms installed. Fire Risk Assessments have been completed in all localities with essential remedial works including full compartmentalisation of the Independent Living Schemes completed in Harrogate and plans in place to upgrade alarm systems in 2024/25.
- Policy harmonisation work has commenced with the Housing Strategy, Housing Allocations Policy and Domestic Abuse Policy all being approved for adoption.

Compliance with the Consumer Standards

4.3 Despite the work undertaken to date, should it be inspected, the evidence base indicates North Yorkshire Council would struggle to demonstrate to the Regulator that it is compliant with the new Consumer Standards. Whilst there are some areas of strong, evidenced compliance and our detailed improvement plan to achieve full compliance, these are accompanied by areas of performance and data gaps that are below the Regulator's expectations. Crucially, there remain big gaps in our understanding of the condition of our stock, levels of decency (impacting on our understanding of future investment planning), demonstrating some of our Health and Safety assessments and our awareness of the profile of and diverse needs of our tenants.

Decent Homes Standard and Stock Condition

4.4 A key area of weakness is the Councils understanding of the investment requirements of its homes. Whilst all the former districts undertook stock condition surveys where properties became void, no area had a rolling programme of condition surveys. This is at odds with the requirements of the standards.

4.5 It is recognised that accelerating condition surveys through both in-house delivery and through additional contractor capacity is high priority and this could be achieved both by strengthening internal capacity via recruitment of our own surveyors (we are mindful there are skills shortages in this sector) and through external procurement. A key action within the improvement plan is to have undertaken, using a risk based approach, 4000 additional stock condition surveys over the next year and to move forward with a cyclical (5-year programme) for all stock going forward. This is in addition to the checks undertaken through void works, planned works, repairs and annual gas safety visits.

Evidencing Compliance against 'Big Six' Health and Safety Risks

4.6 The number one priority within the improvement plan is to ensure the health and safety of tenants in respect of the 'big six' health and safety related requirements (gas, electric, fire, asbestos, legionella, lift safety). Whilst progress on this has been prioritised and some improvements made, as detailed at 4.2, some gaps remain.

4.7 Within the improvement plan it is recognised that there is a particular issue around electrical safety inspection. Currently such inspections take place on change of tenancy and in conjunction with other planned programmes of works, such as when replacing kitchens. This means that 49% of our properties have a valid certificate and with new structures in place we will be able to introduce a 5 yearly cyclical programme of testing.

4.8 Legionella Risk Assessments have been completed where required, and control measures are undertaken by external contractors, with any non-conformance reported and rectified within agreed timescales. However, a more proactive approach to further reduce any risks is required.

4.9 In addition, the way landlords deal with reports of damp and mould is a key priority and very high on the national agenda. Whilst all areas are taking a zero risk approach to reports of damp and mould this approach is reactive and differs across localities. Linked to the wider priority around stock condition a shift to a more proactive and preventative approach shall be needed going forward, including the use of technology to monitor the effectiveness of our interventions.

Tenant Communication, Involvement and Understanding Diverse Needs

4.12 A common theme in the TSM responses was tenant communication, both in terms of how we keep tenants up to date with repairs and service delivery but also how we as a landlord convey wider messages to tenants and listen and involve them in service improvement.

4.13 Work has commenced on a Tenant Involvement Strategy, including arrangements for tenant panels and wider tenant communication plans to ensure that tenants are informed and involved and that we as a landlord are transparent and accountable.

4.14 A key theme throughout the new regulations is the need to provide tailored and bespoke responses to the diverse needs of tenants, however data on tenants is lacking and where available not analysed or used to inform policy development. A more robust baseline of tenant / occupant information that can support future policy making and service development including a proper understanding of protected characteristics and vulnerabilities is needed and systems and processes need to be devised to keep this data up to date.

Systems, Data and Reporting

4.15 Overall, the key theme in our difficulty in demonstrating compliance remains the accessibility and quality of data, with key information held on various systems and in various formats, this makes demonstrating compliance in respect of many standards problematic.

4.16 Through the Service Improvement Plan process it was recognised that moving away from several different management systems needs to be prioritised and work is underway to investigate the potential for pooling key data from the various existing systems to enable greater oversight.

4.17 Work has also commenced around 'data' and performance measures. This has been the biggest challenge to date, because each former district uses different systems to manage the housing stock. In addition, each area does things very differently with different sets of measures. None of the former districts benchmarked performance against national criteria or other Councils. As a starting point, and to provide a consistent set of indicators, the Council has signed up to 'Housemark,' a performance management tool used by most social landlords nationally to help benchmark performance against a core and standardised set of measures. The next step is to integrate reporting on this performance with the revised governance arrangements.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 The alternative option is not to self-refer to the Regulator of Social Housing and to progress delivery of the draft action plan without the benefit of discussions and assurance from the RSH that our actions and priorities are appropriate.

6.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

6.1 Our ambitions for service improvement do have implications for other services, such as Technology and Change, Transformation and Human Resources as we will require significant support to help us to achieve the systems, process, and cultural changes necessary.

7.0 FINANCIAL IMPLICATIONS

7.1 The Council approved a new HRA Investment Plan in February 2024 that makes sufficient financial provision (£2.1million) to ensure compliance going forward.

8.0 LEGAL IMPLICATIONS

8.1 The new Consumer Standards for providers of Social Housing came into effect on 1st April 2024. The council, as a Registered Provider, is compelled to comply with the standards and to deliver against the objectives and be subject to inspection by the Regulator at their request.

8.2 The Regulator has set out its 'co-regulatory approach' whereby registered providers are encouraged to be open and honest about failings against the expected standards and work with the RSH on improvement plans.

8.3 The Housing Service Improvement Framework and Housing Improvement Action Plan include requirements for the development of policies and procedures which will have to track through the Council's decision-making framework. Legal resource will be available, and advice given to support this process as individual elements of the Action Plan are implemented.

9.0 EQUALITIES IMPLICATIONS

9.1 The implications of the revised consumer standards are overwhelmingly positive as registered providers are expected to have robust information about their tenants so that they can deliver fair and equitable outcomes for tenants in relation to the housing and landlord services they provide. This should include, but not be limited to, relevant information on protected characteristics, and any support or communication needs.

9.2 An initial screening form (**Appendix G**) has been completed and concluded that a full EIA is not required at this point.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 The decision to self-refer to the Regulator of Social Housing has no immediate climate change implications. However, some of the longer term goals of the Improvement Plan, to better understand the quality of our housing stock may have implications and positive environmental impacts, these will be assessed on a project by project basis

10.2 An initial screening form (**Appendix H**) has been completed and concluded that a full CCIA is not required at this point.

11.0 POLICY IMPLICATIONS

11.1 One challenge identified is the volume of different policies and procedures that need to be in place. To support this a draft Policy Framework has been created along with a prioritised list of the various policies that should be in place. In total this includes 70 policies and procedures that shall need to be developed and agreed, 30 of which are assessed as being high priority. Work is already progressing with a number of these however It is recognised that this represents a huge undertaking that has wider knock-on implications for Councils executive. Where possible policies shall be grouped together and for some of the more operational and routine policy areas approval delegations shall be sought.

12.0 RISK MANAGEMENT IMPLICATIONS

12.1 There are risk management implications arising.

12.2 There are financial risks associated with the new consumer standards including the ability of the RSH to issue unlimited fines and to enforce stock transfer.

12.3 Non-compliance with the Consumer Standards puts the health and safety of our tenants and our properties at risk. Although in many instances we lack the data to demonstrate compliance rather than being non-compliant it is still a risk we must take action to mitigate.

12.4 There is a reputational risk associated with receiving an unfavourable grading however it should be noted that many peer organisations will be in a similar if not less favourable position than NYC and no organisation is expected to receive a C1 grading in the first inspections.

12.5 There is also a reputational risk associated with our decision to self-refer to the RSH and ensuring that we do so at the earliest opportunity in order to begin that relationship in an open and transparent manner.

13.0 HUMAN RESOURCES IMPLICATIONS

13.1 Aligned to the additional powers to the RSH, the new legislation sets out a legal requirement for key housing management roles to be professionally qualified. Managers across the sector will now be required to have an appropriate level housing management qualification equivalent to a Level 4 or 5 Certificate or Diploma in Housing, or a foundation degree from the Chartered Institute of Housing.

13.2 Within North Yorkshire, whilst several managers do possess the relevant qualifications, it is estimated that between 20-30 managers, particularly those on the repairs and maintenance arm of the service (who may have other more technical qualifications) do not. This change shall have significant implications in terms of training and development. There are cost implications, with headroom needed in training budgets to enable relevant managers to attain the qualifications needed.

13.3 Ideally to support this and bolster the Councils overall approach to continuous professional development we will be looking to partner with the CIH around a training and professional development programme via an overarching agreement. This approach would both support the upskilling of the service but also demonstrate to the regulator that we take professional development/qualifications seriously and have a structured approach to address it. Apprenticeship levy payments may cover some of the costs of the Level 4 qualifications which will be required.

13.4 In addition to the formalised training programmes, there is a wider piece of work needed around culture more generally. Putting the needs of the tenant at the heart of everything we do and meeting diverse needs via bespoke service provision has wide ranging implications for the housing service and beyond. An on-going programme of briefings and awareness raising needs to be developed and rolled over coming months to ensure that all staff understand and are committed to the cultural changes afoot. This work has links to complaint handling and similarly needs to cut through the tone of much of our policy and procedural approach.

14.0 CONCLUSIONS

14.1 Post LGR, the bringing together of seven former housing authorities including three social landlords into a unified service, coupled with the advent of increased consumer regulation and inspection presents a significant challenge, however, also opens a host of opportunities for improvement in the way services are designed and delivered.

14.2 Some significant work has been undertaken in the 12 months since vesting day, including addressing some critical health and safety risks, development of an improvement framework and a staffing restructure which reflects the requirements of the consumer standards. However, when we triangulate a range of evidence (e.g. the gap analysis work undertaken with external

validation, the TSM results along with our improved understanding of the expectations of the regulator) the Council would struggle to demonstrate compliance with the new Consumer Standards. In particular, the work undertaken to date has highlighted that we would have difficulty in demonstrating compliance in the following areas.

Safety and Quality Standard – Stock Quality, Decency, Health and Safety (Electrical testing), Repairs, Maintenance and Planned Improvements.

Transparency, Influence and Accountability Standard – Diverse Needs, Engagement with Tenants, Information about Landlord Services, Performance Information, Complaints

Neighbourhood and Community Standard – Safety of Shared Spaces, Local Cooperation, Anti-social behaviour and hate incidents, Domestic Abuse

Tenancy Standard – Allocations and Lettings, Tenure, Mutual Exchange

14.3 The RSH requires registered providers to tell it at the earliest opportunity about any material issues that relate to non-compliance or potential non-compliance with the standards. If a registered provider is unsure as to whether an issue is material, they should contact the regulator to discuss the matter further. Being open and transparent with the regulator is an essential part of registered providers meeting their co-regulatory responsibilities.

