

SHELTER

Social Housing (Regulation) Bill: House of Lords Committee Stage Briefing

Five years on from the Grenfell Tower fire, the Government has introduced the Social Housing (Regulation) Bill, which represents a real opportunity to provide fairness and accountability for people living in social housing.

Shelter are campaigning, alongside Grenfell United, to ensure that the Bill is robust enough to truly deliver on promises to provide a proactive system of regulation that effectively holds social landlords to account.

The removal of the 'serious detriment test', the introduction of stronger enforcement powers, and the power for the Social Housing Regulator to arrange emergency repairs are changes within the Bill that are all strongly welcomed by Shelter.

However, to truly meet the promises made to tenants after the Grenfell Tower fire, the Bill must be amended to:

- 1. Ensure the Regulator conducts routine, 'Ofsted-style', inspections of social housing landlords, as promised in the Government's Social Housing White Paper.**
 - a. See Lord Best's amendment [here](#)
- 2. Ensure that senior managers who work for social landlords are properly trained and qualified to manage social housing.**
 - a. See Baroness Hayman's amendment [here](#)

The need for better regulation

Five years on from the Grenfell Tower fire, the Government has introduced the Social Housing (Regulation) Bill, which represents a real opportunity to provide fairness and accountability for people living in social housing.

The fire at Grenfell Tower in 2017 highlighted how poorly managed and under-regulated social housing can have fatal consequences.

Following the fire, Ministers consulted with survivors, bereaved and 7,000 other social tenants, who were *"not only concerned about safety, but also maintenance, repairs and poor living conditions"*. A new deal was promised. Yet, as recent ITV reports, and campaigning of residents like Kwajo Tweneboa, have shown, too many tenants are still living in dangerous, unfit homes.

The current system of regulation is too weak to guarantee social housing is well managed and maintained for the people living in it. While the Regulator of Social Housing is required to proactively enforce the economic standards, it cannot proactively enforce consumer standards.

Poor management of social housing affects the health, safety and wellbeing of tenants – individuals with disabilities and support needs, families trying to settle after a period of homelessness, and (disproportionately) people from marginalised backgrounds.

The Social Housing (Regulation) Bill is a big opportunity to lay the foundations of a robust, proactive system of regulation. One that listens to tenants when things go wrong and has their interests at its heart, as well as the tools to address the issues.



Key measures in the Bill

The removal of the 'serious detriment test' get rid of a significant barrier for the Regulator to effectively enforce consumer standards. This change will enable both proactive inspections of landlords, as well as those in response to complaints, monitoring and external reports.

Stronger enforcement powers for the Regulator to tackle poor performance, including:

- Removing the cap on fines for non-compliance
- Power to de-register registered providers for non-compliance, and
- Power to arrange emergency repairs where tenants face imminent risk to safety and/or wellbeing.

We support the introduction of these enforcement powers and believe they should be used in conjunction with a regular inspection regime, to be fully effective.

Key changes needed to the Bill

The Bill needs to ensure that the Regulator conducts routine inspections to check consumer standards are being met. The Government's [Social Housing White Paper](#) (2021) committed to introducing 'routine inspections for the largest landlords (those with over 1,000 homes) every four years'. Equally, DLUHC's recent [press release](#) announced that the Bill would introduce 'Ofsted-style inspections' for social landlords. However, the Bill contains no legislative measures requiring the Regulator to do so.

Other Regulators (e.g. Ofsted and Care Quality Commission) are required by legislation to undertake regular inspections, with regulations (secondary legislation) setting out their frequency. As Ministers have described social housing as the 'first social service' its Regulator should be subject to similar requirements.

Shelter recommends that [Lord Best's amendment on inspections](#) is taken forward to require the Regulator of Social Housing to undertake regular inspections and give the Secretary of State a regulation-making power to set the frequency (and some minimum expectations for) routine inspections.

The Bill needs to ensure that senior managers who work for social landlords are properly trained and qualified to manage social housing. Given that social housing is let to those most in need and tenants can't easily move to an alternative landlord, it's vital that it's professionally managed. Housing management and maintenance staff must be well-qualified and subject to continuous professional development, in the same way as social workers, teachers and nurses.

In the [Social Housing White Paper](#) the Government said it would 'review professional training and development to ensure residents receive a high standard of customer service'. However, the Bill currently includes no measures that would enable professional standards to be mandated in law, as is the case for legislation relating to health professionals, social workers and teachers.

Shelter recommends that [Baroness Hayman's amendment on professionalisation](#) is taken forward to enable the Secretary of State to set standards for registration, professional standards (such as qualifications or experience) and professional development of staff.

