

KEEBLE BROWN

Resident communications compliance guide

For landlords, Principal Accountable Persons and Accountable Persons

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All feedback and error spotting welcome to
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01 Introduction and how to use this guide

This guide sets out what the law, regulation and recognised good practice require from landlords, Principal Accountable Persons (PAPs) and Accountable Persons (APs) when communicating with residents about building works.

It covers both routine cyclical maintenance and latent defect or building safety remediation programmes. We also touch on estate regeneration and redevelopment works.

It is designed to help you and your communications team check that the content and process of any resident communications will stand up to scrutiny from the Building Safety Regulator (BSR), the Regulator of Social Housing (RSH), and the Housing Ombudsman and of course, to the standards of good practice that all residents should expect from their landlord.

How to use this guide

- **Section 2** summarises the five regulatory frameworks that apply, with a note on what each one covers.
- **Section 3** provides a definitive checklist of what is legally required and what is essential best practice, together with a regulatory assurance and evidence checklist.
- **Section 4** considers proportionality: how communications requirements should scale to the actual impact of different types of works.
- **Section 5** addresses whether Code of Practice for the remediation of residential buildings ("the MHCLG Code") applies to remediation programmes already underway before July 2023.
- **Section 6** sets out specific considerations for social housing providers.
- **Section 7** lists sources and references.



02 The regulatory frameworks: origin and scope

Five distinct frameworks govern how landlords, PAPs and APs must communicate with residents about building works. They apply cumulatively: being compliant with one does not excuse non-compliance with another.

2.1 Building Safety Act 2022 and The Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023 ("the HRB Management Regulations")

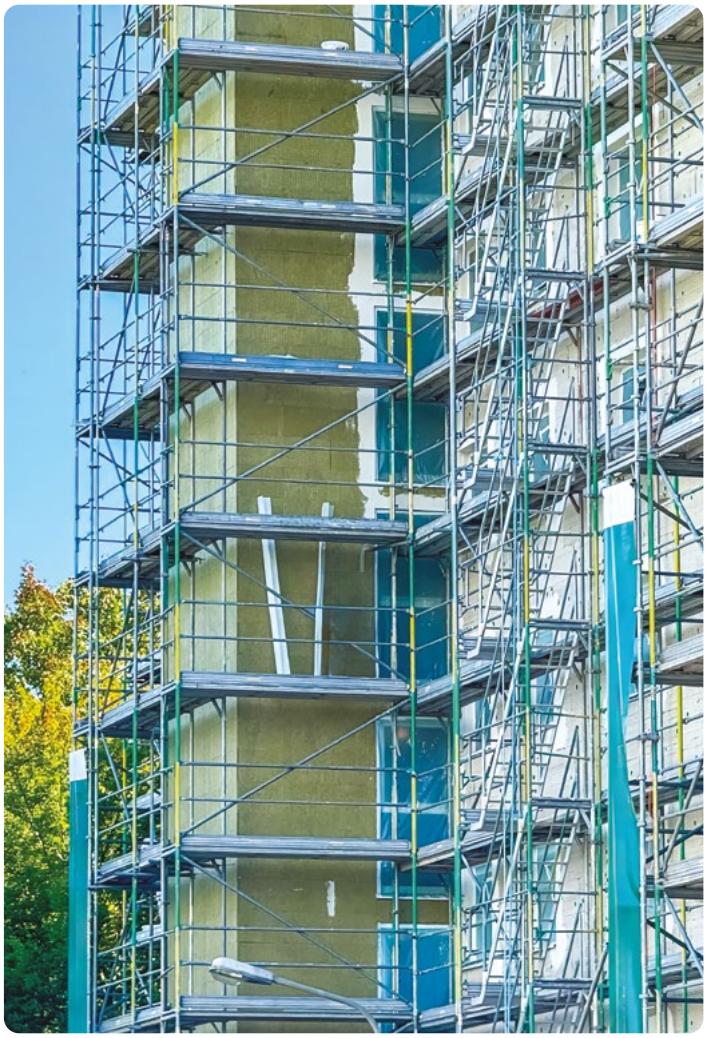
Applies to: Higher-risk buildings (HRBs), defined as residential buildings 18 metres or taller, or with seven or more storeys and with at least two residential units.

Regulated by: The Building Safety Regulator (BSR), an independent executive non-departmental public body sponsored by MHCLG. The BSR was initially established within the Health and Safety Executive under the Building Safety Act 2022, but became a standalone body on 27 January 2026[1].



