



Regulator of Social Housing

Decision Statement

Consultation on changes to our consumer standards and requirements

9 July 2026



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¹ Question 5 of the consultation relates to the Electrical Safety Checks TSM – the response to this question does not form part of this Decision Statement but is covered in [Consultation on changes to the TI&A Standard - GOV.UK](#)

1. Executive Summary

- 1.1 On 9 December 2025, the Regulator of Social Housing published a consultation on proposed changes to the Transparency, Influence and Accountability (TI&A) Standard and Consumer Standards Code of Practice (the Code), and on the introduction of an electrical safety checks Tenant Satisfaction Measure (TSM). We also asked for views on our approach to assessing the regulatory and equality impacts of the proposed changes. The consultation closed on 3 March 2026.
- 1.2 Changes to the TI&A Standard and Code were proposed after the government published policy statements and issued Directions to the regulator on both Social Tenant Access to Information Requirements (STAIRs) and competence and conduct requirements. Our consultation asked for stakeholders' views on whether the regulator has accurately reflected the content of government's Directions in the proposed revised TI&A Standard, and whether they agreed with related revisions to the Code. At the same time, we also took the opportunity to consult on proposed changes to the TI&A Standard and Code to better align how we set the TSM requirements with our new powers under the amended Housing and Regeneration Act (HRA) 2008.
- 1.3 This Decision Statement provides a summary of the key areas of feedback and sets out our decision on the final TI&A Standard and Code. The response to part 3 of the consultation, relating to the electrical safety checks TSM has been published separately in [Consultation on changes to the TI&A Standard - GOV.UK](#).
- 1.4 The revised TI&A Standard, new Competence and Conduct Standard, and revised Code will take effect from 1 October 2026, with a phased approach to the information requests element of STAIRs and the qualifications element of the competence and conduct requirements.

2. Background

- 2.1 The purpose of the consultation was to seek views from social housing tenants, landlords, service providers and from other interested organisations across the sector, on proposed changes to the TI&A Standard and Code (parts 1 and 2 of the consultation respectively). It considered how STAIRs and the competence and conduct requirements would be incorporated into the TI&A Standard.
- 2.2 Parts 1 and 2 of the consultation comprised five questions in total and we received a total of 872 responses (699 of which were received following a social media campaign led by Shelter – described in section 6). Each question, the supporting analysis and our response is covered in sections 5 to 9. Where the same or similar points are made across both the Standard and Code, they are covered once, where appropriate, in the Decision Statement to avoid repetition.
- 2.3 Respondents were able to share their views via our online survey, email or by post. The consultation adhered to the consultation principles guidance issued by Cabinet Office.
- 2.4 Following the conclusion of the consultation, the final TI&A Standard, Competence and Conduct Standard, and Code can be found in [Annex 1 \(TI&A Standard\)](#), [Annex 2 \(Competence and Conduct Standard\)](#), and [Annex 3 \(Code\)](#).

Part 1 (TI&A Standard) and Part 2 (Code):

- 2.5 The government has the power² to issue Directions to the regulator to set standards on certain issues. Once issued, we must comply with these Directions. We consulted on proposed changes to the TI&A Standard to reflect the new Directions issued by government; the [Direction on the Social Tenant Access to Information Standard](#)

² Section 197 Housing and Regeneration Act 2008

[2025](#) (STAIRs Direction) and [Direction on the Regulatory Standards \(Competence and Conduct\) 2025](#) (Competence and Conduct Direction). The content of the Directions and the policy statements they relate to were not part of our consultation as they had already been consulted on and published by government.

- 2.6 We also consulted on proposed changes to the TI&A Standard and Code to better align the TSMs with our new powers under the amended HRA 2008. The proposed changes reflected that we are reissuing requirements for landlords to collect, process and publish information about their performance against our TSMs, and issuing our annual requests for landlords to send us related information, using these new performance information powers.
- 2.7 Our consultation asked respondents to consider:
- Whether we had accurately reflected the content of government's Directions in the revised TI&A Standard, as well as views on the related revisions to the Code.
 - Proposed changes we made to the TI&A Standard and the Code to reflect our plan to use our new performance information powers³ for parts of our TSM regime.
 - Our approach to considering the regulatory and equality impacts of the proposed changes.

