

**Form S27MA**

**Application form for approval to the making of a housing management agreement**

**OUSING**

**November 2021**

# About this form

1. This form is to be used when applying for approval under section 27 of the Housing Act 1985 (HA 1985) from the Regulator of Social Housing (the regulator), i.e. **to the making of a management agreement** that delegates a local housing authority’s management functions in relation to any of its homes and other related land to another person.
2. The form should be read in conjunction with guidance on local housing authorities applying for approval to the making of or the variation of management agreements, which is available on the regulator’s website.
3. Please use as much space as is necessary and continue on an additional sheet, or expand in a covering letter or supporting information if desired.
4. Any enquiries should be directed to the Referrals and Regulatory Enquiries team on 0300 124 5225 or email enquiries@rsh.gov.uk.
5. The regulator’s preference is for electronic applications. The signed and completed form should be scanned and submitted to the Registry and Notification team: RNTeam@rsh.gov.uk.
6. If it is not possible to submit electronically, the application should be posted to:

Referrals and Regulatory Enquiries team

Regulator of Social Housing

Level 2

7-8 Wellington Place

Leeds

LS1 4AP

# Completing the application form and supporting information

1. Applicants must supply sufficient information and evidence to satisfy the regulator that approval to the making of a management agreement should be given.
2. The regulator reserves the right to ask for any additional information it deems relevant to the application.
3. All questions that are relevant to the applicant must be answered. Applicants should leave blank or mark ‘N/A’ any questions that are not relevant to its application.
4. If there is not enough space on the form, please continue on an additional sheet or expand in a covering letter, making specific reference to the question number the applicant is answering.
5. The applicant should note that the Regulator of Social Housing as a public authority is subject to the provisions of the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Data Protection Act 2018. The regulator may also (section 109 of the HRA 2008) share information with a public authority if the regulator thinks the disclosure is necessary for a purpose connected with its functions or the functions or for a purpose connected with the authority’s functions.
6. This form provides a link to the regulator’s [privacy notice](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fregulator-of-social-housing-privacy-notice&data=04|01|kirsten.grace%40rsh.gov.uk|3a82fe90fbbb4b0d70d608d988ededa7|faa8e2690811453882e74d29009219bf|0|0|637691377736151767|Unknown|TWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D|1000&sdata=unHaZyFU6Shf5gMAejLdHrMAtZgTB9YL7HUIAGnwYwY%3D&reserved=0) which explains how the regulator protects and processes personal information. The personal information includes names, contact details and other information contained in these applications. The regulator may share relevant information with Homes England and other third parties as necessary in order to fulfil its public task. Should you wish to object to the use of personal information for these purposes please contact enquiries@rsh.gov.uk.

# Part 1: Declaration and consent – to be completed by all applicants

I, the undersigned, confirm that:

1. I have appropriate delegated authority from the governing body of the applicant to apply for approval from the Regulator of Social Housing (the regulator) to the making of a management agreement that delegates a local housing authority’s management functions in relation to any of its homes and other related land to another person
2. the information given on this form is true and correct to the best of my knowledge and belief and will ensure that any information subsequently provided to the regulator during the application process, is the same
3. I understand that I may be expected to provide evidence in support of some or all of the information provided on this form
4. confirm that I understand that any information regarding this application held by the regulator, including any information provided in this application form and supporting documents, or which is provided to the regulator during the application process, may be disclosed by the regulator where this is in keeping with its obligations as a public authority under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Data Protection Act 2018 and any other relevant legislation or regulation
5. confirm that the applicant understands that information concerning the applicant provided for registration may be shared with Homes England
6. agree to receiving electronic communications from the regulator

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| **Signed for and on behalf of the applicant** |
| Signature |  |
| Name of the authorised signatory (please write clearly) |  |
| Position or job title of the authorised signatory (please write clearly) |  |
| Date of signature |  |

**This form should be signed by someone who has the authority, in accordance with the applicant’s constitution, to sign on behalf of the applicant.**

# Part 2: General information – to be completed by all applicants

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| **Local housing authority details** |
| Name of the local housing authority making the application (the applicant) |  |
| Registration number with the regulator |  |
| Contact name |  |
| Position/role of contact named above |  |
| Telephone number of contact named above |  |
| Email address of contact named above |  |

# Part 3: Details of the proposed housing management agreement and its impact – to be completed by all applicants

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| Q1. What will be covered under the housing management agreement (the ‘Agreement’)? As a minimum please include information in relation to the 3 points below. The answers can be given as bullets in the space below or by way of reference to where this information can be found in any supporting information (e.g. a schedule, Cabinet Paper, official web-link etc.):1. the total number of homes\* to be managed distinguishing between tenanted and leasehold properties (as far as is practicable)
2. any other land, including buildings
3. housing management functions to be delegated
 |
| Answer:\* “homes” includes any houses, flats, yard, garden, outhouses and appurtenances belonging to the homes or usually enjoyed with it (s.56 Housing Act 1985) |
| Q2. Provide the name and registered office of the Manager (as defined by s.27(2)(b) Housing Act 1985) (i.e. the other party to the Agreement who is taking over the management of the housing functions of the local authority) If the proposed Manager is a private registered provider (e.g. a housing association), or is the member of a group structure that includes a private registered provider, please indicate its registration number with the regulator |
| * Name and registered office of the Manager

