

Consultation - RSH - Competence and Conduct Standard for social housing

Section 1: The broad Standard relating to the competence and conduct of all social housing staff					
Prop No	Proposal	Question No	Responder	Question	Response
1	Our approach to the broad Standard relating to the competence and conduct of all social housing staff	1	All	Do you agree with the content of the direction (Annex A) to setting the broad Standard relating to the competence and conduct of all social housing staff?	- Yes
Section 2: Who is in scope of the qualification element of the Competence and Conduct Standard					
Prop No	Proposal	Question No	Responder	Question	Response
2	A Relevant Person and a Relevant SP Manager will be a person who has a substantive role in managing delivery of housing management services to the registered provider's social housing tenants	2	All	As set out in paragraphs 15a and 46b of the policy statement, do you agree that only individuals who have a substantive role in managing delivery of housing management services should be in scope of the qualification requirements?	- Yes
2	A Relevant Person and a Relevant SP Manager will be a person who has a substantive role in managing delivery of housing management services to the registered provider's social housing tenants	3	All	Do you agree with the guidance on the scope of housing management services (paragraphs 1-3 of Annex B1)?	- Yes Although we have responded yes - We are concerned about the breadth of the scope of housing management services as defined in Annex B1. The inclusion of 'customer services' and 'complaints management' is a complication for a large multi-discipline local authority where contact centre and complaints management services are delivered across the whole authority. Housing management will be one aspect of the

					operational responsibilities for Senior Managers and Executives. The location of these services in the 'corporate centre' – away from front-line housing management means it is, in our opinion, that further consideration of whether these management posts to be in scope. Managers in these roles will often have other professional qualifications, for example HR or customer services, and requiring an additional housing qualification is not reasonable. We believe it would be more appropriate for this to be considered as part of the guidance rather than relying on applying the 'significant proportion' definition.
3	Guidance on the key responsibilities and functions usually delivered by senior housing managers and senior housing executives of registered providers and their services providers	4	Registered providers and services providers	In addition to the definitions provided within legislation, does the guidance at Annex B1 of the policy statement on which functions will be in scope provide sufficient clarity to enable you to assess which individuals within your organisation will need to gain a qualification?	- Yes
3	Guidance on the key responsibilities and functions usually delivered by senior housing managers and senior housing executives of registered providers and their services providers	5	All	Do you think that there are any other functions not listed above which should be in scope?	- No
3	Guidance on the key responsibilities and functions usually delivered by	6	All	Are there any functions listed above that you think should not be in scope?	- Yes, please state which functions and specify whether

senior housing managers and senior housing executives of registered providers and their services providers

your answer relates to a senior housing manager, senior housing executive, or both.

We are concerned about the breadth of the scope of housing management services as defined in Annex B1. The inclusion of 'customer services' and 'complaints management' is a complication for a large multi-discipline local authority where contact centre and complaints management services are delivered across the whole authority. Housing management will be one aspect of the operational responsibilities for Senior Managers and Executives. The location of these services in the 'corporate centre' – away from front-line housing management means it is, in our opinion, not reasonable for these management posts to be in scope. Managers in these roles will often have other professional qualifications, for example HR or customer services, and requiring an additional housing qualification is not reasonable. We believe it would be more appropriate for this to be considered as part of the guidance rather than relying on applying the 'significant proportion' definition.

4	Guidance on the roles deemed not to be in scope and on exemptions	7	Registered providers and services providers	Does Chapter 5 and section 6.5 of the policy statement relating to exemptions and paragraphs 18 – 21 of Annex B1 of the policy statement provide sufficient clarity to help you to assess which individuals within your organisation will not be in scope of the qualification requirement?	- Yes
5	Individuals become Relevant Persons or Relevant SP Managers once they have been in their current role for more than 6 months (except where there is a probation period applicable to the role in which case different rules apply – see proposal 6)	8	All	Do you agree with the proposal outlined above that individuals must have been in their role for more than 6 months to be classed as a Relevant Person or Relevant SP Manager (except where they are subject to a probationary period) as detailed in paragraph 15c, 46d and 46e of the policy statement?	<p>- No, the threshold should be above 6 months (please explain why and specify how long)</p> <p>It would allow more time for staff to prepare for and complete the qualifications, which may vary in length and difficulty depending on the level and provider.</p> <p>It would reduce the risk of staff leaving the organisation due to the stress of obtaining the qualifications, which may affect the recruitment and retention of diverse and talented staff.</p> <p>It would enable the organisation to plan and implement the changes more effectively, considering the availability and accessibility of the qualifications and the impact on the service delivery and quality.</p> <p>A practical alternative period could be 12 months, which may strike a balance between the urgency of raising standards and the feasibility of achieving the qualifications. However,</p>

