



SHELTER CONSULTATION RESPONSE

**Department for Levelling Up, Housing &
Communities:**

Consultation on competence and conduct standard for social housing

2 April 2024

Introduction

We support the government's proposed Direction to the Regulator of Social Housing, which will set a new standard for registered providers of social homes on the competence and conduct of senior staff providing housing management services, including contracted service providers.

This response has been produced in consultation with Grenfell United.

Since the devastating fire at Grenfell Tower, the requirement for senior housing managers to have relevant qualifications and ongoing professional development has been one of Grenfell United's main asks of government. The Secretary of State's foreword points out that evidence to the Grenfell Inquiry revealed how a lack of appropriate staff training contributed to the tragedy.

After 6 years of campaigning by Grenfell United and tenant campaigners, with the support of Shelter, the Social Housing (Regulation) Act finally became law on 20 July 2023. It includes (section 21) a power for the Regulator of Social Housing to set standards for registered providers of social homes relating to the competence and conduct of 'relevant individuals' involved in providing social housing management services.¹

Legislation gives the Secretary of State the power to direct the Regulator to set standards, to direct on the content of those standards, or direct the Regulator to have regard to specified objectives when setting standards.

As the consultation points out, DLUHC's Professionalisation Review (concluding summer 2022) found that major changes were needed to drive up the professionalism of staff in the social housing sector. The Review heard from some participants that failings in professional standards stem from decisions made at management level. It also heard organisational culture is a key driver of professionalism and high-quality, tenant-centred services, and that senior staff play a significant role in shaping the culture within their organisations.

Across the country, many social housing tenants experience a poor-quality service from housing managers. This can lead to negative experiences, with families living in substandard conditions or experiencing unresponsive management, such as to deal with nuisance behaviour. This leaves tenants feeling disrespected and undermined, and their concerns unaddressed. Tenants report experiencing discrimination, such as racism.² This not only stigmatises tenants and impacts their well-being, it can compromise their health and safety, with a devastating impact on lives.

- Only 65% of social housing tenants feel that their landlord treats them with respect, and this figure decreases among residents of racialised ethnicity.³
- Worse, only 54% of social housing tenants feel their landlord listens to their views and acts upon them. This again decreases in regard to the experience of ethnic minority residents (43%).⁴

¹ [Social Housing \(Regulation\) Act 2023, section 21](#)

² [ITV News investigation exposes racism in the social housing sector](#), ITV News, 9 November 2021

³ [Social Housing Residents Report](#), 2022 (DLUHC)

⁴ Ibid.

- Only 58% of tenants agreed that they trust their landlord to do what they say they will do and almost a quarter (24%) disagreed.⁵
- A Shelter and YouGov 2023 survey found that, in cases where a tenant complains about something that they feel needs to be urgently addressed, 53% of tenants reported that their landlord had not started to take any action to deal with the problem within 2 weeks of them raising their concerns.⁶
- 29% of tenants reported that it took over a month for their landlord to begin taking action (with 12% reporting a wait of over 3 months), while 17% said their landlord didn't deal with the problem at all.⁷
- Shelter repeatedly hears reports of how tenants feel disregarded and undermined by their social landlord.⁸

The deaths of 72 people, including 18 children, in the fire at Grenfell Tower is heart-breaking testament to what can happen when the safety, health and well-being of tenants is not prioritised, even after repeated complaints were raised. Three years later, the death of two-year old Awaab Ishak due to unaddressed damp and mould in his home provided a further tragic reminder. Both the residents of Grenfell Tower and Awaab Ishak's parents, Faisal and Aisha, felt their complaints weren't taken seriously because of their race or ethnicity.

Change is desperately needed.

If the Social Housing (Regulation) Act is to be a legacy of those who lost their lives in the Grenfell Tower fire, as well as Awaab Ishak, by ensuring incidents like this never happen again, it must deliver on its promise that every social housing tenant should live in a safe, decent home.

The management of social housing should aim for a gold standard in how all rented homes are managed. Social housing management must again be seen as a respected and valued profession, delivering an essential public service. The new Competence and Conduct Standard is a vital aspect of this to drive the necessary culture change required for meaningful improvements in the quality of housing management services and the experience of tenants.

Senior housing management staff, at the very least, must be adequately qualified to provide effective and efficient services which have respect for and service of tenants at their heart. The introduction of qualifications into the sector will be vital to ensure that relevant staff have:

- the technical, legal, and business knowledge and skills to provide an effective and efficient service; and
- the 'soft' skills to provide the necessary empathy and understanding to ensure tenants feel respected and listened to, including through meaningful engagement.

⁵ Ibid

⁶ Shelter/YouGov survey of social housing tenants, 2023

⁷ Ibid

⁸ Ibid

We strongly recommend that the new Competence and Conduct Standard is based on certain key principles if it's to achieve genuine, meaningful improvements for tenants:

Harm reduction

- The priority must be to prevent harm to tenants. Content of the required qualifications must prioritise training staff to be alert to, and address, problems that put lives at risk, such as fire safety, damp and mould, domestic abuse, serious youth violence or deteriorating physical and mental health.

Cultural change

- The Competence and Conduct Standard must aim to drive vital culture change in how social housing is managed. This must be based on an ethos of serving and being accountable to tenants via professional, local, hands-on housing management. Tenants who demand improvements must no longer be seen as 'trouble-makers' and tenants should no longer feel ignored.

Outcomes-focused

- The Competence and Conduct Standard must aim to deliver better outcomes for tenants, rather than focussing on 'processing' requests or complaints.

Anti-racist

- It's important the Competence and Conduct Standard requires relevant staff of social landlords to understand racism, both direct and structural, as well as wider discrimination. They should be expected to take a proactively anti-racist approach to service delivery to treat all tenants with equity, dignity and respect. There should be an overall expectation that qualifications include training on meeting the diverse needs of all tenants and providing a positive outcome and experience for all.

Enforceable

- The Competence and Conduct Standard must set thorough expectations on social landlords that can be easily assessed and enforced by the Regulator of Social Housing. This means that, where necessary, expectations must be clear on the steps that social landlords should take to secure the required outcomes and adhere to the standard.

Social homes are a vital public asset that provide the crucial foundation for living a healthy and fulfilling life. They are as vital an element to a well-functioning society as the NHS, social care, education and utility and communication companies, all of which (rightfully) require staff to hold certain qualifications. Social housing management should be held to the same high standards.

Recommendations:

Section 1: Broad Standard relating to the competence and conduct of all social housing staff

- **Recommendation 1:** It's vital the standard ensures staff of service providers (who registered providers provide contracts to), such as maintenance contractors, provide a high-quality service. DLUHC should require the Regulator to set a standard that requires registered providers to do everything in their power to ensure their service providers provide a high-quality service and ensure the 'relevant individuals' within the service provider are able to do so (i.e. have the relevant training/qualifications). This would allow this aspect of the standard to be more easily enforceable by the Regulator.
- **Recommendation 2:** DLUHC's Directions should require registered providers to publish (e.g. on their website) and provide on request, both their written policy and their code of conduct. This will help ensure landlords are accountable to tenants in terms of the competence and conduct of their staff, as well as staff of contractors. This will help tenants to report systemic breaches of the standard to the Regulator.