15.0 REASONS FOR RECOMMENDATIONS

15.1 The introduction of the new Consumer Standards and the RSH Inspection programme heralds a new relationship between North Yorkshire Council and the RSH. The RSH has outlined the importance of transparency, its desire for a 'co-regulatory' approach and requested that registered providers approach them proactively, outside of the inspection programme as soon as they become aware of a material issue which may affect their compliance with the new standards.

15.2 In self-referring to the RSH and sharing the draft improvement framework North Yorkshire Council is demonstrating transparency and inviting the Regulator to be fully briefed on the identified areas of weakness, our planned activities, and timescales for remediation, allowing opportunity for a critical friend appraisal and further assurance on our Improvement Framework.

16.0 RECOMMENDATION(S)

That the Assistant Director (Housing) is authorised to formally self-refer North Yorkshire Council, as a registered provider of social housing, to the Regulator of Social Housing based upon the following areas of non-compliance identified through analysis of the Council's social housing operations;

Safety and Quality Standard – Stock Quality, Decency, Health and Safety, Repairs, Maintenance and Planned Improvements.

Transparency, Influence and Accountability Standard – Diverse Needs, Engagement with Tenants, Information about Landlord Services, Performance Information, Complaints

Neighbourhood and Community Standard – Safety of Shared Spaces, Local Cooperation, Anti-social behaviour and hate incidents, Domestic Abuse

Tenancy Standard – Allocations and Lettings, Tenure, Mutual Exchange

APPENDICES:

- Appendix A – Safety and Quality Standard
- Appendix B – Transparency, Influence and Accountability Standard
- Appendix C – Neighbourhood and Community Standard
- Appendix D – Tenancy Standard
- Appendix E - Consumer Standards Code of Practice
- Appendix F – Rent Standard
- Appendix G – EIA
- Appendix H - CCIA

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9th May April 2024

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



Regulator of
Social Housing

Safety and Quality Standard

Consumer standards

1 April 2024



1. Required outcomes

1.1 Stock quality

1.1.1 Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants¹.

1.2 Decency

1.2.1 Registered providers must ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator.

1.3 Health and safety

1.3.1 When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.

1.4 Repairs, maintenance and planned improvements

1.4.1 Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.

1.5 Adaptations

1.5.1 Registered providers must assist tenants seeking housing adaptations to access appropriate services.

¹ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Stock quality

- 2.1.1 Registered providers must have an accurate record at an individual property level of the condition of their homes, based on a physical assessment of all homes and keep this up to date.
- 2.1.2 Registered providers must use data from across their records on stock condition to inform their provision of good quality, well maintained and safe homes for tenants including:
 - a) compliance with health and safety legal requirements
 - b) compliance with the Decent Homes Standard
 - c) delivery of repairs, maintenance and planned improvements to homes, and
 - d) allocating homes that are designed or adapted to meet specific needs appropriately.

2.2 Health and safety

- 2.2.1 Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
- 2.2.2 Registered providers must ensure that all required actions arising from legally required health and safety assessments are carried out within appropriate timescales.
- 2.2.3 Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.

2.3 Repairs, maintenance and planned improvements

- 2.3.1 Registered providers must enable repairs and maintenance issues to be reported easily.
- 2.3.2 Registered providers must set timescales for the completion of repairs, maintenance and planned improvements, clearly communicate them to tenants and take appropriate steps to deliver to them.

- 2.3.3 Registered providers must keep tenants informed about repairs, maintenance and planned improvements to their homes with clear and timely communication.
- 2.3.4 Registered providers must understand and fulfil their maintenance responsibilities in respect of communal areas.
- 2.3.5 Registered providers must ensure that the delivery of repairs, maintenance and planned improvements to homes and communal areas is informed by the needs of tenants and provides value for money, in addition to the requirement at 2.1.2.

2.4 Adaptations

- 2.4.1 Registered providers must clearly communicate to tenants and relevant organisations how they will assist tenants seeking housing adaptations services.
- 2.4.2 Registered providers must co-operate with tenants, appropriate local authority departments and other relevant organisations so that a housing adaptations service is available to tenants where appropriate.



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The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.



Regulator of
Social Housing

Transparency, Influence and Accountability Standard

Consumer standards

1 April 2024



OFFICIAL

1. Required outcomes

1.1 Fairness and respect

1.1.1 Registered providers must treat tenants¹ and prospective tenants with fairness and respect.

1.2 Diverse needs

1.2.1 In relation to the housing and landlord services they provide, registered providers must take action to deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants.

1.3 Engagement with tenants

1.3.1 Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered and communicate how tenants' views have been considered.

1.4 Information about landlord services

1.4.1 Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.

1.5 Performance information

1.5.1 Registered providers must collect and provide information to support effective scrutiny by tenants of their landlord's performance in delivering landlord services.

1.6 Complaints

1.6.1 Registered providers must ensure complaints are addressed fairly, effectively, and promptly.

¹ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Diverse needs

2.1.1 Registered providers must use relevant information and data to:

- a) understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs; and
- b) assess whether their housing and landlord services deliver fair and equitable outcomes for tenants.

2.1.2 Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.

2.1.3 Registered providers must ensure that landlord services are accessible, and that the accessibility is publicised to tenants. This includes supporting tenants and prospective tenants to use online landlord services if required.

2.1.4 Registered providers must allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.

2.2 Engagement with tenants

2.2.1 Registered providers must give tenants a wide range of meaningful opportunities to influence and scrutinise their landlord's strategies, policies and services. This includes in relation to the neighbourhood where applicable.

2.2.2 Registered providers must assist tenants who wish to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services. This includes in relation to the neighbourhood where applicable.

2.2.3 Registered providers must provide accessible support that meets the diverse needs of tenants so they can engage with the opportunities in 2.2.1 and 2.2.2.

2.2.4 Registered providers must support tenants to exercise their Right to Manage, Right to Transfer or otherwise exercise housing management functions, where appropriate.

2.2.5 Registered providers, working with tenants, must regularly consider ways to improve and tailor their approach to delivering landlord services including tenant engagement. They must implement changes as appropriate to ensure services deliver the intended aims.

2.2.6 Where a registered provider is considering a change in landlord for one or more tenants, or a significant change in management arrangements, it must consult affected tenants on its proposals at a formative stage and take those views into account in reaching a decision. The consultation must:

- a) be fair and accessible
- b) provide tenants with adequate time, information and opportunities to consider and respond
- c) set out actual or potential advantages and disadvantages (including costs) to tenants in the immediate and longer term, and
- d) demonstrate to affected tenants how the consultation responses have been taken into account in reaching a decision.

2.3 Information about landlord services

2.3.1. Registered providers must provide tenants with accessible information about the:

- a) available landlord services, how to access those services, and the standards of service tenants can expect
- b) standards of safety and quality tenants can expect homes and communal areas to meet
- c) rents and service charges that are payable by tenants, and
- d) responsibilities of the registered provider and the tenant for maintaining homes, communal areas, shared spaces² and neighbourhoods.

2.3.2 Registered providers must provide tenants with accessible information about tenants' rights in respect of registered providers' legal obligations and relevant regulatory requirements that registered providers must meet in connection with the homes, facilities or landlord services they provide to tenants. This must include information about:

² 'Shared spaces' are those spaces associated with a registered providers' homes and used by their tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

- a) the requirement to provide a home that meets the government's Decent Homes Standard;
- b) the registered provider's obligation to comply with health and safety legislation;
- c) the rights conferred on tenants by their tenancy agreements including rights implied by statute and/or common law, in particular—
 - (i) the right to a home that is fit for human habitation; and
 - (ii) the right to receive notice of a proposed visit to carry out repairs or maintenance or to view the condition and state of repair of the premises; and
- d) the rights of disabled tenants to reasonable adjustments.

2.3.3 Registered providers must communicate with affected tenants on progress, next steps and outcomes when delivering landlord services.

2.3.4 Registered providers' housing and neighbourhood policies must be fair, reasonable, accessible and transparent. Where relevant, policies should set out decision-making criteria and appeals processes.

2.3.5 Registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers, including who has responsibility for compliance with the consumer standards.

2.4 Performance information

2.4.1 Registered providers must meet the regulator's requirements in relation to the tenant satisfaction measures set by the regulator as set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements.

2.4.2 Registered providers must:

- a) collect and process information specified by the regulator relating to their performance against the tenant satisfaction measures. The information must be collected within a timeframe set by the regulator and must meet the regulator's requirements in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements

- b) annually publish their performance against the tenant satisfaction measures. This should include information about how they have met the regulator's requirements set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements. This information must be published in a manner that is timely, clear, and easily accessed by tenants; and
- c) annually submit to the regulator information specified by the regulator relating to their performance against those measures. The information must be submitted within a timeframe and in a form determined by the regulator.

2.4.3 In meeting 2.4.1 and 2.4.2 above, registered providers must ensure that the information is an accurate, reliable, valid, and transparent reflection of their performance against the tenant satisfaction measures.

2.4.4 Registered providers must provide tenants with accessible information about:

- a) how they are performing in delivering landlord services and what actions they will take to improve performance where required
- b) how they have taken tenants' views into account to improve landlord services, information and communication
- c) how income is being spent, and
- d) their directors' remuneration and management costs.

2.5 Complaints

2.5.1 Registered providers must ensure their approach to handling complaints is simple, accessible and publicised.

2.5.2 Registered providers must provide accessible information to tenants about:

- a) how tenants can make a complaint about their registered provider
- b) the registered provider's complaints policy and complaints handling process
- c) what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled, and

- d) the type of complaints received and how they have learnt from complaints to continuously improve services.

2.6 Self-referral

- 2.6.1 Registered providers must communicate in a timely manner with the regulator on all material issues that relate to non-compliance or potential non-compliance with the consumer standards.



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Level 2

7-8 Wellington Place

Leeds LS1 4AP

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Regulator of
Social Housing

Neighbourhood and Community Standard

Consumer standards

1 April 2024



OFFICIAL

1. Required outcomes

1.1 Safety of shared spaces

1.1.1 Registered providers must work co-operatively with tenants¹, other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces².

1.2 Local cooperation

1.2.1 Registered providers must co-operate with relevant partners to promote social, environmental and economic wellbeing in the areas where they provide social housing.

1.3 Anti-social behaviour and hate incidents

1.3.1 Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing.

1.4 Domestic abuse

1.4.1 Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

¹ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

² 'Shared spaces' are those spaces associated with a registered providers' homes and used by their tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

2. Specific expectations

2.1 Local cooperation

2.1.1 Registered providers, having taken account of their strategic objectives, the views of tenants and their presence within the areas where they provide social housing, must:

- a) identify and communicate to tenants the roles registered providers play in promoting social, environmental and economic wellbeing and how those roles will be delivered; and
- b) co-operate with local partnership arrangements and the strategic housing function of local authorities where they are able to assist local authorities in achieving their objectives.

2.2 Anti-social behaviour and hate incidents

2.2.1 Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.

2.2.2 Registered providers must clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.

2.2.3 Registered providers must enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.

2.2.4 Registered providers must provide prompt and appropriate action in response to ASB and hate incidents, having regard to the full range of tools and legal powers available to them.

2.2.5 Registered providers must support tenants who are affected by ASB and hate incidents, including by signposting them to agencies who can give them appropriate support and assistance.

