

Policy Statement

Introduction

Purpose

1. This document sets out the Government’s policy on qualifications for Senior Housing Executives and Senior Housing Managers of Registered Providers, and Relevant Managers of Services Providers of Registered Providers (see Chapter 7 for the glossary of terms which sets out definitions).
2. We have directed the Regulator of Social Housing (‘the Regulator’) to set a standard which requires Registered Providers to comply with all applicable requirements set out in Chapters 1-6 of this Policy Statement.
3. This Policy Statement also provides guidance for Registered Providers and Services Providers on the qualification requirements at Annex B1, and guidance for Services Providers on the implications for them of sections 194A, 194B and 217A of the Housing and Regeneration Act 2008 (‘the Act’) in Annex B2.
4. In this document capitalised expressions have the meanings set out in the Glossary of terms within this policy statement (Chapter 7). Where an expression is used but not defined in this document, that expression has the same meaning as in Part 2 of the Housing and Regeneration Act 2008 (‘the Act’).

Policy background

5. Following the Grenfell tragedy in 2017, significant concerns were raised about the competence and conduct of staff working in social housing. Evidence presented to the Grenfell Tower Inquiry indicated that tenants had not been listened to when they raised concerns, including about safety in the tower; complaints had not been properly dealt with; and some staff had behaved unprofessionally.
6. The 2018 Green Paper “A New deal for Social Housing” also highlighted issues relating to safety and quality of the services provided by social housing landlords and raised concerns around tenants feeling that they were not treated with respect.¹
7. Informed by the recommendations of [The Charter for Social Housing residents: Social Housing White Paper](#) (2020), DLUHC committed to conducting a review of ‘professional training and development’ provision to consider the appropriate qualifications and standards for social housing staff in different roles, including senior managers.
8. Our review of professionalisation which is published alongside the consultation on this policy statement concluded that the social housing sector does need to improve the professionalisation of its staff. It found that cultural change, behaviours and attitudes of staff, as well as technical skills and knowledge, are critical to improving the quality of social housing

¹ <https://www.gov.uk/government/news/social-housing-green-paper-a-new-deal-for-social-housing>

services. It also found that if qualification requirements were to be introduced, these should be focused on senior managers and executives as they are best placed to drive culture change and are responsible for managing the delivery of high quality, professional services.

9. As a result of this review, the Government brought forward measures in the Social Housing (Regulation) Act 2023 to give a power to the Regulator to set a standard for Registered Providers in matters relating to the competence and conduct of individuals involved in the provision of services in connection with the management of social housing, and to the Secretary of State to direct the Regulator to set such a standard, about the content of that standard, and to have regard to specified objectives when setting that standard.
10. The Act provides that the standard may require Registered Providers to:
 - a. comply with specified rules about the knowledge, skills and experience to be required of Relevant Individuals, and the conduct to be expected of Relevant Individuals in their dealings with Tenants;
 - b. secure that their Senior Housing Executives and Senior Housing Managers have, or are working towards, a specified qualification in housing management or type of such qualification in housing management;
 - c. take steps to secure that Relevant Managers of their Services Providers have, or are working towards, a specified qualification in housing management or type of such qualification.
11. In addition to giving these standard setting and direction making powers, the Act also implies terms into Management Services Agreements. In essence, Management Services Agreements are agreements under which a Services Provider agrees to provide services in connection with the management of social housing provided by a Registered Provider (or to arrange for the provision of such services). Broadly speaking, these implied terms require Services Providers to secure that their Relevant Managers have, or are working towards, a Relevant Qualification. This provides a contractual mechanism through which Registered Providers can take steps to secure that Relevant Managers of their Services Providers have, or are working towards, a Relevant Qualification.

Chapter 1: Requirements for Registered Providers in relation to their Senior Housing Managers and Senior Housing Executives

12. Except as provided otherwise in Chapters 1 to 6 of this document, Registered Providers must secure that those of their Senior Housing Executives and Senior Housing Managers that meet the description in Chapter 2 (“Relevant Persons”):
 - a. have a Relevant Qualification in housing management (see Chapter 3); or
 - b. are working towards such a qualification.
13. A Relevant Person is working towards a Relevant Qualification if any of the following apply:

- a. They are enrolled upon the Relevant Qualification, or a lower level qualification that is a prerequisite to enrolling on the Relevant Qualification, but are not making progress towards completing the qualification and:
 - i. no more than six months have elapsed since enrolment; or
 - ii. the next available course start date is more than six months, but no more than 12 months, after the date on which they enrolled, and
 - iii. the Registered Provider intends that the Relevant Person will be making progress towards completing the qualification within 12 months of their enrolment date; or
 - iv. they are absent from work or due to begin an extended absence from work (which could include maternity leave, absence due to sickness, compassionate leave, special leave for public duties, or if they are reservists in the armed forces) which means that it would not be feasible for them to be making progress towards completing the qualification; and
 - v. the Registered Provider intends that they will be making progress towards completing the qualification as soon as reasonably practicable thereafter; or
- b. They are enrolled upon, and making progress towards completing, the Relevant Qualification or a lower level qualification that is a prerequisite to enrolling on the Relevant Qualification and:
 - i. where the qualifications provider mandates a time period within which the qualification must be completed or gives an estimate of the time period it will take to complete the qualification, that period has not passed – except where the Relevant Person has not been able to complete the qualification in that period because of an extended absence from work of the type referred to in paragraph 13(a)(iv) and 13(c)(i), in which case they must complete it as soon as reasonably practicable thereafter; or
 - ii. where no such time period is mandated or estimate given, no more than two years have passed since enrolment – except where the Relevant Person has not been able to complete the qualification in that period because of an extended absence from work of the type referred to in paragraph 13(a)(iv) and 13(c)(i), in which case they must complete it as soon as reasonably practicable thereafter; or
- c. They are not enrolled on the Relevant Qualification or a lower level qualification that is a prerequisite to enrolling on the Relevant Qualification because:
 - i. they are absent from work or due to begin an extended absence from work (which could include maternity leave, absence due to sickness, compassionate leave, special leave for public duties, or if they are reservists