Answer:* Manager’s registration number with the regulator (if applicable):

Answer: * If the Manager is not a registered provider but is a subsidiary, parent or associate group member of a registered provider, please state the name and number of that private registered provider and explain the relationship:

Answer: |
| Q3. Give the proposed commencement date and proposed expiry date of the Agreement |
| Answer: |
| Q4. Give the expiry date of any management agreement currently in place |
| Answer: |
| Q5. Explain how statutory and regulatory tenant consultation requirements have been complied with (i.e. statutory and regulatory tenant consultation requirements as per [section105(1) HA 1985](http://www.legislation.gov.uk/ukpga/1985/68/section/105) as well as the Tenant Involvement & Empowerment Standard of the [regulatory standards](https://www.gov.uk/guidance/regulatory-standards))Summarise in brief the outcomes of tenant consultation, e.g. headline numbers of responses received, outcomes of ballots/surveys of opinion (if held); date/web-link of cabinet report etc. |
| Answer: |
| Q6. How are you satisfied that entering into the Agreement will not interfere with nor prevent the applicant from continuing to meet its regulatory obligations under the consumer standards throughout the life of the Agreement (i.e. under the regulator’s Regulatory Framework) |
| Answer: |
| Q7. State briefly how entering into the Agreement will not negatively impact services to tenants  |
| Answer: |
| Q8. State briefly how entering into the Agreement will ensure that actual or potential tenants of social housing have an appropriate degree of choice and protection |
| Answer: |
| Q9. State briefly how entering into the Agreement will ensure that tenants of social housing have the opportunity to be involved in its management and to hold their landlord to account |
| Answer: |
| Q10. State briefly how entering into the Agreement will demonstrate value for money and ensure that value for money is obtained from public investment in social housingInclude in the statement what arrangements there will be for monitoring value for money or refer to where these can be found within the contract or supporting schedules, etc. |
| Answer: |
| Q11. State briefly how entering into the Agreement will support the provision of social housing that is well-managed and of appropriate quality |
| Answer: |
| Q12. Explain how the applicant has considered how the Agreement might improve the economic, social and environmental well-being of the relevant area (in accordance with [section 1(3) Public Services (Social Value) Act 2012](http://www.legislation.gov.uk/ukpga/2012/3/section/1)) |
| Answer: |
| Q13. Confirm the break clause requirement under [regulation 2 of The Housing Management Agreements (Break Clause)(England) Regulations 2010](http://www.legislation.gov.uk/uksi/2010/663/regulation/2/made) has been inserted into the Agreement as an express term and indicate where |
| Answer: |
| Q14. Confirm the break clause requirement under [regulation 19 of The Housing (Right to Manage)(England) Regulations 2012](http://www.legislation.gov.uk/uksi/2012/1821/regulation/19/made) has been inserted into the Agreement as an express term and indicate where |
| Answer: |
| Q15. State where the Agreement contains obligations reflecting the manager’s assumption of the applicant’s public duties as per [section.27(13) Housing Act 1985](https://www.legislation.gov.uk/ukpga/1985/68/section/27) e.g. Freedom of Information Act 2000 provisions; Bribery Act 2010 provisions; etc. |
| Answer: |
| Q16. If the Agreement is subject to EU procurement regulations, confirm that these regulations have been complied with (otherwise put “N/A”) |
| Answer: |

# Part 4: Information about the applicant and their social housing stock – to be completed by all applicants

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| Q17. Confirm whether there have been any adverse findings regarding the use of public funds by the applicant |
| Answer: |
| Q18. Confirm whether the applicant is or has been subject to any statutory interventions in line with [section 15(6) of the Local Government Act 1999](https://www.legislation.gov.uk/ukpga/1999/27/section/15)   |
| Answer: |
| Q19. State any relevant issues identified through the local audit provisions (in line with the [Local Audit and Accountability Act 2014](https://www.legislation.gov.uk/ukpga/2014/2/contents)) including any public interest reports |
| Answer: |
| Q20. Confirm that any social housing within the local authority area is developed in line with the applicant’s local plans and funding arrangements |
| Answer: |
| Q21. State the current level of Decent Homes Standard compliance (as per the Home Standard of the [regulatory standards](https://www.gov.uk/guidance/regulatory-standards) ) of the applicant’s social housing stock (%) |
| Answer: |
| Q22. State whether the applicant is fully compliant with all relevant Health and Safety regulations and explain any identified issues |
| Answer: |



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or call 0300 124 5225.

or write to:

Regulator of Social Housing

Level 2

7-8 Wellington Place

Leeds

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**RSH regulates private registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs.**