2.2 Domestic abuse

2.3.1 Registered providers must have a policy for how they recognise and effectively respond to cases of domestic abuse.

2.3.2 Registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation.



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Regulator of
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Tenancy Standard

Consumer standards

1 April 2024



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1. Required outcomes

1.1 Allocations and lettings

1.1.1 Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants¹ and prospective tenants into account.

1.2 Tenancy sustainment and evictions

1.2.1 Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.

1.3 Tenure

1.3.1 Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.

1.3.2 They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.

1.4 Mutual exchange

1.4.1 Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.

¹ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Allocations and lettings

- 2.1.1 Registered providers must co-operate with local authorities' strategic housing functions and assist local authorities to fulfil their duties to meet identified local housing need. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements.
- 2.1.2 Registered providers must seek to allocate homes that are designated, designed, or adapted to meet specific needs in a way that is compatible with the purpose of the housing.
- 2.1.3 Registered providers must develop and deliver services that seek to address under-occupation and overcrowding in their homes. These services should be focused on the needs of tenants.
- 2.1.4 Registered providers must take action to prevent and tackle tenancy fraud.
- 2.1.5 Registered providers must have a fair, reasonable, simple and accessible appeals process for allocation decisions.
- 2.1.6 Registered providers must record all lettings and sales as required by the Continuous Recording of Lettings (CORE) system.

2.2 Tenancy sustainment and evictions

- 2.2.1 Registered providers must provide services that support tenants to maintain their tenancy or licence and prevent unnecessary evictions.
- 2.2.2 Registered providers must provide tenants required to move with timely advice and assistance about housing options before the tenancy or licence ends.

2.3 Tenure

- 2.3.1 Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out:
 - (a) The type of tenancies they will grant.
 - (b) Where they grant tenancies for a fixed term, the length of those terms.

- (c) The circumstances in which they will grant tenancies of a particular type.
- (d) Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years in general needs housing following any probationary period.
- (e) The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property.
- (f) The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.
- (g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.
- (h) The advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy.
- (i) Their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members.

2.3.2 Registered providers must grant general needs tenants a periodic secure or assured (excluding periodic assured shorthold) tenancy, or a tenancy for a minimum fixed term of five years, or exceptionally, a tenancy for a minimum fixed term of no less than two years, in addition to any probationary tenancy period.

2.3.3 Before a fixed term tenancy ends, registered providers shall provide notice in writing to the tenant stating either that they propose to grant another tenancy on the expiry of the existing fixed term or that they propose to end the tenancy.

2.3.4 Where registered providers use probationary tenancies, these shall be for a maximum of 12 months, or a maximum of 18 months where reasons for extending the probationary period have been given and where the tenant has the opportunity to request a review.

2.3.5 Registered providers shall grant those who were social housing tenants on the day on which section 154 of the Localism Act 2011 comes into force, and have remained social housing tenants since that date, a tenancy with no less security where they choose to move to another social rented home, whether with the same or another landlord. (This requirement does not apply where tenants choose to move to accommodation let on Affordable Rent terms).

2.3.6 Registered providers shall grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.

2.4 Mutual exchange

2.4.1 Registered providers must offer a mutual exchange service which allows relevant tenants potentially eligible for mutual exchange, whether pursuant to a statutory right or a policy of the registered provider, to easily access details of all (or the greatest practicable number of) available matches without payment of a fee.

2.4.2 Registered providers must publicise the availability of any mutual exchange service(s) it offers to its relevant tenants.

2.4.3 Registered providers must provide support for accessing mutual exchange services to relevant tenants who might otherwise be unable to use them.

2.4.4 Registered providers must offer tenants seeking to mutually exchange information about the implications for tenure, rent and service charges.



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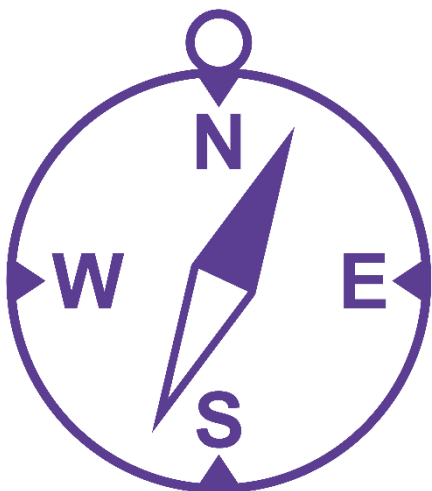


Regulator of
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Annex 4

Consumer standards Code of Practice

April 2024



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Consumer standards Code of Practice

The role of the Code of Practice

1. This Code of Practice (the Code) is designed to amplify some of the requirements in the consumer standards (the standards). The Code elaborates on the content of the standards with illustrative examples where we think they are useful. It aims to help registered providers understand what the regulator is looking for when seeking evidence which gives us assurance that they are delivering the outcomes of the standards. Throughout the Code, when we refer to registered providers delivering the outcomes of the standards we mean any of the required outcomes and specific expectations of the standards. The Code does not elaborate on all expectations set out in the standards, only where the regulator considers that amplification may help registered providers understand how the outcomes of the standards can be delivered. This does not indicate the relative importance of different elements of the standards. Registered providers must deliver all the outcomes of the standards.
2. Registered providers should have regard to the Code when assessing whether they are delivering the outcomes of the standards. In considering whether the outcomes of the standards have been delivered, the regulator will have regard to the Code. It is therefore important that registered providers are familiar with its content. However, it is the outcomes of the standards rather than the Code that registered providers must deliver.
3. The regulator adopts a co-regulatory approach to its work. It sets both economic and consumer standards designed to help it to deliver its statutory objectives. Responsibility lies with the boards and councillors of registered providers to deliver the outcomes of the standards. The Code fits with our co-regulatory approach by recognising that registered providers may develop their own approaches to deliver the outcomes of the standards. Boards and councillors of registered providers should have robust mechanisms in place to provide them with assurance that their organisation delivers the outcomes of the standards.
4. Examples of how registered providers might deliver the outcomes are not intended to be exhaustive nor prescriptive. Registered providers are free to deliver the outcomes in a different manner. If there are any conflicts between the Code and the standards, the standards take precedence.

5. The different sections of the Code follow the same order as they appear in the standards. At the beginning of each theme in the Code, we state clearly which required outcome and specific expectations from each standard we are expanding upon.
6. Registered providers are responsible for delivering the outcomes of the standards. This applies both where the registered provider delivers services to tenants directly and where services are delivered via other organisations. Where they contract out any landlord services to a third party, the registered provider remains responsible for delivering the outcomes of the standards and should have assurance that they are being delivered.
7. The outcomes of the standards are interdependent as they all share a common aim of ensuring the provision of effective landlord services and quality, well-maintained and safe homes. Registered providers should consider that if they are unable to demonstrate they are delivering one element of the standards, this is likely to mean that there are gaps in their assurance of how they are delivering other expectations of the standards.
8. The Code references a number of documents, some of which are owned by the regulator, and some are owned by other organisations. These documents and links to them may be updated, amended and replaced from time to time, and it is the responsibility of registered providers to ensure that they comply with the latest version of these documents at any point in time.

Safety and Quality Standard

Stock quality

(Relevant to the Safety and Quality Standard required outcome 1.1.1 and specific expectations 2.1.1 and 2.1.2)

9. Providing safe and well-maintained homes is a fundamental responsibility of all registered providers. Having a sufficiently detailed understanding of the condition of their homes at an individual property level is vital to registered providers being able to achieve this and helps to ensure that they meet all applicable requirements. In achieving this outcome, private registered providers should be mindful of the regulator's requirement in the Governance and Financial Viability Standard in relation to maintaining a thorough, accurate and up to date record of their assets and liabilities.
10. Registered providers are expected to undertake regular physical assessments of the inside and the outside of homes where they have a legal responsibility. They should assess whether homes are:
 - safe and free from serious hazards
 - kept in good repair
 - meet relevant standards prescribed in law.
11. Registered providers should assess the condition of homes frequently enough and in sufficient depth to maintain their assurance on their quality and safety. Appropriate frequency and depth will be influenced by a range of factors, including but not limited to, property age, construction, and archetypes as well as data from complaints and reports from repairs and maintenance programmes. For some registered providers a five-year rolling programme of stock condition surveys across all homes might be appropriate; however for some registered providers or for some homes, more frequent assessments might be needed, for example where there are high levels of responsive repair requests or recurring problems which might be indicative of wider issues.
12. Registered providers should ensure their approach to assessing and recording the conditions of their homes is robust and kept up to date by using information from a range of relevant sources such as repairs, complaints, health and safety assessments and energy performance certificate (EPC) data to maintain a rounded view of condition.

13. To ensure registered providers have an understanding of all homes, their approach to assessing homes should consider the different opportunities where the inside of a home can be assessed e.g. when gas safety checks are being carried out. Where access is needed, registered providers should take all reasonable steps to access homes.
14. Registered providers should consider their understanding of the condition of homes in the context of the needs of individual tenants living in them. Taking into account the potential risk to tenants, registered providers should have appropriate systems in place to ensure they act upon identified investment and repair requirements in an appropriate and timely manner.

Decency

(Relevant to the Safety and Quality Standard required outcome 1.2.1)

15. Registered providers are required to meet section 5 of the Government's Decent Homes Guidance, and should have an approach to repairs, maintenance and planned improvements which ensures that their homes are maintained to meet all criteria of the Decent Homes Standard, including being free from Category 1 hazards.
16. Registered providers' understanding of the condition of their homes should include meeting all criteria of the Decent Homes Standard. In addition, registered providers should have an effective plan in place to ensure they meet all criteria of the Decent Homes Standard.
17. Where a registered provider has agreed a period of non-compliance with the Decent Homes Standard with the regulator, it should ensure that it meets all applicable health and safety legal requirements for the duration of the period and should communicate the non-compliance with the Decent Homes Standard and its implications to affected tenants.

Health and safety

(Relevant to the Safety and Quality Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2 and 2.2.3)

18. As part of delivering this outcome, registered providers must ensure they understand and meet all applicable health and safety legal requirements, including secondary legislation (in relation to, for example, gas safety, fire safety, electrical safety, water safety, lift safety, asbestos safety, smoke alarms and carbon monoxide). Registered

providers are expected to have regard to appropriate statutory guidance and to meet the legal requirements relating to the role of the health and safety lead.

19. Registered providers should ensure that they maintain sufficient assurance that they meet all relevant health and safety requirements, which reflects the level of potential risk and impact on tenants. They should have a full understanding of what the data is telling them about how safe tenants are, the effectiveness of controls in place and how tenants' needs are being met.
20. Where a third party has the legal responsibility for tenants' homes and/or communal areas, registered providers should hold the third party to account for ensuring health and safety requirements are met.
21. All required actions arising from legally required health and safety assessments should be carried out as soon as possible. When prioritising these actions registered providers should take into account any statutory timescales as well as the potential risk to tenants, so that remedial actions are carried out within appropriate timescales.
22. As part of ensuring the wider safety of tenants in the design and delivery of landlord services, registered providers should have an effective approach to proactively identifying the risks to tenants' safety and eliminating or mitigating those risks. Examples of actions that registered providers may take to ensure the safety of tenants include, housing tenants together appropriately when allocating shared properties, assessing the vulnerability and risk of anti-social behaviour victims in considering what action to take, and taking into account, where appropriate, individual tenants' safety, security and health when prioritising repairs.