in the armed forces) which means that it would not be feasible for them to undertake the qualification; and

- ii. the Registered Provider intends to enrol them on a Relevant Qualification within six months of them returning from the extended absence; or
- d. They have been awarded a lower level qualification that is a prerequisite for enrolling on the Relevant Qualification within the last six months.

14. Note: The terms “Senior Housing Executive” and “Senior Housing Manager” have the meanings given in section 194B of the Act (see Annex B4).

Chapter 2: Relevant Persons in scope of the qualification requirement in paragraph 12

15. A Senior Housing Executive or Senior Housing Manager of a Registered Provider is a Relevant Person if:

- a. They have a substantive role in managing delivery of Housing Management Services to the Registered Provider’s social housing Tenants. This means that the person is expected by the Registered Provider to spend a significant portion of their working time exercising their responsibilities for managing delivery of Housing Management Services delivered to the Registered Provider’s social housing Tenants;
- b. They are not an unpaid volunteer;
- c. They have been in their current role as a Senior Housing Manager or Senior Housing Executive (as the case may be) for more than six months (and paragraph 15(d) does not apply);
- d. There is or was a probation period applicable to their current role and nine months has elapsed since they began their current role;
- e. They are not deemed to hold, or be working towards, a Relevant Qualification (see 3.3 - 3.7); and
- f. No exemption applies in relation to them (see Chapter 5).

16. Note: See Annex B1 for guidance to support assessment of whether a person’s has a substantive role in managing delivery of Housing Management Services to the Registered Provider’s social housing Tenants as per paragraph 15(a).

Chapter 3: Relevant Qualifications

17. To be a Relevant Qualification in housing management, the qualification must:

- a. meet the requirements regarding qualification type and level set out in section 3.1; and
- b. meet the requirements relating to course content set out in section 3.2,

for a Senior Housing Manager or Senior Housing Executive as appropriate.

3.1 Qualification type and level requirements

18. For **Senior Housing Managers** the qualification must be a level 4 qualification regulated by the Office of Qualifications and Examinations Regulation ('Ofqual').
19. For **Senior Housing Executives** the qualification must be a foundation degree or level 5 qualification regulated by Ofqual.

3.2 Course content requirements

20. The qualification must be a qualification in housing management focused on managing the delivery of housing services ("housing management"). It must also be relevant to housing management delivered within social housing.
21. In the case of a **Senior Housing Manager**, the course content for the qualification in housing management must develop the learners' knowledge and skills in the following areas as a minimum:
 - a. Professional practice skills for housing management such as collaborative working and exercising professional judgement;
 - b. Ensuring needs of tenants are met (for example, those with additional needs);
 - c. Customer service in housing including effective engagement with Tenants and delivering respectful and professional housing services;
 - d. Relevant housing law;
 - e. National housing policy and current trends driving the housing sector;
 - f. Embedding organisational policies in housing organisations.
22. In the case of a **Senior Housing Executive**, the course content for the qualification in housing management must develop the learners' knowledge and skills in the following areas as a minimum:
 - a) Ethical practices and understanding how these practices apply to housing organisations and professionals;
 - b) Professional practice skills for housing management such as collaborative working and exercising professional judgement;

- c) Ensuring needs of tenants are met (for example, those with additional needs);
- d) Customer service in housing including effective engagement with Tenants and delivering respectful and professional housing services;
- e) Strategic and business planning for housing management;
- f) Leadership and management in the context of housing management;
- g) Stakeholder engagement and managing relationships in housing management.

3.3 Higher level qualifications

23. Where a Senior Housing Manager or Senior Housing Executive has a **higher level of qualification** than that specified in paragraph 18 or 19 (as applicable), they are deemed to hold a Relevant Qualification. A higher-level qualification means a qualification in housing management that is:
- a. an Ofqual-regulated qualification higher than level 4 for a Senior Housing Manager;
 - b. an Ofqual-regulated qualification higher than level 5 for a Senior Housing Executive;
 - c. a foundation degree (in the case of a Senior Housing Manager);
 - d. an undergraduate degree; or
 - e. a postgraduate degree.
24. This only applies where the higher-level qualification also meets the relevant course content requirement set out in section 3.2.
25. Where a Senior Housing Manager or Senior Housing Executive is working towards a higher-level qualification that meets the course requirement in section 3.2 they are deemed to be working towards a Relevant Qualification.