Section 2: Who is in scope of the qualification element of the C&C standard

- **Recommendation 3:** We recommend the full guidance on key responsibilities (set out in paragraph 25 of the main consultation document) is included within paragraphs 1-3 of Annex B1 of the Policy Statement. This is important to ensure clarity for registered providers.
- **Recommendation 4:** We recommend DLUHC include local authority staff, or contractors, undertaking housing need assessments, allocations and homelessness assistance for existing social tenants, who should be in scope. They involve working with tenants who are often at a vulnerable point – because they need an urgent move. If increased tenant safety is to be a central outcome of the Competence and Conduct Standard, then the list of relevant functions must include social housing allocations.
- **Recommendation 5:** We recommend DLUHC guidance recommends registered providers are expected to give sufficient weight to qualifications in the recruitment process.

Section 3: Criteria that qualifications must meet

- **Recommendation 6:** While we strongly support the proposed course content, we recommend a number of additional areas are added. Most importantly, content on the history of social housing, including its purpose and values, must be added. A strong knowledge of the history of social housing is crucial to truly understand the core purpose of social housing within our society and the values that underpin it. Without this, the social mission of social housing is at greater risk of being overlooked or misunderstood in the operations of housing management services and this may contribute to the stigma felt by social housing tenants.

- **Recommendation 7:** We recommend cultural competency is specifically mentioned to ensure that qualifications support landlords to provide genuinely accessible and inclusive services. We hear of cases where the cultural needs of social housing tenants are unmet. For instance, social housing tenants of Muslim faith accommodated temporarily in hotels where their daily food allowance doesn't include the cost of the Halal food options within the hotel.
- **Recommendation 8:** Qualifications should be specifically required to include content on awareness of, and means to address, the imbalance in power, resource and capacity between landlord and tenant which can often be compounded if, for instance, English is not the tenant's first language. We are currently conducting specific research into how services can be provided in an anti-racist, accessible way and will share our findings with government.
- **Recommendation 9:** It's disappointing the consultation doesn't mention racism or discrimination, when there is so much evidence that this is a problem. Qualifications should be specifically required to include content on anti-racism and prevention of discrimination. It's important they raise awareness of how racism, or conscious and unconscious bias, in housing management can affect the outcomes and experiences of tenants, depending on their characteristics. DLUHC's 2022 resident survey report states that white residents were more likely to be satisfied than ethnic minority residents (54% vs. 43%) that their landlord listens to their views and acts upon them. Senior staff should be qualified to drive more equitable practice and identify and address discriminatory practices when they do arise.
- **Recommendation 10:** Qualifications should be specifically required to include content on driving positive cultural change within an organisation. Senior housing managers and executives must be equipped to drive meaningful change within their organisation so that all staff throughout their entire service are expected and enabled to deliver a fully professional housing management service. As set out in our introduction, the delivery of meaningful, positive cultural change must be a central principle and outcome of the Competence and Conduct Standard. Tenants must see significant improvements in how they are treated, both personally by staff and by the service as a whole.
- **Recommendation 11:** Finally, professional practice skills for housing management (b) should include an advanced understanding of the legal framework which governs the rights and obligations of social landlords and their tenants, to include good practice in relation to possession action and housing conditions, compliance with the relevant Protocols, Equality Act assessments, complaints processes and other approaches to resolving disputes.

Section 4: What constitutes 'working towards' a qualification

- **Recommendation 12:** We urge the government to remove subclause 13.a.v. of the Policy Statement: *'the registered Provider intends that they will be making progress towards completing the qualification as soon as reasonably practicable thereafter'*. It undermines the other 'working towards' expectations and provides landlords with a loophole through which they can repeatedly delay relevant staff embarking on their qualifications. A landlord could

find many reasons to argue it's not 'reasonably practicable' to ensure its senior staff are qualified or making progress.

Section 5: Transition period

- **Recommendation 13:** A transition period of 24-months is too long. DLUHC should reduce the overall transition period to 18 months and increase to two thirds the number of original 'relevant persons' required to be working towards or have completed a qualification within the first 12-months of the transition period. It is vital that meaningful improvements in housing management services are secured at the earliest possible moment.
- **Recommendation 14:** We recommend that smaller registered providers are provided with the same transition period as other providers. Landlords with fewer than 50 homes aren't subject to regular proactive inspections from the Regulator of Social Housing. Therefore, it's important that their senior staff are professionally qualified. The potential health and safety risks of unprofessional housing management of homes managed by smaller landlords can be no less significant.

Section 6: Transitional arrangements for partially compliant qualifications/apprenticeships

- **Recommendation 15:** If DLUHC are to allow those with partial qualification to qualify if they undertake additional training, we recommend the Policy Statement must elaborate further on exactly what is expected in these circumstances. The Policy Statement should require that any existing partially relevant qualification must relate directly to management of specifically social housing and be clearly similar in content to other courses.

Section 7: Requirements for registered providers in respect of relevant managers of services providers

- **Recommendation 16:** Paragraph 45a-d of the Policy Statement should be strengthened to make the requirements for registered providers, in respect of the 'relevant managers of their services providers', more thorough and outcomes-focussed.
- **Recommendation 17:** Government should produce a Plain English version of this guide that sets out in a clear and accessible manner exactly what is expected of them. This should be designed so that anyone working within a services provider who may be unfamiliar with the competence and conduct standard can understand exactly what is expected of themselves, their management, and their organisation.

RESPONSE TO CONSULTATION QUESTIONS

Section 1: The broad standard relating to the competence and conduct of all social housing staff

Paragraph 2 of DLUHC's Direction requires the Regulator of Social Housing to:

- (1) Set a Competence and Conduct Standard for registered providers of social homes in matters relating to the competence and conduct of certain staff ('relevant individuals').

The Competence and Conduct Standard must require registered providers to:

- (2) Secure 'relevant individuals' have the necessary skills, knowledge and experience, and exhibit the behaviours needed, for the relevant services provided to be of a good quality.
- (3) Take appropriate steps to secure 'relevant individuals' who work for service providers have the necessary skills, knowledge and experience, and exhibit the behaviours needed, for the relevant services provided, under or pursuant to the relevant management services agreement, to be of a good quality.
- (4) Comply with all applicable requirements set out in Chapters 1 to 6 of the DLUHC Policy Statement.
- (5) Have, and regularly update, a **written policy** setting out—
 - (i) their approach to managing and developing the skills, knowledge, experience and conduct of those of 'relevant individuals'; and
 - (ii) the appropriate steps they'll take to secure 'relevant individuals' working for their services providers have the necessary skills, knowledge and experience and exhibit the behaviours needed for the relevant services provided, under or pursuant to the relevant management services agreement, to be of a good quality.
- (6) The written policy must, in particular—
 - a) ensure that the approach to managing and developing the skills, knowledge, experience and conduct of 'relevant individuals' is tailored, as appropriate, to their different roles;
 - b) set out the registered provider's approach to learning and development including how it will ensure 'relevant individuals' maintain and demonstrate appropriate and up to date skills, knowledge, experience and behaviours for their roles;
 - c) set out the registered provider's approach to appraising 'relevant individuals' and regularly reviewing their performance; and
 - d) set out the registered provider's approach to managing poor performance of 'relevant individuals'.
- (7) Adopt or develop an appropriate **code of conduct** for 'relevant individuals' and to ensure this is embedded within their organisation.