³ Powers introduced by amendments made to the Housing and Regeneration Act 2008 under the SHRA 2023

3. Summary of responses received

- 3.1 We received a total of 872 responses to the consultation.
- 3.2 152 responses were received online (via our consultation survey) and 21 were in writing, predominantly via email. Six stakeholders responded twice, via both the survey and email; in each case both responses were considered but counted as one stakeholder response.
- 3.3 Much of the feedback (699 responses) came via a social media campaign led by Shelter⁴. These responses only related to part of our consultation and are covered in section 6 (TI&A Standard changes – competence and conduct).
- 3.4 The following table breaks down the 173 non-campaign responses received to the consultation by respondent type:

	Count	%
A social housing tenant in rental accommodation	21	12
A shared owner in social housing	4	2
Other individual	7	4
A private registered provider	67	39
A local authority registered provider	49	28
A stakeholder organisation	12	7
Other organisation	13	8

⁴ One additional campaign response was received but recorded as part of the 21 written responses based on their feedback.

Total responses	173	100
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3.5 The following table breaks down the 699 campaign responses received to the consultation by respondent type:

	Count	%
Social housing tenant in rental accommodation	120	17
Shared owner with a registered provider	6	1
Applicant for social housing	23	3
Other individual	550	79
Total responses	699	100

3.6 This Decision Statement includes the overall numerical response to each consultation question. A summary of the numerical analysis is provided at Annexe 5. Percentages have been rounded to the nearest whole number and refer to the percentage of those who answered each question (rather than the total number of respondents to the consultation). Some responses were in narrative form, and not all responses answered the specific questions asked or covered all the questions. The numerical analysis, therefore, only includes those where the response can be attributed to a question asked.

3.7 When responding to the consultation via our survey, respondents were given the option to provide comments to explain their response. This Decision Statement is not intended to include all comments received. It summarises the key themes that emerged that were in scope of the consultation and

amendments we have subsequently made to our proposals following careful consideration of all responses.

3.8 Organisations that responded to the consultation are listed at Annexe 6.

4. Question 1 TI&A Standard changes – STAIRs

4.1 In September 2025, the government directed the regulator to set a standard requiring all private registered providers (PRPs) of social housing to meet the expectations set out in the government’s Social Tenant Access to Information Requirements: policy statement⁵. STAIRs will allow tenants of PRPs to access relevant information on request and will require landlords to publish certain information about their management of social housing⁶. We consulted on the proposed wording of the TI&A standard to reflect the Direction as part of our consultation.

Consultation question 1

4.2 **Do you agree or disagree that the proposed change to the Transparency, Influence and Accountability Standard accurately reflects the government’s STAIRs Direction to the regulator? Please state if you agree or disagree, or if you don’t know. Please provide comments if you wish to explain your response.**

4.3 There were 162 responses to this question.

	Responses	Agree		Disagree		Don’t know	
		Count	%	Count	%	Count	%
Question 1	162	139	86	6	4	17	10

4.4 Overall, a significant majority of respondents (86%, 139 respondents) agreed that the proposed TI&A Standard accurately reflects the government’s

⁵ [Social Tenant Access to Information Requirements: policy statement - GOV.UK](#)

⁶ Tenants of local authorities can already access information held by their landlord through the Freedom of Information Act 2000 (FOIA) and the [government has committed](#) to extending the FOIA to cover local authority TMOs so that tenants in homes managed by TMOs will be able to access information held by them.

STAIRs Direction to the regulator, 6 (4%) of respondents disagreed and 17 (10%) of respondents didn't know.

- 4.5 Agreement was very high from both registered providers and stakeholder organisations at 92% (103 and 121 respondents respectively). Agreement among social housing residents (tenants and shared owners was much lower at 59% (14 respondents); however, only 2 residents disagreed and 8 residents didn't know.
- 4.6 Generally, a large number of respondents welcomed STAIRs as it provides a framework for a strengthened focus on transparency, tenant empowerment and accountability. Several respondents recognised the importance of tenants of PRPs being able to access information in a similar way to how local authority tenants already can under the Freedom of Information Act 2000.

