

Social Housing Regulation and Consumer Standards

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Your presenters



What we aim to cover



1. The Regulator of Social Housing – their remit and coverage
2. Overview of standards
3. Changes brought in by the Social Housing (Regulation) Act 2023
4. Lessons to be learned from regulatory judgments



The Regulator of Social Housing

Their remit and coverage





Housing and Regeneration Act 2008

- Part 2: Regulation of Social Housing
- Low-cost rental accommodation
- Low-cost home ownership accommodation

The Regulator of Social Housing

Membership

**Terms of
appointment**

Procedure

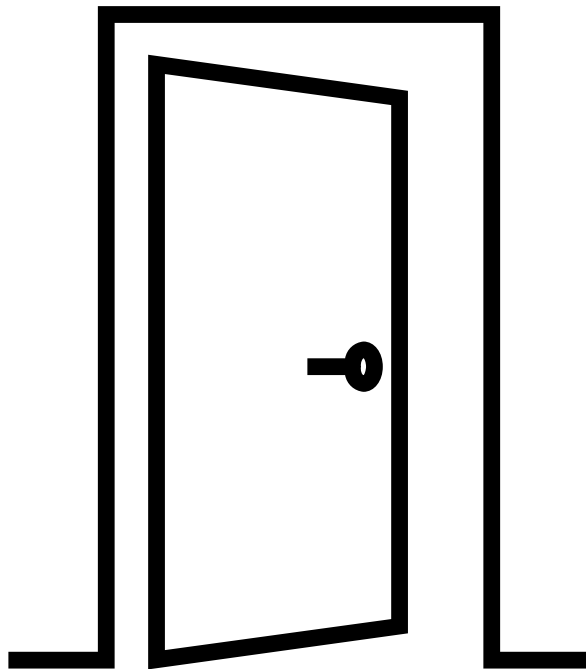
**Conflicts of
interest**



Membership

- Chair
- Members
- Chief Executive
- Role of the Secretary of State

Terms of appointment



- 6 months absence
- Bankruptcy
- Failure to comply with terms of appt.
- Failure to declare interests
- Unable/unfit/unsuitable



Procedure

- Self-determined
- Committees/sub-committees

Conflicts of interest



- Declaring
- Withdrawing
- Register of members' interests

Fundamental Objectives

Economic
regulation

Section 92K

Consumer regulation

Economic regulation objective

- Efficiency and economics
- Provision of social housing
- Value for money
- No unreasonable burden on public funds
- No misuse of public funds



Consumer regulation objective

- Well-managed, *safe, energy efficient*, appropriate quality
- Choice and protection
- Tenant involvement
- *Transparency*
- Community wellbeing