Practical relevance: any maintenance or remediation work on an HRB engages the BSA. The RES must be in place and actively followed. Communications about works form part of the golden thread and may be reviewed during the Building Assessment Certificate process.

The Building Safety Act 2022 (BSA) is the primary statutory framework. It places duties on the Principal Accountable Person (PAP) and any Accountable Persons (APs) for each part of an HRB. The PAP must prepare and maintain a **Resident Engagement Strategy** (RES), which sets out how residents are involved in building safety decisions, including those relating to the management of the building and the performance of the AP's duties. When a building has a single AP, that person will also be the PAP. If there are multiple APs, then whoever owns or has the legal obligation to repair the structure and exterior of the building will be the PAP.



The HRB Management Regulations (which came into force on 1 October 2023) flesh out these duties in detail, covering the content of the RES, the **Mandatory Occurrence Reporting** (MOR) system, and the golden thread of information. The **golden thread** must include records of works carried out, safety case information, MOR submissions and resident engagement activity.

Where works during the construction or occupation phase reveal a significant structural or fire safety risk, a Mandatory Occurrence Report must be submitted to the BSR within 10 days of the incident or risk being identified.

[1]under the Building Safety Regulator (Establishment of New Body and Transfer of Functions etc.) Regulations 2026.

2.2 Code of Practice for the remediation of residential buildings (MHCLG, updated December 2025)

Applies to: All residential buildings undergoing remediation works for building safety defects, particularly external wall system issues.

Elements also apply to other significant works in multi-occupancy residential buildings.

Published by: Ministry of Housing, Communities and Local Government (MHCLG). Guidance, but with clear government expectation of compliance. The government has stated it will take action against projects that fail to follow it.

The MHCLG Code sets six resident-focused requirements for remediation projects (summarised as requirements 2.1 to 2.6 and 3.1 to 3.6).

It proceeds from the fundamental principle that residents' experiences must inform every decision made during a project. It applies from the point a qualified professional is of the opinion that works are required, through to completion.



Key communication obligations under the MHCLG Code include:

- residents receive regular, up-to-date communication about the project with meaningful engagement throughout;
- identifying a named point of contact for residents before works start;
- providing the opportunity for residents to meet those with a significant role in the project;
- setting up clear and accessible complaints routes specific to the project; and
- keeping residents informed of any changes to the programme, design or impact.

The MHCLG Code explicitly requires inclusive communications that consider residents who have hearing or sight impairments, or who do not speak English as a first language.

Practical relevance: if roofing or other works, for example, are part of a wider latent defect or building safety remediation programme, the MHCLG Code applies in full.

For standalone maintenance, its principles represent the standard against which conduct may be judged.

2.3 Section 20 of the Landlord and Tenant Act 1985 (as amended)

Applies to: Any property with leaseholders where costs of works are recoverable through service charge.

Regulated by: First-tier Tribunal (Property Chamber). Failure to comply caps cost recovery at £250 per leaseholder for qualifying works, or £100 per leaseholder per year for qualifying long-term agreements. (QLTAs), unless the First-tier Tribunal (Property Chamber) grants dispensation.

Section 20 requires landlords to consult leaseholders before carrying out qualifying works costing any one leaseholder more than £250 (including VAT) or £100 per leaseholder per year for QLTAs.

The three-stage process requires:

a Notice of Intention (allowing 30 days for observations and contractor nominations*),
a Statement of Estimates (at least two quotes, including one from any nominated contractor), and
a Notice of Reasons, where the nominated or cheapest estimate is not chosen

see below for the differences regarding contractor nominations for local authorities and housing association landlords.

The minimum total consultation period is two months



Practical relevance: A hard legal requirement with direct financial consequences. Non-compliance caps leaseholder cost recovery at £250 per leaseholder unless the First-tier Tribunal grants dispensation. Legal advice is recommended to ensure compliance.

2.3.1 Local authority and housing association landlords: update from 24 February 2025: the Procurement Act 2023

From that date, the definition of "public notice" in the Service Charges (Consultation Requirements) (England) Regulations 2003 was updated to reference the Procurement Act 2023 rather than the Public Contracts Regulations 2015.

Where a contract exceeds the relevant procurement threshold it must be advertised on Find a Tender (the UK Government's Central Digital Platform), and leaseholders will not be invited to nominate contractors, because the open tender process displaces that right.

