



Regulator of  
Social Housing

# Annex 4

## Draft guidance about the submission of Tenant Satisfaction Measures data to the regulator

December 2021

## Introduction

1. The Tenant Satisfaction Measures (TSM) Standard (Annex 1) includes a specific expectation that all registered providers must annually submit to the regulator information we specify relating to their performance against the Tenant Satisfaction Measures we set (the TSMs). The Standard also makes clear that this information must be submitted within a timeframe and in a form determined by the regulator. This document sets out guidance about the submission of TSM information to the regulator and how we will use the submissions we receive.
2. In publishing this guidance, the regulator is meeting its statutory duty under Section 215(1)(a) of the Housing and Regeneration Act 2008 (the Act), which requires the regulator to publish guidance about the submission of information to the regulator about the performance of registered providers. Section 215(2) of the Act provides that this guidance must, in particular, specify how the regulator will deal with the submissions it receives.
3. As required by Section 215(3) of the Act, the regulator must have regard to this guidance.
4. *[Please note - this guidance will be finalised following this consultation, which includes consultation with the persons and bodies listed in Section 216 of the Act, with whom the regulator is required to consult before giving guidance under Section 215 of the Act.]*

## Submission of TSM information to the regulator

5. In good time before registered providers are required to make their annual submission of TSM information to the regulator, the regulator will specify:
  - the information registered providers are required to submit to the regulator relating to their performance against the TSMs
  - the timeframe within which registered providers must submit that information to the regulator
  - the form in which that information must be submitted.
6. We will generally do this by issuing a data submission return which registered providers would be required to complete and submit to us.
7. We may amend our specified requirements in relation to the above matters from time to time. If and when we do, we will ensure that this is done in good time before registered providers are next required to make their annual submission of TSM information to us.
8. Only registered providers that own, on a registered group basis, 1,000 or more relevant homes (large providers) will be required to submit their TSM information to the regulator annually. 'Registered group basis', and 'relevant homes' are defined in Tenant Satisfaction Measures: Technical Requirements (Annex 2).

## How the regulator will use the TSM information it receives

### Publication of TSM information by the regulator

9. On an annual basis, the regulator will collate TSM information submitted to us by large providers and publish the results.
10. We may also decide to publish other TSM information if we consider it appropriate to do so to help ensure performance against the TSMs is clear, comparable and accessible for all tenants, or otherwise appropriate having regard to our statutory economic regulation and consumer regulation objectives.<sup>1</sup>

### Using TSM information as a source of regulatory intelligence

11. The regulator will use TSM information as a source of regulatory intelligence. We may have regard to such information in making regulatory decisions, including in considering whether our regulatory standards<sup>2</sup> have been met by a registered provider, or whether to exercise a regulatory power.
12. We will not generally use TSM information as a source of regulatory intelligence in isolation, but rather we will use it as a source of information that we may have regard to alongside other sources. TSM information may help the regulator to identify particular areas where we may wish to seek further assurance from a registered provider that they are meeting our standards. The data may also help us to form a picture of those registered providers that might be at greater risk of failing to meet our standards.
13. As is the case with the submission of all regulatory data to the regulator, the submission of late, incomplete or inaccurate TSM information to the regulator may be indicative of a weak control environment. Given this, failure to provide accurate and timely TSM information may, where appropriate, be reflected in our judgement of a registered provider's compliance with the regulatory standards.

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<sup>1</sup> Our statutory economic and consumer regulation objectives are set out in section 92K of the Housing and Regeneration Act 2008.

<sup>2</sup> Regulatory standards - GOV.UK ([www.gov.uk](http://www.gov.uk))



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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.**