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| **Important note for trustees – delete the contents of this box and amend header before giving this document to your residents!** This document contains the minimum level of detail which the Association thinks will satisfy the Regulator for Social Housing, and is inevitably quite technical. Unfortunately, the Almshouse Association’s experience is that surprisingly many residents are alarmed by receiving any written communication at all from their charity, no matter how innocuous the topic. We advise strongly that trustees should accompany this document with a cover letter which:   * Is in more down to earth, well-wishing, warm language; * Stresses that the consultation document is no cause for alarm; * Explains that you are sending the document only because you have to as part of the de-registration process. |

**Consultation Document**

**for Residents of The Hospital of Jesus**

**Status of The Hospital of Jesus as Registered Provider of Social Housing**

1. The trustees have provided you and all other residents with this document, to consult you about their proposal that The Hospital of Jesus (‘the charity’) should stop being a Registered Provider of Social Housing.
2. **This proposal will not affect the terms upon which you reside in your dwelling.** The trustees are consulting you because they would welcome your views on the proposal.
3. We apologise for the technical language used in this document. Unfortunately there are some points which the trustees are legally required to explain to you, and there is no simpler way of saying them. In some paragraphs below, we also provide links to documents on the Internet. If you would like to see a copy of those documents but don’t have Internet access, please contact *[name of trustee or clerk]* who would be happy to provide you with a paper copy.

**Background**

1. Like all registered charities, the charity is now and always will be regulated by the Charity Commission. The trustees are now and always will be subject to charity law duties, for example to ensure the dwellings are maintained, to act in the best interests of the charity at all times, and not to set Weekly Maintenance Contribution (‘WMC’) at a level which would cause financial hardship to residents.
2. The charity also had to become a Registered Social Landlord with the Housing Corporation, purely as a condition of receiving a building/re-modelling grant from the government in 2003. Following the abolition of the Housing Corporation, this status is now known as being a Registered Provider of Social Housing with the Regulator of Social Housing (the Regulator).
3. As a Registered Provider of Social Housing, the charity is required to comply with Standards set by the Regulator of Social Housing, which you can find at: <https://www.gov.uk/government/publications/regulatory-standards> .
4. These Standards are in addition to the trustees’ duties under charity law. However, the overall practical effect of the Standards is in many ways similar to the trustees’ charity law duties.

**The proposal to stop being a Registered Provider of Social Housing**

1. The trustees would like the charity to apply to the Regulator of Social Housing to stop being a Registered Provider of Social Housing, since the charity has no plans to ask the government for further social housing grant for building projects.
2. If the application is granted:

* There will be **no change to residents’ legal status or the terms of their residency**. Residents will continue to occupy as licensees and beneficiaries of the charity (as evidenced in their Letter of Appointment).
* The trustees will still be prevented by charity law from setting Weekly Maintenance Contributions (‘WMC’) at a level which would cause financial hardship to residents.
* The charity will still remain a member of The Almshouse Association, the body which advises trustees on meeting good standards of almshouse management.
* The charity will continue to be part of the Housing Ombudsman Service. This means that if a resident for example has a serious complaint about the charity, they can raise it with the Housing Ombudsman in addition to or instead of raising it with the Charity Commission, provided they have first exhausted the charity’s own internal complaints procedure.
* The charity will no longer be subject to regulation by the Regulator of Social Housing, but will remain subject to regulation by the Charity Commission and charity law as described above.

**Statutory protection for residents**

1. This part of the consultation document refers to various Acts of Parliament, all of which can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk/)
2. As outlined above, residents of a Registered Provider of Social Housing have a right to use the Housing Ombudsman Service as set out in the Housing Ombudsman’s Scheme at: <http://www.housing-ombudsman.org.uk/media/13142/hos-scheme-final.pdf>.
3. Briefly, the Service allows residents to make a complaint to the Housing Ombudsman either directly in certain circumstances, or by referral from a designated person such as an MP. This right arises ultimately from the Housing Act 1996 Schedule 2 as amended by section 180 Localism Act 2011.
4. If the charity stops being a Registered Provider of Social Housing, it will still be required to remain a member of the Housing Ombudsman Service (section 51 Housing Act 1996).
5. Therefore residents will not lose the statutory protection of the Housing Ombudsman Service if the charity stops being a Registered Provider of Social Housing.
6. The trustees are required by charity law to raise enough income to keep the buildings in decent repair, and to have money set aside for routine and cyclical maintenance. Therefore trustees must periodically review levels of WMC and consider whether to increase it. However, they are never allowed to raise it to a level which would cause financial hardship to residents.
7. If the charity stops being a Registered Provider, **charity law will still oblige the trustees not to raise WMC to a level which would cause financial hardship to residents.**

**Your responses, questions or concerns**

1. You do not have to respond to this consultation document. However, the trustees would welcome any views or queries you have about the proposal to stop being a Registered Provider of Social Housing. You are welcome to make any comments you wish **and they will have no impact on your residence at the charity.**
2. The trustees would appreciate it if responses could be in writing, because they could be asked by the Regulator of Social Housing to prove what response residents gave to this consultation.
3. **You are very welcome to send an anonymous response if you prefer**. However, if you do, please include the following sentence in your response so that the trustees know it is from a genuine resident of the charity: “*I certify that at the date of this response I am a resident of The Hospital of Jesus.”*
4. **Please send all responses to:** [insert details, and if alternative methods of responding are acceptable, eg email, please make this clear].
5. **The deadline for responding is** **[insert date three weeks later than the date on which residents will receive the consultation document].** Unfortunately, trustees will not be able to take into account responses which arrive after this date.

Thank you for taking the time to read this document.

**Sarah Smith (Chair of Trustees)**