Question 1: Do you agree with the content of the direction (Annex A) to setting the broad Standard relating to the competence and conduct of all social housing staff?

- Yes
- No, please specify which aspects you don't agree with and explain why

No.

We generally strongly support the content of the draft Direction. We agree it should help to set expectations that senior tenant-facing staff, including those of contractors (e.g. maintenance contractors) are professional and have an ethos of serving residents.

However, we recommend it could be strengthened.

Expectations of service providers

Subsection (3) of the Direction should be strengthened and made more outcomes focused if DLUHC's aims of the proposed standard, e.g. to drive culture change and reduce unprofessional attitudes, are to be met.⁹

- **Recommendation 1:** It's vital the standard ensures staff of service providers (who registered providers provide contracts to), such as maintenance contractors, provide a high-quality service. It should require the Regulator to set a standard that requires registered providers to do everything in their power to ensure their service providers provide a high-quality service and ensure the 'relevant individuals' within the service provider are able to do so (i.e. have the relevant training/qualifications). This would allow this aspect of the standard to be more easily enforceable by the Regulator.

We recommend subsection (3) is amended as follows (edits are provided in underlined italic):

- The Competence and Conduct Standard must require registered providers to take *all meaningful steps available to them as and when appropriate, including utilising the terms which are implied into Management Services Agreements by s217A of the 2008 Act*, to secure that those of their services providers' staff who are relevant individuals have the necessary skills, knowledge and experience, and exhibit the behaviours needed, for the relevant services provided by those individuals, under or pursuant to the relevant management services agreement, to *ensure that a good quality service is provided consistently, except in outlying cases of malpractice for which registered providers should take specific meaningful action with the service provider. This expectation on registered providers to "take all meaningful steps available to them" includes the termination of service contracts with service providers who cannot ensure the competence and conduct of their staff and the provision of a good quality service.*

Without being strengthened, we're concerned that:

⁹ For example, in paragraph 7 of the consultation document.

- The phrasing of this paragraph sets the required standard of achieving a 'good quality' service (which we welcome) as something that 'appropriate steps' by the registered provider should *aim* to achieve, rather than something that registered providers are *expected* to ensure happens. This phrasing weakens the required standard to something that registered providers should aspire towards. As such, it creates leeway for significant shortcomings by service providers to be deemed acceptable because RPs can't directly enforce the standards with service providers contracted by registered providers.
- The phrase 'appropriate steps' is also a weak specific expectation to place on registered providers given the current phrasing of the paragraph overall does not place any expected outcome in terms of the actual service provided.
- The weakness of this standard will also make it difficult for the Regulator of Social Housing to enforce against.

Shelter strongly advises government to ensure that this standard of the Direction:

- Requires the Regulator to set a standard that requires registered providers to do everything in their power to ensure their service providers provide a high-quality service and that the relevant persons within the service provider are able to do so (i.e. have the relevant training/qualifications); and
- Is designed to be easily enforceable by the Regulator.

In line with this, Shelter recommends that paragraph 2.(3) of the Direction is reworded as follows (edits are provided in underlined italic):

The Competence and Conduct Standard must require registered providers to take *all meaningful steps available to them as and when appropriate* to secure that those of their services providers' staff who are relevant individuals have the necessary skills, knowledge and experience, and exhibit the behaviours needed *to serve tenants and* for the relevant services provided by those individuals, under or pursuant to the relevant management services agreement, *to ensure that a good quality service is provided consistently, except in outlying cases of malpractice for which registered providers should take specific meaningful action with the service provider. This expectation on registered providers to "take all meaningful steps available to them" includes the termination of service contracts with service providers who cannot ensure the competence and conduct of their staff and the provision of a good quality service.*

Please see our response to Question 32 in which we provide further recommendations for how the competence and conduct standard can drive meaningful change amongst service providers in regard to paragraph 45a-d of the policy statement.

Publication of the policy and code of conduct

Subsections (5) and (7) don't require landlords to publish either their written policy or their code of conduct. Without easy access to these documents, it will be difficult for tenants to know what standards are required and be able to hold their landlord to account if relevant individuals fail to comply.

- **Recommendation 2:** DLUHC's Directions should require registered providers to publish (e.g. on their website) and provide on request, both their written policy and their code of conduct. This will help ensure landlords are accountable to tenants in terms of the

competence and conduct of their staff, as well as staff of contractors. This will help tenants to report systemic breaches of the standard to the Regulator.

Section 2: Who is in scope of the qualification element of the Competence and Conduct Standard

DLUHC's Policy Statement proposes the following staff would be in scope:

15. A 'Senior Housing Executive' or 'Senior Housing Manager' of a registered provider is a relevant person if:
 - a. They have a substantive role in managing delivery of housing management services to the registered provider's social housing tenants. This means that the person is expected by the registered provider to spend a significant portion of their working time exercising their responsibilities for managing delivery of housing management services delivered to the registered provider's social housing tenants.
46. A person is a relevant 'Service Provider (SP) Manager' if:
 - b. They have a substantive role in managing delivery of housing management services to the registered provider's social housing tenants. This means that the person is expected by the services provider to spend a significant portion of their working time exercising their responsibilities for managing delivery of housing management services delivered to the registered provider's social housing tenants.

Question 2: As set out in paragraphs 15a and 46b of the policy statement, do you agree that only individuals who have a substantive role in managing delivery of housing management services should be in scope of the qualification requirements?

- **Yes**
- **No, please explain why**

Yes.

We agree that only individuals who have a substantive role in managing delivery of housing management services should be in scope of the qualification requirements.

We believe this strikes the right balance between ensuring key staff are required to possess relevant qualification requirements, while ensuring that the recruitment and training expectations placed on registered providers are manageable.

Individuals with a substantive delivery role within housing management services should be responsible for building a positive culture and delivering a professional and high-quality service to ensure a positive tenant experience. It is therefore of most importance that the qualification requirements apply to these individuals.

Question 3: Do you agree with the guidance on the scope of housing management services (paragraphs 1-3 of Annex B1)?

- **Yes**
- **No, please explain why**

Yes.

We agree with the guidance set out below (and within the consultation document) on the scope of housing management services covered by the standard.

1. The term 'Housing Management Services' is used to refer to the provision of services in connection with the management of social housing provided by the registered provider (which includes services provided by or on behalf of registered providers to their tenants of social housing).
2. Housing Management Services include, but are not limited to, functions such as:
 - tenancy management
 - repairs and maintenance
 - estate management
 - customer services relating to housing management services
 - lettings management
 - income management
 - asset management
 - anti-social behaviour management and
 - capital/major works.
3. Housing Management Services may be delivered in all types of social housing provided by a registered provider including the management of sheltered and supported housing. Housing Management Services do not include the delivery of care and support, for example, personal care that is provided to a resident in supported housing, therefore those only responsible for managing care and support would not be in scope of the qualification requirement (but the 'substantive role' rule detailed above and in 15(a) of this Policy Statement will apply).

We also welcome that the proposal states this list is not exhaustive. This will help to ensure that any other relevant responsibilities can fall within scope as and when necessary.

- **Recommendation 3:** We recommend the full guidance on key responsibilities (set out in paragraph 25 of the main consultation document) is included within paragraphs 1-3 of Annex B1 of the Policy Statement. This is important to ensure clarity for registered providers.

