



# Housing and Regeneration Act 2008

## 2008 CHAPTER 17

### PART 2

#### REGULATION OF SOCIAL HOUSING

### CHAPTER 6

#### REGULATORY POWERS

##### *Managers of social housing*

#### **217 Accreditation**

- (1) The regulator may operate a scheme for the purpose of accrediting persons who provide services in connection with the management of social housing.
- (2) The regulator may approve a scheme operated by someone else for that purpose.
- (3) Approval may be withdrawn.
- (4) A scheme may include provision about—
  - (a) eligibility for accreditation;
  - (b) standards to be met by accredited persons (which may operate by reference to standards under section 193 [<sup>F1</sup>or [194A](#)]);
  - (c) monitoring compliance;
  - (d) complaints against accredited persons;
  - (e) renewal, suspension and withdrawal of accreditation.
- (5) Accreditation, or continued accreditation, may be conditional on the payment of fees.
- (6) Standards under section 193 [<sup>F2</sup>or [194A](#)] may refer to accreditation under this section.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

#### Textual Amendments

- F1** Words in s. 217(4)(b) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), s. 46\(3\), Sch. 5 para. 25\(a\)](#); [S.I. 2023/1001, reg. 2\(y\)\(vii\)](#)
- F2** Words in s. 217(6) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), s. 46\(3\), Sch. 5 para. 25\(b\)](#); [S.I. 2023/1001, reg. 2\(y\)\(vii\)](#)

#### Commencement Information

- I1** S. 217 in force at 1.4.2010 by [S.I. 2010/862, art. 2](#) (with [Sch.](#))

### [<sup>F3</sup>217A Implied terms of management services agreements relating to qualifications

- (1) Each management services agreement in relation to social housing of a registered provider, whenever entered into, is to be treated as including the terms set out in subsection (4).
- (2) In this section, a “management services agreement”, in relation to social housing of a registered provider, means an agreement under which one person (a “services provider”) agrees with another person (the “services recipient”) to provide services in connection with the management of social housing provided by the registered provider or to arrange for the provision of such services.
- (3) For the purposes of subsection (2)—
  - (a) an agreement does not include a contract of employment or a contract of apprenticeship, and
  - (b) the services recipient may be the registered provider or another person.
- (4) The terms are that—
  - (a) the services provider must secure that its relevant managers who are involved in the provision of services in connection with the management of social housing to which the agreement relates meet the qualification standard at all times;
  - (b) in the event that the services provider does not comply with the term set out in paragraph (a), the services provider will take such action to rectify the non-compliance as is reasonably required by the services recipient;
  - (c) the services provider must comply with any reasonable request for information demonstrating whether or not the services provider is complying with the term in paragraph (a) that is made by the registered provider who provides the social housing to which the agreement relates or (if different) the services recipient.
- (5) A relevant manager of a services provider under a management services agreement “meets the qualification standard” if—
  - (a) a standard is in force under section 194A which requires the registered provider who provides the social housing to which the agreement relates to take steps to secure that the manager has, or is working towards, a qualification or type of qualification in housing management, and
  - (b) the manager has or (as the case may be) is working towards such a qualification,
 or if there is no standard in force under section 194A which imposes a requirement described in paragraph (a).

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- (6) A term of a management services agreement is not binding on the services recipient to the extent it would—
- (a) exclude or restrict the liability of the services provider for breach of a term implied by this section, or
  - (b) prevent an obligation under a term implied by this section arising or limiting its extent.
- (7) In this section “relevant manager”, in relation to a services provider, has the same meaning as it has for the purposes of section 194A (see section 194A(5)).]

