

**Form S27VAR**

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

**OUSING** 

**November 2021**

# About this form

1. This form is for applying for approval under section 27 of the Housing Act 1985 (HA 1985) from the Regulator of Social Housing (the regulator) to **the variation of a provision 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. A variation requires the regulator’s approval if it is a variation of a provision that is specified (or is of a description that is specified) in the original approval as requiring further approval (please note a further approval requirements may be specified in the original approval letter, or in accompanying guidance, or in both).
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 Regulatory Referrals and Enquiries team on 0300 124 5225 or email [enquiries@rsh.gov.uk](mailto: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](mailto: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 variation 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 regulator expects the certain supporting documents to be provided with these applications. Details of this can be found in part 3 below.
6. 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.
7. 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](mailto: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 variation 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

|  |  |
| --- | --- |
| **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

|  |  |
| --- | --- |
| **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 |  |
| Provide the name of the Manager (as defined by s.27(2)(b) Housing Act 1985) |  |
| Provide the registered office of the Manager |  |
| Provide the Manager’s registration number with the regulator (if applicable) |  |
| 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 |  |
| What is the commencement date of the existing management agreement delegating the local housing authority’s housing management functions (the Agreement) |  |
| What is the expiry date of the current (pre-variation) Agreement |  |

**Part 3: Confirmation of documents provided to support this application – to be completed by all applicants**

|  |  |
| --- | --- |
| Confirm a tracked change version of the existing management agreement delegating the local housing authority’s housing management functions against the proposed variations is included with this form |  |
| Confirm a copy of the original ‘section 27 Approval letter’ (e.g. from the Secretary of State or the regulator) is included with this form which includes the requirement for approval for this variation |  |

# Part 4: Details of the proposed variation to the housing management agreement and its impact – to be completed by all applicants

|  |
| --- |
| Q1. Give brief details of the provision(s) of the Agreement being varied |
| Answer: |
| Q2. Provide the proposed expiry date of the Agreement (post-variation) |
| Answer: |
| Q3. If the variation would substantially affect the provision of services and amenities to tenants or represents a significant change in policy or management arrangements, confirm that 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: |
| Q4. How are you satisfied that varying 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: |
| Q5. Confirm that varying the Agreement will not negatively impact services to tenants |
| Answer: |
| Q6. Confirm that varying the Agreement will not negatively impact on actual or potential tenants of social housing having an appropriate degree of choice and protection |
| Answer: |
| Q7. Confirm that varying the Agreement will not negatively impact on tenants of social housing having the opportunity to be involved in its management and to hold their landlord to account |
| Answer: |
| Q8. Confirm that varying the Agreement will not negatively impact value for money and ensuring that value for money is obtained from public investment in social housing |
| Answer: |
| Q9. Confirm that varying the Agreement will not negatively impact the provision of social housing that is well-managed and of appropriate quality |
| Answer: |
| Q10. Confirm that varying the Agreement will not negatively impact 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: |
| Q11. 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) remains in the Agreement |
| Answer: |
| Q12. 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) remains in the Agreement |
| Answer: |
| Q13. Confirm that the obligations reflecting the manager’s assumption of the Applicant’s public duties? ([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.) remain in the Agreement |
| Answer: |

# Part 5: Information about the applicant and their social housing stock – to be completed by all applicants

|  |
| --- |
| Q14. Confirm whether there have been any adverse findings regarding the use of public funds by the applicant |
| Answer: |
| Q15. 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: |
| Q16. 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: |
| Q17. Confirm that any social housing within the local authority area is developed in line with the applicant’s local plans and funding arrangements |
| Answer: |
| Q18. 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: |
| Q19. State whether the applicant is fully compliant with all relevant Health and Safety regulations and explain any identified issues |
| Answer: |



© RSH copyright 2020

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](http://nationalarchives.gov.uk/doc/open-government-licence/version/3/)

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at: [www.gov.uk/rsh](http://www.gov.uk/rsh)

Any enquiries regarding this publication should be sent to us via [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk)

or call 0300 124 5225.

or write to:

Regulator of Social Housing

Level 2

7-8 Wellington Place

Leeds

LS1 4AP

**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.**