

Introduction

CIH welcomed the Social Housing (Regulation) Act, and the principles and aims of the social housing white paper that it enshrined. We are pleased to provide comment on the government's [consultation](#) on its directions to the Regulator of Social Housing (the Regulator) in respect of the provision of information to tenants on their rights and complaints.

General points

We agree that tenants should be aware of the rights and responsibilities of landlords (and themselves) in relation to their homes, facilities and services. Fundamentally this should be through the tenancy and associated documents (in printed and/ or in digital format) and with regular updates provided as any changes to the legal/ regulatory framework occurs.

We agree with the addition of and focus on transparency and accountability of landlords to their tenants. The context of the social housing white paper and the tragic case of Awaab Ishak emphasises the need to ensure that landlords listen and are accountable to tenants, and that the Regulator receives robust assurance of that as part of its new proactive consumer regulation role.

We welcome the co-regulatory approach of the Regulator, which focuses on setting the desired outcomes, enabling landlords and their tenants to develop the preferred ways to deliver those required outcomes. This should extend to the requirement to ensure all tenants are aware of the rights relating to their homes, facilities, and services (including where this varies due to the specifics of tenancies etc), and also landlords' complaints processes. Landlords should work with tenants to establish the most appropriate mechanisms for this, taking account of tenants' expressed communication preferences, and demonstrate to the Regulator that this is being done.

We understand that there will not be a second stage of consultation on this standard from the Regulator itself so clarity on the timing of the introduction of these measures is important. The standard will be in force the day after it is published, according to the proposals in the consultation, but what will the Regulator require from landlords at that time to demonstrate it (for example, inclusion of necessary information on its website with support on how to access it in different languages or formats)? Will it be part of the annual reporting requirements (with Tenant Satisfaction Measures) or via its inspection process where landlords will need to demonstrate compliance? For small landlords, how will the Regulator seek assurance that these are also meeting the standard? This remains unclear from the consultation, but the timing and nature of the requirements will obviously have significant impact for landlords in terms of their plans and resources to respond to the new proactive consumer regulatory framework.

Q1. Do you agree with the requirements in 3(1)(c) and (d) of the draft direction (Annex B) for registered providers to provide tenants with information on how to make a complaint about their landlord and about their landlord's complaints policy and complaints handling process?

Yes. Most landlords already aim to make this clearly visible and accessible on websites and available to tenants who request copies or require the information in different languages or formats.

Reminders of the policy and how to access it can also be included in other regular communications, whether rent increase letters, customer newsletters etc.

There should also be clear information about how and when tenants might want to refer to the Housing Ombudsman and links to the Ombudsman's website.

Q2. Do you agree with the approach to the direction on the provision of information on tenants' rights and regulatory requirements, as set out in paragraphs 32-42?

Yes, with some concerns around details.

The consultation is clear that whilst the direction sets out some critical measures to include in the information, this is not exhaustive, and landlords should consider what more is required relating to different tenancies/ legal frameworks.

We welcome the flexibility given to landlords to decide how to communicate the information, which is in line with the co-regulatory approach taken by the Regulator, and with good practice which encourages landlords to communicate by tenants' preferred routes. But where landlords have a large and/ or complex portfolio of homes, this may result in significant work to ensure appropriate packages of information are available across their tenant population. This will require a lot of resources and time and may be a particular challenge for smaller landlords.

Even where the information, or most of it, is on websites, landlords will still need to work with tenants to ensure that it is comprehensive and clear as to which frameworks apply to which tenants. Should many tenants require the information in written paper format, that will involve additional time and increased costs. However, the information is communicated it must be clear and accessible and not result in information overload which would undermine the government's aims.

Potentially the Regulator could provide support for landlords, by working with them to develop templates that landlords can adapt for their tenants, which would be a helpful resource, particularly for those smaller landlords with limited capacity to respond within the Regulator's required timescales.

Landlords providing supported housing may also have a number of tenants with limited mental capacity - will they be required to ensure that the required information is provided for guardians/ carers as well, as a matter of course?

Q3. Do you agree that the rights and regulatory requirements included in 3(2) of the draft direction (Annex B) are appropriate?

Yes, we agree with these requirements, and most will be in common for many (potentially the majority of) tenants. The issue is where landlords are required to ensure they go beyond this for different regulatory and legal obligations associated with different tenancies (see answer to Q2 above).

Q4. Do you agree with the likely costs associated with meeting commitments associated with the new requirements, as summarised in our assessment of the impact on the sector?

The government has modelled costs globally across all providers, but it is important to acknowledge that it might have very different impacts on resources according to the size and capacity of different landlords and the range of tenancies/ details they have to cover. It is likely that responding to this direction will be more onerous for some landlords than others.

About CIH

The Chartered Institute of Housing (CIH) is the independent voice for housing and the home of professional standards. Our goal is simple - to provide housing professionals and their organisations with the advice, support, and knowledge they need. CIH is a registered charity and not-for-profit organisation. This means that the money we make is put back into the organisation and funds the activities we carry out to support the housing sector. We have a diverse membership of people who work in both the public and private sectors, in twenty countries on five continents across the world.

Further information is available at: www.cih.org

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