Key issues raised by respondents and the regulator's response

- 4.7 A couple of respondents felt that the standard did not accurately reflect either the Direction or policy intent. One respondent felt that the current wording incorrectly assumed that landlords must always provide information, whereas the policy statement contains provisions for withholding information. Another felt that the standard should reflect that the information must relate to the management of social housing. We have amended the standard so that it explicitly references that landlords must comply with the policy statement when providing information and that the information relates to 'management' information. These small changes help to align the requirements more accurately to the policy intent. Notably, that landlords must deliver the outcomes of the policy statement, while acknowledging that there may be instances where it is reasonable to withhold from disclosure, as well as stating more precisely the type of information in scope of STAIRs.
- 4.8 Several respondents felt the wording in the standard lacked some of the detail in the policy statement and requested more detail to be included in the standard. While we acknowledge the feedback, it would not be appropriate to

add further detailed requirements in our standards as they remain outcome focused. The government sets the policy statement and has consulted on it and therefore it is right that the detail of STAIRs should be within the policy statement. In developing the policy statement, the government considered the level of detail it should contain. Furthermore, there is a risk that including certain elements of the policy statement in the standard could drive landlords to focus only on certain elements of STAIRs which is not the desired intention.

- 4.9 Many respondents requested further guidance and practical examples to support landlords' understanding of the requirements and to reduce inconsistent practices. This issue was also raised more broadly in response to question 4 on the Code. We recognise that landlords have requested further clarity; however, we believe that this is best served by sector led guidance in the first instance. We note that the National Housing Federation has published operational guidance for its members on implementing STAIRs⁷. We also note that following the enactment of the Social Housing (Regulation) Act 2023, the Housing Ombudsman, acting as the dispute resolution body for STAIRs, may produce good practice guidance in the future.
- 4.10 Several respondents expressed concern about the resource implications of STAIRs, particularly on small providers. Whilst we acknowledge these concerns this issue falls outside the scope of our consultation. The government has, however, considered the impact of the policy as part of their own consultation response⁸ on the STAIRs policy statement. In their response, the government has committed to considering an appropriate approach to assessing the impact of STAIRs following implementation.
- 4.11 One respondent felt that there should be further clarification on who is entitled to make a STAIRs request. We have amended the Code to clarify the scope

⁷ [National Housing Federation - Social Tenant Access to Information Requirements \(STAIRs\): operational guidance for housing associations](#)

⁸ [Social Tenant Access to Information Requirements: consultation response - GOV.UK](#)

of STAIRs, specifically that only current social housing tenants of the PRPs, and their designated representatives can make valid information requests.

- 4.12 A few responses related to ensuring the information provided is in accessible language, with one respondent querying whether providing a digest or summary of information constituted the creation of new information under the STAIRs policy. This issue has been covered in section 9 (Impact Assessments) to avoid duplication as most of the responses were received in response to question 6.

5.Question 2 TI&A Standard changes – competence and conduct

5.1 In September 2025, the government directed the regulator to set a standard on the competence and conduct of relevant individuals delivering housing management services. This included that landlords ensure relevant staff have the skills, knowledge, experience and exhibit the necessary behaviours to provide a good service; have a policy on their approach to learning and development and staff performance; adopt or develop an appropriate code of conduct; and meet applicable requirements in chapters 1-6 of the Policy Statement on Qualifications Requirements for Social Housing. We consulted on the proposed wording of the TI&A standard to reflect the Direction as part of our consultation.

Consultation question 2

5.2 **Do you agree or disagree that the proposed changes to the Transparency, Influence and Accountability Standard accurately reflects the government’s Competence and Conduct Direction to the regulator? Please state if you agree or disagree, or if you don’t know. Please provide comments if you wish to explain your response.**

5.3 There were 865 responses in total to this question – 166 consultation responses via the online survey and in writing and 699 responses received via an online social media campaign led by Shelter.

