



Tpas response to More and Better Social Homes

Response to the Regulator of Social Housing
discussion paper



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Regulator of Social Housing discussion paper

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About Tpas

Tpas is the leading national tenant engagement organisation in England. We work with tenants, landlords and sector partners to improve services, strengthen accountability and ensure that people living in social housing have meaningful influence over the decisions that affect their homes and communities.

Overall position

Tpas supports the Regulator of Social Housing's ambition to help the sector provide more and better social homes. England needs a substantial increase in genuinely affordable social housing, but growth cannot be separated from the quality of existing homes, the services tenants receive or the strength of tenant influence. More homes that are poorly managed, financially fragile or disconnected from resident needs would not meet the purpose of social housing.

The revised framework should therefore treat current and future tenants as central stakeholders in economic regulation. Decisions about development, investment, disposal, merger, risk and efficiency directly affect tenants, yet the discussion paper gives much greater attention to boards, lenders and institutional structures than to tenant evidence and accountability. That imbalance should be corrected in the formal consultation.

The sector faces connected risks that no landlord can manage entirely alone: higher borrowing and construction costs, pressure on rents and grant funding, ageing stock, building safety and decarbonisation commitments, skills shortages and weak contractor capacity. These pressures can compound. A development programme that looks viable in isolation may leave too little capacity to maintain existing homes or respond to an unexpected service failure. The Regulator should assess the combined exposure and identify risks building across the sector as well as within individual providers.

Our central recommendation is that the economic and consumer frameworks should operate as one regulatory system. Financial resilience, growth and value for money are not ends in themselves. They should be assessed by whether they protect homes, improve services, meet diverse needs and deliver sustainable social housing for current and future tenants.



Question 1 Essentials for more and better homes

Please give your views on how the Regulator can further promote the essential characteristics of social landlords to deliver more and better social homes.

Social purpose and tenant outcomes

Tpas agrees that social housing should be central to every registered provider. This should be judged through purpose, conduct and outcomes, rather than by a single test based only on assets or turnover. A provider should be able to show that its governance, financial decisions and operating model protect social homes and advance the interests of current and future tenants.

Any centrality test should include evidence that the provider understands its tenants and communities, complies with the consumer standards, maintains safe and decent homes, provides accessible services and gives tenants meaningful influence. Non-social housing activity should be permitted only where the board can demonstrate that it does not weaken these commitments or expose tenants to unreasonable risk.

The Regulator should require boards to explain publicly how major business decisions support the organisation's social purpose and affect tenants. This should include development programmes, cross-subsidy, diversification, mergers, stock transfers, disposals and significant changes to services.

Independence and autonomy

Tpas supports clearer expectations on strategic, financial and operational autonomy. A landlord must have enough control over its resources, assets and decision-making to respond when homes are unsafe, services fail or financial pressures increase. Arrangements with parents, investors, managing agents and connected companies must not prevent prompt action in tenants' interests.

High-level outcomes should be supported by firm minimum safeguards. These should include control over tenant data, access to properties, repairs and safety information, sufficient resources to meet consumer obligations, and enforceable step-in or exit arrangements where services are delivered by another body. Innovation in ownership or funding must not create uncertainty about who is accountable to tenants.

Financial sustainability and investment choices

Clearer expectations for financial resilience are welcome, but minimum metrics must not encourage landlords to protect ratios by reducing essential investment in existing homes or services. The Regulator should assess the quality and consequences of financial decisions, not only whether numerical thresholds have been met. The framework should test exposure to shared sector risks, including refinancing at higher interest rates, inflation in repairs and construction, and simultaneous demands for safety, decency and energy efficiency investment. It should distinguish a resilient plan from one dependent on optimistic assumptions about sales, subsidy, contractor capacity or future savings.

Stress testing should cover consumer as well as financial risks. Scenarios should include serious property condition failures, building safety costs, Awaab's Law compliance, service failure, cyber incidents, contractor collapse and inaccurate stock or tenant data. Mitigation plans should show which expenditure would be protected and how tenants would be kept informed and involved. Stress tests should consider correlated shocks affecting many landlords at once. In those conditions, a provider may be unable to rely on a buyer for disposed stock, a merger partner, emergency contractor capacity or ready access to new finance. Boards should show how essential services and existing homes would be protected.