Repairs, maintenance and planned improvements

(Relevant to the Safety and Quality Standard required outcome 1.4.1 and specific expectations 2.3.3, 2.3.4 and 2.3.5)

23. In delivering an effective, efficient and timely repairs maintenance and planned improvement service, registered providers should coordinate effectively with all parties involved, so that work is completed within set timescales, in as few visits as possible and is fit for purpose.
24. Registered providers are expected to have in place and comply with effective policies, procedures and processes in relation to repairs, maintenance and planned improvements that take into account tenants' views and diverse needs. This may

include, for example, increasing the priority of repairs for some older tenants and where a household member is disabled, and installing extra locks and security lights for tenants experiencing domestic abuse or anti-social behaviour, in order to safeguard them.

25. Registered providers should communicate promptly with tenants about repairs, maintenance and planned improvements and keep them regularly updated on progress and how they are resolving any issues. For example, they should aim to consult affected tenants in a timely manner before the start of any planned improvement programmes, and update affected tenants if registered providers foresee any delays to the programme. In doing so, they should be mindful of the regulator's requirements in relation to the diverse needs of tenants.
26. In relation to communal areas, where there is an arrangement in place for a third party to manage a communal area on a registered provider's behalf, the registered provider is required to ensure that the communal area is well-maintained, and to hold the third party to account if it is not.

Adaptations

(Relevant to the Safety and Quality Standard required outcome 1.5.1 and specific expectation 2.4.1 and 2.4.2)

27. Not all registered providers directly provide a housing adaptations service, but nonetheless they should all have a process in place to assist tenants in need of housing adaptations, which they must communicate to tenants. As part of this communication, registered providers are expected to inform tenants about the application process, and where relevant, registered providers should make clear any local variations to the application process that may apply. Assistance to tenants requiring a housing adaptation may take the form of, for example, registered providers applying for an adaptation to the relevant organisation on a tenant's behalf or establishing clear timescales with the relevant organisation providing the adaptation.
28. Where the housing adaptations service is provided by a third party, the registered provider should not unreasonably withhold permission for a housing adaptation to be installed in a tenant's home. Where the registered provider provides a housing adaptations service, they should not unreasonably refuse a tenant's request for a housing adaptation. Where a registered provider does not meet a tenant's request for a housing adaptation, the registered provider should consider whether it is appropriate to offer alternative measures in order to support the affected tenant, for example offering to transfer them to a home that is accessible or that can be adapted to meet their needs.

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Transparency, Influence and Accountability Standard

Fairness and respect

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.1.1)

29. Tenants and prospective tenants should be treated with fairness and respect and this principle should underpin how registered providers deliver all landlord services.
30. Registered providers should foster a strong culture throughout their organisation of fairness, courtesy and respect, where tenants are listened to and can trust their landlord. In treating tenants fairly, registered providers should consider how they can adapt their services and communications to meet individual tenants' needs.

Diverse needs

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.2.1 and specific expectations 2.1.1, 2.1.2, 2.1.3 and 2.1.4)

31. Registered providers are expected to consider the diverse needs of their tenants (and prospective tenants, where relevant) in relation to the housing and landlord services they provide. This consideration should be integral to the culture of the organisation. Examples of how registered providers can take action to deliver fair and equitable outcomes for tenants may include investigating any complaints of alleged discrimination from tenants promptly and implementing any relevant learning, providing regular equality, diversity and inclusion training for staff, board members or councillors, and carrying out work to understand the barriers different groups of tenants might face in accessing services and working to remove those barriers.
32. Registered providers are expected to have robust information about their tenants so that they can deliver fair and equitable outcomes for tenants in relation to the housing and landlord services they provide. This should include, but not be limited to, relevant information on protected characteristics, and any support or communication needs.
33. It is for registered providers to work with tenants to decide the most effective approach to gathering this information and keeping it up to date, and to share with tenants how they will make use of the data. Registered providers should explore a range of methods for collecting this information from tenants to encourage a good response rate. For example, via periodic face-to-face contact with tenants or other appropriate points of contact with tenants. As part of their approach registered providers should process personal information in compliance with relevant legislation and the Information Commissioner's Office guidance.

34. In delivering this outcome, registered providers may also want to consider using other data and information about tenants, for example the census and/or English Housing Survey, to inform the design and delivery of their strategies, policies and landlord services.
35. Registered providers should regularly assess whether their housing and landlord services deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants. Registered providers should take account of the findings of their assessments and should be able to demonstrate actions they have taken as a result.
36. Registered providers should make tenants aware of the different ways in which services are tailored to meet their needs. This could include, for example, by informing tenants when they report a repair that a choice of appointment time is available, or that information can be supplied in alternative formats, such as pictorial, and in different languages on request.
37. Registered providers should have in place an effective, simple and accessible process to enable tenants and prospective tenants to nominate a representative to act on their behalf in interactions with the landlord about landlord services, for example, in order to report a complaint on a tenant's behalf and to discuss progress of a repair or a housing application.

Engagement with tenants

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5 and 2.2.6)

38. Genuine consideration of tenants' views should be at the heart of registered providers' different levels of decision-making about the delivery of landlord services. This may include, for example, in relation to agreeing their asset management strategy, the setting of service standards, agreeing responsive repair timescales and setting performance targets for different landlord services.
39. Tenants' views can be gathered in different ways. Boards and councillors of registered providers should assure themselves that tenants' views have been actively sought and considered as part of their decision-making about their organisation's landlord services. Registered providers should also communicate to tenants how tenants' views have been taken into account in their decision making about how landlord services are delivered. In addition, consideration of how to improve and tailor landlord service

delivery should be an ongoing activity taking place at all levels of the organisation and across all areas of service delivery.

40. Registered providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies and services, taking into account the diverse needs of tenants.
41. Registered providers should take reasonable steps to assist tenants wishing to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services. Assistance may include, for example, providing venues for meetings, administrative support, funding and training.
42. Where a registered provider is considering a change in landlord or a significant change in management arrangements, it is important that in their consultation with affected tenants they tailor their communication methods and take all reasonable steps to ensure that all affected tenants have access to and can understand the landlord's proposals. This should include tenants who may experience communication barriers, have additional support needs and/or are unable to use online services.
43. Consultation with tenants must be meaningful, which includes engaging with affected tenants in a range of ways. Registered providers should begin their consultation with affected tenants at an early stage in the process, while there is scope to influence the decision and/or outcome. They should run the consultation for a sufficient amount of time to give affected tenants an equitable opportunity to consider and respond to the proposals. Registered providers should make clear any potential material impacts, positive and negative, of the proposed changes, for example, any impact on rent and service charge levels, service delivery or security of tenure. They should also set out clearly the main reasons for the changes being proposed to affected tenants. Board and councillors of registered providers should assure themselves that feedback from affected tenants has been genuinely considered in their decision-making about proposals, and the registered provider should demonstrate this to affected tenants.

Information about landlord services

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.4.1 and specific expectations 2.3.1, 2.3.3 and 2.3.5)

44. Effective communication with tenants and the provision of clear and accessible information is at the heart of an effective tenant/landlord relationship. Registered providers should make tenants aware of the services and standards of service they provide, and the different ways in which tenants can contact their landlord.

45. Where registered providers are delivering a service directly to a tenant, they should communicate with them from the start through to the completion of that service. For example, where a tenant reports a repair to their landlord, the registered provider should keep them updated about the progress of the repair on a regular and ongoing basis, particularly where there is going to be a delay in carrying out the repair, or where multiple trades and visits are required.
46. The expectation that registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers applies to all registered providers, whether they employ paid staff or not.

Performance information

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.5.1 and specific expectations 2.4.2b, 2.4.3, 2.4.4.a, 2.4.4.b and 2.4.4.d)

47. Tenants having access to reliable and accurate performance information about landlord services helps to ensure transparency and to drive effective tenant scrutiny.
48. In addition to meeting the requirement to publish their performance against the tenant satisfaction measures (TSMs) in a form required by the regulator, registered providers should, following engagement with their tenants, also consider publishing some or all TSM data at a more granular level and/or on a more frequent basis, in order to support tenant scrutiny. For example, they may report some or all TSM data separately for:
 - entities within their group
 - specific property types such as general needs or housing for older people and/or
 - different geographical areas, and/or
 - specific tenant groups (relevant to the TSM tenant perception measures: TP01-TP12) such as tenants who share different protected characteristics.
49. Where a registered provider publishes TSM data in more detail as set out in paragraph 48, they should ensure, as far as possible, that they calculate and report the data in accordance with the regulator's TSM requirements. Any significant deviation from these requirements should be clearly set out alongside the reported TSM data.
50. It is important that tenants and other stakeholders are able to trust what TSM data tells them about landlords' performance. Registered providers should ensure they have adequate assurance that they meet the regulator's TSM requirements.

51. Registered providers should be able to demonstrate that they understand their performance, including where and why performance has changed over time. They should have clear and measurable plans in place to improve performance where required and should be able to demonstrate that they are effectively delivering to those plans.
52. In providing tenants with accessible information about their performance, registered providers should consider all performance information, including the regulator's judgements. Registered providers should consider how they can support tenants to understand the information being presented, including relevant performance action plans, for example, by including contextual and benchmarking information. In providing information about how they have taken tenants' views into account, registered providers should be able to demonstrate any changes they have made to landlord services as a result of insight from tenants' views, including learning from complaints.
53. In providing information to tenants on directors' remuneration and management costs, registered providers should consider the regulator's [note](#) on how to calculate these costs, which can be found on our website.

Complaints

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.6.1 and specific expectations 2.5.1 and 2.5.2)

54. Addressing complaints fairly, effectively and promptly is essential for registered providers to build trust with tenants. Registered providers should make every effort to ensure that tenants are aware of their complaints process. Tenants should be able to raise a complaint easily and should be listened to by their landlord when they do so.
55. In addressing complaints, registered providers should ensure that they provide regular updates to affected tenants about the progress they have made to resolve the complaint fairly and the next steps they plan to take, with clear timescales.
56. In meeting this outcome, registered providers are expected to consider relevant requirements of other bodies, including those of the Housing Ombudsman and specifically their Complaint Handling Code.
57. Complaints present registered providers with valuable insight into tenants' experiences of interacting with their landlord. Registered providers should make good use of this learning in order to improve services for tenants, bringing about change at a service or organisational level where appropriate. As part of this learning, registered providers should analyse trends and themes from complaints data.

Self-referral

(Relevant to the Transparency, Influence and Accountability Standard specific expectation 2.6.1)

58. The regulator requires registered providers to tell it at the earliest opportunity about any material issues that relate to non-compliance or potential non-compliance with the standards. If a registered provider is unsure as to whether an issue is material, they should contact the regulator to discuss the matter further. Being open and transparent with the regulator is an essential part of registered providers meeting their co-regulatory responsibilities.

