



BRIEFING PAPER

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Social Housing Reform in England: What Next?

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Summary

Social housing is housing to rent below market rents or to buy through schemes such as shared ownership. Four million households live in rented social housing in England, just under a fifth (17%) of all households. In 2019-20, 10% (2.4 million) of all households rented from housing associations, and 7% (1.6 million) from local authorities

Social Housing Green Paper

The Grenfell Tower fire in June 2017 exposed a range of issues with social housing and provided an impetus for change. In August 2018, following extensive engagement and consultation with social housing residents across the country, the Government published a Social Housing Green Paper - [A new deal for social housing](#) - which aimed to “rebalance the relationship between residents and landlords”.

Alongside the Green Paper, the Government published a [Call for evidence: Review of social housing regulation](#) which sought views on how well the regulatory regime was operating. The Green Paper consultation ran from 14 August to 6 November 2018 and received over 1,000 responses.

Social Housing White Paper

After a gap of two years, on 17 November 2020 the Government published a Social Housing White Paper - [The Charter for Social Housing Residents](#). The Charter sets out measures designed to deliver on the Government's commitment to the Grenfell community that “never again would the voices of residents go unheard” and on its 2019 manifesto pledge to empower residents, provide greater redress, better regulation and improve the quality of social housing.

The White Paper is intended to deliver “transformational change” for social housing residents. It sets out measures to:

- Ensure that social housing is safe.
- Make it easier to know how social landlords are performing, to increase transparency and accountability.
- Ensure swift and effective resolution of complaints.
- Strengthen the consumer standards social landlords must meet and create a strong, proactive regime to enforce them.
- Empower residents.
- Ensure good quality, decent homes and neighbourhoods.
- Support home ownership.

The roles of the Regulator of Social Housing and the Housing Ombudsman are being strengthened to help deliver these measures.

The Social Housing White Paper applies to social housing landlords and residents in England. Different policies apply in the devolved administrations of Scotland, Wales and Northern Ireland.

Stakeholder reaction

Overall, the White Paper has been well received by tenants, social landlords and the housing sector. Measures intended to raise standards, increase transparency and

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accountability, improve the complaints and redress process, and engage and empower residents have been widely welcomed.

Nevertheless, concerns have been expressed about some elements, including:

- the slow pace of social housing reform;
- failure to address issues around the supply of homes for social rent;
- lack of clarity about who and what social housing is for;
- failure to fully address the issue of stigma, exacerbated by the Government's strong focus on home ownership;
- lack of a national platform or representative body to represent tenants' interests; and
- potential challenges for social landlords in resourcing all the new requirements.

What next?

There is no timetable attached to delivering the measures set out in the Social Housing White Paper.

The White Paper provides a framework for reform, but the detail of many of the proposals requires further development and engagement with the sector. This may take several years. For example, the Regulator of Social Housing plans to carry out stakeholder engagement and consultation on new tenant satisfaction measures throughout 2021-22, with a view to introducing them in 2023.

Some of White Paper proposals will require primary legislation before they can be implemented. The Queen's Speech 2021 did not include a Social Housing Bill. The background briefing notes state that the Government will continue to deliver on the White Paper proposals and will "look to legislate as soon as practicable."

1. Background

Social housing is housing to rent at below market rents or to buy through schemes such as shared ownership. It is made available to help those whose needs are not served by the market.

Social Rent levels are typically set at around 50-60% of market rents. Affordable Rent - set at a maximum of 80% of the local market rent - was introduced by the 2010 Coalition Government. The additional finance raised through higher rents is available for reinvestment in the development of new social housing.

Social housing is provided by local authorities and private registered providers, which are primarily housing associations but can include for-profit organisations.

The [Regulator of Social Housing](#) maintains a [statutory register of social housing providers](#). It regulates registered providers to “promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs”.¹

Four million households live in rented social housing in England, just under a fifth (17%) of all households. In 2019-20, 10% (2.4 million) of all households rented from housing associations, and 7% (1.6 million) from local authorities.²

According to estimates from the English Housing Survey, there are approximately 157,000 households living in shared ownership homes in England.³ Shared ownership enables people to buy a share of a property and pay a subsidised rent on the remaining share. Most shared ownership homes are delivered and managed by housing associations.

The Commons Library briefing paper CBP07747: [What is affordable housing?](#) provides further background information and statistics on social housing.

¹ [About us - Regulator of Social Housing - GOV.UK \(www.gov.uk\)](#) [Accessed 14 May 2021]

² MHCLG, [English Housing Survey 2019 to 2020: headline report](#), 17 December 2020, p2

³ MHCLG, [English Housing Survey 2017 to 2018: home ownership](#), 17 July 2019

2. Social Housing Green Paper

The Grenfell Tower fire in June 2017⁴ exposed a range of issues with social housing and provided an impetus for change. In a statement to the House of Commons in the days after the fire the then-Prime Minister, Theresa May, acknowledged that: “for too long in our country, under governments of both colours, we simply haven’t given enough attention to social housing.”⁵ The Government pledged to the Grenfell community that “never again would the voices of residents go unheard”.⁶

In setting the terms for a public inquiry into the Grenfell Tower fire, it was agreed that broader concerns about social housing policy, particularly the relationship between landlords and tenants, would be excluded from scope and considered separately by Ministers.⁷