Good governance and tenant influence

Good governance requires more than competent boards and sound documentation. Boards need direct, reliable and sometimes challenging evidence from tenants. The Regulator should expect every provider to demonstrate how tenant insight reaches the board, how tenants influence strategy and how the organisation reports back on the difference their involvement has made.

There should be no single prescribed engagement model, but the outcome should be clear. Tenants must have routes to influence decisions at operational and strategic levels, including decisions about investment, development, efficiency, disposals and organisational change. Providers should show that they hear from a broad and representative range of tenants, including people whose voices are often missed, rather than relying on a small established group.

Boards should also receive independent assurance on the quality of engagement. This could include tenant-led scrutiny, external review, direct meetings with tenants and triangulation of engagement findings with complaints, Tenant Satisfaction Measures, repairs data, neighbourhood-level information and Housing Ombudsman findings.

Failure and protection of tenants

Tpas strongly supports the principle that providers must be capable of failing safely. Tenant protection must be the first test of any failure regime. Continuity of tenancy, safety, repairs, communication, access to complaints and the retention of homes within the regulated social housing sector should be explicit priorities. A sector-wide failure scenario also matters: resolution plans should not assume another landlord can always absorb homes, liabilities and services at short notice. The Regulator should test whether intervention and transfer arrangements work when several providers face pressure together.

Every provider should maintain a credible recovery and resolution plan proportionate to its risk. This should identify who will continue essential services, how accurate tenant and property records will be transferred, how vulnerable tenants will be protected, how residents will receive timely information and how the Regulator will hear directly from tenants during a rescue, transfer or restructuring.

Tpas would not support a general move towards accepting materially higher risks of provider failure or loss of social homes in exchange for uncertain additional supply. New investment models should carry appropriate risk themselves and provide enforceable protections. Tenants should not become the shock absorber for experimentation.

New entrants and novel models

New entrants can bring investment, skills and innovation, but registration should not be treated as a temporary gateway into a protected asset class. Applicants should demonstrate long-term commitment to social housing, operational capability, transparent ownership, effective tenant engagement and the capacity to meet both economic and consumer standards from the outset.

The Regulator should apply a staged approach where appropriate, with closer supervision and limits on growth until a new entrant has demonstrated that its model works in practice. Tenants of new or complex providers should receive clear information about ownership, management responsibilities, service standards and routes for redress.

Tpas recommendations for question 1

- Define a social landlord's essential purpose through tenant outcomes as well as its asset base and financial structure.



- Require boards to publish a clear tenant impact assessment for major strategic and financial decisions.
- Include consumer failure scenarios within financial stress testing and recovery planning.
- Set minimum safeguards for control of assets, services, property data and tenant information.
- Make meaningful tenant influence and independent assurance part of the evidence of good governance.
- Require credible tenant-focused resolution plans from all providers, proportionate to risk.
- Apply enhanced supervision to new entrants and novel models until they demonstrate safe and effective delivery.

Question 2 Accountability for more and better homes

Please give your views on how the Regulator can further drive landlord accountability in the delivery of more and better homes.

Plans, targets and public accountability

Tpas supports stronger scrutiny of landlords' plans and performance. Large providers should publish a concise account of what they plan to deliver, the assumptions and trade-offs behind those plans, and their progress. This should bring together new supply, investment in existing homes, safety, decency, service quality and affordability rather than presenting development as a separate measure of success.

Landlords should set evidence-based targets, but nationally imposed development targets for individual providers could encourage unsafe risk-taking or distort local priorities. The Regulator should test whether each provider is using its capacity effectively and can explain where it has chosen not to grow. Assessment should take account of local housing need, stock condition, financial capacity, organisational competence and tenant priorities.

Tenants should be involved before plans are approved, not only told about them afterwards. Providers should explain the options considered, what tenants said, what changed as a result and why some views were not followed. This is particularly important where investment in new homes may affect repairs, planned works, rents, service charges or neighbourhood services.

Appraisal of development capacity

A requirement to appraise development capacity could strengthen accountability if it is proportionate and does not become a crude league table. Appraisals should consider management capacity and consumer performance alongside finance and land. A provider with unresolved safety, data or service weaknesses should not be encouraged to expand until it can show that growth will not deepen those failures.