Landlords must make this clear in their s20 notices where it applies.

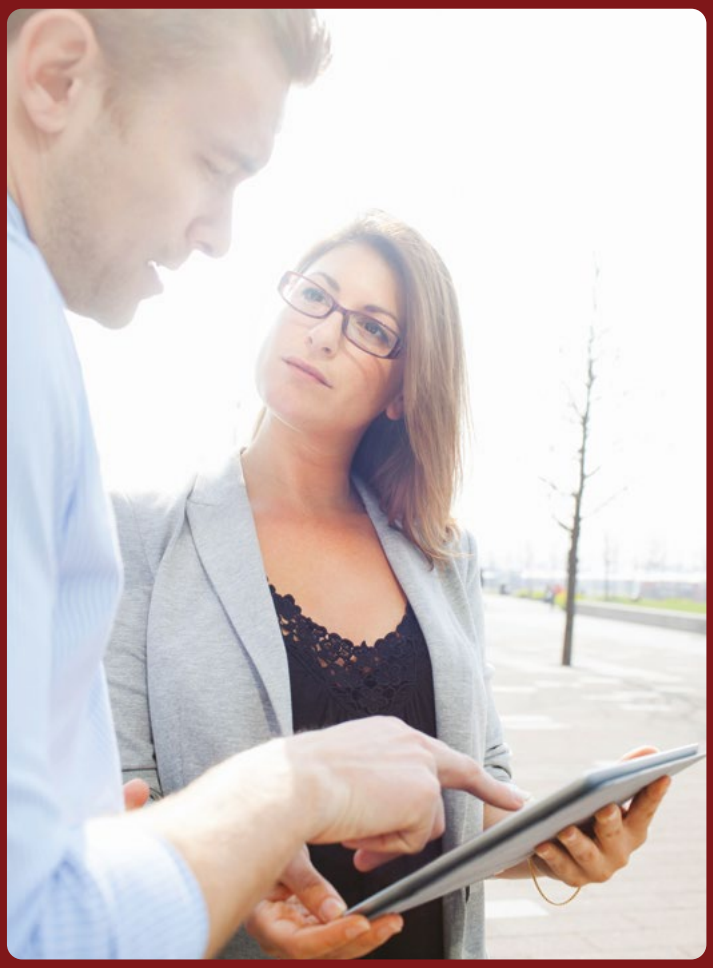
Both local authority landlords and registered housing associations are contracting authorities under the Act and are equally affected. Below-threshold works continue to follow the standard s20 process, including the nomination right.

For more information about the relevant procurement thresholds consult the government guidance. Legal advice is also recommended[2].

Any s20 notice templates still referencing the Public Contracts Regulations 2015 are now out of date and should be updated as a compliance priority.

[2]PPN 023: 2026 Threshold Amounts **https://www.gov.uk/government/publications/ppn-023-2026-threshold-amounts/ppn-023-2026-threshold-amounts-html** and understanding the lower threshold amounts: Guidance: Below-Threshold Contracts **https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-below-threshold-contracts-html**

2.4 Regulator of Social Housing consumer standards: Transparency, Influence and Accountability Standard (April 2024)



Applies to: All registered providers of social housing, including housing associations and stock-holding councils.

Regualted by: The Regulator of Social Housing (RSH), which began proactive inspections of large landlords (1,000 or more homes) at least once every four years from April 2024.

The Transparency, Influence and Accountability Standard (TIAS), which came into force on 1 April 2024 under the Social Housing (Regulation) Act 2023, replaced the previous Tenant Involvement and Empowerment Standard.

It is substantially more demanding.

The TIAS has six required outcomes:

- (treating tenants with) fairness and respect
- (meeting) diverse needs
- effective engagement with tenants
- (provision of) information about landlord services
- performance information, and
- complaints (handling).

(Our additions are in brackets).

For the purposes of works communications, the most directly relevant are outcomes:

- 1.3 - taking tenants' views into account and communicating how their views have been considered,
- 1.4 - providing information so tenants understand what to expect, and
- 2.3 - communicating with affected tenants on progress, next steps and outcomes when delivering landlord services.

Registered providers must also ensure communications are clear, accessible, relevant, timely and appropriate to the diverse needs of tenants, including those with protected characteristics or language barriers.

Practical relevance: even routine maintenance communications must meet TIAS requirements for social housing providers. Planned works letters, notices and updates are all within scope. The RSH will assess this during inspections.