3.4 Qualifications regulated by a predecessor of or equivalent body to Ofqual

26. Where a Senior Housing Manager or Senior Housing Executive holds a qualification in housing management obtained before the establishment of Ofqual in 2008, they are deemed to hold a Relevant Qualification so long as the existing qualification meets all of the following criteria:
- a. It is a qualification that was regulated by a predecessor of Ofqual;
 - b. For Senior Housing Managers, the qualification is equivalent to, or of a higher level than, an Ofqual regulated level 4 qualification and for Senior Housing Executives, the qualification is equivalent to, or of a higher level than, an Ofqual regulated level 5 qualification;
 - c. It meets the relevant course content requirement set out in section 3.2 of this Policy Statement.

27. Where a Senior Housing Manager or Senior Housing Executive holds a qualification in housing management regulated by the Scottish Qualifications Authority (SQA), Qualifications Wales (QW), or the Council for the Curriculum, Examinations and Assessment (CCEA) (or a predecessor to one of those bodies), they are deemed to hold a Relevant Qualification so long as that qualification in housing management meets all of the following criteria:
- a. For Senior Housing Managers, the qualification is either an equivalent to, or of a higher level than, an Ofqual regulated level 4 qualification and for Senior Housing Executives, the qualification is either an equivalent to, or of a higher level than, an Ofqual regulated level 5 qualification.
 - b. It meets the relevant course content requirement set out in section 3.2 of this Policy Statement.
28. Where a Senior Housing Manager or Senior Housing Executive is working towards a qualification regulated by the SQA, QW or the CCEA that meets the criteria mentioned in paragraph 27 they are deemed to be working towards a Relevant Qualification.

3.5 Apprenticeships

29. An apprenticeship is not a qualification, but, where a qualification is undertaken as part of the apprenticeship programme it will constitute a Relevant Qualification if it meets the relevant requirements regarding qualification type and level in section 3.1 and regarding course content in section 3.2.

3.6 Transitional arrangements for partially compliant qualifications

30. This section applies in relation to qualifications completed by a Senior Housing Manager or Senior Housing Executive before the end of the Transition Period (see Chapter 4 for more detail about the Transition Period) including those completed prior to the time that the Competence and Conduct Standard comes into force.
31. If a qualification mentioned in paragraph 30 meets the applicable requirements regarding qualification type and level set out in section 3.1 (including where the qualification level requirement is exceeded as per 3.3, or the qualification is regulated through a predecessor or equivalent body to Ofqual as per section 3.4) but only partially meets the applicable course content requirements set out in section 3.2, the Senior Housing Manager or Senior Housing Executive is deemed to hold a Relevant Qualification if they complete additional accredited training or accredited continuing professional development modules before the end of the Transition Period which cover the course content requirements which are not covered by their existing qualification.
32. Where a Senior Housing Manager or Senior Housing Executive is, during the Transition Period, working towards a partially compliant qualification of a kind described in paragraph 30 and 31 they are deemed to be working towards a Relevant Qualification.

3.7 Transitional arrangements for apprenticeship programmes without a qualification element

33. This section applies in relation to apprenticeship programmes without a qualification element completed by a Senior Housing Manager or an individual that is a Services Provider before the end of the Transition Period (see Chapter 4 for more detail) including those completed prior to the time that the Competence and Conduct Standard comes into force.
34. The Senior Housing Manager is deemed to hold a Relevant Qualification if:
- a. They have passed their end point assessment before the end of the Transition Period;
 - b. The apprenticeship programme was delivered at an equivalent level to an Ofqual regulated level 4 qualification; and
 - c. The apprenticeship programme met the course content requirements set out in section 3.2.
35. Where a Senior Housing Manager is, during the Transition Period, undertaking an apprenticeship that meets the criteria in paragraph 34(b) and (c) they are deemed to be working towards a Relevant Qualification.
36. Working towards in this context means:
- a. They are enrolled upon the apprenticeship but have not yet commenced it and the end of the Transition Period has not passed;
 - b. They are enrolled upon, and making progress towards, completing the apprenticeship and the end of the Transition Period has not passed.

Chapter 4: Transition Period

4.1 The Transition Period

37. The Transition Period is the period of 24 months beginning with the day that the Competence and Conduct Standard comes into force.
38. Registered Providers must secure that at least half of all Relevant Persons who are a Relevant Person at the beginning of the Transition Period are working towards or have completed, or are deemed to be working towards or have completed a Relevant Qualification, within the first 12 months of the Transition Period. However, where there is only one Relevant Person in post at the beginning of the Transition Period, the Registered Provider will have until the end of the Transition Period to secure that the Relevant Person has, or is working towards, a Relevant Qualification unless they are deemed to hold or be working towards a Relevant Qualification.
39. Registered providers must secure that anyone who becomes a Relevant Person within the first 18 months of the Transition Period has or is working towards a Relevant Qualification by the

end of the Transition Period unless they are deemed to hold or be working towards a Relevant Qualification.

40. Following the end of this Transition Period, the normal rules will apply.

4.2 Adjusted transition period for small Registered Providers

41. An adjusted transition period applies to small Registered Providers which provide less than 50 Social Housing Units. For such Registered Providers any reference to a time period in section 4.1 should be read as a reference to a time period that is twice as long.

42. In relation to such small Registered Providers, any reference to the Transition Period in Chapter 3 of the Policy Statement should be read as a reference to the adjusted Transition Period.