					<p>this may depend on various factors, such as the number and role of the staff required to access the qualification, and the specific requirements of the qualifications. Therefore, some flexibility and discretion may be needed to accommodate different circumstances and needs.</p>
6	<p>Where there is a probation period applicable to a person's role, they will need to have, or be working towards, a relevant qualification within 9 months from the point at which they take up their role</p>	9	All	<p>Do you agree with the proposal that those staff who have a probation period should have, or be working towards, a qualification within 9 months from the point at which they take up their role as detailed in paragraph 15d and 46f of the policy statement?</p>	<ul style="list-style-type: none"> - No, please explain why and your alternative suggestion. <p>A 12-month period may be a more appropriate alternative to balance the need for raising standards and the practicality of attaining the qualifications. However, this may vary depending on a range of factors, such as the number and role of the staff who need to access the qualification, and the specific requirements of the qualifications. Therefore, some adaptability and judgement may be required to suit different situations and needs. The proposal may place an unreasonable and unequal demand on staff, who may not be able to achieve or work towards the qualification within the 9-month period. It may also discourage staff from entering or remaining in the organisation and diminish the diversity and flexibility of the workforce. The Standard does not</p>

					provide clear guidance on how to deal with staff in temporary positions or agency staff, which also has implications for our budget and resources. We also seek more information on the expected timescales for staff who fail to achieve a qualification or who need reasonable adjustments due to their disability or difficulty. These aspects require additional guidance in our opinion.
7	Unpaid volunteers will not be in scope of the requirement	10	All	Do you agree with our proposal that unpaid volunteers should not be required to gain a relevant qualification as detailed at paragraphs 15b and 46c?	- Yes
7	Unpaid volunteers will not be in scope of the requirement	11	Registered providers and services providers	Do you assess that any of your unpaid volunteers undertake roles which meet the criteria set out above in Chapter 2 and the guidance in Annex B1 of the policy statement?	- No

Section 3: Criteria that qualifications must meet

Prop No	Proposal	Question No	Responder	Question	Response
8	Qualifications should be of a required level, or higher	12	All	As outlined in section 3.1 of the policy statement, do you agree that a level 4 qualification is the correct level for a senior housing manager and individual who is a services provider?	- Yes
8	Qualifications should be of a required level, or higher	13	All	As outlined in section 3.1 of the policy statement, do you agree that a level 5 qualification or a foundation degree is the correct level for a senior housing executive?	- Yes

9	Qualifications can be regulated by an equivalent body to Ofqual or a predecessor body	14	All	Do you agree with our proposals outlined above and in section 3.4 of the policy statement that qualifications can be regulated by an equivalent body to Ofqual or a predecessor body?	- Yes
10	Relevant qualifications must meet specific criteria relating to course content	15	All	Do you agree that the criteria that qualifications must meet as set out in section 3.2 of the policy statement is appropriate for ensuring senior housing managers and senior housing executives gain the skills, knowledge, experience and behaviours they need to deliver high quality and professional services to tenants?	- Yes
10 Page 171	Relevant qualifications must meet specific criteria relating to course content	16	Registered providers and services providers	Does section 3.2 of the policy statement provide sufficient information to allow you to identify which qualifications would meet the requirements for a senior housing manager and senior housing executive?	- Yes

Section 4: What constitutes 'working towards a qualification for the staff of both registered providers and services providers

Prop No	Proposal	Question No	Responder	Question	Response
11	Circumstances under which a senior housing manager and a senior housing executive of both a registered provider or a services provider is deemed to be working towards a qualification	17	All	Do you agree with our approach to defining what it means to be 'working towards a relevant qualification as outlined in the policy statement?	- Yes
11	Circumstances under which a senior housing manager and a senior housing executive of both a registered provider	18	Registered providers	Does the information provided above and within Chapter 1 and Chapter 6 paragraph 44b of the policy statement	- Yes

	or a services provider is deemed to be working towards a qualification		and services providers	provide sufficient clarity to help you understand the circumstances in which individuals in scope will be deemed to be 'working towards a qualification?	
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Section 5: Transition period