How to exercise functions

01

**Minimising
interference**

02

**Proportionate,
consistent,
transparent,
accountable**

Powers

**Necessary/
expedient**

**Studies and
reports**

**£££
assistance**

**Guidance
etc.**

Charging

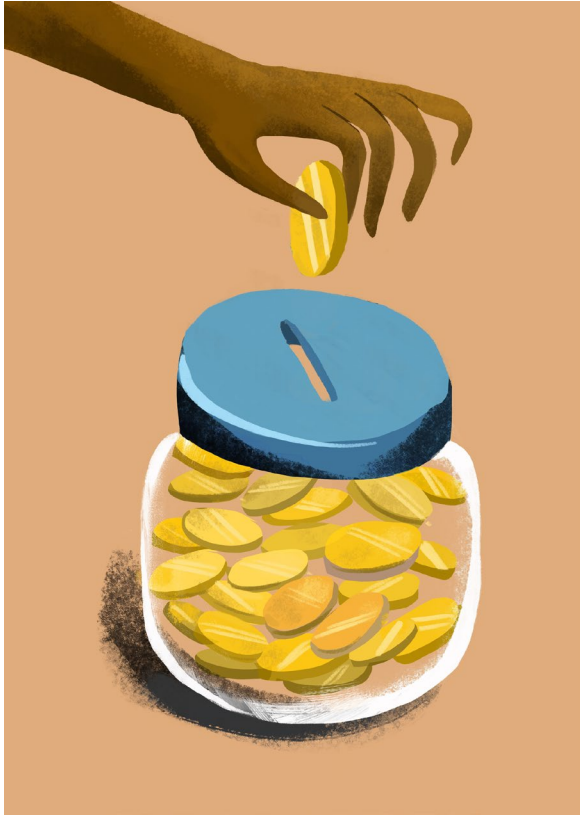
**Advisory
panel**

**Promoting
awareness**

**Whether
to exercise
a power**

Financial provisions

- Sections 100A to 100E



Relationship with other bodies

HCA

Documents
&
information

Ombudsman

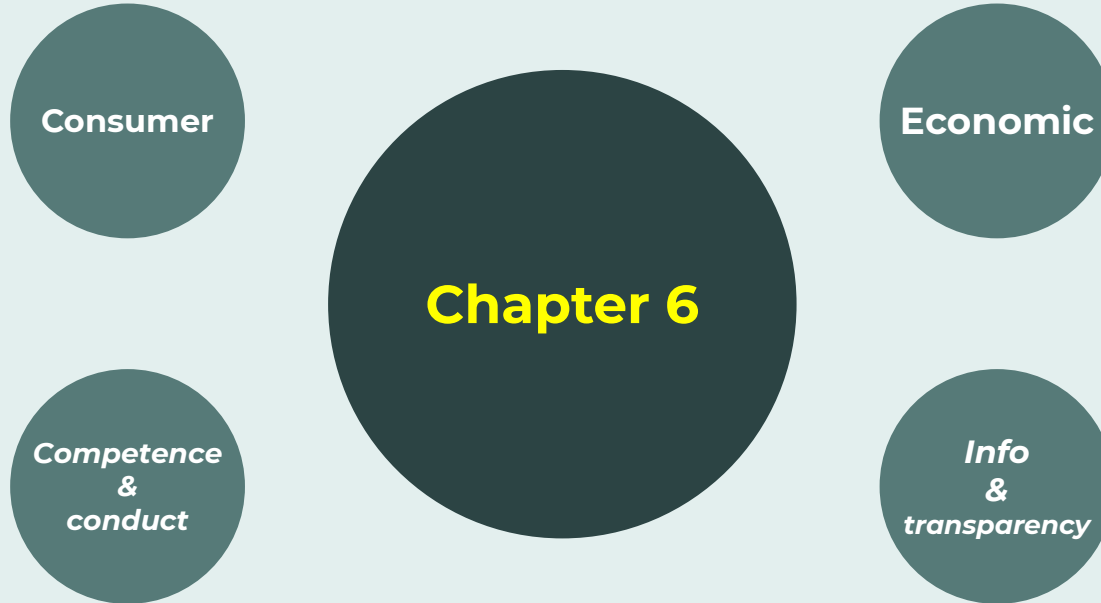


Overview of standards

Economic and Consumer



Standards



Consumer Standards

- Neighbourhood and community standard
- Safety and quality standard
- Tenancy standard
- Transparency, influence and accountability standard



Recent examples

July 2025

Consumer Standards – C3

East Suffolk Council,
Ipswich Borough Council,
Leicester City Council,
North Kesteven District Council and
Redditch Borough Council

have each failed to meet RSH's
consumer standards, introduced on 1
April 2024.

East Suffolk Council:

Following responsive engagement with East Suffolk Council, RSH found:

- Around 50% of its homes do not meet the Decent Homes Standard.
- Resolution of hazards and damp and mould cases had not been fully tracked.

Ipswich Borough Council:

Following its inspection, RSH found Ipswich Council:

- Had gaps in its data, including in relation to the assessment of hazards in tenants' homes in line with the Housing Health and Safety Rating System (HHSRS), as required by the Decent Homes Standard.
- Lacked comprehensive data about the diverse needs of its tenants.

Redditch Borough Council:

Following its inspection, RSH found Redditch Borough Council:

- Had around 2,900 overdue fire remedial actions including around 800 high risk actions that had been overdue for more than 12 months.
- Had almost 3,000 overdue repairs.



Economic Standards

- Governance and financial viability standard
- Rent standard
- Value for money standard

Monitoring

- Surveys
- Inspection
- Inquiry
- Audit
- Accreditation

Enforcement

***PIP plan
notice***

**Enforcement
notice**

***Emergency
remedial
action***

**Penalties
&
compensation**

Management

**Restricting
dealings**

Officers

**Censure
notice**



Changes brought in by the Social Housing (Regulation) Act 2023

Royal Assent on 20 July 2023



Core objectives

Reactive to Proactive

To facilitate a new,
proactive consumer
regulation regime

To refine the
existing economic
regulatory regime

To strengthen the
RSH's powers to
enforce the consumer
and economic
regimes

Summary of reforms

01

Enhanced RSH Enforcement Powers

- Inspections/surveys
- Performance Improvement Plans
- Fines/emergency remedial action

02

Enhanced Housing Ombudsman Powers

- Published guidance for landlords
- Able to order a landlord to evaluate a particular policy or practice to prevent service failure being repeated

03

Awaab's Law 2020 / Grenfell Tower 2017

- Time-limits to address hazards
- Reporting on Tenant satisfaction measures
- Phased approach to 2027

What does this mean?

Reform the consumer regulatory regime

4. The Act facilitates a new proactive consumer regulatory regime. To achieve this, the Act makes safety and transparency explicit parts of the regulator's objectives and gives it new powers on the competency and conduct of staff and the transparency and provision of information. The Act removes the serious detriment test (a legislative barrier to regulator action on consumer issues) and requires landlords to nominate a designated person for health and safety issues. The Act also makes provision for the introduction of new requirements for social housing landlords relating to electrical safety checks and makes some changes to the powers of a housing ombudsman.

Refine the economic regulatory regime

5. The Act maintains and refines the regulator's current economic regulatory role, ensuring that providers are well governed and financially viable to protect homes and investment in new supply. This supports the existing work of the regulator, creating continued stability and viability in the sector through robust economic regulation. Through these measures the Government aims to encourage continued investment in the sector, to support the development of new homes, while protecting tenants from the risks of provider insolvency.