Chapter 5: Exemptions

43. An exemption applies in relation to back-office managerial roles which do not deliver functions which involve the management of direct delivery of services to tenants (for example, those in finance teams whose functions include the processing of direct debits, housing benefit/universal credit payments and accounting). Where a Senior Housing Manager's or a Senior Housing Executive's role includes both back office managerial functions and other functions relating to the provision of services in connection with the management of social housing provided by the Registered Provider, they will not be exempt (but the 'substantive role' rule detailed above and in 15(a) of this Policy Statement will apply).

Chapter 6: Requirements for Registered Providers in respect of the Relevant Managers of their Services Providers

44. Registered Providers must take steps to secure that all Relevant Managers of their Services Providers that meet the description in section 6.1 ("Relevant SP Managers"):

- a. have a Relevant Qualification (see section 6.2 of this Policy Statement); or
- b. are working towards a Relevant Qualification (see Chapter 3 and section 6.2 below). The meaning of working towards in paragraph 13 of this Policy Statement also applies in relation to Relevant Managers of Services Providers, save that references to 'Relevant Person(s)' should be read as references to 'Relevant SP Manager(s)' and the reference to 'Registered Provider' should be read as a reference to 'Services Provider',

except as provided otherwise in this chapter.

45. Registered Providers must:

- a. consider how they will use the terms which are implied into Management Services Agreements by s217A of the Act in taking the steps to secure that Relevant SP

Managers have, or are working towards, a Relevant Qualification² as required in this Policy Statement;

- b. bring the qualification element of the Competence and Conduct Standard to the attention of those of their Services Providers with which they have a Management Services Agreement;
- c. take steps to secure that such Services Providers are aware of their obligations under the terms implied into the Management Services Agreement;
- d. take steps to secure that those of their Services Providers with which they have a Management Services Agreement:
 - i. consider how they will use the terms which are implied into Management Services Agreements by s217A of the Act in taking the steps to secure that, the Relevant SP Managers of their sub-contractors have or are working towards a Relevant Qualification as required in this Policy Statement;
 - ii. bring the qualification element of the Competence and Conduct Standard to the attention of their sub-contractors that are Services Providers in relation to the Registered Provider; and
 - iii. take steps to secure that those sub-contractors are aware of their obligations under the implied terms.

6.1 Relevant SP Managers in scope of the qualification requirement in paragraph 45

46. A person is a Relevant SP Manager if:

- a. They are a Relevant Manager of a Services Provider;
- b. They have a substantive role in managing delivery of Housing Management Services to the Registered Provider's social housing Tenants. This means that the person is expected by the Services Provider to spend a significant portion of their working time exercising their responsibilities for managing delivery of Housing Management Services delivered to the Registered Provider's social housing Tenants;
- c. They are not an unpaid volunteer;
- d. They have been in their current role as a Senior Housing Manager or Senior Housing Executive (as the case may be) for more than six months (and paragraph 46(f) does not apply);
- e. If they are a Relevant Individual that is a Services Provider, they have been a Services Provider for more than six months;
- f. There is or was a probation period applicable to their current role and nine months has elapsed since they began their current role;

² Annex B2 of this Policy Statement provides guidance for Services Providers on the implications of S217A of the Act for them

- g. They are not deemed to hold, or be working towards, a Relevant Qualification; and
- h. No exemption applies in relation to them.

6.2 Criteria that qualifications must meet

- 47. The requirements relating to Relevant Qualifications set out in Chapter 3 also apply in relation to Services Providers.
- 48. Where the Services Provider is a Relevant Individual the Relevant Qualification is one that meets the criteria specified for Senior Housing Managers.

6.3 Transition Period which applies in respect of the Relevant Managers of their Services Providers

- 49. The Transition Period is the period of 24 months beginning with the day that the Competence and Conduct Standard comes into force.
- 50. Registered Providers must take steps to secure that at least half of all Relevant SP Managers delivering services to the Registered Provider who are Relevant SP Managers at the beginning of the Transition Period are working towards or have completed or are deemed to be working towards or have completed a Relevant Qualification within the first 12 months of the Transition Period. However, where there is only one Relevant SP Manager in post at the beginning of the Transition Period, the Registered Provider must take steps to secure that the Relevant SP Manager has, or is working towards, a Relevant Qualification before the end of the Transition Period unless they are deemed to hold or be working towards a Relevant Qualification.
- 51. Registered providers must take steps to secure that anyone who becomes a Relevant SP Manager in relation to the Registered Provider within the first 18 months of the Transition Period has, or is working towards, a Relevant Qualification by the end of the Transition Period unless they are deemed to hold or be working towards a Relevant Qualification.
- 52. Following the end of this Transition Period, the normal rules will apply.

6.4 Adjusted transition period for small Registered Providers which applies in respect of the Relevant Managers of their Services Providers

- 53. An adjusted transition period applies in relation to Relevant Managers of Services Providers where they deliver Housing Management Services to a Registered Provider who provides 50 Social Housing Units or fewer. In relation to the Relevant Managers of such Services Providers any reference to a time period in section 6.3 should be read as a reference to a time period that is twice as long.

6.5 Exemptions

- 54. An exemption applies in relation to Services Providers' back-office managerial roles which do not deliver functions which involve the management of direct delivery of services to tenants

(for example, those in finance teams whose functions include the processing of direct debits, housing benefit/universal credit payments and accounting). Where a Relevant SP Manager's role includes both back office managerial functions and other functions relating to the provision of services in connection with the management of social housing provided by the Registered Provider, they will not be exempt (but the 'substantive role' rule detailed above in 46(b) of this Policy Statement will apply).