Question 4 (for registered providers and services providers only): In addition to the definitions provided within legislation, does the guidance at Annex B1 of the policy

statement on which functions will be in scope provide sufficient clarity to enable you to assess which individuals within your organisation will need to gain a qualification?

- **Yes**
- **No, please explain why and specify whether your answer relates to a senior housing manager, senior housing executive, or both**

Not applicable

Question 5: Do you think that there are any other functions not listed above which should be in scope?

- **Yes, please state which functions and specify whether your answer relates to a senior housing manager, senior housing executive, or both**
- **No**

Yes.

We strongly support the list of functions that fall within the scope of the proposed regulations.

However, we're concerned the government considers functions relating to the assessment of housing need (for example, those within a local authority who solely oversee the housing register) are not considered to constitute housing management services.¹⁰

Social tenants in need of a move to another social home owned or managed by either their own social landlord (commonly known as a 'transfer') or another social landlord in the area may apply via the local housing authority's allocations scheme. Existing social tenants in need of an urgent move (e.g. due to a risk of domestic abuse, serious youth violence, threats from organised criminal gangs or neighbourhood harassment, including racial harassment or because conditions in their current accommodation make it unreasonable to continue to occupy) may apply for homelessness assistance.

- **Recommendation 4:** We recommend DLUHC include local authority staff, or contractors, undertaking housing need assessments, allocations and homelessness assistance for existing social tenants should be in scope. They involve working with tenants who are often at a vulnerable point – because they need an urgent move. If increased tenant safety is to be a central outcome of the Competence and Conduct Standard, then the list of relevant functions must include social housing allocations.

The effective and efficient reallocation of tenants in cases such as disrepair and/or overcrowding is a central component of delivering a good quality housing management service. As per the 'Harm Reduction' principle we recommend guides the design of the competence and conduct Standard, it is critical that those in charge of assessing need for the purposes of

¹⁰ Paragraph 40 of main [consultation document](#) and paragraph 19 of Annex B1 of [Policy Statement](#)

rehousing existing social tenants are sufficiently qualified and trained to provide a professional standard.

Requests for rehousing can be linked to significant health and safety hazards. For example, if Awaab Ishaak and his family had been reallocated to a safe new social home when they requested a move Awaab's death may have been prevented.

Similarly, it is critical that allocations service staff are trained in good practice when dealing with requests for moves from survivors of domestic abuse.¹¹

Likewise, the initial allocation of a new social housing tenant is their first experience of their new landlord's housing management services. This process plays a significant role in determining whether a new tenants' home is suitable and meets their needs. It is vital that social housing tenants are allocated social homes that provide safety and enable tenants to live in comfort and with ease.

Question 6: Are there any functions listed above that you think should not be in scope?

- **Yes, please state which functions and specify whether your answer relates to a senior housing manager, senior housing executive, or both**
- **No**

No.

Question 7 (for registered providers and services providers): Does Chapter 5 and section 6.5 of the policy statement relating to exemptions and paragraphs 18 – 21 of Annex B1 of the policy statement provide sufficient clarity to help you to assess which individuals within your organisation will not be in scope of the qualification requirement?

- **Yes**
- **No, please explain what further clarity is needed**

Yes.

Chapter 5 and Section 6.5 of the Policy Statement states an exemption will apply to back-office managerial roles which do not deliver functions which involve the management of direct delivery of services to tenants (for example, those in finance teams whose functions include the processing of direct debits, housing benefit/universal credit payments and accounting).

Where a Senior Housing Manager's or a Senior Housing Executive's role includes both back office managerial functions and other functions relating to the provision of services in connection with the management of social housing, they will not be exempt.

¹¹ Domestic Abuse Housing Alliance, [Domestic Abuse Housing Alliance \(DAHA\) Toolkit](#)

Question 8: Do you agree with the proposal outlined above that individuals must have been in their role for more than 6 months to be classed as a Relevant Person or Relevant SP Manager (except where they are subject to a probationary period) as detailed in paragraph 15c, 46d and 46e of the policy statement?

- **Yes**
- **No, the threshold should be less than 6 months (please explain why and specify how long)**
- **No, the threshold should be above 6 months (please explain why and specify how long)**

Yes.

This makes sense as six months is a standard employment probationary period. This would mean that 'relevant individuals' wouldn't have to start working towards a qualification until they'd been confirmed in post.

- **Recommendation 5:** We recommend DLUHC guidance recommends registered providers are expected to give sufficient weight to qualifications in the recruitment process.

Paragraphs 15c and 46d of the policy statement propose individuals must have been in their current role as a senior housing manager or executive for more than 6 months to be classed as a Relevant Person or Relevant SP Manager.

Paragraph 46e proposes that if the person is a 'relevant individual' of a services provider, they must have been a services provider for more than 6 months, except where they are subject to a probationary period.

Question 9: Do you agree with the proposal that those staff who have a probation period should have, or be working towards, a qualification within 9 months from the point at which they take up their role as detailed in paragraph 15d and 46f of the policy statement?

- **Yes**
- **No, please explain why and your alternative suggestion**

Yes.

We accept that, having passed their probation, it may take a few months for staff to be enrolled on a course and for it to begin. We'd welcome clarity from DLUHC on whether staff must be enrolled on a course within nine months or have to have started it.

Paragraphs 15d and 46f of the Policy Statement propose unqualified staff with a probation period will need to begin working towards a relevant qualification within nine months from the point at which they take up their role. In practice, this means that someone with a six-month probation period will have up to three months to enrol on a suitable qualification after they pass their probation.

If a person has a probation period of longer than six months, they must still have, or be working towards, a relevant qualification within nine months, even if they have not completed or passed their probation period by that point in time.

Question 10: Do you agree with our proposal that unpaid volunteers should not be required to gain a relevant qualification as detailed at paragraphs 15b and 46c?

- **Yes**
- **No, please explain why**

Yes.

We agree that this is a reasonable exception within the regulations. Unpaid volunteers will usually not hold managerial positions of significant responsibility within housing management services. A requirement for unpaid volunteers to gain qualifications would create a barrier to their involvement within service provision. This could reduce the positive impact that volunteers, and particularly those with lived experience of being a social tenant, have within housing management service provision.

Question 11 (for registered providers and services providers): Do you assess that any of your unpaid volunteers undertake roles which meet the criteria set out above in Chapter 2 and the guidance in Annex B1 of the policy statement?

- **Yes**
- **No**

We suggest DLUHC should consider unpaid roles within Community Land Trusts and cooperatives.

Section 3: Criteria that qualifications must meet

Question 12: As outlined in section 3.1 of the policy statement, do you agree that a level 4 qualification is the correct level for a senior housing manager and individual who is a services provider?

- **Yes**
- **No, please explain why**

Yes.

We agree this is the correct level, e.g. HNC.

Section 3.1 of the Policy Statement proposes for Senior Housing Managers the qualification must be a level 4 qualification regulated by the Office of Qualifications and Examinations Regulation ('Ofqual').

Level 4 qualifications are¹²:

- certificate of higher education (CertHE)
- higher apprenticeship
- higher national certificate (HNC)
- level 4 award
- level 4 certificate
- level 4 diploma
- level 4 NVQ

Question 13: As outlined in section 3.1 of the policy statement, do you agree that a level 5 qualification or a foundation degree is the correct level for a senior housing executive?