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#### Textual Amendments

**F3** [S. 217A](#) inserted (20.9.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\)](#), **ss. 21(4)**, 46(3); [S.I. 2023/1001](#), [reg. 2\(i\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(6A) inserted by [2023 c. 55 s. 138](#)
- s. 107(2A) inserted by [2023 c. 36 s. 3\(2\)\(c\)](#)
- s. 107(4A)(4B) inserted by [2023 c. 36 s. 3\(2\)\(f\)](#)
- s. 107(6A) inserted by [2023 c. 36 s. 3\(2\)\(i\)](#)
- s. 115(6A) inserted by [2023 c. 36 s. 8\(d\)](#)
- s. 117(1A) inserted by [2023 c. 36 s. 4\(3\)](#)
- s. 117(4A) inserted by [2023 c. 36 s. 4\(5\)](#)
- s. 126A-126D inserted by [2023 c. 36 s. 10\(2\)](#)
- s. 146(2B) inserted by [2023 c. 36 s. 12\(3\)\(e\)](#)
- s. 153(1)(ba) inserted by [2023 c. 36 s. 12\(6\)\(a\)](#)
- s. 153(1A) inserted by [2023 c. 36 s. 12\(6\)\(b\)](#)
- s. 154(2)(ab) inserted by [2023 c. 36 Sch. 1 para. 18](#)
- s. 161A inserted by [2023 c. 36 s. 18\(2\)](#)
- s. 163A applied (with modifications by [S.I. 2023/1311 reg. 9](#))
- s. 163A inserted by [2023 c. 36 s. 17\(3\)](#)
- s. 163B inserted by [2023 c. 36 s. 18\(3\)](#)
- s. 169CA inserted by [2023 c. 36 s. 19\(4\)](#)
- s. 169CB-169CD and cross-heading inserted by [2023 c. 36 s. 20\(2\)](#)
- s. 169ZA inserted by [2023 c. 36 Sch. 5 para. 14](#)
- s. 199(9) inserted by [2023 c. 36 s. 28\(2\)\(c\)](#)
- s. 199A-199B inserted by [2023 c. 36 s. 28\(3\)](#)
- s. 200(4A) inserted by [2023 c. 36 s. 28\(4\)\(d\)](#)
- s. 201A inserted by [2023 c. 36 s. 29\(2\)](#)
- s. 203A inserted by [2023 c. 36 s. 30\(4\)](#)
- s. 215(1A) inserted by [2023 c. 36 s. 29\(3\)](#)
- s. 218(2)(e) inserted by [2023 c. 36 Sch. 5 para. 26\(b\)](#)
- s. 218A-218D and cross-heading inserted by [2023 c. 36 s. 31\(2\)](#)
- s. 220(11B) inserted by [2023 c. 36 s. 10\(3\)](#)
- s. 220(11D)(11E) inserted by [2023 c. 36 s. 31\(3\)](#)
- s. 225A-225H and cross-heading inserted by [2023 c. 36 s. 32](#)
- s. 227(7B) inserted by [2023 c. 36 s. 10\(4\)](#)
- s. 227(7D)(7E) inserted by [2023 c. 36 s. 31\(4\)](#)
- s. 237(5)(6) inserted by [2023 c. 36 s. 31\(5\)](#)
- s. 247(1)(c) and word inserted by [2023 c. 36 s. 31\(6\)](#)
- s. 247(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(5\)](#)
- s. 249(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 7\(b\)](#)
- s. 251(1)(c) and word inserted by [2023 c. 36 s. 31\(7\)](#)
- s. 251(1)(ab)(ac) inserted by [2023 c. 36 s. 10\(6\)](#)
- s. 252(2A) inserted by [2023 c. 36 Sch. 3 para. 9\(b\)](#)
- s. 252A(2)(c)(d) inserted by [2023 c. 36 s. 10\(7\)\(b\)](#)
- s. 252A(2)(e) inserted by [2023 c. 36 Sch. 3 para. 10\(b\)](#)
- s. 252A(2)(f) and word inserted by [2023 c. 36 s. 31\(8\)](#)
- s. 253(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 11\(b\)](#)
- s. 255(1)(c) and word inserted by [2023 c. 36 Sch. 3 para. 12\(b\)](#)
- s. 259(3A) inserted by [2023 c. 36 Sch. 3 para. 15\(d\)](#)
- s. 266(9) inserted by [2023 c. 36 Sch. 3 para. 17\(b\)](#)
- s. 269(1)(ba)(bb) inserted by [2023 c. 36 Sch. 3 para. 18\(c\)](#)

– s. 269(1A) inserted by [2023 c. 36 Sch. 3 para. 18\(d\)](#)