	Responses	Agree		Disagree		Don’t know	
	Count	Count	%	Count	%	Count	%
Question 2 total responses	865	140	16%	710	82%	11	1

Responses received via the online survey and in writing	166	140	84%	11	7%	15	9%
Responses received via the social media campaign	699	0	0%	699	100%	0	0%

- 5.4 Overall, a significant majority of the survey / written consultation responses, (140 respondents) agreed that the proposed TI&A Standard accurately reflects the government’s Competence and Conduct Direction to the regulator, 11 respondents disagreed and 15 respondents didn’t know.
- 5.5 All those responding via the social media campaign disagreed that the proposed changes accurately reflected the government’s Direction. We describe the issues raised by the campaign below.

Key issues raised by respondents and the regulator’s response

- 5.6 Campaign participants and a few other respondents to the survey called for the competence and conduct requirements to be set out in a separate standard to the TI&A Standard arguing it was a more accurate reflection of the government’s Direction and reflected public statements from government. Their view was that including the requirements within the TI&A Standard could reduce the perceived importance of the requirements.
- 5.7 In response to the feedback, we have made a presentational change to re-position the competence and conduct requirements as a new and separate ‘Competence and Conduct Standard.’ As a risk-based regulator, we will continue to focus our regulatory attention on those areas of our standards

which present the greatest risks. However, this change will help make the competence and conduct requirements more visible to landlords and tenants.

- 5.8 Campaign participants and a couple of written/survey respondents also felt that that anti-racism should be part of the qualification requirements for the course content on Equality, Diversity and Inclusion. The campaign was led by Shelter and links to their wider campaign to tackle racism in housing. Tackling racism is an important issue within the social housing sector. We believe that the delivery of our standards, including the requirements on fairness and respect, meeting diverse needs, and working in partnership to deter and tackle hate incidents, plays a key role in addressing racism.
- 5.9 With this in mind, we considered including anti-racism as part of the qualification requirements for the course content in addition to what the government has set out in the policy statement on qualifications. However, we decided not to include a specific requirement on this as the policy statement sets out the course content; this includes:
- “b. Equality, diversity and inclusion, and awareness of a range of needs and vulnerabilities (for example, disabilities);
 - c. Customer service in housing including effective engagement with tenants and delivering respectful and professional housing services;“
- 5.10 It is for landlords to ensure they meet applicable requirements set out in the policy statement including those relating to the course content. As race is a protected characteristic, alongside the other protected characteristics, we think that anti-racism is already part of the course content requirements for Equality, Diversity and Inclusion, without us setting a specific requirement for this.
- 5.11 We have strengthened the Code to emphasise that landlords should consider how their documented approach to managing and developing relevant staff will support the delivery of fair and equitable outcomes for tenants. This includes developing staff to be able to identify how tenants, including those with protected characteristics, may be disproportionately impacted through

the delivery of services. We believe this is an important part of effective and respectful engagement with tenants when delivering a professional housing service. This change is applicable to all relevant staff as it forms part of the skills, knowledge, experience and behaviours element of the requirements and therefore has a wider scope than the qualifications requirements.

- 5.12 Several respondents raised concerns about the overall requirements of the policy, as set out in the government's Direction and their policy statement on qualifications. This included the disproportionate cost to implement the requirements for smaller providers and the qualifications element impacting on service delivery. There were requests for more flexibility on transition timescales and roles within scope of the requirements, as well as to consider exemptions (e.g. based on age and experience). A concern was also raised about the difficulties associated with landlords being able to ensure services providers, especially contractors, can meet the requirements in a challenging operating environment.
- 5.13 In relation to concerns about the overall requirements of the policy, we have not made any changes. The regulator has been directed to set a standard that requires registered providers to comply with all applicable requirements set out in Chapters 1 to 6 of the Policy Statement and sets out requirements for the written policy relating to the skills, knowledge, experience and behaviours of relevant staff and the code of conduct. Once issued, we must comply with the Direction. The scope of our consultation means that we are unable to respond to views on the content of Directions or the policy statements they relate to as these have already been consulted on and published by government.
- 5.14 Many respondents requested further clarification on a range of policy issues. This included the definition of relevant staff and scope of requirements for service providers; the definition of appropriate skills, knowledge, experience and behaviours; how landlords should embed the code of conduct; and our approach to regulating the requirements. We recognise the complexity of the policy area and, therefore, acknowledge the requests for further clarification