- **Yes**
- **No, please explain why**

Yes.

We agree this is the correct level, e.g. foundation degree, HND etc.

Section 3.1 of the Policy Statement proposes for Senior Housing Executives the qualification must be a foundation degree or level 5 qualification regulated by Ofqual.

Level 5 qualifications are¹³:

- diploma of higher education (DipHE)
- foundation degree
- higher national diploma (HND)
- level 5 award
- level 5 certificate
- level 5 diploma
- level 5 NVQ

Question 14: Do you agree with our proposals outlined above and in section 3.4 of the policy statement that qualifications can be regulated by an equivalent body to Ofqual or a predecessor body?

- **Yes**

¹² Gov.uk, [What qualification levels mean](#)

¹³ As above

- **No, please explain why**

Yes.

Providing qualification is, or was, regulated by a similar body to Ofqual, to a similar standard and with similar course content, we agree.

Section 3.4 of the Policy Statement proposes:

- 'Relevant persons' and 'relevant SP Managers' who hold or are working towards a qualification in housing management regulated by:
 - Scottish Qualifications Authority (SQA)
 - Qualifications Wales (QW)
 - Council for the Curriculum, Examinations and Assessment (CCEA)
 - or a predecessor of one of those bodies
 will be deemed to hold, or be working towards, a relevant qualification. This means they will not have to also gain another Ofqual-regulated qualification. This is provided the qualification is at the required level and meets the course content criteria set out in the policy statement.
- 'Relevant Managers' or 'Relevant SP Managers' who hold a qualification in housing management obtained before the establishment of Ofqual in 2008, will be deemed to already hold a relevant qualification if:
 - a) it is a qualification that was regulated by a predecessor of Ofqual;
 - b) for senior housing managers, the qualification is equivalent to, or of a higher level than, an Ofqual regulated level 4 and for senior housing executives, the qualification is equivalent to, or of a higher level than an Ofqual level 5 qualification; and
 - c) it meets the relevant course content.

Question 15: Do you agree that the criteria that qualifications must meet as set out in section 3.2 of the policy statement is appropriate for ensuring senior housing managers and senior housing executives gain the skills, knowledge, experience and behaviours they need to deliver high quality and professional services to tenants?

- **Yes**
- **No, please explain why and specify whether your objection relates to a senior housing manager, senior housing executive, or both.**

No.

We strongly welcome what has been included so far within the list of course content requirements. However, we believe there are some notable omissions.

Section 3.2 of the Policy Statement proposes:

- In the case of a Senior Housing Manager, the course must develop the learners' knowledge and skills in the following areas as a minimum:

- a. Professional practice skills for housing management such as collaborative working and exercising professional judgement;
 - b. Ensuring needs of tenants are met (for example, those with additional needs);
 - c. Customer service in housing including effective engagement with Tenants and delivering respectful and professional housing services;
 - d. Relevant housing law;
 - e. National housing policy and current trends driving the housing sector;
 - f. Embedding organisational policies in housing organisations.
- In the case of a Senior Housing Executive, the course content must develop the learner's knowledge and skills in the following areas as a minimum:
 - a. Ethical practices and understanding how these practices apply to housing organisations and professionals;
 - b. Professional practice skills for housing management such as collaborative working and exercising professional judgement; Annex B – C&C Standard – Policy Statement on Qualifications Requirements for Social Housing;
 - c. Ensuring needs of tenants are met (for example, those with additional needs);
 - d. Customer service in housing including effective engagement with Tenants and delivering respectful and professional housing services;
 - e. Strategic and business planning for housing management;
 - f. Leadership and management in the context of housing management;
 - g. Stakeholder engagement and managing relationships in housing management.
 - **Recommendation 6:** While we strongly support the proposed course content, we recommend a number of additional areas are added. Most importantly, content on the history of social housing, including its purpose and values, must be added. A strong knowledge of the history of social housing is crucial to truly understand the core purpose of social housing within our society and the values that underpin it. Without this, the social mission of social housing is at greater risk of being overlooked or misunderstood in the operations of housing management services and this may contribute to the stigma felt by social housing tenants.

Knowledge of the history of social housing management should include:

- An education in the post-war social housing consensus, to situate 'relevant persons' within a wider context and history that can guide and inform their individual and societal approach to housing management.
- Similarly, knowledge of social housing's transformation over the last four decades is essential to understand the issues that affect housing management today. Knowing why severe problems exist and how they can be tackled will increase the likelihood that housing management staff approach housing management in an empathetic and effective manner that prioritises serving tenants.

While we welcome the emphasis on '*ensuring needs of tenants are met (for example, those with additional needs)*' within the course content requirements, given the wide array of communities, cultures, and needs housing management services serve, the current content requirements do not go far enough to ensure that relevant housing management staff have the necessary awareness and understanding to deliver a consistently high-quality service.

- **Recommendation 7:** We recommend cultural competency is specifically mentioned to ensure that qualifications support landlords to provide genuinely accessible and inclusive services. We hear of cases where the cultural needs of social housing tenants are unmet. For instance, social housing tenants of Muslim faith accommodated temporarily in hotels where their daily food allowance doesn't include the cost of the Halal food options within the hotel.
- **Recommendation 8:** Qualifications should be specifically required to include content on awareness of, and means to address, the imbalance in power, resource and capacity between landlord and tenant which can often be compounded if, for instance, English is not the tenant's first language. We are currently conducting specific research into how services can be provided in an anti-racist, accessible way and will share our findings with government.
- **Recommendation 9:** Qualifications should be specifically required to include content on anti-racism and prevention of. It's important they raise awareness of how racism, or conscious and unconscious bias, in housing management can affect the outcomes and experiences of tenants, depending on their characteristics. DLUHC's 2022 resident survey report states that white residents were more likely to be satisfied than ethnic minority residents (54% vs. 43%) that their landlord listens to their views and acts upon them. Senior staff should be qualified to drive more equitable practice and identify and address discriminatory practices when they do arise.
- **Recommendation 10:** Qualifications should be specifically required to include content on driving positive cultural change within an organisation. Senior housing managers and executives must be equipped to drive meaningful change within their organisation so that all staff throughout their entire service are expected and enabled to deliver a fully professional housing management service. As set out in our introduction, the delivery of meaningful, positive cultural change must be a central principle and outcome of the Competence and Conduct Standard. Tenants must see significant improvements in how they are treated, both personally by staff and by the service as a whole.
- **Recommendation 11:** Finally, professional practice skills for housing management (b) should include an advanced understanding of the legal framework which governs the rights and obligations of social landlords and their tenants, to include good practice in relation to possession action and housing conditions, compliance with the relevant Protocols, Equality Act assessments, complaints processes and other approaches to resolving disputes.

On this note, we welcome the emphasis on soft skills within the course content requirements. As well as hard skills, it is critical that senior housing managers gain the knowledge, understanding, and expertise to deliver their services in an empathetic manner that ensures tenants feel respected and listened to. These 'soft skills' are essential to the delivery of a high-quality service.

Question 16 (for registered provider and services providers): Does section 3.2 of the policy statement provide sufficient information to allow you to identify which

qualifications would meet the requirements for a senior housing manager and senior housing executive?

- **Yes**
- **No, please explain what further information is needed and specify whether your response relates to a senior housing manager, senior housing executive, or both.**

Not applicable.