Prop No	Proposal	Question No	Responder	Question	Response
12	There will be a transition period within which registered providers and services providers must ensure their senior housing managers and executives have, or are working towards, a relevant qualification	19	All	Considering the costs and benefits outlined within the impact assessment, do you agree that all existing staff within the sector should have, or should begin working towards a relevant qualification within 24 months as outlined in section 4.1 of the policy statement?	<ul style="list-style-type: none"> - No, please specify the length of transition period that you think would be necessary in months. <p>Some organisations may need more time and support to ensure that senior housing managers and executives have or are working towards a Level 4 or 5 Certificate. Therefore, a suitable transition period for a large organisation may need to be longer than two years, depending on the number and proportion of staff who need to gain or start working towards a relevant qualification. The requirement to have half of all relevant persons undertaking a relevant qualification within the first 12 months of the transition period (Annexe B1 4.1 (38)) will be a significant challenge. Adding this additional requirement reduces the flexibility of providers to manage the transition in a staged way and will increase the pressure on training</p>

					providers and organisations. We would prefer if this requirement was removed, and providers were given the freedom to manage the transition.
12	There will be a transition period within which registered providers and services providers must ensure their senior housing managers and executives have, or are working towards, a relevant qualification	20	All	Do you have any additional comments or evidence about the potential impact of the policy proposals as assessed in our impact assessment (Annex C)?	<p>- Yes – please explain.</p> <p>As a large organisation with possibly few qualified staff concerns would be around</p> <ul style="list-style-type: none"> - availability and suitability of the relevant qualifications and training providers, especially for senior executives who would need a foundation degree or a Level 5 Diploma in Housing. These are not widely accessible. - effect of the standard on staff retention, recruitment, morale, and motivation. The standard may create pressure and insecurity for existing staff who may feel undervalued or unrecognised and may deter potential applicants who may not have or want the required qualifications. - Key assumptions from Annex C state - Most providers have training budgets and some training and development for staff to support service quality. This is a concern as we are a large organisation therefore the financial impact would be much higher for us than a smaller organisation as an initial cost at the start of the standard. We do not

					<p>currently have the levels of training budget that would be required to affect the transition over a 24-month period. We have identified additional training funds for future years however, given the ring-fenced nature of the HRA, this is at the detriment of direct service provision to our tenants.</p> <p>We would also question the assumptions in Annexe C around the proportion of relevant persons requiring qualifications. 15% for Local Authorities, is in our opinion a significant underestimate of the scale. 8 hours per week per relevant person for a large organisation could more realistically reduce the management capacity by 25 – 50% which is an unsustainable reduction in capacity for the transitional period.</p>
12	There will be a transition period within which registered providers and services providers must ensure their senior housing managers and executives have, or are working towards, a relevant qualification	21	Registered providers and services providers	Does the information provided above and in section 4.1 of the policy statement provide sufficient clarity on the time limits within which individuals will need to hold or be working towards a relevant qualification within the transition period?	- Yes
12	There will be a transition period within which registered providers and services providers must ensure their senior housing managers and executives have,	22	qualifications providers	Considering the total number of staff in the sector that will need to enrol on qualifications within the transition period as outlined in the impact assessment (Annex C), and noting that	N/A

	or are working towards, a relevant qualification			our intention is for the Standard to come into force in April 2025, do you believe that you can meet the demand for enrolling learners on qualifications within the 24- month transition period?	
13	There will be an adjusted transition period for small, registered providers who provide fewer than 50 units of stock, which will also apply in relation to their services providers	23	All	Do you agree with the proposal that an adjusted transition period (twice the amount of time) should apply to registered providers which provide fewer than 50 units of stock, and will also apply in relation to their services providers?	<ul style="list-style-type: none"> - No, I disagree that the adjusted transition period should be twice the amount of time (please explain why and if you have an alternative suggestion) <p>It creates an uneven playing field and a two-tier system within the social housing sector, where tenants of smaller providers receive lower or different standard than larger ones. It undermines the consistency and clarity of the new standard, and the expectations and rights of tenants and service users across the sector. It delays the benefits and outcomes of the new standard for smaller providers and their tenants and may discourage them from investing in staff development and training.</p>

Section 6: Transitional arrangements for partially compliant qualifications and apprenticeships

Prop No	Proposal	Question No	Responder	Question	Response
14	Transitional arrangements will apply to registered providers and in relation to	24	All	Do you agree with our proposal as outlined above and described in section 3.6 of the Policy Statement	- Yes

	services providers for partially compliant qualifications			that there should be transitional arrangements in place for those with partially relevant qualifications (which meet or exceed the requirements in section 3.1 of the policy statement, but do not meet all the course content criteria in section 3.2)	
14	Transitional arrangements will apply to registered providers and in relation to services providers for partially compliant qualifications	25	Qualification providers	Where your course does not cover all the criteria listed above, do you plan to update your qualifications to ensure that you cover the proposed course content requirements?	N/A
15	There will be transitional arrangements for apprenticeship programmes undertaken without a qualification element	26	All	Do you agree with our proposal as outlined above and described in section 3.7 of the policy statement that there should be transitional arrangements in place for those who have completed an apprenticeship programme without a qualification element provided, they meet other criteria (as above)?	- Yes