Strengthen the regulator's enforcement powers

6. The Act strengthens the regulator by giving it new enforcement powers ensuring they can effectively intervene when required. The measures seek to encourage landlords to maintain standards, to avoid the threat of enforcement action, and ensure that the regulator has the appropriate tools available to deal with non-compliance with the standards.



Main changes

More details

**'Serious
detriment'
dropped**

**Power to
impose
unlimited
fines**

**Establishment of
Advisory Panel -**
- s2 → s96A(1)
- HRA 2008

**Performance
Improvement
Plans – s31 →
ss218A-D HRA
2008**

A recent example

Housing & Regeneration Act 2008

Sections 219 to 225 of the Act allow the regulator to require a registered provider to take specified action to resolve a specified failure or other problem. Sections 251 to 252 of the Act allow the regulator to require a registered provider to appoint a manager to manage the entirety of their affairs relating to social housing or specific aspects of social housing. Section 269 of the Act enables the regulator to appoint one or more persons as an officer of a private registered provider.

A registered provider is responsible for ensuring that it manages itself effectively, achieves the standards set by the regulator, and engages positively with the regulator's regulatory framework. Where a failure against a standard or other problem has been identified, the regulator expects providers to respond in a prompt and effective manner. It may be necessary for the regulator to step in and exercise its powers under the Housing and Regeneration Act 2008 as amended (the Act) when a provider fails to do so. The regulator has published [guidance](#) on how the regulator uses and intends to use its statutory regulatory and enforcement powers.

And so in July:

The Regulator of Social Housing (RSH) has published an [enforcement notice](#) for Easy Housing Association (EHA), as well as making three appointments to its board and requiring EHA to appoint a manager.

Where are we now?

April 2024

New consumer regulatory regime begins

1. Regular inspections are more common.
2. Greater tenant feedback monitoring/involvement.
3. Tenant satisfaction measures – summary of publication requirements: published on 21 March 2025.
4. More to come.

Housing Ombudsman

Memorandum of Understanding

Memorandum 10 July 2025

- Under Section 100H of the Housing and Regeneration Act 2008, RSH and the HO must each take such steps as it considers appropriate to cooperate in the exercise of their respective functions.

Regulator of social housing

The regulator's focus is at landlord level, setting [standards](#) which state the outcomes that landlords must deliver. It regulates to ensure a viable, efficient and well governed sector and seeks to drive landlords to improve the quality of homes and services they deliver.

Housing Ombudsman

The Housing Ombudsman makes the final decision on disputes between residents and member landlords. It also works to strengthen internal complaints procedures and encourage landlords to learn from complaints to prevent service failures being repeated. The [Housing Ombudsman Service](#) is an independent, impartial and free service for social housing residents.



Lessons to be learned from regulatory judgments

<https://www.gov.uk/government/collections/regulatory-judgements-a-to-z-list-of-landlords>



Regulatory Judgements

What are they?

- RSH's published view of how well a landlord is delivering on the standards
- For PRPs a regulatory judgement can cover any standard
- For local authority landlords a regulatory judgement can cover the outcomes of the consumer standards and Rent Standard.
- RSH expects all housing associations and other private registered providers to have G1 governance grades.
- RSH is accountable to Parliament for discharge of their fundamental objectives

Gradings

- **Governance**
- **Viability**
- **Consumer**
- 1-4
- 1 🌟 delivering the outcomes of the standards
- 2 ✅ some weaknesses and improvement is needed
- 3 🧐 serious failings and significant improvement is needed
- 4 😞 very serious failings and fundamental changes are needed

Recent examples

30 April 2025 – Serious issues

Consumer Standards – C3

The London Borough of Tower Hamlets (self-referral October 2024, inspection February 2025):

- Does not have an accurate understanding of tenants' homes, with only 47% of individual property surveys carried out within the last five years
- Has thousands of homes that do not meet the Decent Homes Standard (23% of around 11,000 total homes).
- Has around 2,500 overdue fire safety actions, 1,400 overdue communal electrical safety actions and 750 overdue water safety actions.

Reading Borough Council:

- Failed to provide an effective and timely repairs service, with around 1,600 overdue repairs at the time of the inspection.
- Only surveyed half of its tenants' homes over the past five years.
- Failed to provide meaningful opportunities for tenants to scrutinise its performance, and did not give all tenants access to a fair and effective complaints process.

Winchester City Council:

- Does not have up-to-date information about the majority of tenants' homes, with its last stock condition survey completed more than 10 years ago.
- Is unable to provide assurance that it is completing required health and safety checks for all homes and communal areas – including those for fire, electrical and water safety.
- Has not been able to demonstrate that it provides all tenants with accessible information.

Consequences of judgements

Part 2, Chapter 7 - Housing & Regeneration Act 2008

Unlimited fines

Intervention

Reputational damage

Questions



Thanks!