Section 4: What constitutes 'working towards' a qualification for the staff of both registered providers and services providers

Question 17: Do you agree with our approach to defining what it means to be 'working towards' a relevant qualification as outlined in the policy statement?

- **Yes**
- **No, please explain which aspect you do not agree with and why**

No.

We support most definitions of 'working towards' within Chapter 1 of the Policy Statement. Without compromising on robust expectations, these provide landlords with important exceptions and flexibility which recognise the complexity of implementing the new Competence and Conduct Standard and how the process will differ between different landlords.

However, we urge the government to make one important amendment:

- **Recommendation 12:** We urge the government to remove subclause 13.a.v. of the Policy Statement: *'the registered Provider intends that they will be making progress towards completing the qualification as soon as reasonably practicable thereafter'*. It undermines the other 'working towards' expectations and provides landlords with a loophole through which they can repeatedly delay relevant staff embarking on their qualifications. A landlord could find many reasons to argue it's not 'reasonably practicable' to ensure its senior staff are qualified or making progress.

Chapter 1 paragraph 13 and Chapter 6 paragraph 44b of the Policy Statement set out under what circumstances a person is deemed to be 'working towards' a qualification.

- a) They are enrolled upon the relevant qualification, or a lower-level qualification that is a prerequisite, but are not making progress towards completing the qualification and:
 - i. no more than six months have elapsed since enrolment; or
 - ii. the next available course start date is more than six months, but no more than 12 months, after the date on which they enrolled, and
 - iii. the Registered Provider intends that the 'relevant person' will be making progress towards completing the qualification within 12 months of their enrolment date; or

- iv. they are absent from work or due to begin an extended absence from work (e.g. maternity leave, sickness, compassionate leave, special leave) which means it wouldn't be feasible for them to be making progress towards completing the qualification; and
 - v. the Registered Provider intends that they will be making progress towards completing the qualification as soon as reasonably practicable thereafter; or
- b) They are enrolled upon, and making progress towards completing, the relevant qualification or a lower-level qualification that is a prerequisite and:
- i. where the qualifications provider mandates a time period within which the qualification must be completed or gives an estimate of the time period it will take to complete the qualification, that period has not passed – except where the 'relevant person' hasn't been able to complete the qualification in that period because of an extended absence from work, in which case they must complete it as soon as reasonably practicable thereafter; or
 - ii. where no such time period is mandated or estimate given, no more than two years have passed since enrolment – except where the 'relevant person' has not been able to complete the qualification in that period because of an extended absence from work, in which case they must complete it as soon as reasonably practicable thereafter; or
- c) They are not enrolled on the relevant qualification or a lower-level qualification that is a prerequisite to enrolling on the Relevant Qualification because:
- i. they are absent from work or due to begin an extended absence from which means it would not be feasible for them to undertake the qualification; and
 - ii. the registered provider intends to enrol them on a relevant qualification within six months of them returning from the extended absence; or
- d) They have been awarded a lower-level qualification that is a prerequisite for enrolling on the Relevant Qualification within the last six months.

Question 18 (for registered providers and services providers only): Does the information provided above and within Chapter 1 and Chapter 6 paragraph 44b of the policy statement provide sufficient clarity to help you understand the circumstances in which individuals in scope will be deemed to be 'working towards' a qualification?

- Yes
- No, please explain which aspect is not clear and why

Not applicable.

Section 5: Transition period

Question 19: Considering the costs and benefits outlined within the impact assessment, do you agree that all existing staff within the sector should have, or should begin

working towards a relevant qualification within 24 months as outlined in section 4.1 of the policy statement?

- **Yes**
- **No, please specify the length of transition period that you think would be necessary in months**

No.

Firstly, it is not clear when the Competence and Conduct Standard comes into force, which therefore makes the 24-month transition period harder to assess.

DLUHC must prioritise introducing the standard. As the consultation paper (paragraph 73) states, *'clear evidence of poor behaviours and a lack of suitable skills, knowledge and experience amongst some within the social housing sector was highlighted through the social housing green paper consultation process and the evidence heard by the Grenfell Tower Inquiry. These concerns have been amplified further by recent cases of landlord failure, including the tragic death of Awaab Ishak. As such, we recognise the importance of ensuring this Standard is implemented as quickly as possible to drive much needed change in the sector'*.

Grenfell United and Shelter had to fight to win the competence and conduct standard. It has now been almost seven years since the devastating fire at Grenfell Tower and over three years since the death of Awaab Ishak. The professionalisation of housing management is a key priority for Grenfell United, as well as for the 'Awaab's Law' campaign. It is long-overdue. Tenants need change now.

Moreover, registered providers and qualifications providers have already had nearly a year since the Act, containing powers on the competence and conduct standard, was made law to undergo initial preparation and planning.

Given the standard may not come into force for some months, a transition period of 24-months is too long. The requirement for half of the original 'relevant persons' to be working toward or completed a qualification within the first 12-months of the transition period will help to ensure progress is made. But we would like to see swifter timescales.

- **Recommendation 14:** A transition period of 24-months is too long. DLUHC should reduce the overall transition period to 18 months and increase to two thirds of original 'relevant persons' to be working towards or have completed a qualification within the first 12-months of the transition period. It is vital that meaningful improvements in housing management services are secured at the earliest possible moment.

We understand DLUHC's rationale that a 24-month transition period will enable landlords to get their staff qualified in a phased way, spreading the costs and time commitments from staff over multiple years, which should help to manage impacts on staffing capacity and staff well-being, services to tenants and ensuring drop out or failure rates are low.

However, we do not anticipate that the potential negative impacts on the sector of a shorter transition period will outweigh the benefits for tenants. With regard to cost-effectiveness, the

largest share of the cost, as set out by DLUHC within the Impact Assessment, derives from the opportunity cost of staff time needed to complete the qualification, which must happen regardless of the length of the transition period.

Conversely, a shorter transition period will prevent further delays to professionalising the sector and improving the quality of services to tenants, enabling the wide array of benefits that will arise for the sector from the Competence and Conduct Standard, as set out in the Impact Assessment, to be secured earlier.

We don't accept a longer transition period is needed to give qualifications providers time to increase their capacity to meet increased demand. We argue it will create certainty for qualifications providers to be more confident in setting up courses, allowing places to be available more quickly.

Section 4.1 of the Policy Statement proposes a 24-month transition period from the date the Competence and Conduct Standard comes into force.

- By this two-year date, registered providers must make sure all their 'relevant persons' (who either were in post at the beginning of the transition period or who moved into a role during the first 18 months of the transition period) are qualified or working towards a relevant qualification, unless they are deemed to already hold or be working towards a relevant qualification.
- RPs must also take steps to secure that Relevant SP Managers of their services providers are qualified or working towards a relevant qualification within the time limits described below.
- Within the first 12 months of the transition period, at least half of 'relevant persons' (who were in post at the beginning of the transition period) must be working towards or have completed a relevant qualification.
- Where there is only one 'relevant person' in post at the beginning of the transition period, the registered provider will have until the end of the transition period to secure that the Relevant Person has, or is working towards, a Relevant Qualification unless they are deemed to hold or be working towards a Relevant Qualification.
- Following the end of this transition period, the normal rules will apply.

Question 20: Do you have any additional comments or evidence about the potential impact of the policy proposals as assessed in our impact assessment (Annex C)?