The Ministry of Housing, Communities and Local Government (MHCLG) subsequently conducted extensive engagement and consultation with social housing residents: almost 1,000 residents shared their views with Ministers at events across the country and over 7,000 people contributed their opinions, issues and concerns online.⁸

The conversations and submissions demonstrated that “many people living in England’s four million social homes feel ignored and stigmatised, too often treated with a lack of respect by landlords who appear remote, unaccountable and uninterested in meeting their needs.”⁹

On 14 August 2018, the Government published a Social Housing Green Paper - [A new deal for social housing](#) - which was intended to “rebalance the relationship between residents and landlords”.¹⁰

The Green Paper sought views on potential changes around five core themes:

- Ensuring homes are safe and decent.
- Effective resolution of complaints.
- Empowering residents and strengthening the Regulator of Social Housing.
- Tackling stigma and celebrating thriving communities.
- Expanding the supply of social housing and supporting home ownership.

Alongside the Green Paper, the Government published a [Call for evidence: Review of social housing regulation](#) which sought views on

⁴ ‘[Grenfell Tower: What happened](#)’, BBC, 29 October 2019

⁵ Prime Minister’s Office, [PM Commons statement on Grenfell Tower](#), 22 June 2017

⁶ ‘[Post-Grenfell social housing reforms unveiled](#)’, BBC, 17 November 2020

⁷ [HCWS135, 14 September 2017](#)

⁸ MHCLG, [A new deal for social housing](#), 14 August 2018, p10

⁹ MHCLG, [Social housing green paper: a ‘new deal’ for social housing](#), 14 August 2018, p5

¹⁰ MHCLG, [Social housing green paper: a ‘new deal’ for social housing](#), 14 August 2018

how well the regulatory regime was operating and what needed to change to deliver the objectives set out in the Green Paper.¹¹

The Green Paper consultation ran from 14 August to 6 November 2018 and received over 1,000 responses. MHCLG also held eight engagement events with more than 500 social housing residents around the country.¹²

After a gap of two years following closure of the consultation exercise, a [consultation response and summary of responses](#) was published on 17 November 2020.

¹¹ MHCLG, [Call for Evidence: Review of Social Housing Regulation](#), 14 August 2018.

¹² MHCLG, [A new deal for social housing and call for evidence on social housing regulation: summary of responses](#), 17 November 2020

3. Social Housing White Paper

The Conservative Party's 2019 manifesto committed to bring forward a Social Housing White Paper which would set out measures to "empower tenants" and "provide greater redress, better regulation and improve the quality of social housing".¹³

On 17 November 2020, the Government, led by Boris Johnson, published its Social Housing White Paper - [The Charter for Social Housing Residents](#).¹⁴

On publication, the Secretary of State for Housing, Communities and Local Government, Robert Jenrick, said it would bring transformational change for social housing residents:

This new charter with its focus on transforming social housing regulation, ensuring homes are decent and safe, offering residents swift and effective resolution of complaints and empowering residents will rebalance the relationship between landlords and tenants. This is a strong, coherent package that is going to make a real difference in people's lives.¹⁵

Alongside the White Paper, the Government published the [Social Housing Green Paper consultation response](#), the [Government's response to the call for evidence on the review of social housing regulation](#) and a [consultation seeking views on smoke and carbon monoxide alarms](#).

The White Paper sets out measures to:

- **Ensure that homes are safe** - by reinforcing the Regulator of Social Housing's consumer regulation objective to explicitly include safety, and legislating to place an obligation on landlords to identify a nominated person responsible for ensuring compliance with health and safety requirements.
- **Increase transparency** - by allowing residents greater visibility of how well their landlord is performing and the decisions it is making through a set of tenant satisfaction measures for social landlords to report against.
- **Ensure swift and effective resolution of complaints** - by speeding up decisions and building on changes already agreed with the Housing Ombudsman Service to improve its performance and reduce its decision times.
- **Transform social housing regulation** - by establishing a new arm of the Regulator of Social Housing to 'proactively' regulate on consumer standards including the quality of homes, repairs, meaningful engagement with tenants and complaints handling.
- **Empower residents** - by requiring landlords to improve tenant engagement, delivering new opportunities and empowerment

¹³ [The Conservative and Unionist Party Manifesto 2019](#), 2019, p30

¹⁴ MHCLG, [The Charter for Social Housing Residents: Social Housing White Paper](#), 17 November 2020

¹⁵ [HCWS581, 17 November 2020](#)

programmes for social housing residents, to support them in engaging with and holding their landlords to account.

- **Encourage investment in neighbourhood, place and decent homes** - by reviewing the Decent Homes Standard, supporting the quality of and access to green spaces, and tackling anti-social behaviour by enabling tenants to know who is responsible for action and who can support and assist them.
- **Support home ownership** – by delivering the Affordable Homes programme 2021-26, introducing a new affordable homes guarantee scheme and implementing a new model for shared ownership.¹⁶

The White Paper applies to social housing landlords and residents in England. Separate arrangements apply in the devolved administrations of Scotland, Wales and Northern Ireland.