Chapter 7: Glossary of terms used in this policy statement

Competence and Conduct Standard: a standard, set by the Regulator of Social Housing under section 194A(1) of the Act which requires Registered Providers to comply with all applicable requirements set out in Chapters 1 to 6 of the Policy Statement.

Housing Management Services: this term means the provision of services in connection with the management of social housing provided by the Registered Provider. Please see Annex B1 of this policy statement for guidance on the scope of Housing Management Services.

Management Services Agreements: this term has the same meaning as is given to it by section 217A(2) of the Act (see Annex B5). This definition also captures relevant sub-contracts.

Ofqual: The Office of Qualifications and Examinations Regulation.

Registered Provider: this term has the same meaning as given to it by section 80 of the Act.

Relevant Individuals: this term has the same meaning as given to it by section 194A(1) of the Act (see Annex B3).

Relevant Manager: this term has the same meaning as is given to it by section 194A(5) of the Act (see Annex B3).

Relevant Person: this term has the meaning given in Chapter 2.

Relevant Qualification: this term means a qualification in housing management which meets the criteria set out in Chapter 3 of this Policy Statement. Those criteria are modified in relation to Relevant SP Managers of Services Providers by Chapter 6.

Relevant SP Manager: this term has the meaning given in section 6.1.

Senior Housing Executive: this term has the same meaning as given to it by section 194B of the Act. There is a different definition of senior housing executive of a Registered Provider (see s. 194B(4) and (6)) and of a Services Provider in relation to a Registered Provider (see s. 194B (5) and (6)). See Annex B4.

Senior Housing Manager: this term has the same meaning as is given to it by section 194B of the Act. There is a different definition of senior housing manager of a Registered Provider (see s. 194B(7) and (9)) and of a Services Provider in relation to a Registered Provider (see s. 194B(8) and (9)). See Annex B4.

Services Providers: this term has the same meaning as is given to it by section 194B(2) of the Act (see Annex B4). Examples of services providers are arm's length management organisations (ALMOs) and tenant management organisations (TMOs). They can also be private companies or other bodies contracted to manage delivery of Housing Management Services.

Social Housing Units: this term means the low cost rental and low cost home ownership units provided by a Registered Provider, whether self-contained units or bedspaces.

Tenant: a tenant or other occupier of social housing.

The Act: The Housing and Regeneration Act 2008.

The Regulator of Social Housing: an executive non-departmental public body, sponsored by the Department for Levelling Up, Housing and Communities, which will set and regulate the Competence and Conduct Standard.

Transition Period: has the meaning given in Chapter 4 (in relation to requirements that apply to Registered Providers in relation to Relevant Persons) and in sections 6.3 and 6.4 (in relation to requirements that apply to Registered Providers in relation to Relevant SP Managers).

Annex B1: Guidance on the qualification requirements

Guidance for Registered Providers and Services Providers to support their assessment of which roles are in scope

Scope of Housing Management Services

1. The term 'Housing Management Services' is used in this Policy Statement to refer to the provision of services in connection with the management of social housing provided by the Registered Provider (which includes services provided by or on behalf of Registered Providers to their Tenants of social housing).
2. Housing Management Services include, but are not limited to, functions such as: tenancy management; repairs and maintenance; estate management; customer services relating to Housing Management Services; lettings management; income management; asset management; anti-social behaviour management and capital/major works.
3. Housing Management Services may be delivered in all types of social housing provided by a Registered Provider including the management of sheltered and supported housing. Housing Management Services do not include the delivery of care and support, for example, personal care that is provided to a resident in supported housing, therefore those only responsible for managing care and support would not be in scope of the qualification requirement (but the 'substantive role' rule detailed above and in 15(a) of this Policy Statement will apply).

Significant portion of working time exercising their responsibilities for Housing Management Services

4. As per paragraphs 15(a) and 46(b) of this Policy Statement, someone is potentially in scope of the qualification requirement where they spend a significant portion of their working time exercising their responsibilities for managing delivery of Housing Management Services delivered to the Registered Provider's social housing Tenants. A 'significant portion' should be taken to mean that these responsibilities are an important and substantial aspect of their role: in many (but not all) instances they will take up more than half of that individual's working time.

Functions delivered by Senior Housing Managers of Registered Providers and their Services Providers

5. Senior Housing Managers of Registered Providers and their Services Providers will usually manage the direct delivery of Housing Management Services to Tenants.
6. Individuals with managerial responsibilities in respect of the functions below are generally Senior Housing Managers (in relation to a Services Provider these functions must be being delivered on behalf of that Registered Provider):
 - a. **Customer services management:** managing delivery of customer services to Tenants, with those who manage customer contact centres which handle Tenant queries and concerns in relation to Housing Management Services deemed to be in scope.