- **Yes - please explain**
- **No**

We recognise the upfront difficulties that many registered providers will experience in complying with the Competence and Conduct Standard. This is no doubt a challenge for the sector.

However, the alternatives to re-professionalisation and re-regulation of the sector is at best sustained shortcomings and poor outcomes for tenants and, at worst, managed decline and further risks to resident safety and health. Professional housing management, with an ethos of serving tenants, was once embedded into the culture of most social landlords. But, since

landlords have aimed to cut costs, digitalise services and move away from local, patch-based housing management, there's been a deprofessionalisation of housing management posts, with a high turnover of staff. Tenants have experienced this as a less responsive and professionalised service, which makes them feel stigmatised and discriminated against.

We stress that, despite the inherent challenges that arise from the Competence and Conduct Standard, there is no other satisfactory option if we are to once again see a thriving housing management sector where staff professionalism, satisfaction and development, high quality services, and positive experiences and outcomes for tenants are the norm.

Question 21 (for registered providers and services providers only): Does the information provided above and in section 4.1 of the policy statement provide sufficient clarity on the time limits within which individuals will need to hold or be working towards a relevant qualification within the transition period?

- Yes
- No, please explain why

Not applicable.

Question 22 (for qualifications providers only): Considering the total number of staff in the sector that will need to enrol on qualifications within the transition period as outlined in the impact assessment (Annex C), and noting that our intention is for the Standard to come into force in April 2025, do you believe that you can meet the demand for enrolling learners on qualifications within the 24- month transition period?

- Yes
- No, please specify the length of transition period in months that you believe would be necessary to meet this demand.

Not applicable.

Question 23: Do you agree with the proposal that an adjusted transition period (twice the amount of time) should apply to registered providers which provide fewer than 50 units of stock, and will also apply in relation to their services providers?

- Yes
- No, I disagree that the threshold should be 50 units of stock (please explain why and if you have an alternative suggestion)
- No, I disagree that the adjusted transition period should be twice the amount of time (please explain why and if you have an alternative suggestion)

No. We disagree that the adjusted transition period should be twice the amount of time.

DLUHC propose an adjusted transition period for registered providers, and their services providers, with fewer than 50 homes. This will mean that these registered providers have twice the amount of time to ensure their 'relevant persons' begin working towards qualifications.

- **Recommendation 15:** We recommend that smaller registered providers are subject to the same transition period as other providers. Landlords with fewer than 50 homes aren't subject to regular proactive inspections from the Regulator of Social Housing. Therefore, it's important that their senior staff are professionally qualified. The potential health and safety risks of unprofessional housing management of homes managed by smaller landlords can be no less significant.

The DLUHC rationale behind this proposal is that stakeholders have highlighted that very small registered providers and services providers will struggle to support their in-scope managers to work towards qualifications during the transition period without a particularly disruptive effect on service delivery to tenants. Also, that costs would have a bigger impact on small organisations. They argue a longer adjusted transition period would mean very small registered providers, or services providers, would have more time to plan for these requirements coming into force and they could split the costs, and loss of staff hours, over a longer period.

However, we don't accept more time is needed. Attendance on courses would remove staff from their day-to-day work whenever it happens and courses are usually over a set amount of time, so it's unlikely that more time would make it more manageable. A reasonably short transition period is important to compel landlords to take all the necessary measures to comply with the new standard as quickly as possible.

Section 6: Transitional arrangements for partially compliant qualifications and apprenticeships

Question 24: Do you agree with our proposal as outlined above and described in section 3.6 of the Policy Statement that there should be transitional arrangements in place for those with partially relevant qualifications (which meet or exceed the requirements in section 3.1 of the policy statement, but do not meet all the course content criteria in section 3.2)

- **Yes**
- **No – please explain why**

No.

While we agree with this in principle, we question how it will be achievable in a practical sense. It may not be possible to enrol for only certain modules of courses.

Paragraph 3.6 of the Policy Statement proposes that, where a 'relevant person' has completed a qualification (before the end of the transition period) which meets the applicable requirements but only partially meets the applicable course content requirements, the 'relevant person' is deemed to hold a relevant qualification provided they complete additional accredited training

or accredited continuing professional development modules before the end of the transition period.

In addition, where a relevant person is working towards a partially compliant qualification during the transition period they are deemed to be working towards a relevant qualification.

We understand Chartered Institute of Housing qualifications do not allow for a 'pick and mix' approach to which modules course attendees undertake. Therefore, it may not be possible for partially qualified staff to 'top up' their qualifications to meet the requirements. DLUHC must confirm how this will be made achievable and what expectations must be met in order for partially qualified staff to be deemed compliant.

- **Recommendation 16:** If DLUHC are to allow those with partial qualification to qualify if they undertake additional training, we recommend the Policy Statement must elaborate further on exactly what is expected in these circumstances. The Policy Statement should require that any existing partially relevant qualification must relate directly to management of specifically social housing and be clearly similar in content to other courses.

We are not clear how, given CIH qualifications do not allow for a 'pick and mix' approach to which modules course attendees undertake, partially qualified staff members will be able to 'top up' their qualifications to meet the requirements. DLUHC must confirm how this will be made achievable and what expectations must be met in order for partially qualified staff to be deemed compliant.

Question 25 (for qualification providers only): Where your course does not cover all the criteria listed above, do you plan to update your qualifications to ensure that you cover the proposed course content requirements?

- Yes
- No, please explain why

Not applicable.

Question 26: Do you agree with our proposal as outlined above and described in section 3.7 of the policy statement that there should be transitional arrangements in place for those who have completed an apprenticeship programme without a qualification element provided they meet other criteria (as above)?

- Yes
- No – please explain why

No.

Please refer to our response to Question 24. The same recommendations apply.

Section 7: Requirements for registered providers in respect of the relevant managers of services providers

Question 27 (for registered providers only): Having read the information provided above and in Chapter 6 of the policy statement, are you clear on what your responsibilities are in relation to Relevant SP Managers?

- Yes
- No, please explain what further clarity is needed

Yes.

Chapter 6 of Policy Statement proposes that registered providers will be required to:

- consider how they will use the terms which are implied into management services agreements by s217A of the Act in taking steps to secure that Relevant SP Managers have or are working towards a relevant qualification as required in the policy statement;
- bring the qualification element of the Competence and Conduct Standard to the attention of their services providers with which they have a management services agreement;
- take steps to secure that any services provider with which they have a management services agreement is aware of their obligations under the terms implied into the management services agreement; and
- take steps to secure that those of their services providers with which they have a management services agreement:
 - consider how they will use the terms which are implied into management services agreements by s217A of the Act in taking the steps to secure that, the Relevant SP Managers of their sub-contractors have or are working towards a relevant qualification as required in this policy statement;
 - bring the qualification element of the standard to the attention of their sub-contractors that are services providers in relation to the registered provider; and
 - take steps to secure that those sub-contractors are aware of their obligations under the implied terms.

Question 28 (for registered providers only): Based on the information provided in section 6.1 and Annex B2 of the policy statement, are you clear on what would classify someone as a Relevant SP Manager?

- Yes
- No, please explain what further clarity is needed

Not applicable.

Question 29 (for services providers only): Does the guidance in Annex B2 of the policy statement enable you to understand what the implications of these requirements are for your organisation and your obligations under the terms implied by section 217A of the Housing and Regeneration Act 2008?