on some areas of policy. While landlords are responsible for understanding how the requirements apply to their organisations, we intend to work with the government department to produce a FAQ document. This will be based on questions arising from the consultation and stakeholder events held and may be updated periodically as required.

- 5.15 A few respondents raised concerns that the requirements were harder for local authorities to implement due to potential conflicts with wider organisational approaches to training and development. They also reported that it is also more difficult for tenants of local authorities to scrutinise policies and the code of conduct. This is because they may not be limited to social housing and could apply across the whole local authority and council staff.
- 5.16 A few respondents suggested minor changes to the Standard and Code because they either felt our language ('relevant staff' and 'landlord services') did not accurately reflect the government's Direction, or that improvements could be made to the proposed wording. We considered the feedback but have not made any changes on the language used. We have purposefully worded the requirements in a way that is consistent with the language used across our consumer standards to reduce the risk of confusion as we believe the meaning is the same as the Direction. We have defined the terms we have used in paragraph 3.1 of what is now the Competence and Conduct Standard. However, we have made a minor change to the Code to move reference to the government's policy statement on qualifications earlier on in the section on competence and conduct so that it reads more coherently.
- 5.17 One respondent noted that the requirements did not include a specific reference for landlords to address stigma in social housing. We are not proposing to change the Standard or Code to directly reflect the issue of stigma in social housing. Stigma is an important issue within the social housing sector; it is also complex. The Government are considering issues of stigma in their work. We believe that the delivery of the outcomes of our standards, including the competence and conduct requirements, will contribute to addressing some of the underlying causes of stigma.

5.18 A couple of respondents suggested that more junior staff should also be required to undertake qualifications, as part of the requirements set out in the government's policy statement on qualifications. We do not propose extending the qualifications requirements of the competence and conduct requirements to frontline staff as the legislation relating to qualifications in this area is limited to senior housing executives and senior housing managers. The government conducted a Professionalisation Review in 2022 to inform their policy which concluded that relevant housing qualifications should be focused on senior staff. The review highlighted that senior executives and managerial staff play a major role in shaping the culture of their organisations and so implementing mandatory qualifications at this level could be highly effective in driving up professionalism and culture change within organisations. The skills, knowledge, education and behaviour element of the competence and conduct requirements does, however, already cover all relevant staff and service providers.

6.Question 3 TI&A Standard changes – TSMs

6.1 As part of our consultation, we proposed making changes to our TI&A Standard to reflect that we will be using our new performance information powers⁹ for parts of our TSM regime. This will include us setting some existing TSM requirements for landlords through a new ‘TSM Direction’ to them.

Consultation question 3

6.2 **Do you agree or disagree with the proposed changes to the specific expectations in the Transparency, Influence and Accountability Standard for the TSMs? Please state if you agree or disagree, or if you don’t know. Please provide comments if you wish to explain your response.**

6.3 There were 165 responses to this question.

	Responses	Agree		Disagree		Don’t know	
	Count	Count	%	Count	%	Count	%
Question 3	165	149	90%	6	4%	10	6%

6.4 Overall, a significant majority of respondents (90%, 149 respondents) agreed with the proposed changes to the specific expectations in the TI&A Standard for TSMs, 6 (4%) of respondents disagreed and 10 (6%) of respondents didn’t know.