There is no timetable attached to delivering the measures set out in the White Paper, many of which require legislation. The Queen’s Speech 2021 background briefing notes say the Government will continue to deliver on the White Paper proposals and will “look to legislate as soon as practicable.”¹⁷

The White Paper establishes a broad framework for reform, but many of the proposals lack detail. Ongoing consultation and engagement with social landlords and tenants as the proposals are developed is anticipated.

The following sections of this briefing paper provide an overview of the main White Paper proposals and initial reactions from tenants, social landlords and the housing sector.

Box 1: Key terms used in the Social Housing White Paper

The White Paper considers the issues facing all residents of social housing, including those who rent, leaseholders and shared owners. The Paper refers throughout to “residents” to include all those living in social housing, except where an issue is only relevant to those who are renting from a social housing landlord, in which case the Paper refers to “tenants”.

3.1 Safety

Investigations following the Grenfell Tower fire exposed significant deficiencies in current fire and building safety systems. The Government is taking action to address these, including:

- legislating through the [Fire Safety Act 2021](#) to ensure fire risks are properly managed;¹⁸

¹⁶ MHCLG, [Landmark reforms to improve social housing and give residents a greater voice](#), 17 November 2020

¹⁷ [Queen’s Speech 2021 - background briefing notes](#), 11 May 2021, p114

¹⁸ For further information on the Act see Commons Library briefing paper CBP08782: [Fire Safety Bill 2019-2021](#).

- publishing a [draft Building Safety Bill 2019-21](#), which has been subject to pre-legislative scrutiny. The Bill is expected to be introduced in the 2021-22 parliamentary session;¹⁹
- providing funds for the removal of unsafe cladding on high-rise buildings;²⁰ and
- consulting on [mandating smoke and carbon monoxide alarms in social rented homes](#).²¹ The consultation closed on 11 January 2021 and the Government is analysing feedback.

In addition, Chapter 1 of the Social Housing White Paper sets out commitments to:

- Legislate to **strengthen the Regulator of Social Housing’s consumer regulation objective to explicitly include safety**. (see section 3.4 for further information on proposals to strengthen consumer regulation).
- Legislate to require social landlords to **identify a nominated person responsible for complying with their health and safety requirements**.
- Expect the **Regulator of Social Housing to prepare a Memorandum of Understanding with the Health and Safety Executive**, once the new Building Safety Regulator is created, to ensure effective information sharing.²²
- Consult on measures to **ensure that social housing residents are protected from harm caused by poor electrical safety**. The Government has established a working group to inform the content of the consultation.²³
- Build on the [work of the Social Sector \(Building Safety\) Engagement Best Practice Group](#), **supporting the development of statutory and good practice guidance on engaging residents in all tenures on safety issues**.

3.2 Landlord performance

Requirement to provide performance information

Registered providers of social housing are required to meet [regulatory standards](#) which contain specific expectations and outcomes providers are expected to achieve. The [Tenant Involvement and Empowerment Standard](#) (one of four consumer standards) requires providers to provide tenants with timely and relevant performance information to support effective scrutiny of their performance. Such provision must include the

¹⁹ For further information on the Bill see Commons Library briefing paper CBP08781: [Building Safety Bill 2019-2021](#) and House of Commons Housing, Communities and Local Government (HCLG) Committee, [Pre-legislative scrutiny of the Building Safety Bill: Fifth Report of Session 2019–21](#), HC 466, 24 November 2020

²⁰ For further information see the Commons Library briefing paper CBP08244: [Leasehold high-rise flats: who pays for fire safety work?](#)

²¹ MHCLG, [Domestic smoke and carbon monoxide alarms: proposals to extend regulations](#), 17 November 2020.

²² The Building Safety Regulator is based within the Health and Safety Executive (HSE) and is in the process of being set up in shadow form prior to the introduction of the Building Safety Bill.

²³ [PQ HL14450, 30 March 2021](#)

publication of an annual report, although the format and content of the report is not specified.²⁴ The Regulator of Social Housing does not currently have a proactive role in monitoring providers' performance on the consumer standards. (see section 3.4 for information on proposals to strengthen consumer regulation).

Increasing transparency and accountability

Measures in Chapter 2 of the White Paper aim to make it easier for tenants to know how their landlord is performing, to ensure transparency and accountability.

The Government commits to:

- Create a set of **tenant satisfaction measures (TSMs) for landlords on things that matter to tenants**, for example, repairs, building safety, complaints handling, engagement and neighbourhood management, including tackling anti-social behaviour. The measures will inform the Regulator about compliance under the new proactive consumer regulation regime (see section 3.4) but are also intended to enable residents to hold their landlord to account. The controversial Green Paper proposal to publish landlord performance in the form of league tables does not appear in the White Paper.

The Regulator of Social Housing has been tasked with developing the TSMs, which are likely to include both objective quantitative measures and tenant perception measures. The Regulator plans to carry out stakeholder engagement and consultation on the TSMs throughout 2021-22, with a view to introducing them in 2023.²⁵

- Introduce a **new access to information scheme for social housing tenants** of housing associations and other private registered providers of social housing. The intention is that this will give these tenants equivalent rights to local authority tenants, who already have the right to request information from their landlord under the *Freedom of Information Act 2000*. The scheme will include time limits for providing information and specific exemptions from disclosure. It is proposed that the Housing Ombudsman will arbitrate on landlord and tenant disputes involving access to information.
- Ensure landlords provide a **clear breakdown of how their income is being spent**, including levels of executive remuneration.
- Require landlords to identify a senior **'responsible person' who will ensure that the organisation is complying with the consumer standards set by the Regulator of Social Housing**.
- Expect landlords to report to every tenant on such matters at least once a year, if not continuously, using technology.