The appraisal should include evidence of demand and local need, the affordability and tenure of proposed homes, accessibility and adaptability, long-term maintenance costs, neighbourhood infrastructure and the provider's ability to deliver good services after completion. New supply should be judged by whether it creates homes and places that work for residents over the long term.

Stress testing, flexes and mitigations

The Regulator should scrutinise not only whether flexes exist, but who bears their consequences. A plan that remains financially viable by deferring repairs, reducing frontline capacity or selling social homes may transfer risk to tenants. Providers should identify protected expenditure and define triggers for board and regulatory action before service quality deteriorates. The Regulator should compare mitigations across



providers to identify when many landlords rely on the same limited options, such as deferring planned works, disposing of homes or reducing development. The aggregate effect may be a sector risk even if each plan appears credible on its own.

Where a material flex would affect tenants, the board should be required to assess equality and tenant impacts and to involve residents in shaping the response wherever time permits. The Regulator should challenge plans that repeatedly rely on cuts to existing services while preserving growth ambitions.

Disposals

Disposals should not be assessed solely by the receipt generated or the number of replacement homes promised. Landlords should consider the effect on the household, the local supply of genuinely affordable homes, community stability, future access to social housing and the condition or potential of the property.

Providers should publish a disposal policy and report outcomes. Tenants and affected communities should be engaged early on material programmes of disposal. Where occupied homes are involved, residents need clear information, genuine influence and strong protections. The Regulator should examine patterns of disposal below organisation level so that losses concentrated in particular neighbourhoods or property types are visible.

Efficiency and value

Tpas supports stronger challenge on efficiency, but lower cost is not automatically better value. Efficiency should mean achieving better and more equitable outcomes from available resources. Cost comparisons need to account for stock type, geography, tenant needs, service model, investment backlog and quality outcomes.

The Regulator should triangulate cost data with repairs performance, complaints, TSMs, safety compliance, stock condition and tenant feedback. Apparent efficiency accompanied by falling satisfaction, repeat repairs, poor complaint handling or inaccessible services may indicate cost shifting rather than genuine improvement.

Tenants should have access to clear, understandable information about costs and performance and opportunities to scrutinise value for money. Providers should demonstrate what efficiencies have released, where the benefit has been reinvested and what difference tenants have experienced.

Tpas recommendations for question 2

- Require an integrated public plan covering new supply, existing homes, services, affordability and tenant outcomes.
- Expect meaningful tenant involvement in setting priorities and reviewing delivery.
- Assess development capacity through governance, consumer performance and organisational capability as well as finance.
- Test who bears the impact of stress-test flexes and protect essential investment and services.
- Require transparent disposal policies, tenant impact assessments and neighbourhood-level reporting.
- Assess efficiency through cost, quality, equity and tenant experience together.
- Make providers report clearly on how efficiencies have benefited current and future tenants.



Question 3 Regulating for more and better homes

Please give your views on the Regulator's intention to become increasingly targeted in its regulatory approach.

Targeted and risk-based regulation

Tpas supports more targeted regulation where it enables earlier action and deeper scrutiny. Targeting must not mean a reduced baseline of assurance or an assumption that the absence of reported problems shows that tenants are receiving good outcomes. Providers with weak engagement or inaccessible complaints processes may generate less visible evidence precisely because tenants have lost confidence that speaking up will make a difference.

The risk model should combine financial, consumer and operational data. It should use complaints and maladministration findings, repairs and safety information, stock condition, TSMs, staff turnover, contractor performance, service charges, disrepair claims, whistleblowing and direct intelligence from tenants and representative organisations. No single data source should determine regulatory attention. The Regulator should publish an assessment of emerging sector-wide risk and test common assumptions across business plans. This should include exposure to interest rates, construction and maintenance costs, market sales, contractor concentration, cyber risk and capacity to deliver safety and decarbonisation works without weakening consumer standards.

Predictive modelling can help identify emerging risk, but its use must be transparent and regularly tested for bias. Providers and tenants should understand the types of evidence used and have routes to challenge inaccurate data. Quantitative models should support, not replace, regulatory judgement and direct engagement.