6.5 Agreement was very high amongst landlords, with many saying that the changes are clear and remove duplication. A number of landlords (and a few

⁹ Specifically, S198C, Housing and Regeneration Act 2008 (as amended by the Social Housing (Regulation) Act 2023)

other stakeholder organisations) also said that the proposed changes keep the focus on the right thing – essentially that landlords ensure that their reported TSM information is an accurate, reliable, valid, and transparent reflection of their performance against the TSMs, as this supports effective tenant scrutiny of landlord performance and accountability to tenants. All 48 local authority respondents agreed with the proposed changes compared to 98% (65) of PRPs. There was a similar level of agreement from stakeholder organisations at 97% (131 respondents).

- 6.6 Agreement amongst social housing residents (tenants and shared owners) was lower at 64% (16 respondents). However, only 8% (2 respondents) disagreed with our proposals and 28% (7 respondents) didn't know.

Key issues raised by respondents and the regulator's response

- 6.7 A few respondents were concerned that moving some of the specific expectations to the TSM Direction, particularly the requirement that landlords annually publish their performance against the TSMs, would weaken tenant transparency because tenants might not know the requirements exist. While the requirement still exists in the TSM Direction, respondents were of the view that removing it from the regulatory standards would make it a less tenant facing expectation. A couple of respondents also suggested including a reference to the Code and/or TSM Direction in the TI&A Standard for greater clarity.
- 6.8 The TSM Direction will provide for all but one of the TSM specific expectations that have been removed from the TI&A Standard. This includes the requirement that landlords annually publish their performance against the TSMs. The exception is the requirement that landlords annually submit their performance against the TSMs to us; however, this will be provided for using our new performance information power to issue our usual TSM returns to landlords.
- 6.9 We acknowledge that, because of their technical nature, the TSM Direction and TSM returns may be considered by some to be less tenant facing than our regulatory standards. We recognise the importance of all our regulatory

requirements being accessible and clear to tenants, to support them to hold their landlord to account. We have already referenced the TSM Direction in the footnotes of our TI&A Standard to help make clear the link between the TSM related requirements and the TSM Direction. Additionally, our Code is intended to help tenants and landlords understand what is expected under the consumer standards.

- 6.10 The proposed wording in the Code states that registered providers must ensure they meet the regulator's TSM Direction and that the TSM Direction sets requirements that registered providers must meet to ensure TSMs are collected, processed and reported by registered providers on a consistent basis. It is important that we operate within our legal powers; therefore, we are not retaining the specific expectations we proposed removing in the TI&A Standard. However, we have amended the Code to make it clearer that the TSM Direction requires registered providers to annually publish their performance against the TSMs. This makes it more transparent that this requirement (and other requirements) exists within the TSM Direction. We have also added wording to the final TSM Direction to clearly reflect that this information must be published in a manner that is timely, clear and easily accessed by tenants. In addition, we will consider how to make the requirements more accessible.
- 6.11 We received a few requests for additional guidance. This included additional guidance on data assurance and validation; minimum data governance standards; and the level of more granular TSM data that landlords are expected to publish and its frequency. The requests for more guidance tended to be on technical detail that falls more within the scope of the TSM Direction and / or about how landlords have assurance they have met our TSM related requirements. It, therefore, falls outside the scope of this consultation. Furthermore, other than the introduction of a new electrical safety checks TSM¹⁰, our proposed changes do not require landlords to change their

¹⁰ See [Tenant Satisfaction Measures - Technical requirements - GOV.UK](#) for more information.

approach to the TSMs. We intend to review the TSMs at an appropriate point in the future where we can consider this type of feedback further.

- 6.12 A few respondents made suggestions that centred around how landlords present and use the TSMs. For example, that we should further encourage landlords to present TSMs in accessible formats; explain the content and involve tenants in discussions about improvement actions to drive service improvements; and consider tenants diverse communication needs. We considered the suggestions around how landlords present and use the TSMs and concluded that the TI&A Standard already clearly sets out proportionate requirements along these lines.

7.Question 4 Changes to the Code

7.1 In April 2024, we issued a Consumer Standards Code of Practice (Code) to help tenants and landlords understand what is expected under the consumer standards and how landlords might deliver the outcomes of the standards. Following this, as part of this consultation, we proposed a small number of updates to the Code relating to STAIRs, competence and conduct requirements and the TSM related requirements, where further amplification was considered helpful.