Neighbourhood and Community Standard

Safety of shared spaces

(Relevant to the Neighbourhood and Community Standard required outcome 1.1.1)

59. 'Shared spaces' as defined in the standards can include both internal and external areas associated with a registered provider's homes used by their tenants, that are not the responsibility of the registered provider. While registered providers do not have direct responsibility for these areas, they are expected to work cooperatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of these spaces. This may entail, for example, liaising with relevant organisations so that hazardous fly tipping can be removed or to arrange for defective lighting to be repaired where it presents a safety issue for their tenants.

Local cooperation

(Relevant to the Neighbourhood and Community Standard required outcome 1.2.1 and specific expectation 2.1.1)

60. The regulator acknowledges that the roles registered providers play in promoting social, environmental and economic wellbeing in the areas in which they operate are likely to vary, as registered providers need to take account of their strategic objectives, the views of tenants and their presence in those areas, among other considerations.

Anti-social behaviour and hate incidents

(Relevant to the Neighbourhood and Community Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3 and 2.2.5)

61. Anti-social behaviour (ASB) and hate incidents can have a significant negative impact on tenants of social housing, both for those experiencing them directly and for those living in the community where the ASB and hate incidents are occurring.
62. In order to deter and tackle ASB and hate incidents effectively in areas where they operate, registered providers must work with appropriate partners, with a common aim of trying to reduce ASB and hate incidents. Joint initiatives may include, for example, providing mediation services to try to resolve disputes before they escalate, undertaking security measures and environmental improvements, and providing diversionary activities.
63. It is vital that registered providers have effective policies and processes to tackle ASB and hate incidents, and they should communicate these to tenants. These should include their approaches to investigating reports of ASB and hate incidents (including the roles of other relevant agencies), the support available to affected tenants and the actions they take to deal with perpetrators of ASB and hate incidents.
64. Registered providers should take into account the diverse needs of tenants in considering how tenants report ASB and hate incidents to them and eliminate any barriers to reporting such incidents.
65. In managing reports of ASB and hate incidents, including keeping tenants informed about the progress of their ASB case, registered providers should be mindful of their data protection obligations and any ongoing legal proceedings.
66. We expect registered providers to take a victim-centred approach to supporting tenants affected by ASB. This support can take different forms such as, for example, making a referral to an external support agency or, where appropriate, taking into account the wishes of the complainant when determining the course of action the registered provider will take. As part of this approach, registered providers should consider how they support vulnerable perpetrators of ASB, to help them to sustain their tenancy.

Domestic abuse

(Relevant the Neighbourhood and Community Standard required outcome 1.4.1 and specific expectations 2.3.1 and 2.3.2)

67. Registered providers should understand the significant impact that domestic abuse can have both on tenants experiencing it and their household members. In achieving this outcome registered providers should have a victim-centred approach to assisting tenants who experience domestic abuse.

68. Registered providers policies should set out their approach to recognising and effectively responding to cases of domestic abuse. They should consider, among other things, how they
- raise awareness and understanding among relevant staff so they are able to recognise the signs of domestic abuse, particularly those linked to a tenant's housing circumstances
 - make tenants aware of appropriate support and advice available regarding domestic abuse, including from third party organisations
 - offer tenants affected by domestic abuse referrals to specialist domestic abuse agencies
 - provide staff supporting tenants experiencing domestic abuse with appropriate specialist training, and
 - offer appropriate staff members to support tenants experiencing domestic abuse.
69. To be able to recognise and respond appropriately to reports of domestic abuse, registered providers should ensure they have an appreciation of the different specific needs of tenants who experience it, including those arising from the tenant's protected characteristics, such as disability and race. As part of their approach, registered providers must handle sensitive information relating to cases of domestic abuse in compliance with relevant legislation.
70. The duty referred to in 2.3.2 refers to the duty placed on local authorities in the Domestic Abuse Act 2021 (the Act) to develop and implement a strategy for accommodation-based support (which according to the Act is support in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation) in its area. Further information about this duty can be found in the government's statutory guidance: Domestic Abuse Act 2021 - GOV.UK (www.gov.uk).

Tenancy Standard

Allocations and lettings

(Relevant to the Tenancy Standard required outcome 1.1.1 and specific expectations 2.1.1, 2.1.2, 2.1.4 and 2.1.6)

71. Registered providers should have effective policies and processes in place for allocating their homes and should work effectively with local authorities to help meet identified local housing need. They should clearly set out their decision-making criteria, including in relation to transfers.
72. In order to be able to take the needs of tenants and prospective tenants into account in the allocations process, registered providers need to have a robust and accurate understanding of local housing need and their homes, including in relation to which homes have been designed or adapted to meet specific needs.
73. Tenancy fraud can take a number of forms. Actions registered providers can take to prevent and tackle tenancy fraud include carrying out effective checks before the start of and during a tenancy, publicising their approach including outcomes to tackling tenancy fraud, and providing guidance to staff on how to prevent, detect and take action against suspected tenancy fraud.
74. Information on the government's CORE (Continuous Recording of Lettings and Sales in Social Housing in England) system is available at: CORE - CORE - Home (communities.gov.uk).

Tenancy sustainment and evictions

(Relevant to the Tenancy Standard required outcome 1.2.1 and specific expectations 2.2.1 and 2.2.2)

75. Registered providers may provide support directly to tenants to help them maintain their tenancy or licence, or they may use appropriate organisations to provide this support. Examples of support that may be provided include helping tenants to manage their money and maximise their income, offering energy advice, and helping vulnerable tenants to be able to live independently, including those who experience mental health issues, or drug and alcohol dependency.

76. Where a registered provider ends a tenancy or licence they must offer those affected timely advice and assistance. This assistance can take the form of, for example, helping affected tenants to apply for alternative housing or signposting them to appropriate support and advice services. Registered providers should ensure that any advice and assistance about housing options is offered at the earliest opportunity in the process, to enable those affected to understand the process of finding suitable alternative accommodation.
77. Alongside other objectives, such as minimising loss of rental income, registered providers should bear in mind their objectives as landlords of social housing, including in relation to preventing homelessness and helping tenants to maintain their tenancies, when considering whether to escalate eviction proceedings.

Tenure

(Relevant to the Tenancy Standard required outcomes 1.3.1 and 1.3.2 and specific expectations 2.3.1b, 2.3.1d and 2.3.1g)

78. Registered providers should consider the suitability of the tenancies that they issue, taking into account the tenants' needs and the purpose of the accommodation. They must comply with all relevant law in issuing tenancies or terms of occupation. Where appropriate, they may wish to seek legal advice.
79. Registered providers that make use of licences as the basis of occupation should ensure that they use them appropriately.
80. As part of setting out their approach to tenancy management, registered providers should help tenants understand both their own responsibilities and those of their landlord in relation to their tenancy.
81. In relation to 2.3.1b and 2.3.1d, registered providers should only grant tenancies for a minimum fixed term of less than five years in exceptional circumstances and should not adopt a blanket approach to granting such tenancies. For example, all tenants in a particular area or all tenants of a certain age. Where a registered provider makes use of fixed term tenancies for a term of less than five years, they should set out in a policy the circumstances in which they will do so.
82. As part of meeting 2.3.1g, registered providers should be able to demonstrate how they have taken into account the needs of vulnerable households in their approach to tenancy management.

83. For clarity, reference to the use of probationary tenancies in our requirements includes the use of introductory or other equivalent tenancies.

Mutual exchange

(Relevant to the Tenancy Standard required outcome 1.4.1 and specific expectations 2.4.3)

84. Support to relevant tenants wishing to mutually exchange may include, for example, registered providers supplying them with clear and simple information about the mutual exchange process, including the associated responsibilities of the landlord and of the tenant, and helping tenants to register with an online mutual exchange service if required.

Legal status of the Code

85. This Code is issued by the Regulator of Social Housing, under section 195(1) of the Housing and Regeneration Act 2008 (as amended) (the HRA).
86. Section 195(2) of the HRA provides that the regulator may have regard to the Code when considering whether the standards have been met.



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The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.



Regulator of
Social Housing

Rent Standard

April 2020



OFFICIAL

Contents

1. Required outcome	1
2. Exclusions from this Rent Standard	1
3. Specific expectations	2
2020 limit	3
Social rent	3
Fair rent	4
Affordable rent housing	4
Moving between types of rent	5
Local authority information requirements	6

1. Required outcome

- 1.1 Registered providers¹ must set rents from 1 April 2020 in accordance with the Government's Policy Statement on Rents for Social Housing 2019 (hereafter Rent Policy Statement)² which can be found on the Ministry of Housing, Communities and Local Government (MHCLG) website³.

2. Exclusions from this Rent Standard

- 2.1 This Rent Standard applies, subject to the exceptions in 2.2-2.5 below, to 'low cost rental' accommodation, as defined by section 69 of the Housing and Regeneration Act 2008. All other terms used in this Rent Standard are defined within the 'Policy Statement on rents for social housing'

¹ This Rent Standard applies to both private registered providers and local authority registered providers

² And any future amendments/additions to that Policy Statement

³ <https://www.gov.uk/government/publications/direction-on-the-rent-standard-from-1-april-2020>

- 2.2 This Rent Standard does not apply to the following categories of property, as defined in Chapter 5 of the Rent Policy Statement:
- Shared ownership low cost rental accommodation
 - Intermediate rent accommodation
 - Specialised supported housing
 - Relevant local authority accommodation
 - Student accommodation
 - PFI social housing
 - Temporary social housing
 - Care homes.
- 2.3 This Rent Standard does not apply to property let to a high-income social tenant, for the period of time where that property is let to that tenant. Where a tenancy of a high-income social tenant ends, or where the tenant no longer fits the definition of “high income social tenant” as set out in the Rent Policy Statement, this Rent Standard then applies to that tenancy, and/or to future lettings of that property.
- 2.4 Where the application of this Rent Standard would jeopardise the financial viability of a private registered provider, the Regulator may agree, on request from that provider, an exemption to specific requirements of the Rent Standard for a period of time⁴.
- 2.5 In a situation (such as an insolvency) where there is a mortgagee in possession, or receiver, in place, or where the registered provider’s stock is sold to a non-registered landlord following intervention by the Regulator, neither the mortgagee in possession, nor the receiver, nor the landlord to whom the stock is sold will be bound by this Rent Standard.

3. Specific expectations

- 3.1 Registered providers must comply in full with all the requirements and expectations set out in this Rent Standard. They must additionally comply with all the requirements and expectations of the Rent Policy Statement on the setting, increase and decrease of rents and service charges.

⁴ Further guidance on providers requesting an exemption can be found in the policy statement and arrangement for local authorities will be published by MHCLG in due course

2020 limit

3.2 In the year following the end of the social rent reduction period the maximum weekly rent for an existing tenant is the 2020 limit. “2020 limit” means the amount that is found by:

- a. determining the average weekly rent for the tenant’s accommodation in the fourth relevant year specified in section 23(6) of the Welfare Reform and Work Act 2016, and
- b. increasing that amount by CPI + 1%⁵
- c. in this paragraph “average weekly rent” means:
 - i. in a case where the weekly rent changes because the accommodation is re-let after the start of the fourth year, the weekly rent payable by that tenant for that accommodation in respect of the most recent period for which rent was payable at that changed rate provided that that change complies with the requirements of the of the social housing provisions⁶ of the Welfare Reform and Work Act 2016 Act and any Regulations made under those provisions; or
 - ii. in any other case, the average weekly rent payable by the tenant of that accommodation in respect of the fourth year.