²⁴ Homes and Communities Agency, [Tenant Involvement and Empowerment Standard](#), 1 July 2017, para 2.2.1

²⁵ ['Regulator 'not envisaging' providers will act on Tenant Satisfaction Measures till 2023'](#), HQN, 25 March 2021

3.3 Handling complaints

The current complaints process

If a social housing resident has a complaint the first course of action is to raise it through the landlord's in-house complaints process. Social housing landlords are currently required to: provide residents with a complaints handling service; set out clear service standards; publish information on the nature and number of complaints received; and inform residents of how information on complaints is used to improve services.²⁶

If a resident is unhappy at the end of this process, they can refer their complaint to the [Housing Ombudsman](#) for investigation²⁷, either:

- i) via a 'designated person' (a local MP, councillor or tenant panel);²⁸ or
- ii) eight weeks after the end of their landlord's internal complaints procedure.

The Housing Ombudsman provides a free, independent and impartial complaints resolution service.²⁹ The Ombudsman's determination may include recommendations for action and/or a financial remedy. If the Ombudsman identifies possible significant systemic issues they can refer the case to the Regulator of Social Housing.

Improving the complaints process

Social tenants have said that complaints are not always dealt with effectively and can take too long to resolve.³⁰ A [report](#) published by the Housing Ombudsman in September 2020, which analysed nearly 2,000 leaseholder and shared owner complaints, concluded complaints handling was one area where the social housing sector "appears to be consistently getting things wrong".³¹

The Government has already taken steps to improve the speed and consistency of dispute resolution and to strengthen the role of the Housing Ombudsman, it has:

- Included provisions in the [draft Building Safety Bill 2019-21](#) to enable social housing residents to immediately escalate a complaint to the House Ombudsman, once they have exhausted the landlord's complaints procedure, by **removing the requirement to either make the complaint through a**

²⁶ Homes and Communities Agency, [Tenant Involvement and Empowerment Standard](#), 1 July 2017, para 2.1.2

²⁷ Subject to the nature of the complaint falling within the [Ombudsman's scheme](#).

²⁸ This "democratic filter" was introduced in the Localism Act 2011, as part of a wider ambition to drive local resolution of issues.

²⁹ All bodies registered with the Regulator for Social Housing must be in the Housing Ombudsman's jurisdiction by effect of the *Housing Act 1996* and *Localism Act 2011*.

³⁰ MHCLG, [The charter for social housing residents: social housing White Paper](#), 17 November 2020, p27

³¹ Housing Ombudsman Service, [A new lease of life: Spotlight on leasehold, shared ownership and new builds](#), 7 September 2020, p1

'designated person' or wait eight weeks.³² The Bill is expected to be introduced in the 2021-22 parliamentary session;

- **Expanded the Housing Ombudsman service, which aims to halve its decision times by March 2022.**
- **Strengthened the Housing Ombudsman's powers to act against landlords where needed.** The revised [Housing Ombudsman Scheme](#) from 1 September 2020 includes:
 - **A new [Complaint Handling Code](#)**, published in July 2020, setting out clear expectations for landlords on handling complaints.
 - **A new power to issue complaint handling failure orders** which can relate to the handling of an individual case or the landlord's overall complaint-handling policy. The Housing Ombudsman issued ten orders between January and March 2021 - mostly due to unreasonable delays by landlords in accepting or progressing residents' complaints through their complaints process - eight of which were complied with. Where the landlord did not comply, the Ombudsman took the complaint into formal investigation.³³
 - The **ability to conduct systemic or thematic investigations** beyond an individual complaint or landlord. In March 2021, the Housing Ombudsman published a [new framework on systemic issues](#) setting out how it will conduct such investigations. It has also launched its first thematic investigation looking at the issue of [damp and mould](#).
 - The **basis on which cases are referred by the Housing Ombudsman to the Regulator of Social Housing has been broadened** to include repeated complaint handling failure or potential systemic failure. The [memorandum of understanding](#) between the two organisations was updated in September 2020 to enable this alongside agreement on sharing more information.³⁴

In December 2020, the Housing Ombudsman published [performance data about individual social landlords](#) for the first time, including:

- the categories of the enquiries and complaints received.
- the outcomes of the Housing Ombudsman's decisions.
- the types of orders made for landlords to put things right.
- the timeliness of landlord compliance with orders.³⁵

The performance data is intended to give residents more insight into how their landlord is performing and help drive improvements across

³² MHCLG, [Draft Building Safety Bill](#), CP 264, 20 July 2020, clause 113

³³ ['Housing Ombudsman uses its new power to progress residents' complaints'](#), Housing Ombudsman Service News Release, 11 May 2021

³⁴ ['Ombudsman's new powers take effect including working with the Regulator'](#), Housing Ombudsman Service News Release, 1 September 2020

