

Regulator publishes conclusion to intervention and enforcement powers consultation

The Regulator of Social Housing has today (16 December 2019) published the responses and its conclusion to a consultation on updates to guidance on its use of powers in relation to intervention and enforcement.

The guidance sets out the regulator's general approach to intervention and enforcement and the high-level objectives and principles underpinning its approach to dealing with poor performance. Its focus is the regulator's use of powers – it is not intended to be general guidance on legislation or legal advice to registered providers or other third parties.

The 8-week consultation, which ran from June to August 2019, sought feedback on the regulator's modifications to the guidance in response to recent legislative changes, including the introduction of the July 2018 Housing Administration regime (under The Housing and Planning Act 2016); the Co-operative and Community Benefit Societies Act 2014; and the regulator's move to a standalone status in October 2018.

Chief Executive, Fiona MacGregor said:

With increasing diversification, scale and complexity within registered providers, the changes to our insolvency regime strengthen our powers to manage financial failure, although the focus of our regulation remains on preventing organisations reaching this stage. The Housing Administration regime supplements our existing powers such as moratorium provisions and has introduced special Insolvency Rules and Regulations which govern how the regime operates.

Thank you to everyone who provided feedback to this consultation; we are confident that we have updated the guidance accurately to reflect the various changes in legislation. This latest version of the guidance is an update to reflect recent changes in the law. Should there be further changes to legislation or to our role we will consider any consequential changes needed to our guidance once again.

The consultation responses and the updated guidance are published on the [Consultation on changes to the intervention, enforcement and use of powers guidance webpage](#).

Notes to editors

1. The use of powers guidance notes are an annex to [Regulating the Standards](#).
2. There are intentional tracked changes left in the document so changes as a result of the consultation are easy to see.
3. The [Housing and Regeneration Act 2008](#) sets out the regulator's economic and consumer regulation objectives.
4. The [Tailored Review of the Homes and Communities Agency](#) was published in November 2016 and amongst other things recommended that the regulator become a standalone body. Following this recommendation The Legislative Reform (Regulator of Social Housing) (England) Order 2018 came into effect on 1 October 2018 and amended the Housing and Regulation Act 2008 (and other legislation) and in doing so established the standalone regulator.
5. The [Co-operative and Community Benefit Societies Act 2014](#) meant all existing Industrial and Provident Societies became 'registered societies'.
6. The Housing Administration regime rules can be found on the [legislation website](#).
7. RSH promotes a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs. It does this by undertaking robust economic regulation focusing on governance, financial viability and value for money that maintains lender confidence and protects the taxpayer. It also sets consumer standards and may take action if these standards are breached and there is a significant risk of serious detriment to tenants or potential tenants. For more information about RSH, visit the [RSH homepage](#).

Further information

For press office contact details, see our [Media enquiries page](#). For general queries, please email enquiries@rsh.gov.uk or call 0300 124 5225.