2.5 Housing Ombudsman's Complaint Handling Code (statutory from April 2024)

Applies to: All social housing landlords. The MHCLG Code became a statutory requirement for social housing landlords under the Social Housing (Regulation) Act 2023 from 1 April 2024.

Regulated by: The Housing Ombudsman, which has a duty to monitor compliance and may issue Complaint Handling Failure Orders.

The Complaint Handling Code sets binding requirements for how landlords define, receive, log, investigate and respond to complaints. A resident does not have to use the word 'complaint' for an expression of dissatisfaction to be treated as one. Complaints must be acknowledged and logged; Stage 1 responses must be issued within 10 working days of acknowledgement; Stage 2 requests must be acknowledged within five working days.

The MHCLG Code requires landlords to have an accessible, publicised complaints policy, clear information about how to complain and what to do if unsatisfied, and to publish annually the types of complaints received and what has been learnt from them.

Where works-related dissatisfaction arises, the MHCLG Code governs how it must be handled. Poor or slow complaint responses during a works programme are a common source of Ombudsman findings against landlords.

Practical relevance: A hard legal requirement with direct financial consequences. Non-compliance caps leaseholder cost recovery at £250 per leaseholder unless the First-tier Tribunal grants dispensation. Legal advice is recommended to ensure compliance.



03 Definitive compliance and evidence checklists for resident communications

The checklist below is organised into two tiers. Use it to verify communications before they are sent, and to review the overall communications programme for a works project.

Tier definitions

- **REQUIRED:** Legally mandated. Failure creates legal exposure or potential regulatory breach.
- **ESSENTIAL BEST PRACTICE:** Not always directly legislated but represents what regulators and , in some cases, the courts will expect to see. Failure creates significant risk in any review or investigation.

3.1 Before works start

Communication requirement	Tier	Regulatory source(s)
If intending to charge works back via service charge: Serve a Notice of Intention on all leaseholders where any one leaseholder's share of costs exceeds £250*(incl. VAT). Allow 30 days for observations and contractor nominations. ***or £100 per year for QLTA**	REQUIRED	s.20 Landlord and Tenant Act 1985
If intending to charge works back via service charge: Provide at least two contractor estimates following the Notice of Intention, including one from any nominated contractor*. Provide a further notice where the cheapest or nominated estimate is not chosen. ***see 2.3.1 for local authority and social landlords procurement requirements**	REQUIRED	s.20 Landlord and Tenant Act 1985 Service Charges (Consultation Requirements) Regulations 2003 * For local authority and social housing landlords: Procurement Act 2023
Ensure the Resident Engagement Strategy (RES) is in place and has been consulted upon with residents. Confirm works communications fall within the scope of the RES.	REQUIRED (HRBs)	s.91 Building Safety Act 2022 Reg. 10 Management Regulations 2023
Provide residents with information about the works before they start: what is being done, why it is necessary, the expected programme, and likely impacts on daily life.	REQUIRED (remediation) / ESSENTIAL BEST PRACTICE (all works)	MHCLG Code of Practice, Requirement 2.1; TIAS 2.3.3

Communication requirement	Tier	Regulatory source(s)
Identify a named point of contact for the works: with contact details, and communicate this to all residents.	REQUIRED (remediation) / ESSENTIAL BEST PRACTICE (all works)	MHCLG Code, Requirement 2.6; Code of Practice 2.1
Identify a named contact for fire and building safety queries: give residents a named contact for questions about fire and building safety, with contact details. The contact must be able to deal with such queries or promptly escalate them, and there must be a clear route to the responsible person (or, for a higher-risk building, the Principal Accountable Person). Accountability remains with the responsible person or PAP even where day-to-day contact is delegated to a building manager or agent.	ESSENTIAL BEST PRACTICE / REQUIRED where a responsible person duty applies	Regulatory Reform (Fire Safety) Order 2005 (responsible person; delegation to a competent person permitted); TIAS 2.1 and 2.3 and Housing Ombudsman Code (registered providers); Building Safety Act 2022, ss. 91 and 93 (HRBs only)
Arrange a pre-commencement meeting: giving residents the opportunity to meet those with a significant role in the project. But see section 4 "Proportionality: scaling communications to the impact of works" below for notes on the scale of pre-commence meetings	REQUIRED (remediation) / ESSENTIAL BEST PRACTICE (all works)	MHCLG Code, Requirement 2.4
Identify residents with diverse needs: including language barriers, impairments or other vulnerabilities, and ensure communications reach and are understood by them.	REQUIRED (social housing providers) / ESSENTIAL BEST PRACTICE (all)	TIAS 2.1.1 and 2.1.2; MHCLG Code, Requirement 2.2 and 2.5
Publish or share a clear and accessible complaints route specific to the works project.	REQUIRED (HRBs)	MHCLG Code, Requirement 2.6; Housing Ombudsman Code 2024
For social housing providers: ensure tenants are given a meaningful opportunity to influence decisions about how works are conducted, where this is possible and appropriate.	REQUIRED (social housing)	TIAS 1.3 and 2.2.1