Large and small providers

Enhanced requirements should reflect risk and impact rather than size alone. Large providers can create systemic and highly localised harm; small providers may lack capacity or have complex lease-based models. The Regulator should be able to vary information requirements, engagement and inspection according to business model, growth, performance, complexity and evidence of risk.

All tenants should receive a consistent minimum level of protection regardless of landlord size. Proportionality should change how a provider demonstrates compliance, not dilute the outcome expected. Small providers may benefit from clearer guidance and shared support, but persistent inability to meet core standards must lead to action.

Regulation below landlord level

Tpas strongly supports regulation below landlord level. Organisation-wide averages can conceal serious failure in an estate, locality, tenure, service or demographic group. A landlord may receive an acceptable overall judgement while particular tenants experience long waits, repeated repairs, poor communication or unsafe conditions.

The Regulator should expect providers to analyse and publish performance at meaningful local levels and across protected characteristics and relevant tenant needs. This should include complaints, repairs, damp and mould, safety, satisfaction and service access. The purpose is not to produce indiscriminate league tables, but to reveal unequal outcomes and enable targeted improvement.



Local intelligence should include direct tenant engagement. When the Regulator identifies a potential localised failure, it should speak to affected residents and local tenant organisations rather than relying solely on the provider's corporate account. Regulatory judgements should explain when local variation has materially affected the conclusion.

A more assertive regulator

Tpas supports earlier and more assertive intervention where landlords cannot or will not address weaknesses. Tenants have too often experienced prolonged failure while action plans, assurances and organisational processes continue. The Regulator should set clear milestones, test whether improvement is being felt by tenants and escalate when progress is not timely or sustainable.

Improvement should not be signed off on the strength of new policies or structures alone. Evidence should include completed actions, reliable performance, tenant feedback and proof that the causes of failure have been addressed. Affected tenants should be told what the landlord has committed to do and how the Regulator will judge success, subject to legitimate confidentiality requirements.

The Regulator should also develop a clearer route for receiving thematic and systemic intelligence from national tenant bodies and other trusted organisations. Individual referrals remain important, but recurring patterns across landlords may reveal risks that organisation-by-organisation regulation misses.

Collaborative innovation

Collaborative innovation can help address shared problems, provided it has a clear purpose, involves tenants as equal partners and leads to practical change. Tpas suggests three priority themes:

- Using tenant, property and service data together to identify poor and unequal outcomes earlier.
- Developing effective approaches to tenant influence over strategic decisions, including investment, growth, disposals and service redesign.
- Creating safe operating and resolution models for complex ownership, management and funding structures so that accountability remains clear to tenants.

The Regulator should publish what collaborative work has learned, what will change and how tenant evidence shaped the outcome. Innovation should not become a substitute for setting clear standards or taking enforcement action.

Tpas recommendations for question 3

- Maintain a clear minimum regulatory baseline while targeting additional scrutiny according to risk.
- Build tenant intelligence, complaints, service and property data into a single view of risk.
- Use predictive modelling transparently and retain strong regulatory judgement and direct engagement.
- Apply consistent tenant protections to providers of every size while varying the method of assurance.
- Inspect and report below landlord level where averages may hide local or unequal failure.
- Test improvement through real outcomes and tenant experience, not policies and action plans alone.
- Create a formal route for national tenant bodies to share thematic and systemic intelligence.
- Make tenants equal partners in collaborative innovation and publish the resulting learning.



Closing statement

Tpas welcomes the opportunity to contribute at this early stage. The proposed review is a chance to strengthen economic regulation while making clearer that financial health, growth and tenant outcomes are inseparable. The formal consultation should set out how tenant evidence will inform regulatory assessment, how tenants will be involved in decisions that affect the balance between new and existing homes, and how localised failure will be identified and addressed.

Tpas also asks the Regulator to explain how it will monitor and respond to risks shared across the sector. It should bring together financial and consumer intelligence, test the combined effect of providers' mitigation plans, and state what it would do if pressures on finance, supply and existing homes rise at the same time. Tenant evidence should inform that assessment because early signs of sector stress may appear as delayed repairs, reduced access to services or postponed investment.

The test of the revised framework should be straightforward: does it enable responsible growth while protecting social homes, improving the quality of services and giving tenants meaningful power over the decisions that affect them?