³⁵ ['Housing Ombudsman publishes performance data on landlords'](#), Housing Ombudsman Service News Release, 9 December 2020

the sector. The reports simply present the data and do not include any gradings or assessment of performance.³⁶

Chapter 3 of the White Paper includes further measures intended to ensure speedier and effective resolution of complaints, including commitments to:

- **Run a campaign to improve social housing residents' awareness and understanding of the complaints process for the sector.** The Ministry of Housing, Communities and Local Government (MHCLG) [launched](#) a national campaign - 'Make Things Right' - in March 2021.³⁷ The campaign will run adverts on social media and music streaming sites. An accompanying campaign website provides advice to residents on how to seek redress from their social landlord: <https://socialhousingcomplaints.campaign.gov.uk/>.
- Legislate to **ensure the Housing Ombudsman and the Regulator of Social Housing co-operate with each other** in undertaking their responsibilities in holding landlords to account.
- Make landlords more accountable for their actions by **publishing reports on complaints the Housing Ombudsman has handled** for individual landlords, as well as determinations on individual cases. In March 2021 the Ombudsman started publishing its [investigation reports and decisions on individual cases](#).³⁸

3.4 Consumer regulation

The current regulatory framework

Registered providers are required to meet [regulatory standards](#) which contain specific expectations and outcomes providers are expected to achieve. There are three economic standards and four consumer standards. The Regulator is required to proactively regulate the three economic standards. In contrast, regulation of consumer standards is reactive and based on responding to referrals or other information received. Furthermore, there is a high threshold for intervention; the Regulator's role is limited to intervening where failure to meet the consumer standards has caused, or could have caused, serious harm to tenants.³⁹

Strengthening consumer regulation

Chapter 4 of the White Paper acknowledges that "the current regime of consumer regulation is not strong enough" and sets out measures to establish a new, proactive consumer regulation function, intended to

³⁶ ['How are social landlords doing at responding to complaints?'](#), Inside Housing, 23 February 2021 [Subscription required]

³⁷ MHCLG, [New government campaign to empower social housing residents to raise complaints and make things right](#), 5 March 2021

³⁸ ['Housing Ombudsman starts publishing its investigation reports on individual cases'](#), Housing Ombudsman News Release, 9 March 2021

³⁹ For further information see the Regulator of Social Housing's [Guide to regulation of registered providers](#), May 2015.

achieve parity with economic regulation.⁴⁰ The overall regulatory approach will remain risk-based and co-regulatory.⁴¹

To this end the Government commits to:

- Transform the consumer regulation role of the Regulator of Social Housing so it **proactively monitors and drives landlords' compliance with improved consumer standards.**
- **Remove the 'serious detriment test' and introduce routine inspections for the largest landlords (those with over 1,000 homes) every four years.**
- **Change the Regulator's objectives to explicitly cover safety and transparency,** and work with it to **review its consumer standards** to ensure they are up to date and deliver its revised objectives.
- Give the Regulator the power to **publish a Code of Practice on the consumer standards** to be clear what landlords are required to deliver.
- **Strengthen the Regulator's enforcement powers** to tackle failing landlords and to respond to new challenges facing the sector, by:
 - removing the £5,000 cap on the level of fines it can issue;
 - introducing Performance Improvement Plans for landlords failing to comply;
 - reducing the notice period for surveys on the condition of properties; and
 - introducing a new power to arrange emergency repairs if needed where a survey uncovers evidence of systemic landlord failures.
- **Hold local authorities to account as landlords,** including how they manage Arms Length Management Organisations and Tenant Management Organisations, to make sure they deliver a good service to tenants.
- **Review the [statutory Right to Manage guidance](#).**⁴²
- Strengthen the Regulator's powers to **provide robust economic regulation of private registered providers.**

⁴⁰ Commentators have noted that a more proactive approach to consumer regulation marks a move back to the regulatory approach taken by the Tenant Services Authority (TSA), the former regulatory agency of registered providers of social housing. In October 2010 the Coalition Government [announced](#) that the TSA would be abolished and its responsibilities for governance and financial regulation of registered providers would pass to the Homes and Communities Agency.

⁴¹ For further information on the approach the Regulator of Social Housing takes to regulation see: [Regulating the Standards](#), last updated 5 March 2020.

⁴² Local authority tenants have a statutory Right to Manage. By forming a Tenant Management Organisation, and following the [Housing \(Right to Manage\) \(England\) Regulations 2012](#), such tenants can take over responsibility for managing housing services, such as repairs, caretaking, and rent collection from their landlord.

- **Require the Regulator to set up an Advisory Committee** to provide independent and unbiased advice on discharging its functions.

A new function will be set up within the Regulator to oversee consumer regulation. It is anticipated that the Regulator will engage and consult with stakeholders, including tenants, as it develops the new consumer regulation regime.