- Yes

- **No, please explain what further clarity is needed**

Not applicable.

Question 30 (for services providers only): Does the information provided in Chapter 6 of the policy statement enable you to understand the requirements placed on registered providers in relation to services providers?

- **Yes**
- **No, please explain what further clarity is needed**

Not applicable.

Question 31: Are there any other bodies representing the interests of services providers that you think the Secretary of State should nominate as a body with which the Regulator must consult on the regulatory Standard in relation to these requirements, other than the National Federation of ALMOS and the National Federations of TMOs?

We can't suggest any.

Question 32: Are there any other issues you want to raise, or anything you believe has not been considered in relation to proposals 16 and 17?

Paragraph 45a-d of the policy statement states that registered providers must:

- consider how they will use the terms which are implied into Management Services Agreements by s217A of the Act in taking the steps to secure that Relevant SP Managers have, or are working towards, a Relevant Qualification as required in this Policy Statement;
- bring the qualification element of the Competence and Conduct Standard to the attention of those of their Services Providers with which they have a Management Services Agreement;
- take steps to secure that such Services Providers are aware of their obligations under the terms implied into the Management Services Agreement;
- take steps to secure that those of their Services Providers with which they have a Management Services Agreement:
 - consider how they will use the terms which are implied into Management Services Agreements by s217A of the Act in taking the steps to secure that the Relevant SP Managers of their sub-contractors have or are working towards a Relevant Qualification as required in this Policy Statement;
 - bring the qualification element of the Competence and Conduct Standard to the attention of their sub-contractors that are Services Providers in relation to the Registered Provider; and
 - take steps to secure that those sub-contractors are aware of their obligations under the implied terms

We welcome the specific steps expected of registered providers to secure that Relevant Service Provider Managers have or are working towards a relevant qualification as required in the policy statement. However, as per our response to Question 1 which recommends that Subsection (3) of the Direction is strengthened, we suggest they are strengthened.

- **Recommendation 17:** Paragraph 45a-d of the Policy Statement should be strengthened to make the requirements for registered providers, in respect of the 'relevant managers of their services providers', more thorough and outcomes-focussed,

We suggest the following edits (in underlined italic):

45. Registered Providers must:

- a) *take all meaningful steps available to them as and when appropriate to utilise the terms which are implied into Management Services Agreements by s217A of the Act in the most effective way possible to secure that Relevant SP Managers have, or are working towards, a Relevant Qualification as required in this Policy Statement;*
- b) bring the qualification element of the Competence and Conduct Standard to the attention of those of their Services Providers with which they have a Management Services Agreement;
- c) *take all meaningful steps available to them as and when appropriate to secure that such Services Providers are aware of their obligations under the terms implied into the Management Services Agreement;*
- d) *take all meaningful steps available to them as and when appropriate to secure that those of their Services Providers with which they have a Management Services Agreement:*
 - i. *use the terms which are implied into Management Services Agreements by s217A of the Act in taking all meaningful steps available to them as and when appropriate to secure that, the Relevant SP Managers of their sub-contractors have or are working towards a Relevant Qualification as required in this Policy Statement;*
 - ii. bring the qualification element of the Competence and Conduct Standard to the attention of their sub-contractors that are Services Providers in relation to the Registered Provider; and
 - iii. *take all meaningful steps available to them as and when appropriate to secure that those sub-contractors are aware of their obligations under the implied terms and are taking all meaningful steps available to them as and when appropriate to comply and deliver a high-quality service to tenants in terms of both tenant outcomes and experience.*

We welcome the circumstances under which a person is classified as a Relevant SP Manager of a services provider, along with the guidance around who is in scope and the criteria that qualifications must meet for Relevant Persons and Relevant SP Managers.

In regard to Annex B2 of the policy statement, we welcome the provision of this guidance on the implications of the Act for Services Providers to help raise awareness and understanding of the requirements it implements.

- **Recommendation 18:** Government should produce a Plain English version of this guide that sets out in a clear and accessible manner exactly what is expected of them. This should be designed so that anyone working within a services provider who may be unfamiliar with the competence and conduct standard can understand exactly what is expected of themselves, their management, and their organisation.

Section 8: Questions related to the impact assessment

Question 33 (for registered providers and services providers): In paragraph 64 of the impact assessment, we have set out our assumptions around the familiarisation / implementation costs to registered providers and services providers for the implementation of the full Competence and Conduct Standard including the qualification element of the Standard? Do you agree with these assumptions?

- Yes
- No – please explain why and provide an alternative
- Don't know

Don't know.

Question 34 (for registered providers and services providers): How many people have you identified as being in scope of the full Competence and Conduct Standard (not just the qualification element of the Standard)? This would be all individuals involved in the provision of services in connection with the management of social housing.

Not applicable.

Question 35 (for registered providers and services providers): Based on the information provided in the policy statement and associated guidance, how many individuals within your organisation have you assessed to be in scope of the qualification requirements?

Not applicable.

Question 36 (for registered providers and services providers): How many of those individuals have you assessed to be senior housing managers?

Not applicable.

Question 37 (for registered providers and services providers): How many of those individuals have you assessed to be senior housing executives?

Not applicable.

Question 38 (for registered providers and services providers): Having read the requirements set out in Chapter 3 of the policy statement, how many and what percentage of your existing in-scope staff already possess a qualification which is deemed to be a relevant qualification?

Not applicable.

Question 39 (for registered providers and services providers): How many individuals within your organisation that you assess to be in scope currently have a partially relevant qualification (which meets or exceeds the requirements in 3.1 but does not meet all the course content criteria at 3.2) and would be in a position to undertake accredited training / CPD to meet the remaining criteria?

Not applicable.

Question 40 (for registered providers and services providers): Please specify whether you pay the apprenticeship levy

- Yes
- No
- Prefer not to say

Not applicable.

Question 41 (for registered providers and services providers): How many, and what proportion, of those you have assessed to be in scope of the requirements and who need to gain relevant qualification plan to meet these requirements by completing an apprenticeship programme with a qualification element?

- Apprenticeship programme with a qualification element:
- Qualification (without an apprenticeship programme)

Not applicable.

Question 42 (for registered providers only) How many services providers do you have a direct agreement with for managing the delivery of housing management services to

your tenants? What size are your services - micro (less than 10 employees), small (less than 50 employees, medium (less than 250 employees) or large organisation (250 or more employees) and what types of services do they deliver?

Not applicable.

Question 43 (for services providers only): Where you manage delivery of housing management services on behalf of a registered provider, do you contract out aspects of the management of these services to other providers? If yes, please could you provide details of the number of sub-contractors used, types of services delivered and the size of these sub-contractor organisations (please note this question only applies to the management of the delivery of services, rather than to the delivery of services)

Not applicable.

Question 44 (for qualifications providers only): We have made an assumption that where people undertake a qualification (not as part of an apprenticeship programme), this will require a commitment from the learner of 8 hours per week over approximately 12 months for both level 4 and 5. This will amount to around 320 hours of study for senior housing executives and 360 hours of study for senior housing managers in total. Do you agree with this assumption?

- **Yes**
- **No, please explain and tell us what you estimate the number of hours commitment that will be required from the learner per week and over what period for both senior housing managers and senior housing executives.**
- **Don't know**

Don't know.