- b. **Complaints management:** managing delivery of complaints management, including collecting and monitoring of customer feedback and dealing with complaints from Tenants in relation to Housing Management Services.
 - c. **Tenant / resident involvement or empowerment:** managing delivery of customer involvement activities, including engagement with Tenant groups, managing Tenant feedback and ensuring communications with Tenants are reflective of Tenants' needs and requirements.
 - d. **Lettings management:** managing delivery of lettings processes including the allocation and pre-tenancy stages.
 - e. **Tenancy management:** managing delivery of effective processes and services relating to tenancy management.
 - f. **Income management:** managing delivery of effective processes and communications relating to the collection of rents and service charges from Tenants and income recovery, including working with Tenants to manage issues related to income management such as addressing rent arrears and managing court proceedings.
 - g. **Repairs and maintenance:** managing delivery of responsive and planned repairs and maintenance work within occupied homes. Ensuring that works are carried out in accordance with the organisations' set timescales, policies and procedures.
 - h. **Asset management:** managing delivery of effective planning, scheduling and delivery of all technical surveying works, collection of information on existing stock and considering tenants' priorities to assist in asset management decisions.
 - i. **Anti-social behaviour management:** managing delivery of policies and procedures to deal with reports of anti-social behaviour effectively and working with relevant agencies in responding to anti-social behaviour.
 - j. **Estate management:** managing delivery of estate management, including ensuring that those individuals and contractors are maintaining properties and communal areas effectively. This could include consulting with Tenants when developing and improving the local environment and amenities.
 - k. **Capital/major works:** managing delivery of capital/major works, including planning and scheduling capital works programmes, ensuring effective procedures are in place for consultation and communication with Tenants.
7. The list above is not exhaustive. Registered Providers and Services Providers must make their own assessments of which persons in the relevant organisation(s) are Senior Housing Managers, and whether those managers are in scope of the relevant requirements (see Chapter 2, in relation to the Senior Housing Executives of Registered Providers, and section 6.1, in relation to the Senior Housing Managers of Services Providers in relation to a Registered Provider).

8. Senior Housing Managers will often manage teams of staff to ensure they deliver a good quality and responsive service to the Registered Provider's Tenants, although having line management responsibilities or managing teams will not necessarily bring a person into scope of the requirements. Conversely, a person is not necessarily outside the qualification requirements simply because they do not have line management responsibilities.
9. In a reporting chain, Senior Housing Managers will usually, but not always, be the tier below the Senior Housing Executive. In larger organisations that have several management levels, it is possible that the requirements would not apply to roles who directly line manage frontline teams but rather to the level of management above. Also, in larger organisations there is an expectation that the Registered Provider and (where relevant) their Services Providers will have individuals at both the Senior Housing Manager and the Senior Housing Executive level who will need to gain Relevant Qualifications.
10. In relation to an individual who is a Services Provider, the listed functions provided will also apply, depending on the level of seniority of that individual.

Functions delivered by Senior Housing Executives of Registered Providers and their Services Providers

11. Senior Housing Executives will usually be Heads of Services and Directors who provide strategic direction and have accountability in relation to Housing Management Services.
12. Individuals who deliver the following functions in relation to the Housing Management Services are generally Senior Housing Executives (in relation to a Services Provider these functions must be being delivered on behalf of that Registered Provider):
 - a. provides overall strategic direction and accountability in relation to service quality.
 - b. accountability for developing and embedding their organisation's culture in line with strategic objectives.
 - c. accountability for ensuring implementation of strategies to manage and improve performance.
 - d. accountability for ensuring accessible and customer-focused policies and procedures are in place.
13. The list above is not exhaustive. Registered Providers and Services Providers must make their own assessments of which persons in the relevant organisation(s) are Senior Housing Executives, and whether those executives are in scope of the relevant requirements (see Chapter 2, in relation to the Senior Executives of Registered Providers, and section 6.1, in relation to the Senior Executives of Services Providers in relation to a Registered Provider).
14. The definition of Senior Housing Executive will capture the organisation's Chief Executive Officer (CEO) if that person has responsibility (solely or jointly) for the day-to-day management of delivery of Housing Management Services.

15. Senior Housing Executives may have overarching accountability for all Housing Management Services. Or, in some circumstances depending on the size and makeup of the organisation, Senior Housing Executives may have overall accountability or a high level of oversight for a specific and substantial part of the organisation's Housing Management Services such as income management, customer experience / services, and repairs and maintenance.
16. In relation to an individual who is a Services Provider, the listed functions provided will also apply, depending on the level of seniority of that individual.

Managing contracts delivered by Services Providers

17. Even where a Registered Provider contracts out Housing Management Services to one or more Services Providers, they may have their own Senior Housing Manager(s) and/or Senior Housing Executive(s) in scope. This would be the case when the Senior Housing Executive or the Senior Housing Manager of the Registered Provider:
 - a. has responsibility (solely or jointly) for the day to day management and oversight of the performance of contracts with Services Providers; or
 - b. has responsibility (solely or jointly) for the quality of Housing Management Services provided by Services Providers.