3.5 Tenant voice

Whilst some social landlords engage well with their residents and listen to them, performance across the sector is inconsistent. The MHCLG consultation heard “examples of residents feeling patronised, ignored or treated with disrespect”.⁴³ The post-Grenfell independent review of building regulations and fire safety, led by Dame Judith Hackitt, also identified that “the voices of residents often goes unheard, even when safety issues are identified.”⁴⁴

Chapter 5 of the White Paper includes commitments to:

- Expect the Regulator of Social Housing to **require landlords to show how they have sought out and considered ways to improve tenant engagement**. Engagement opportunities can range from involvement in surveys, focus groups and local events to membership of the organisation’s Board or scrutiny board. The Government wants to build on sector-led initiatives such as the National Housing Federation’s [Together with Tenants](#) initiative which seeks to strengthen the relationship between residents and housing association landlords.⁴⁵
- **Ongoing ministerial engagement** to continue to listen to residents and enable them to have their voices heard.
- Deliver a **new opportunities and empowerment programme for social housing residents**, to support more effective engagement between landlords and residents, and to give residents tools to influence their landlords and hold them to account.
- **Review professional training and development** to consider the appropriate qualifications and standards for social housing staff in different roles, including senior staff, to ensure that residents receive a high-quality customer service. The review will be informed by a Working Group made up of residents, landlords, professional bodies and academics.

3.6 Good quality homes and neighbourhoods

Chapter 6 of the White Paper outlines a range of measures intended to ensure good quality, decent homes and neighbourhoods, including

⁴³ MHCLG, [The charter for social housing residents: social housing White Paper](#), 17 November 2020, p47

⁴⁴ MHCLG, [Building a Safer Future: Independent Review of Building Regulations and Fire Safety – Final Report](#), CM 9607, Dame Judith Hackitt, 17 May 2018, p11

⁴⁵ [National Housing Federation - Together with tenants](#) [Accessed 14 May 2021]

access to green space and support for well-being. These include commitments to:

- **Review the [Decent Homes Standard](#)**⁴⁶ to consider if it should be updated, including how it can better support the decarbonisation and energy efficiency of social homes, and improve communal and green spaces. Part 1 of the review is running from Spring to Autumn 2021 and is considering the case for change to criteria within the Decent Homes Standard. If the case for change is made, part 2 of the review will run from Autumn 2021 to Summer 2022 and will consider how decency should be defined.⁴⁷
- Continue to **engage with the latest evidence on the impact of housing conditions on health**, including Covid-19 transmission, and actively consider options to mitigate these impacts.
- Review professionalisation to **consider how well housing staff are equipped to work with people with mental health needs** and encourage best practice for landlords working with those with mental health needs.
- **Clarify the responsibilities of police, local authorities and social landlords in tackling anti-social behaviour** and signpost tenants to agencies who can give them the most appropriate support and assistance when faced with anti-social behaviour.
- Consider and publish the findings of the exercise (announced in the Green Paper) to collect evidence on how social housing is allocated across the country to **ensure that allocations are efficient and fair**.

3.7 Home ownership

Chapter 7 of the White Paper restates the Government's commitment to increase the supply of social homes and "ensure that as many social tenants as possible have the opportunity to buy a home of their own".⁴⁸

The chapter outlines existing Government policies to extend home ownership, including:

- The £11.5 billion [Affordable Homes Programme 2021-26](#) which will deliver up to 180,000 new homes, around half of which will be for affordable home ownership.
- The £3 billion [Affordable Homes Guarantee Scheme](#) to provide long-term, low cost and fixed rate debt finance to registered providers.

⁴⁶ The Decent Homes Standard sets minimum quality standards for social housing – it is not a statutory standard. It sets out four criteria for evaluating decency: it requires that homes are free of serious hazards; are in a reasonable state of repair; have reasonably modern facilities, such as kitchens and bathrooms; and have efficient heating and effective insulation.

⁴⁷ MHCLG, [Decent Homes Standard: review](#), 8 February 2021

⁴⁸ MHCLG, [The charter for social housing residents: social housing White Paper](#), 17 November 2020, Chapter 7

- **A new model for shared ownership and Right to Shared Ownership.**
- A **voluntary Right to Buy** for housing association tenants.

The following Commons Library briefing papers provide further information on these policies:

[What is affordable housing?](#) (CBP07747)

[Extending home ownership: Government initiatives](#) (SN03668)

[Shared ownership \(England\): the fourth tenure?](#) (CBP08828)

[A voluntary Right to Buy for housing association tenants in England](#) (CBP07224)

4. Stakeholder reaction

Overall, the White Paper has been well received by tenants, social landlords and others in the housing sector. Measures intended to raise standards, increase transparency and accountability, improve the complaints and redress process, and engage and empower residents have been widely welcomed.⁴⁹ Nevertheless, concerns have been expressed about some elements, as outlined below.

4.1 Timescales

Commentators have expressed concern about the pace of the Government's social housing reforms, noting that nearly four years have passed since the Grenfell Tower fire in June 2017. In an open letter to Boris Johnson in May 2021, Grenfell United, the group which represents the bereaved and survivors of the Grenfell Tower fire, said the journey to justice had been "torturously slow" and any further delay to progressing the White Paper would be considered an act of bad faith.⁵⁰

The Government has not set out a timetable for delivering the measures in the White Paper. The Queen's Speech 2021 did not include a Social Housing Bill. The background briefing notes state the Government will continue to deliver on the White Paper proposals and will "look to legislate as soon as practicable."⁵¹

4.2 Supply of homes for social rent

A key criticism of the White Paper is that it fails to address issues around the supply of homes for social rent.