3.3 This formula for calculating the 2020 limit applies to both Social Rent and affordable rent housing.

Social rent

3.4 Where accommodation is not affordable rent housing (see 3.8-3.9 below) the maximum weekly rent for a tenant who is granted a tenancy of the accommodation for the first time is formula rent. Formula rents are exclusive of any service charges.

⁵ CPI, where mentioned, is the Consumer Price Index rate published by the Office for National Statistics for September of the preceding financial year

⁶ “social housing rent provisions” has the meaning in section 33 of the 2016 Act.

Rent Standard

- 3.5 The formula rent of accommodation is found in accordance with the method set out in paragraphs 2.4 to 2.6 of the Rent Policy Statement. The rent set may include an upwards tolerance – “Rent Flexibility” – of
- if the accommodation is supported housing, 10% of formula rent; or
 - if the accommodation is not supported housing, 5% of formula rent.
- 3.6 As set out in paragraph 2.8 and 2.9 of the Rent Policy Statement, formula rent is subject to the rent cap. The rent cap is determined in accordance with paragraphs 11 and 12 of Appendix A to the Rent Policy Statement.
- 3.7 Subject to the 2020 limit (see above), the weekly rent of any existing tenant may not be increased by more than:
- CPI +1% in any year; or
 - if the tenant’s rent exceeds the rent flexibility level, CPI in any year.

Fair rent

- 3.8 In the case of tenancies subject to fair rent protection, the maximum weekly rent is the lower of the fair rent set by the Rent Officer, and formula rent (subject to both the rent caps and the rent flexibility level).
- 3.9 Registered providers may not increase the rent of a tenant with fair rent protection by more than CPI +1% in any year (even if the tenant’s rent is below the formula rent level and the maximum fair rent is increased by more than that amount).

Affordable rent housing

- 3.10 Affordable rent may only be charged where the property in question is provided by a:
- a. registered provider pursuant to a housing supply delivery agreement between that provider and the Homes and Communities Agency (now known as Homes England) or the Greater London Authority and the accommodation is permitted by that agreement to be let at an affordable rent; or
 - b. registered provider pursuant to an agreement between a local authority and the Secretary of State and the accommodation is permitted by that agreement to be let at an affordable rent; or
 - c. local authority, and the Secretary of State, Homes England or the Greater London Authority has agreed that it is appropriate for the accommodation to be let at an affordable rent.

- 3.11 In addition to the above, Affordable Rent may be charged where the property has been acquired by a registered provider and was affordable rent housing when it was acquired.
- 3.12 Where Affordable Rent is being charged, the maximum rent inclusive of service charge for a new tenant under a new tenancy is 80% of the market rent⁷ for the tenant's accommodation, subject to 3.13 and 3.14 below.
- 3.13 If the formula rent is higher than 80% of the weekly market rent (inclusive of service charges) for the tenant's accommodation, the maximum weekly rent is formula rent which is to be set as in paragraphs 3.3-3.6 above and would be exclusive of service charges.
- 3.14 The rent of an existing affordable rent tenant (including where they have a new tenancy) may not be increased by more than CPI +1% in any year, subject to 3.2 above. 'Existing tenant' in this context means an existing tenant of the specific property concerned. For the avoidance of doubt, the revised rent on re-letting to an existing tenant may only be re-based to 80% of current market value where the resulting rent would be no more than the rent arrived at by a CPI+1% increase.

Moving between types of rent

- 3.15 Where a tenancy subject to fair rent protection ends and the property is re-let, that new letting should be at social rent (or Affordable Rent where applicable and permitted. See 3.17a below).
- 3.16 On re-letting of a property previously occupied by a high-income social tenant, the new letting should be at social rent (or Affordable Rent where applicable and permitted. See 3.18a below).
- 3.17 Social rent properties may not be converted to:
- Affordable Rent (other than in the circumstances set out in chapter 2 of the Rent Policy Statement);
 - market rent (other than in the circumstances set out in chapter 4 of the Rent Policy Statement); or
 - intermediate rent.

⁷ market rent" means, in relation to accommodation, an estimate of its market rent inclusive of all service charges at the time the tenancy is granted that is based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors.

Rent Standard

- 3.18 Affordable Rent housing must not be converted (including on re-let) to:
- a. market rent (other than in the circumstances set out in chapter 4 of the Rent Policy Statement); or
 - b. intermediate rent.

Local authority information requirements

3.19 Local authority registered providers shall communicate with the Regulator in an accurate and timely manner. This includes all data and information required by the Regulator in respect of compliance with this Standard. Where material issues that relate to non-compliance or potential non-compliance with the Rent Standard are identified by local authorities, they are expected to communicate these to the Regulator promptly.



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RSH regulates private registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs.

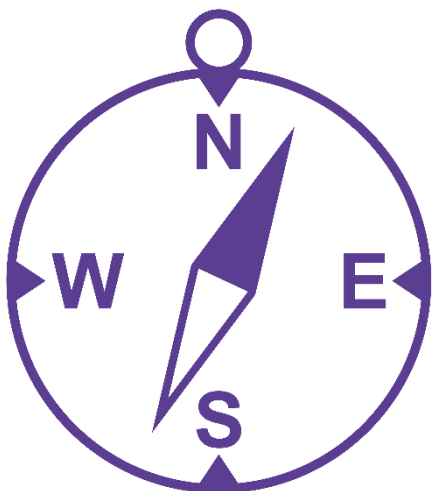


Regulator of
Social Housing

Annex 4

Consumer standards Code of Practice

April 2024



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Consumer standards Code of Practice

The role of the Code of Practice

1. This Code of Practice (the Code) is designed to amplify some of the requirements in the consumer standards (the standards). The Code elaborates on the content of the standards with illustrative examples where we think they are useful. It aims to help registered providers understand what the regulator is looking for when seeking evidence which gives us assurance that they are delivering the outcomes of the standards. Throughout the Code, when we refer to registered providers delivering the outcomes of the standards we mean any of the required outcomes and specific expectations of the standards. The Code does not elaborate on all expectations set out in the standards, only where the regulator considers that amplification may help registered providers understand how the outcomes of the standards can be delivered. This does not indicate the relative importance of different elements of the standards. Registered providers must deliver all the outcomes of the standards.
2. Registered providers should have regard to the Code when assessing whether they are delivering the outcomes of the standards. In considering whether the outcomes of the standards have been delivered, the regulator will have regard to the Code. It is therefore important that registered providers are familiar with its content. However, it is the outcomes of the standards rather than the Code that registered providers must deliver.
3. The regulator adopts a co-regulatory approach to its work. It sets both economic and consumer standards designed to help it to deliver its statutory objectives. Responsibility lies with the boards and councillors of registered providers to deliver the outcomes of the standards. The Code fits with our co-regulatory approach by recognising that registered providers may develop their own approaches to deliver the outcomes of the standards. Boards and councillors of registered providers should have robust mechanisms in place to provide them with assurance that their organisation delivers the outcomes of the standards.
4. Examples of how registered providers might deliver the outcomes are not intended to be exhaustive nor prescriptive. Registered providers are free to deliver the outcomes in a different manner. If there are any conflicts between the Code and the standards, the standards take precedence.

5. The different sections of the Code follow the same order as they appear in the standards. At the beginning of each theme in the Code, we state clearly which required outcome and specific expectations from each standard we are expanding upon.
6. Registered providers are responsible for delivering the outcomes of the standards. This applies both where the registered provider delivers services to tenants directly and where services are delivered via other organisations. Where they contract out any landlord services to a third party, the registered provider remains responsible for delivering the outcomes of the standards and should have assurance that they are being delivered.
7. The outcomes of the standards are interdependent as they all share a common aim of ensuring the provision of effective landlord services and quality, well-maintained and safe homes. Registered providers should consider that if they are unable to demonstrate they are delivering one element of the standards, this is likely to mean that there are gaps in their assurance of how they are delivering other expectations of the standards.
8. The Code references a number of documents, some of which are owned by the regulator, and some are owned by other organisations. These documents and links to them may be updated, amended and replaced from time to time, and it is the responsibility of registered providers to ensure that they comply with the latest version of these documents at any point in time.

Safety and Quality Standard

Stock quality

(Relevant to the Safety and Quality Standard required outcome 1.1.1 and specific expectations 2.1.1 and 2.1.2)

9. Providing safe and well-maintained homes is a fundamental responsibility of all registered providers. Having a sufficiently detailed understanding of the condition of their homes at an individual property level is vital to registered providers being able to achieve this and helps to ensure that they meet all applicable requirements. In achieving this outcome, private registered providers should be mindful of the regulator's requirement in the Governance and Financial Viability Standard in relation to maintaining a thorough, accurate and up to date record of their assets and liabilities.
10. Registered providers are expected to undertake regular physical assessments of the inside and the outside of homes where they have a legal responsibility. They should assess whether homes are:
 - safe and free from serious hazards
 - kept in good repair
 - meet relevant standards prescribed in law.
11. Registered providers should assess the condition of homes frequently enough and in sufficient depth to maintain their assurance on their quality and safety. Appropriate frequency and depth will be influenced by a range of factors, including but not limited to, property age, construction, and archetypes as well as data from complaints and reports from repairs and maintenance programmes. For some registered providers a five-year rolling programme of stock condition surveys across all homes might be appropriate; however for some registered providers or for some homes, more frequent assessments might be needed, for example where there are high levels of responsive repair requests or recurring problems which might be indicative of wider issues.
12. Registered providers should ensure their approach to assessing and recording the conditions of their homes is robust and kept up to date by using information from a range of relevant sources such as repairs, complaints, health and safety assessments and energy performance certificate (EPC) data to maintain a rounded view of condition.

13. To ensure registered providers have an understanding of all homes, their approach to assessing homes should consider the different opportunities where the inside of a home can be assessed e.g. when gas safety checks are being carried out. Where access is needed, registered providers should take all reasonable steps to access homes.
14. Registered providers should consider their understanding of the condition of homes in the context of the needs of individual tenants living in them. Taking into account the potential risk to tenants, registered providers should have appropriate systems in place to ensure they act upon identified investment and repair requirements in an appropriate and timely manner.

Decency

(Relevant to the Safety and Quality Standard required outcome 1.2.1)

15. Registered providers are required to meet section 5 of the Government's Decent Homes Guidance, and should have an approach to repairs, maintenance and planned improvements which ensures that their homes are maintained to meet all criteria of the Decent Homes Standard, including being free from Category 1 hazards.
16. Registered providers' understanding of the condition of their homes should include meeting all criteria of the Decent Homes Standard. In addition, registered providers should have an effective plan in place to ensure they meet all criteria of the Decent Homes Standard.
17. Where a registered provider has agreed a period of non-compliance with the Decent Homes Standard with the regulator, it should ensure that it meets all applicable health and safety legal requirements for the duration of the period and should communicate the non-compliance with the Decent Homes Standard and its implications to affected tenants.