Functions not in scope of the qualification requirements

18. As per paragraph 15(a) and 46(b) of this Policy Statement, those who have a substantive role in managing delivery of Housing Management Services to the Registered Provider's social housing Tenants are required to gain a Relevant Qualification, rather than those delivering 'on the ground' frontline services. For example, where a Senior Housing Manager or Senior Housing Executive of a Registered Provider or a Services Provider manages the whole repairs and maintenance works process from planning the works to ensuring the quality of delivery, they are in scope, but the person or contractor who they task to carry out repairs and maintenance would not be in scope.
19. The Government considers that functions relating to the assessment of housing need are not Housing Management Services (for example, those within a local authority who solely oversee the housing register or make statutory decisions on homelessness).
20. However, where an individual has such a function as those above but is also expected by the Registered Provider to spend a significant portion of their working time exercising their responsibilities for managing delivery of Housing Management Services delivered to the Registered Provider's social housing Tenants, this person would be in scope. This is in line with the 'substantive role' rule detailed above and in 15(a) and 46(b) of this Policy Statement.
21. An exemption applies in relation to back-office managerial roles who do not deliver functions which involve the management of direct delivery of services to tenants, (for example, those in finance teams whose functions include the processing of direct debits, housing benefit/universal credit payments and accounting). However, where a someone's role includes both back office managerial functions and other functions relating to the provision of services in connection with the management of social housing provided by the Registered

Provider they will not be exempt (but the 'substantive role' rule detailed above and in 15(a) and 46(b) of the Policy Statement will apply).

Annex B2: Guidance on the implications of the Act for Services Providers

1. Section 217A(4) of the Act implies terms into Management Services Agreements which are defined in the Act as follows:

“management services agreement”, in relation to social housing of a registered provider, means an agreement under which one person (a “services provider”) agrees with another person (the “services recipient”) to provide services in connection with the management of social housing provided by the registered provider or to arrange for the provision of such services.

2. The ‘services recipient’ may be the Registered Provider or another Services Provider. In this Annex of the Policy Statement the term services provider has the meaning given in s. 217A, as set out above.
3. These implied terms (which refer to the qualification element of the Competence and Conduct Standard) require the services provider to secure that its Relevant SP Managers have, or are working towards, a Relevant Qualification and provide a mechanism for Registered Providers to take steps to secure that their services providers are in compliance with this requirement.
4. Section 217A(4)(a) of the Act implies a term ("the main implied term") which stipulates that the services provider must secure that their Relevant Managers, who are involved in the provision of the services in connection with the management of social housing to which the agreement relates, meet the qualification standard at all times. For this purpose, a Relevant Manager "meets the qualification standard" if they are a Relevant SP Manager and have or are working towards a Relevant Qualification (or the Relevant Manager is not a Relevant SP Manager).
5. S217A(4)(b) of the Act implies a term into Management Services Agreements which requires services providers, in the event that they do not comply with their obligation under the main implied term, to take such action to rectify the non-compliance as is reasonably required by the services recipient (who may be the Registered Provider or another services provider).
6. S217A(4)(c) of the Act implies a term which requires services providers to comply with any reasonable request for information demonstrating whether or not they are complying with the obligation under the main implied term.
7. Only those managing delivery of Housing Management Services will be required to gain a Relevant Qualification, rather than those delivering ‘on the ground’ frontline services. For example, where a Senior Housing Manager or Senior Housing Executive of a Registered Provider or a services provider manages the whole repairs and maintenance works process from planning the works to ensuring the quality of delivery, they are in scope, but the person or contractor who they task to carry out repairs and maintenance works would not be in scope.

Annex B3: Section 194A Housing and Regeneration Act 2008 (inserted by section 21 of the Social Housing Regulation Act)

1. This annex sets out section 194A of the Housing and Regeneration Act 2008 (inserted by section 21 of the Social Housing Regulation Act):

“194A Standards relating to competence and conduct

(1) The regulator may set standards for registered providers in matters relating to the competence and conduct of individuals involved in the provision of services in connection with the management of social housing (“relevant individuals”).

(2) Standards under subsection (1) may, in particular, require registered providers to comply with specified rules about—

(a) the knowledge, skills and experience to be required of relevant individuals, and

(b) the conduct to be expected of relevant individuals in their dealings with tenants.

(3) Standards under subsection (1) may require registered providers to secure that their senior housing executives and senior housing managers—

(a) have a specified qualification in housing management or type of qualification in housing management, or

(b) are working towards such a qualification or type of qualification.

(4) Standards under subsection (1) may require registered providers to take steps to secure that relevant managers of their services providers—

(a) have a specified qualification in housing management or type of qualification in housing management, or

(b) are working towards such a qualification or type of qualification.

(5) Each of the following is a “relevant manager” of a services provider—

(a) if the services provider is a relevant individual, that individual;

(b) a senior housing executive of the services provider;

(c) a senior housing manager of the services provider.

(6) A qualification or type of qualification specified for a senior housing executive may only be—

(a) a foundation degree, or

(b) a qualification or type of qualification regulated by the Office of Qualifications and Examinations Regulation which is of a level not exceeding level 5.

(7) A qualification or type of qualification specified for a senior housing manager, or for an individual described in subsection (5)(a), may only be a qualification or type of qualification regulated by the Office of Qualifications and Examinations Regulation which is of a level not exceeding level 4.

(8) The references in subsections (6) and (7) to the level of a qualification are to the level assigned to a qualification by virtue of general conditions set and published by the Office of Qualifications and Examinations Regulation under section 134 of the Apprenticeships, Skills, Children and Learning Act 2009.

(9) Except as provided by subsections (3) to (8), standards under subsection (1) may not require registered providers to comply with rules about the qualifications to be required of relevant individuals.

(10) See also section 217A (which makes provision implying terms relating to qualifications into management services agreements).