The availability of homes for social rent has fallen as different affordable products – such as affordable rented housing – have become more common. Around 93% of social housing providers' stock was let at social rent in 2018-19, compared with 98% in 2012-13. In recent years the new supply of homes for social rent has declined significantly; around 6,600 new homes for social rent were supplied in 2019-20, making up 11% of all new affordable housing supply. The social housing sector loses stock through sales (primarily through Right to Buy) and demolitions.⁵²

Many in the sector have called for a large-scale social housing delivery programme to revitalise the sector and address housing deprivation. Other arguments advanced in favour of social rented housing include: the need to move rising numbers of homeless households out of temporary accommodation; unaffordability in the private rented sector; and the potential to reduce expenditure on

⁴⁹ '[Social Housing White Paper: responses from the sector](#)', Inside Housing, 17 November 2020 [Subscription required]

⁵⁰ '[Government must use Queen's Speech to advance Social Housing White Paper, say Grenfell families](#)', Inside Housing, 6 May 2021 [Subscription required]

⁵¹ Prime Minister's Office, [The Queen's Speech 2021 – background briefing notes](#), 11 May 2021, p114

⁵² Commons Library briefing paper CBP08963: [A new era of social rented housing in England?](#)

housing benefits by moving private renters into social housing. Commentators also argue for a social housing delivery programme to provide an economic stimulus.

A recent [inquiry into the long-term delivery of social and affordable rented housing](#) by the Housing, Communities and Local Government Committee concluded: “There is compelling evidence that England needs at least 90,000 net additional social rent homes a year and it is time for the Government to invest” and “a social housebuilding programme should be top of the Government’s agenda to rebuild the country from the impact of COVID-19.”⁵³

(Nb. The Commons Library briefing paper CBP08963: [A new era of social rented housing in England?](#) provides a more detailed analysis of this issue.)

In the forward to the Social Housing Green Paper the Prime Minister, then Theresa May, referred to the Government’s commitment to “...building a new generation of council homes to help fix the broken housing market” and asserted that “this Green Paper will provide a further boost to the number of council houses”.⁵⁴

Commentators were disappointed that although the White Paper referred to building more affordable homes, it did not include a firm commitment to increase the supply of social rented housing. Furthermore, beyond restating existing policy announcements, it did not include any new policies to increase overall delivery.

Responding to the Social Housing White Paper, Cllr Darren Rodwell, Local Government Association (LGA) housing spokesperson, said:

[...] Now is the time to reverse the decline in council housing over the past few decades. As important as these reforms are for tenants, they will not help to tackle the severe shortage of social housing the country faces.

Every penny spent on building new social housing is an investment that has the potential to bring significant economic and social returns. We have set out how handing councils the powers and resources to build 100,000 social homes for rent each year would help to reduce spiralling council housing waiting lists and deliver a £14.5 billion boost to the economy.⁵⁵

4.3 The role of social housing

The White Paper falls short of making a clear statement about who and what social housing is for. Commenting on the paper, the Director of Policy and External Affairs at the Chartered Institute of Housing, James Prestwich, made the point that social housing has an important role as a tenure in its own right:

⁵³ House of Commons Housing, Communities and Local Government Committee, [Building more social Housing: Third Report of Session 2019–21](#), HC 173, 27 July 2020, Summary, p3

⁵⁴ MHCLG, [Social housing green paper: a ‘new deal’ for social housing](#), 14 August 2018, Foreword from the Prime Minister

⁵⁵ [‘LGA responds to Social Housing White Paper’](#), LGA Press Release, 17 November 2020

The nearest we get to a government view on who and what social housing is for is in the last chapter – with a clear emphasis on promoting homeownership. Given the growing number of households for which ownership remains a pipe dream, it is unclear whether government wants the sector to play a broad role or only act as a safety net for those in most need.

Many households don't want a route *out* of social housing, they urgently need a route *into* it. We explored these issues in our report *Rethinking Social Housing* and we passionately believe that social housing has an important role as a tenure in its own right rather than an interim pathway to ownership.⁵⁶

4.4 Stigma

Stigma was the most consistent theme raised by residents at the MHCLG engagement events to inform the Green Paper:

...Residents told us that they were made to feel like “second class citizens”. They reported being treated as “an underclass” and “benefit scroungers”, rather than hardworking and honest people. Some residents told us of a “demonisation” of social housing and their communities in the media. There has been a stark failure to recognise and celebrate the best examples of community spirit in social housing in the same way that people take pride in the NHS...⁵⁷

The Green Paper identified this as an important issue and included a chapter on ‘tackling stigma and celebrating thriving communities’. However, commentators have expressed concern over the lack of reference to stigma in the White Paper and consider that it hasn't been sufficiently addressed.

Furthermore, it is contended that the inclusion of a White Paper chapter devoted to achieving home ownership reinforces the idea that social housing is undesirable.⁵⁸ When asked, via the Green Paper consultation, what more could be done to tackle stigma, 31% of respondents suggested stopping the emphasis on home ownership as the tenure of choice.⁵⁹

4.5 Giving tenants a voice

Tenant organisations welcomed the White Paper proposals to improve engagement between landlords and tenants. However, they were disappointed that the White Paper failed to refer to the role of tenants' and residents' associations and other tenant-led organisations in giving a voice to tenants.