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Section 7: Requirements for registered providers in respect of the relevant managers of services providers

Prop No	Proposal	Question No	Responder	Question	Response
16	Requirements which apply to registered providers in respect of the staff of services providers	27	Registered providers	Having read the information provided above and in Chapter 6 of the policy statement, are you clear on what your responsibilities are in relation to Relevant SP Managers?	- Yes
16	Requirements which apply to registered providers in respect of the staff of services providers	28	Registered providers	Based on the information provided in section 6.1 and Annex B2 of the policy statement, are you clear on what would classify someone as a Relevant SP Manager?	- Yes

17	Guidance on the implications of the Act for services providers	29	Services providers	Does the guidance in Annex B2 of the policy statement enable you to understand what the implications of these requirements are for your organisation and your obligations under the terms implied by section 217A of the Housing and Regeneration Act 2008?	- Yes
17	Guidance on the implications of the Act for services providers	30	Services providers	Does the information provided in Chapter 6 of the policy statement enable you to understand the requirements placed on registered providers in relation to services providers?	- Yes
17	Guidance on the implications of the Act for services providers	31	All	Are there any other bodies representing the interests of services providers that you think the Secretary of State should nominate as a body with which the Regulator must consult on the regulatory Standard in relation to these requirements, other than the National Federation of ALMOS and the National Federations of TMOs?	Yes, we would recommend consultation with Association of Retained Council Housing (ARCH) and the Local Government Association (LGA)
17	Guidance on the implications of the Act for services providers	32	All	Are there any other issues you want to raise, or anything you believe has not been considered in relation to proposals 16 and 17?	Consideration needs to be given where the Council commissions other services through third parties, contractors as this will need embedding on those contracts if this is a requirement.

Responder	Question No	Question	Response
For registered providers and services providers	33	In paragraph 64 of the impact assessment, we have set out our assumptions around the familiarisation / implementation costs to registered providers and services providers for the implementation of the full Competence and Conduct Standard including the qualification element of the Standard? Do you agree with these assumptions?	- Yes
Competence and Conduct Standard only (not including the qualification element)	34	How many people have you identified as being in scope of the full Competence and Conduct Standard (not just the qualification element of the Standard)? This would be all individuals involved in the provision of services in connection with the management of social housing.	- Approximately 1,500
Qualification requirement only	35	Based on the information provided in the policy statement and associated guidance, how many individuals within your organisation have you assessed to be in scope of the qualification requirements?	- Approximately 40
Qualification requirement only	36	How many of those individuals have you assessed to be senior housing managers?	- Approximately 30
Qualification requirement only	37	How many of those individuals have you assessed to be senior housing executives?	- Approximately 10
Qualification requirement only	38	Having read the requirements set out in Chapter 3 of the policy statement, how many and what percentage of your existing in-scope staff already possess a qualification which is deemed to be a relevant qualification?	- We are currently undertaking an audit of staff qualifications
Qualification requirement only	39	How many individuals within your organisation that you assess to be in scope currently have a partially relevant qualification (which meets or exceeds the requirements in 3.1 but does not meet all the course content criteria at 3.2) and would be in a position to undertake accredited training / CPD to meet the remaining criteria?	- We are currently undertaking an audit of staff qualifications
Qualification requirement only	40	Please specify whether you pay the apprenticeship levy	- Yes

Qualification requirement only	41	How many, and what proportion, of those you have assessed to be in scope of the requirements and who need to gain relevant qualification plan to meet these requirements by completing an apprenticeship programme with a qualification element?	- We have not yet assessed this
For registered providers only	42	How many services providers do you have a direct agreement with for managing the delivery of housing management services to your tenants? What size are your services - micro (less than 10 employees), small (less than 50 employees, medium (less than 250 employees) or large organisation (250 or more employees) and what types of services do they deliver?	- We have not yet assessed this
For services providers only	43	Where you manage delivery of housing management services on behalf of a registered provider, do you contract out aspects of the management of these services to other providers? If yes, please could you provide details of the number of sub-contractors used, types of services delivered and the size of these sub-contractor organisations (please note this question only applies to the management of the delivery of services, rather than to the delivery of services)	- N/A
For qualifications providers only	44	We have made an assumption that where people undertake a qualification (not as part of an apprenticeship programme), this will require a commitment from the learner of 8 hours per week over approximately 12 months for both level 4 and 5. This will amount to around 320 hours of study for senior housing executives and 360 hours of study for senior housing managers in total. Do you agree with this assumption?	- N/A

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