



## THE REGULATOR OF SOCIAL HOUSING

### Decision Instrument

Instrument number: RSH8

Title of Instrument: **Decision to issue revised statutory guidance under section 215(1)(b) of the Housing and Regeneration Act 2008**

## Introduction

- A Pursuant to the Housing and Regeneration Act 2008 as amended ('the Act'), the regulation of social housing in England is the responsibility of the Regulator of Social Housing (the regulator). The regulator is an executive non-departmental public body, sponsored by the Department for Levelling Up, Housing and Communities.
- B Under section 215(1)(b) of the Act, the regulator is required to publish guidance about how it uses and intends to use its powers under Chapters 6 and 7 of the Act. The regulator has previously published guidance in accordance with this requirement called, 'Guidance on the regulator's approach to intervention, enforcement and use of powers'. This guidance was first published on 31 March 2015 and last updated on 16 December 2019.
- C As a result of legislative changes introduced by the Social Housing (Regulation) Act 2023, the regulator amended this guidance and renamed it to 'Statutory Guidance under s215 of the HRA 2008'
- D The regulator has conducted a consultation in relation to the amendments proposed to this guidance and has considered the responses received. The purpose of this document is to set out the decision of the regulator made following the conclusion of the consultation.

# Decision

Date decision made: 26 February 2024

Decision made by: Deputy Chief Executive

1	<p>The Deputy Chief Executive notes that:</p> <ul style="list-style-type: none"><li>• section 215(1)(b) of the Act places a requirement upon the regulator to issue guidance about how it uses and intends to use the powers under Chapter 6 and Chapter 7 of the Act.</li><li>• the regulator has conducted a public consultation and has taken into account the responses.</li></ul>
2	<p>On behalf of the regulator in exercise of the Delegated Authority approved by the Board on 20 February 2024, and following consideration of the outcomes of the consultation, the Deputy Chief Executive has determined to publish the guidance produced pursuant to section 215(1)(b) of the Act titled, 'Statutory Guidance under s215 of the HRA 2008' as set out in Schedule 1.</p> <p>This guidance shall supersede the previous version titled, 'Guidance on the regulator's approach to intervention, enforcement and use of powers' last updated on 16 December 2019.</p>
3	<p>This guidance titled 'Statutory Guidance under s215 of the HRA 2008' comes into force on 1 April 2024.</p>

# Authentication

Name: Jonathan Walters

Position: Deputy Chief Executive – Regulator of Social

Housing

Signature:



**Schedule 1 to Decision Instrument RSH8**

**‘Statutory guidance under s215 of the HRA 2008 (to take effect from 1 April 2024)’**

See: <https://www.gov.uk/guidance/statutory-guidance-under-s215-of-the-hra-2008>