Consultation question 4

7.2 **Do you agree or disagree with the proposed changes to Code? Please state if you agree or disagree, or if you don't know. Please provide comments if you wish to explain your response.**

7.3 There were 166 responses to this question.

	Responses	Agree		Disagree		Don't know	
	Count	Count	%	Count	%	Count	%
Question 4	166	147	89%	10	6%	9	5%

7.4 Overall, a significant majority of respondents (89%, 147 respondents) agreed with the proposed changes to the Code, 10 (6%) of respondents disagreed, and 9 (5%) of respondents didn't know.

7.5 Respondents who agreed with the proposed revisions to the Code felt the requirements were amplified clearly and practically for both tenants and landlords and would support a consistent understanding across the sector.

- 7.6 Specific issues raised by respondents on the changes to the Code tended to be similar to the issues raised under questions 1 - 3 about the changes to the standard. They are, therefore, covered in sections 5 - 7 of the Decision Statement under the relevant policy area.
- 7.7 The issues covered below are focused on those that were more general and cross-cutting across all policy areas.

Key issues raised by respondents and the regulator's response

- 7.8 A few respondents called for more practical guidance and examples across all three policy areas, with one respondent highlighting how it could help improve service delivery. We recognise the policy areas on which we are directed to set a standard are complex, particularly in relation to the competence and conduct requirements. As described in section 6 our intention is to publish a separate FAQ on competence and conduct aimed at improving landlords' understanding in this area whilst the policy embeds within the sector.
- 7.9 A couple of respondents suggested that the proposed revisions to the Code duplicated requirements in the Standard and asked for further expansion and clarification. We have made a number of minor drafting changes to the Code to improve clarity; however, we have not introduced additional prescription. The role of the Code is to amplify our requirements, and in doing so some duplication may be necessary to provide context or to reiterate a point. Our standards are outcome-based so that landlords, across what is a very diverse sector, can deliver the outcomes we expect in the most appropriate way for their tenants and their business.
- 7.10 A few respondents highlighted concerns about proportionality and suggested actions the regulator could take to mitigate this. A couple of respondents highlighted that this was particularly important for smaller providers due to the administrative burden. We have not made any changes to the Code in response to concerns about proportionality as the government Directions apply to all landlords (unless otherwise specified). The role of the Code is to amplify some of the requirements across our consumer standards to help

landlords understand how the outcomes of the standards can be delivered; it does not set additional requirements.

8. Question 6 Impact Assessments

8.1 The consultation set out our approach to considering the equality and regulatory impacts of the proposed changes. This included the impacts relating to how we were proposing to apply our discretion to reflect the government's Directions in the TI&A Standard and how we were proposing to amplify the requirements in the Code. The considerations were summarised in Annexe 5 of the consultation document. We sought views on our initial assessments and any additional intelligence people had to offer. Following the initial assessment, we amended the draft Code to reference the need for landlords to consider the diverse needs of tenants when implementing STAIRs and competence and conduct.

Consultation question 6

8.2 **We want to explore whether there might be any regulatory impacts or impacts on people who share protected characteristics which we haven't thought about in relation to our proposed changes (within the scope of this consultation). Do you agree or disagree with our regulatory and equality impact considerations in Annex 5? Please state if you agree or disagree, or if you don't know. Please provide comments if you wish to explain your response and include anything else you think we should examine.**

8.3 There were 160 responses to this question.

	Responses	Agree		Disagree		Don't know	
	Count	Count	%	Count	%	Count	%
Question 6	160	133	83	13	8	14	9

- 8.4 Overall, a significant majority of respondents (83%, 133 respondents) agreed with our regulatory and equality impact considerations, 8% (13) of respondents disagreed and 9% (14) of respondents didn't know. Most of the comments related to equality rather than regulatory impact considerations. Those in agreement felt our approach to the impact assessments was proportionate, balanced and accurate.
- 8.5 Separate to the consultation responses, a large number (699 responses) were received as part of the campaign led by Shelter that included a call for anti-racism to be a specific requirement of the qualifications element of the competence and conduct requirements. This has been covered in section 6 (TI&A Standard changes - competence and conduct) to avoid duplication.