In particular, there is strong support for establishing a national platform or representative body to represent tenants' interests. During the Green Paper consultation, 71% of respondents considered there was a need

⁵⁶ [‘The Social Housing White Paper is an important realignment of the landlord/tenant relationship’](#), Inside Housing, 23 November 2020 [Subscription required]

⁵⁷ MHCLG, [Social housing green paper: a ‘new deal’ for social housing](#), 14 August 2018, para 108

⁵⁸ [‘Messages on homeownership in Social Housing White Paper ‘creates stigma’, say tenant groups’](#), Inside Housing, 18 November 2020 [Subscription required]

⁵⁹ MHCLG, [A new deal for social housing and call for evidence on social housing regulation: summary of responses](#), 17 November 2020, question 38

for stronger representation for residents at a national level”.⁶⁰ Tenants are arguably disadvantaged compared with other parts of the housing sector with strong lobby groups, such as the National Housing Federation, which represents housing associations.

The call for a national body to represent tenants’ interests is not new. Professor Martin Cave’s independent review of social housing regulation in 2007, [Every Tenant Matters](#), recommended that a national tenant voice should be established to give tenants both a voice and expertise at national level:

Tenant empowerment needs to start at the top as well as at the bottom. The review considers that there is an overwhelming case for the establishment of a national voice for tenants of social housing providers. While existing tenant representative groups do good work, there is the need for an expert advocate in the many strategic policy discussions that shape the professional housing agenda.⁶¹

In early 2010 Gordon Brown’s Labour Government created the National Tenant Voice to advocate for tenants. However, the body was abolished later that year by the incoming Coalition Government.⁶²

Commenting on the Social Housing White Paper the Chief Executive of the charity Taroe Trust, Darren Hartley, said that whilst he believed some of the proposals in the White Paper “will lead to the ability for tenants’ voices to be heard”, he warned “the problem with that is that if it’s only heard at a local or organisational level, then the collective experience of tenants more generally is not feeding into a national holistic picture”. He considered the Government’s decision not to include a proposal for a national representative body a “missed opportunity”.⁶³

The White Paper includes a commitment to “ongoing ministerial engagement” to enable residents to have their voices heard, but there are no details on how this will be achieved.⁶⁴

The Chartered Institute of Housing has emphasised the importance of involving tenants as the White Paper proposals are further developed, for example to ensure the new tenant satisfaction measures speak to their concerns.⁶⁵

⁶⁰ MHCLG, [A new deal for social housing and call for evidence on social housing regulation: summary of responses](#), 17 November 2020, Question 21

⁶¹ Professor Martin Cave, [Every Tenant Matters](#), June 2007, para 3.29

⁶² ‘[Tenants’ lack of power was a major problem 10 years ago and it has yet to be solved](#)’, Inside Housing, 15 June 2018 [subscription required]

⁶³ ‘[The Social Housing White Paper: what was missing?](#)’, Inside Housing, 25 November 2020 [Subscription required]

⁶⁴ MHCLG, [The Charter for Social Housing Residents: Social Housing White Paper](#), 17 November 2020, para 91

⁶⁵ The Social Housing White Paper and Consumer Regulation, CIH Presentation, 4 February 2021

4.6 Resource implications for social housing landlords

In general, social housing landlords have been positive about the proposed White Paper reforms. On publication of the White Paper the Chief Executive of the National Housing Federation (NHF - the representative body for housing associations), Kate Henderson, said that many of the proposals aligned with ongoing work within the sector:

The publication of the Social Housing White Paper is an important and welcome milestone in the country's response to the fire at Grenfell Tower. The sector has been unwavering in its commitment to strengthening the relationships between housing associations and their residents. The white paper offers much needed certainty as we continue this work.

We are pleased that the government acknowledges again here the vital role of social housing in building lives and communities. This is true now more than ever, as the country navigates the devastating impacts of the coronavirus pandemic, with social housing landlords being critical partners in delivering frontline services to people who need these most.

Housing associations have demonstrated commitment to being more accountable and transparent, and we believe that the white paper represents a natural progression of the work we have been doing. We look forward to working closely and collaboratively with the government to deliver on these welcome reforms.⁶⁶

Nevertheless, housing associations have noted that some proposals may have resource implications. In particular, there is some concern about the potential additional administrative burden from the new access to information scheme.

Some commentators have suggested that the White Paper proposals to strengthen consumer regulation may be particularly challenging for the 165 or so stock-retaining local authorities in England because of their less active involvement with the Regulator.⁶⁷ Resourcing the reforms could also be more problematic for local authorities, many of whom already face financial challenges in maintaining an older housing stock.⁶⁸

Many of the White Paper proposals lack detail and questions remain as to how they will work in practice. Going forward, social landlords are keen to be involved in developing the proposals to ensure they are workable.

⁶⁶ [‘Our response to the government's Social Housing White Paper’](#), National Housing Federation, 17 November 2020

⁶⁷ See Annex A of [Regulating the Standards](#) (March 2020) for an explanation of the Regulator's approach to different types of social housing provider.

⁶⁸ [‘How the Social Housing White Paper will impact the sector: the councils’](#), Inside Housing, 24 November 2020 [Subscription required]

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