Health and safety

(Relevant to the Safety and Quality Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2 and 2.2.3)

18. As part of delivering this outcome, registered providers must ensure they understand and meet all applicable health and safety legal requirements, including secondary legislation (in relation to, for example, gas safety, fire safety, electrical safety, water safety, lift safety, asbestos safety, smoke alarms and carbon monoxide). Registered

providers are expected to have regard to appropriate statutory guidance and to meet the legal requirements relating to the role of the health and safety lead.

19. Registered providers should ensure that they maintain sufficient assurance that they meet all relevant health and safety requirements, which reflects the level of potential risk and impact on tenants. They should have a full understanding of what the data is telling them about how safe tenants are, the effectiveness of controls in place and how tenants' needs are being met.
20. Where a third party has the legal responsibility for tenants' homes and/or communal areas, registered providers should hold the third party to account for ensuring health and safety requirements are met.
21. All required actions arising from legally required health and safety assessments should be carried out as soon as possible. When prioritising these actions registered providers should take into account any statutory timescales as well as the potential risk to tenants, so that remedial actions are carried out within appropriate timescales.
22. As part of ensuring the wider safety of tenants in the design and delivery of landlord services, registered providers should have an effective approach to proactively identifying the risks to tenants' safety and eliminating or mitigating those risks. Examples of actions that registered providers may take to ensure the safety of tenants include, housing tenants together appropriately when allocating shared properties, assessing the vulnerability and risk of anti-social behaviour victims in considering what action to take, and taking into account, where appropriate, individual tenants' safety, security and health when prioritising repairs.

Repairs, maintenance and planned improvements

(Relevant to the Safety and Quality Standard required outcome 1.4.1 and specific expectations 2.3.3, 2.3.4 and 2.3.5)

23. In delivering an effective, efficient and timely repairs maintenance and planned improvement service, registered providers should coordinate effectively with all parties involved, so that work is completed within set timescales, in as few visits as possible and is fit for purpose.
24. Registered providers are expected to have in place and comply with effective policies, procedures and processes in relation to repairs, maintenance and planned improvements that take into account tenants' views and diverse needs. This may

include, for example, increasing the priority of repairs for some older tenants and where a household member is disabled, and installing extra locks and security lights for tenants experiencing domestic abuse or anti-social behaviour, in order to safeguard them.

25. Registered providers should communicate promptly with tenants about repairs, maintenance and planned improvements and keep them regularly updated on progress and how they are resolving any issues. For example, they should aim to consult affected tenants in a timely manner before the start of any planned improvement programmes, and update affected tenants if registered providers foresee any delays to the programme. In doing so, they should be mindful of the regulator's requirements in relation to the diverse needs of tenants.
26. In relation to communal areas, where there is an arrangement in place for a third party to manage a communal area on a registered provider's behalf, the registered provider is required to ensure that the communal area is well-maintained, and to hold the third party to account if it is not.

Adaptations

(Relevant to the Safety and Quality Standard required outcome 1.5.1 and specific expectation 2.4.1 and 2.4.2)

27. Not all registered providers directly provide a housing adaptations service, but nonetheless they should all have a process in place to assist tenants in need of housing adaptations, which they must communicate to tenants. As part of this communication, registered providers are expected to inform tenants about the application process, and where relevant, registered providers should make clear any local variations to the application process that may apply. Assistance to tenants requiring a housing adaptation may take the form of, for example, registered providers applying for an adaptation to the relevant organisation on a tenant's behalf or establishing clear timescales with the relevant organisation providing the adaptation.
28. Where the housing adaptations service is provided by a third party, the registered provider should not unreasonably withhold permission for a housing adaptation to be installed in a tenant's home. Where the registered provider provides a housing adaptations service, they should not unreasonably refuse a tenant's request for a housing adaptation. Where a registered provider does not meet a tenant's request for a housing adaptation, the registered provider should consider whether it is appropriate to offer alternative measures in order to support the affected tenant, for example offering to transfer them to a home that is accessible or that can be adapted to meet their needs.

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Transparency, Influence and Accountability Standard

Fairness and respect

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.1.1)

29. Tenants and prospective tenants should be treated with fairness and respect and this principle should underpin how registered providers deliver all landlord services.
30. Registered providers should foster a strong culture throughout their organisation of fairness, courtesy and respect, where tenants are listened to and can trust their landlord. In treating tenants fairly, registered providers should consider how they can adapt their services and communications to meet individual tenants' needs.

Diverse needs

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.2.1 and specific expectations 2.1.1, 2.1.2, 2.1.3 and 2.1.4)

31. Registered providers are expected to consider the diverse needs of their tenants (and prospective tenants, where relevant) in relation to the housing and landlord services they provide. This consideration should be integral to the culture of the organisation. Examples of how registered providers can take action to deliver fair and equitable outcomes for tenants may include investigating any complaints of alleged discrimination from tenants promptly and implementing any relevant learning, providing regular equality, diversity and inclusion training for staff, board members or councillors, and carrying out work to understand the barriers different groups of tenants might face in accessing services and working to remove those barriers.
32. Registered providers are expected to have robust information about their tenants so that they can deliver fair and equitable outcomes for tenants in relation to the housing and landlord services they provide. This should include, but not be limited to, relevant information on protected characteristics, and any support or communication needs.
33. It is for registered providers to work with tenants to decide the most effective approach to gathering this information and keeping it up to date, and to share with tenants how they will make use of the data. Registered providers should explore a range of methods for collecting this information from tenants to encourage a good response rate. For example, via periodic face-to-face contact with tenants or other appropriate points of contact with tenants. As part of their approach registered providers should process personal information in compliance with relevant legislation and the Information Commissioner's Office guidance.

34. In delivering this outcome, registered providers may also want to consider using other data and information about tenants, for example the census and/or English Housing Survey, to inform the design and delivery of their strategies, policies and landlord services.
35. Registered providers should regularly assess whether their housing and landlord services deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants. Registered providers should take account of the findings of their assessments and should be able to demonstrate actions they have taken as a result.
36. Registered providers should make tenants aware of the different ways in which services are tailored to meet their needs. This could include, for example, by informing tenants when they report a repair that a choice of appointment time is available, or that information can be supplied in alternative formats, such as pictorial, and in different languages on request.
37. Registered providers should have in place an effective, simple and accessible process to enable tenants and prospective tenants to nominate a representative to act on their behalf in interactions with the landlord about landlord services, for example, in order to report a complaint on a tenant's behalf and to discuss progress of a repair or a housing application.

Engagement with tenants

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5 and 2.2.6)

38. Genuine consideration of tenants' views should be at the heart of registered providers' different levels of decision-making about the delivery of landlord services. This may include, for example, in relation to agreeing their asset management strategy, the setting of service standards, agreeing responsive repair timescales and setting performance targets for different landlord services.
39. Tenants' views can be gathered in different ways. Boards and councillors of registered providers should assure themselves that tenants' views have been actively sought and considered as part of their decision-making about their organisation's landlord services. Registered providers should also communicate to tenants how tenants' views have been taken into account in their decision making about how landlord services are delivered. In addition, consideration of how to improve and tailor landlord service

delivery should be an ongoing activity taking place at all levels of the organisation and across all areas of service delivery.

40. Registered providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies and services, taking into account the diverse needs of tenants.
41. Registered providers should take reasonable steps to assist tenants wishing to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services. Assistance may include, for example, providing venues for meetings, administrative support, funding and training.
42. Where a registered provider is considering a change in landlord or a significant change in management arrangements, it is important that in their consultation with affected tenants they tailor their communication methods and take all reasonable steps to ensure that all affected tenants have access to and can understand the landlord's proposals. This should include tenants who may experience communication barriers, have additional support needs and/or are unable to use online services.
43. Consultation with tenants must be meaningful, which includes engaging with affected tenants in a range of ways. Registered providers should begin their consultation with affected tenants at an early stage in the process, while there is scope to influence the decision and/or outcome. They should run the consultation for a sufficient amount of time to give affected tenants an equitable opportunity to consider and respond to the proposals. Registered providers should make clear any potential material impacts, positive and negative, of the proposed changes, for example, any impact on rent and service charge levels, service delivery or security of tenure. They should also set out clearly the main reasons for the changes being proposed to affected tenants. Board and councillors of registered providers should assure themselves that feedback from affected tenants has been genuinely considered in their decision-making about proposals, and the registered provider should demonstrate this to affected tenants.

Information about landlord services

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.4.1 and specific expectations 2.3.1, 2.3.3 and 2.3.5)

44. Effective communication with tenants and the provision of clear and accessible information is at the heart of an effective tenant/landlord relationship. Registered providers should make tenants aware of the services and standards of service they provide, and the different ways in which tenants can contact their landlord.

45. Where registered providers are delivering a service directly to a tenant, they should communicate with them from the start through to the completion of that service. For example, where a tenant reports a repair to their landlord, the registered provider should keep them updated about the progress of the repair on a regular and ongoing basis, particularly where there is going to be a delay in carrying out the repair, or where multiple trades and visits are required.
46. The expectation that registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers applies to all registered providers, whether they employ paid staff or not.

Performance information

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.5.1 and specific expectations 2.4.2b, 2.4.3, 2.4.4.a, 2.4.4.b and 2.4.4.d)

47. Tenants having access to reliable and accurate performance information about landlord services helps to ensure transparency and to drive effective tenant scrutiny.
48. In addition to meeting the requirement to publish their performance against the tenant satisfaction measures (TSMs) in a form required by the regulator, registered providers should, following engagement with their tenants, also consider publishing some or all TSM data at a more granular level and/or on a more frequent basis, in order to support tenant scrutiny. For example, they may report some or all TSM data separately for:
 - entities within their group
 - specific property types such as general needs or housing for older people and/or
 - different geographical areas, and/or
 - specific tenant groups (relevant to the TSM tenant perception measures: TP01-TP12) such as tenants who share different protected characteristics.
49. Where a registered provider publishes TSM data in more detail as set out in paragraph 48, they should ensure, as far as possible, that they calculate and report the data in accordance with the regulator's TSM requirements. Any significant deviation from these requirements should be clearly set out alongside the reported TSM data.
50. It is important that tenants and other stakeholders are able to trust what TSM data tells them about landlords' performance. Registered providers should ensure they have adequate assurance that they meet the regulator's TSM requirements.

51. Registered providers should be able to demonstrate that they understand their performance, including where and why performance has changed over time. They should have clear and measurable plans in place to improve performance where required and should be able to demonstrate that they are effectively delivering to those plans.
52. In providing tenants with accessible information about their performance, registered providers should consider all performance information, including the regulator's judgements. Registered providers should consider how they can support tenants to understand the information being presented, including relevant performance action plans, for example, by including contextual and benchmarking information. In providing information about how they have taken tenants' views into account, registered providers should be able to demonstrate any changes they have made to landlord services as a result of insight from tenants' views, including learning from complaints.
53. In providing information to tenants on directors' remuneration and management costs, registered providers should consider the regulator's [note](#) on how to calculate these costs, which can be found on our website.