Annex B4: Section 194B Housing and Regeneration Act 2008 (inserted by section 21 of the Social Housing (Regulation) Act)

1. This annex sets out section 194B of the Housing and Regeneration Act 2008 (inserted by section 21 of the Social Housing Regulation Act):

194B Meaning of “services provider”, “senior housing executive” and “senior housing manager”

(1) This section makes provision about the meaning of terms for the purposes of section 194A.

(2) “Services provider”, in relation to a registered provider, means a person who, in accordance with an agreement with the registered provider or another person, provides services in connection with the management of social housing provided by the registered provider or arranges for the provision of such services.

(3) For the purposes of subsection (2), an agreement does not include a contract of employment or a contract of apprenticeship.

(4) “Senior housing executive” of a registered provider means a relevant individual who—

- (a) is an employee or officer of the registered provider,
- (b) has responsibility (solely or jointly) for the day to day management of the provision of services in connection with the management of social housing provided by the registered provider, and
- (c) is part of the registered provider’s senior management.

(5) “Senior housing executive” of a services provider in relation to a registered provider means a relevant individual who—

- (a) is—
 - (i) an employee of the services provider,
 - (ii) an officer of the services provider, or
 - (iii) if the services provider is a partnership, a partner in the partnership,
- (b) has responsibility (solely or jointly) for the day to day management of the provision of services in connection with the management of social housing provided by the registered provider, and
- (c) is part of the services provider’s senior management.

(6) For the purposes of subsections (4) and (5), an individual is part of a registered provider’s or services provider’s senior management if the individual plays a significant role in—

(a) the making of decisions about how the whole or a substantial part of the activities of the provider which relate to social housing are to be managed or organised, or

(b) the management or organisation of the whole or a substantial part of such activities.

(7) “Senior housing manager” of a registered provider means a relevant individual who—

(a) is an employee of the registered provider, and

(b) is a senior housing and property manager for the registered provider.

(8) “Senior housing manager” of a services provider in relation to a registered provider means a relevant individual who—

(a) is an employee of the services provider,

(b) is a senior housing and property manager for the services provider, and

(c) is involved in the provision of services in connection with the management of social housing provided by the registered provider.

(9) For the purposes of subsections (7) and (8), whether an individual is a senior housing and property manager is to be determined by reference to the description of the occupation of senior housing and property management published by the Institute for Apprenticeships and Technical Education under section ZA10(5) of the Apprenticeships, Skills, Children and Learning Act 2009.

(10) In this section—

“employee” includes a person employed under a contract of apprenticeship;

“relevant individual” has the same meaning as in section 194A.

(11) The following Table gives the meaning of “officer” in relation to services providers for the purposes of this section—

<i>Services provider</i>	<i>Meaning of “officer”</i>
Registered charity which is not a registered company	Trustee, secretary or treasurer
Registered society	“Officer” within the meaning given by section 149 of the Co-operative and Community Benefit Societies Act 2014 (including a person co-opted to serve on the society’s committee)
Registered company	“Officer” within the meaning given by section 1173 of the Companies Act 2006
Limited liability partnership	A member of the limited liability partnership.”

Annex B5: Section 217A Housing and Regeneration Act 2008

1. This annex sets out section 217A of the Housing and Regeneration Act 2008 (inserted by section 21 of the Social Housing Regulation Act):

217A Implied terms of management services agreements relating to qualifications

(1) Each management services agreement in relation to social housing of a registered provider, whenever entered into, is to be treated as including the terms set out in subsection (4).

(2) In this section, a “management services agreement”, in relation to social housing of a registered provider, means an agreement under which one person (a “services provider”) agrees with another person (the “services recipient”) to provide services in connection with the management of social housing provided by the registered provider or to arrange for the provision of such services.

(3) For the purposes of subsection (2)—

(a) an agreement does not include a contract of employment or a contract of apprenticeship, and

(b) the services recipient may be the registered provider or another person.

(4) The terms are that—

(a) the services provider must secure that its relevant managers who are involved in the provision of services in connection with the management of social housing to which the agreement relates meet the qualification standard at all times;

(b) in the event that the services provider does not comply with the term set out in paragraph (a), the services provider will take such action to rectify the non-compliance as is reasonably required by the services recipient;

(c) the services provider must comply with any reasonable request for information demonstrating whether or not the services provider is complying with the term in paragraph (a) that is made by the registered provider who provides the social housing to which the agreement relates or (if different) the services recipient.

(5) A relevant manager of a services provider under a management services agreement “meets the qualification standard” if—

(a) a standard is in force under section 194A which requires the registered provider who provides the social housing to which the agreement relates to take steps to secure that the manager has, or is working towards, a qualification or type of qualification in housing management, and

(b) the manager has or (as the case may be) is working towards such a qualification,

or if there is no standard in force under section 194A which imposes a requirement described in paragraph (a).

(6) A term of a management services agreement is not binding on the services recipient to the extent it would—

(a) exclude or restrict the liability of the services provider for breach of a term implied by this section, or

(b) prevent an obligation under a term implied by this section arising or limiting its extent.

(7) In this section “relevant manager”, in relation to a services provider, has the same meaning as it has for the purposes of section 194A (see section 194A(5)).”

(5) In consequence of the amendment made by subsection (4), in section 192 of that Act—

(a) in paragraph (d), omit the final “and”;

(b) at the end of paragraph (e) insert “, and

(f) makes provision about terms to be implied into management services agreements (section 217A).”