



23 August 2017

In response to the tragic fire at Grenfell Tower, as the Regulator of Social Housing we have been working closely with the government, social landlords and a range of representative bodies. This has included discussions with national tenant organisations where we focused on the understandable concerns that tenants will have about the safety of their homes. We agreed to explain our role and the steps that we have taken to remind social landlords of their responsibilities. We welcome this information being shared with tenants.

### **Our statutory objectives and regulatory standards**

The objectives of the Regulator are set out in the Housing and Regeneration Act 2008. Our aim is to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs. We have to perform our functions in a way that minimises interference and is proportionate, consistent, transparent and accountable.

We set [regulatory standards for providers of social housing in England](#). We have three **economic standards** (which apply to all non-local authority providers): Governance and Financial Viability Standard, Value for Money Standard and Rent Standard. Under the objectives set by Parliament we have to proactively seek assurance that providers are compliant with these.

We also set four **consumer standards** (which apply to all providers of social housing): Tenant Involvement and Empowerment Standard, Home Standard, Tenancy Standard, and Neighbourhood and Community Standard. Under legislation, our consumer standards regulatory role is reactive. This means that we consider whether there has been a breach of the standards in response to any referrals and information sent to us. Although we regulate the consumer standards reactively that does not lessen the obligation on registered providers to comply. We can intervene and issue regulatory notices and can downgrade providers where we find that a failure to meet a consumer standard has caused, or may cause, serious detriment to tenants or potential tenants.

We do not directly regulate fire safety, but under our Home Standard social landlords have to meet all applicable statutory requirements relating to the health and safety of tenants, including fire safety requirements. Under the co-regulatory basis on which we work, where a social housing provider finds that they may not be compliant with any of our standards we expect them to notify us and we check what they are doing to resolve the issues immediately. We continually remind providers of their co-regulatory obligations through our publications and our regular meetings with the social housing sector.

### **Kensington and Chelsea Tenant Management Organisation**

The Regulator can only take regulatory action in relation to social housing providers that are registered with it. Kensington and Chelsea Tenant Management Organisation is not registered with us as a social housing provider, however the Royal Borough of Kensington and Chelsea (RBK&C) is registered by virtue of being a stock-owning local authority. As such, the RBK&C is responsible for complying with our consumer standards, including the Home Standard.

We cannot take a decision about regulatory action in relation to RBK&C and the Grenfell Tower fire until the investigation led by the Metropolitan Police into the cause of the fire has concluded. We may also need to take into account the findings of the interim report of the Grenfell Tower Inquiry.

### Complaints

It is not the role of the regulator to resolve individual complaints. Our thresholds for intervention in consumer cases are set out in statute. However, we consider all referrals that are made to us and investigate any potential breach of the standards that has or could have caused harm to tenants. You can read more about our approach to consumer regulation in our annual [Consumer Regulation Review](#).

If tenants have any concerns about fire safety, or another health and safety issue in their home, they should first raise these with their landlord. If they are not satisfied with the landlord's response they have to follow the landlord's complaints procedure, which all landlords who are registered providers are required to have. If they can't resolve the issue with their landlord they can make a complaint to a 'designated person' (an MP, local councillor or registered tenant panel). Finally, they can contact the Housing Ombudsman if they and their landlord still can't resolve the problem. The Ombudsman can mediate in disputes between landlords and tenants and will share information with us where they have evidence of potential systemic issues relating to a particular provider/s.

### Correspondence

On 20 June, [we wrote to all social housing providers](#), including local authorities with housing stock, reminding them of their primary responsibility of meeting health and safety obligations to tenants.

Under the [Government's Building Safety Programme](#), social housing providers that have tower blocks with a similar type of cladding to Grenfell Tower have undertaken fire safety checks and put in place interim measures to reduce fire risks. They are also considering whether they need to undertake other remedial work or fire safety improvements to their housing stock while waiting for advice from the Expert Panel about the full scale of any remediation work required.

While any essential work may involve significant costs for some providers, our initial assessment is that this should be affordable for the majority of providers. However, we have written a [further letter](#) on 27 July to our private registered providers (housing associations) to make it clear that tenants' safety should not be compromised by the affordability of any works and that they need to contact us if they have concerns about their financial viability. The government's Department for Communities and Local Government has written a similar letter to local authorities.

As the investigation and inquiry into the fire, the review by the Housing Minister, and the Building Safety Programme progress we will work with the national tenant bodies to provide further updates where appropriate.

Yours sincerely



Fiona MacGregor  
Executive Director, Regulation