Complaints

(Relevant to the Transparency, Influence and Accountability Standard required outcome 1.6.1 and specific expectations 2.5.1 and 2.5.2)

54. Addressing complaints fairly, effectively and promptly is essential for registered providers to build trust with tenants. Registered providers should make every effort to ensure that tenants are aware of their complaints process. Tenants should be able to raise a complaint easily and should be listened to by their landlord when they do so.
55. In addressing complaints, registered providers should ensure that they provide regular updates to affected tenants about the progress they have made to resolve the complaint fairly and the next steps they plan to take, with clear timescales.
56. In meeting this outcome, registered providers are expected to consider relevant requirements of other bodies, including those of the Housing Ombudsman and specifically their Complaint Handling Code.
57. Complaints present registered providers with valuable insight into tenants' experiences of interacting with their landlord. Registered providers should make good use of this learning in order to improve services for tenants, bringing about change at a service or organisational level where appropriate. As part of this learning, registered providers should analyse trends and themes from complaints data.

Self-referral

(Relevant to the Transparency, Influence and Accountability Standard specific expectation 2.6.1)

58. The regulator requires registered providers to tell it at the earliest opportunity about any material issues that relate to non-compliance or potential non-compliance with the standards. If a registered provider is unsure as to whether an issue is material, they should contact the regulator to discuss the matter further. Being open and transparent with the regulator is an essential part of registered providers meeting their co-regulatory responsibilities.

Neighbourhood and Community Standard

Safety of shared spaces

(Relevant to the Neighbourhood and Community Standard required outcome 1.1.1)

59. 'Shared spaces' as defined in the standards can include both internal and external areas associated with a registered provider's homes used by their tenants, that are not the responsibility of the registered provider. While registered providers do not have direct responsibility for these areas, they are expected to work cooperatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of these spaces. This may entail, for example, liaising with relevant organisations so that hazardous fly tipping can be removed or to arrange for defective lighting to be repaired where it presents a safety issue for their tenants.

Local cooperation

(Relevant to the Neighbourhood and Community Standard required outcome 1.2.1 and specific expectation 2.1.1)

60. The regulator acknowledges that the roles registered providers play in promoting social, environmental and economic wellbeing in the areas in which they operate are likely to vary, as registered providers need to take account of their strategic objectives, the views of tenants and their presence in those areas, among other considerations.

Anti-social behaviour and hate incidents

(Relevant to the Neighbourhood and Community Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3 and 2.2.5)

61. Anti-social behaviour (ASB) and hate incidents can have a significant negative impact on tenants of social housing, both for those experiencing them directly and for those living in the community where the ASB and hate incidents are occurring.
62. In order to deter and tackle ASB and hate incidents effectively in areas where they operate, registered providers must work with appropriate partners, with a common aim of trying to reduce ASB and hate incidents. Joint initiatives may include, for example, providing mediation services to try to resolve disputes before they escalate, undertaking security measures and environmental improvements, and providing diversionary activities.
63. It is vital that registered providers have effective policies and processes to tackle ASB and hate incidents, and they should communicate these to tenants. These should include their approaches to investigating reports of ASB and hate incidents (including the roles of other relevant agencies), the support available to affected tenants and the actions they take to deal with perpetrators of ASB and hate incidents.
64. Registered providers should take into account the diverse needs of tenants in considering how tenants report ASB and hate incidents to them and eliminate any barriers to reporting such incidents.
65. In managing reports of ASB and hate incidents, including keeping tenants informed about the progress of their ASB case, registered providers should be mindful of their data protection obligations and any ongoing legal proceedings.
66. We expect registered providers to take a victim-centred approach to supporting tenants affected by ASB. This support can take different forms such as, for example, making a referral to an external support agency or, where appropriate, taking into account the wishes of the complainant when determining the course of action the registered provider will take. As part of this approach, registered providers should consider how they support vulnerable perpetrators of ASB, to help them to sustain their tenancy.

Domestic abuse

(Relevant the Neighbourhood and Community Standard required outcome 1.4.1 and specific expectations 2.3.1 and 2.3.2)

67. Registered providers should understand the significant impact that domestic abuse can have both on tenants experiencing it and their household members. In achieving this outcome registered providers should have a victim-centred approach to assisting tenants who experience domestic abuse.

68. Registered providers policies should set out their approach to recognising and effectively responding to cases of domestic abuse. They should consider, among other things, how they
- raise awareness and understanding among relevant staff so they are able to recognise the signs of domestic abuse, particularly those linked to a tenant's housing circumstances
 - make tenants aware of appropriate support and advice available regarding domestic abuse, including from third party organisations
 - offer tenants affected by domestic abuse referrals to specialist domestic abuse agencies
 - provide staff supporting tenants experiencing domestic abuse with appropriate specialist training, and
 - offer appropriate staff members to support tenants experiencing domestic abuse.
69. To be able to recognise and respond appropriately to reports of domestic abuse, registered providers should ensure they have an appreciation of the different specific needs of tenants who experience it, including those arising from the tenant's protected characteristics, such as disability and race. As part of their approach, registered providers must handle sensitive information relating to cases of domestic abuse in compliance with relevant legislation.
70. The duty referred to in 2.3.2 refers to the duty placed on local authorities in the Domestic Abuse Act 2021 (the Act) to develop and implement a strategy for accommodation-based support (which according to the Act is support in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation) in its area. Further information about this duty can be found in the government's statutory guidance: Domestic Abuse Act 2021 - GOV.UK (www.gov.uk).

Tenancy Standard

Allocations and lettings

(Relevant to the Tenancy Standard required outcome 1.1.1 and specific expectations 2.1.1, 2.1.2, 2.1.4 and 2.1.6)

71. Registered providers should have effective policies and processes in place for allocating their homes and should work effectively with local authorities to help meet identified local housing need. They should clearly set out their decision-making criteria, including in relation to transfers.
72. In order to be able to take the needs of tenants and prospective tenants into account in the allocations process, registered providers need to have a robust and accurate understanding of local housing need and their homes, including in relation to which homes have been designed or adapted to meet specific needs.
73. Tenancy fraud can take a number of forms. Actions registered providers can take to prevent and tackle tenancy fraud include carrying out effective checks before the start of and during a tenancy, publicising their approach including outcomes to tackling tenancy fraud, and providing guidance to staff on how to prevent, detect and take action against suspected tenancy fraud.
74. Information on the government's CORE (Continuous Recording of Lettings and Sales in Social Housing in England) system is available at: CORE - CORE - Home (communities.gov.uk).

Tenancy sustainment and evictions

(Relevant to the Tenancy Standard required outcome 1.2.1 and specific expectations 2.2.1 and 2.2.2)

75. Registered providers may provide support directly to tenants to help them maintain their tenancy or licence, or they may use appropriate organisations to provide this support. Examples of support that may be provided include helping tenants to manage their money and maximise their income, offering energy advice, and helping vulnerable tenants to be able to live independently, including those who experience mental health issues, or drug and alcohol dependency.

76. Where a registered provider ends a tenancy or licence they must offer those affected timely advice and assistance. This assistance can take the form of, for example, helping affected tenants to apply for alternative housing or signposting them to appropriate support and advice services. Registered providers should ensure that any advice and assistance about housing options is offered at the earliest opportunity in the process, to enable those affected to understand the process of finding suitable alternative accommodation.
77. Alongside other objectives, such as minimising loss of rental income, registered providers should bear in mind their objectives as landlords of social housing, including in relation to preventing homelessness and helping tenants to maintain their tenancies, when considering whether to escalate eviction proceedings.

Tenure

(Relevant to the Tenancy Standard required outcomes 1.3.1 and 1.3.2 and specific expectations 2.3.1b, 2.3.1d and 2.3.1g)

78. Registered providers should consider the suitability of the tenancies that they issue, taking into account the tenants' needs and the purpose of the accommodation. They must comply with all relevant law in issuing tenancies or terms of occupation. Where appropriate, they may wish to seek legal advice.
79. Registered providers that make use of licences as the basis of occupation should ensure that they use them appropriately.
80. As part of setting out their approach to tenancy management, registered providers should help tenants understand both their own responsibilities and those of their landlord in relation to their tenancy.
81. In relation to 2.3.1b and 2.3.1d, registered providers should only grant tenancies for a minimum fixed term of less than five years in exceptional circumstances and should not adopt a blanket approach to granting such tenancies. For example, all tenants in a particular area or all tenants of a certain age. Where a registered provider makes use of fixed term tenancies for a term of less than five years, they should set out in a policy the circumstances in which they will do so.
82. As part of meeting 2.3.1g, registered providers should be able to demonstrate how they have taken into account the needs of vulnerable households in their approach to tenancy management.

83. For clarity, reference to the use of probationary tenancies in our requirements includes the use of introductory or other equivalent tenancies.

Mutual exchange

(Relevant to the Tenancy Standard required outcome 1.4.1 and specific expectations 2.4.3)

84. Support to relevant tenants wishing to mutually exchange may include, for example, registered providers supplying them with clear and simple information about the mutual exchange process, including the associated responsibilities of the landlord and of the tenant, and helping tenants to register with an online mutual exchange service if required.

Legal status of the Code

85. This Code is issued by the Regulator of Social Housing, under section 195(1) of the Housing and Regeneration Act 2008 (as amended) (the HRA).
86. Section 195(2) of the HRA provides that the regulator may have regard to the Code when considering whether the standards have been met.



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Leeds LS1 4AP

The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Social Housing (Regulations) Act 2023
Brief description of proposal	Assessing the implications of the Social Housing (Regulations) Act 2023 on North Yorkshire Council and compliance with the incoming Consumer Standards.
Directorate	Community Development
Service area	Housing
Lead officer	Vicky Young
Names and roles of other people involved in carrying out the impact assessment	

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	✓	Continue to full CCIA:	
Reason for decision	The decision to self-refer to the Regulator of Social Housing is not one which will have any environmental impact, either negative or positive. However, some of the longer term goals of the Improvement Plan, to better understand the quality of our housing stock may have implications and positive environmental impacts, these will be assessed on a project by project basis.			
Signed (Assistant Director or equivalent)				
Date				

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Community Development		
Service area	Housing		
Proposal being screened	Social Housing (Regulations) Act 2023		
Officer(s) carrying out screening	Vicky Young		
What are you proposing to do?	Assessing the implications of the Social Housing (Regulations) Act 2023 on North Yorkshire Council and compliance with the incoming Consumer Standards.		
Why are you proposing this? What are the desired outcomes?	The revised Consumer Standards came into affect on 1 st April 2024 and have implications for the Council, introducing statutory requirements and an inspection regime. NYC is required to assess its performance against the new standards, set out any actions to address non-compliance and self-refer to the Regulator of Social Housing as soon as it becomes aware of any issues of potential non-compliance.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's	The proposal to self-refer to the Regulator is, in part, based upon the lack of information that we currently hold within our systems to be able to answer questions such		

OFFICIAL - SENSITIVE

OFFICIAL - SENSITIVE

access to public transport)? Please give details.	as this with confidence. Generally those in social housing will be on a lower income and a disproportionate number of tenants will be disabled.			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	The revised consumer standards introduced by the RSH enhance equality and actively seek to hold Registered Providers to account in their knowledge and tailoring services to meet the needs of tenants with protected characteristics and vulnerabilities. In assessing compliance and developing an Improvement Plan, NYC is seeking to improve its provision of services, in line with the requirements of our tenants.			
Signed (Assistant Director or equivalent)				
Date				