Key issues raised by respondents and the regulator's response

Equality impact

- 8.6 Many respondents requested further guidance on expectations to ensure information made available through STAIRs is accessible to those with additional needs and/or protected characteristics. Several respondents raised concerns that tenants for whom English is not a first language, or who may have literacy challenges or disabilities, may face barriers when engaging with their landlord. More specifically that these tenants may be unable to realise the full benefit of the requirements due to their communication needs.
- 8.7 The government's policy statement 'Social Tenant Access to Information Requirements' requires PRPs to make reasonable efforts to ensure the information is disclosed in an accessible format. This aligns with our TI&A Standard which requires landlords to ensure that information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants. We recognise the importance of tenants receiving information that is meaningful to them in a way that promotes transparency and accountability. We have, therefore, amended the Code to make this more explicit with relevant examples of what providing accessible information might

involve. Our view is that work involved in making information accessible should not be considered to be creating a new record.

- 8.8 One respondent noted that with the introduction of STAIRs in particular, landlords need to ensure they continue to have robust data protection safeguards, particularly when dealing with individuals with protected characteristics or who are otherwise vulnerable. The STAIRs policy statement is clear that the requirements in STAIRs do not override the statutory rights or duties under data protection legislation. We have also already reiterated this point in the Code, and therefore, do not consider it is necessary to make any further changes to the standard or Code. As required legally, landlords should carefully consider what information is appropriate to publish and whether any redactions are required to ensure they are complying with the Data Protection Act 2018 and General Data Protection Regulations.
- 8.9 One respondent requested guidance on reasonable adjustments for disabled staff to meet the competence and conduct requirements including consideration of any prior learning that they have may have acquired. We recognise the importance of ensuring that competence and conduct requirements do not have a negative impact on staff with protected characteristics. The government's impact assessment on the policy noted that staff with a disability¹¹ will have longer than the two-year limit to complete qualifications if needed, and anyone away on extended leave due to disability or illness will only need to enrol after their leave. Our view is that any further reasonable adjustments should be considered by the organisation on a case-by-case basis based on the individual's needs under existing legislation. Therefore, it would not be appropriate for the regulator to provide guidance on this.
- 8.10 A few respondents suggested that our approach to the equality impact assessment should also consider socioeconomic status, neurodiversity, and LGBTQ+ communities. As suggested, we have considered additional

¹¹ As defined in the Equality Act 2010

characteristics as part of our equality impact assessment which can be found in Annex 4.

- 8.11 In response to feedback on competence and conduct proposals, we have strengthened the Code to recognise the barriers that tenants, including those with protected characteristics, may be disproportionately impacted through the delivery of services. We believe that this additional wording will also help mitigate the additional equality impacts identified by respondents.

Regulatory impact

- 8.12 Relating to the regulatory impact, a few respondents generally felt that we should consider the cumulative cost of the new regulatory requirements on landlords. We have not made changes in our approach to reflect this as the government has the power¹² to issue Directions to the regulator to set standards on certain issues. Once issued, we must comply with the Direction. We, therefore, do not have the discretion to choose whether to introduce new requirements on STAIRs and competence and conduct as the government has directed us to set Standards on them. Separately, however, we have committed to undertaking work to understand the broader impact of the consumer regulation reforms.

¹² Section 197 Housing and Regeneration Act 2008

9. Annexes to the Decision Statement

9.1 The annexes below and the Decision Instrument are available on the RSH consultation webpage.¹³

- Annex 1: Copy of revised TI&A Standard
- Annex 2: Copy of new Competence and Conduct Standard
- Annex 3: Copy of revised Code of Practice
- Annex 4: Regulatory and equality impact considerations
- Annex 5: Numerical analysis of individual question responses to the consultation
- Annex 6: List of organisations who responded to the consultation

¹³ [Consultation on changes to the TI&A Standard - GOV.UK](#)



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