3.2 During works

Communication requirement	Tier	Regulatory source(s)
Keep residents updated on programme changes, unexpected findings, or changes in scope. Updates should be timely and use the agreed communication channels.	REQUIRED (remediation) / ESSENTIAL BEST PRACTICE (all works)	MHCLG Code, Requirement 2.1; TIAS 2.3.3
Mandatory Occurrence Reporting (MOR): Where a significant* structural or fire safety incident or risk is discovered during works on an HRB, submit a Mandatory Occurrence Report to the BSR within 10 days. Notify residents of the outcome, and notify all residents in the building if the risk is serious. ***being an incident likely to present a risk of death or serious injury to a number of people**	REQUIRED (HRBs) for MOR ESSENTIAL BEST PRACTICE for resident notification	BSA 2022 s.87; Higher-Risk Buildings (Management) Regulations 2023, Reg. 6
Inform residents of the impact of activities (noise, access restrictions, light, ventilation) before those activities begin, and of steps being taken to reduce impact.	REQUIRED (remediation) / ESSENTIAL BEST PRACTICE (all works)	MHCLG Code, Requirements 3.1, 3.2, 3.3
Access to individual homes: give at least 24 hours' written notice before entering a resident's home for repairs or maintenance (s.11 LTA 1985). For access connected to building safety assessment or risk management in an HRB, give at least 48 hours' written notice, stating the purpose and why access is necessary (s.97 BSA 2022). In an emergency, immediate access without notice is permitted but see note on forced entry below. NOTE: in all cases **forced entry** is **not permitted** following expiry of the notice period. Forced entry may be permissible in certain cases involving significant risk to people or property but legal advice would be required before taking such a step.	REQUIRED	s.11 Landlord and Tenant Act 1985; s.97 BSA 2022 (HRBs); TIAS 2.3.2(c)(ii)

Communication requirement	Tier	Regulatory source(s)
Access to communal areas and common parts: no statutory notice period applies. The landlord or AP is already entitled to access areas within their ownership or repairing responsibility without seeking permission. However, where works will cause disruption, noise, dust, restricted access, loss of amenity, residents should be given as much advance notice as reasonably practicable as a matter of good practice and regulatory expectation.	ESSENTIAL BEST PRACTICE	MHCLG Code, Requirement 3.4; TIAS 2.3.3; Housing Ombudsman case law on disruption without warning
Respond to complaints within statutory timescales: Stage 1 within 10 working days of acknowledgement; Stage 2 acknowledgement within 5 working days of escalation request.	REQUIRED (social housing)	Housing Ombudsman Complaint Handling Code 2024
Fire escape routes: Ensure fire escape routes remain unobstructed or, if temporarily obstructed, that alternative arrangements are in place and communicated to residents.	REQUIRED	MHCLG Code, Requirement 3.5; Fire Safety Order 2005
Fire Risk Assessments: Keep fire risk assessments up to date throughout the works and communicate any changes to fire strategy to residents.	REQUIRED	MHCLG Code, Requirement 3.5; BSA 2022
Golden thread: Maintain a record of all resident communications as part of the golden thread.	REQUIRED (HRBs) / ESSENTIAL BEST PRACTICE (all)	s88 BSA 2022; Reg 7 Management Regulations 2023



3.3 After works complete

Communication requirement	Tier	Regulatory source(s)
Notify residents when works are complete, confirm any residual or follow-on actions, and provide information on any changes to the building or how it operates.	ESSENTIAL BEST PRACTICE	MHCLG Code, Requirement 4.1; TIAS 2.3.3
Update the golden thread to reflect the completed works, any findings during works, and MOR submissions.	ESSENTIAL BEST PRACTICE	s88 BSA 2022; Reg 7 Management Regulations 2023
Issue service charge demands (where applicable) within 18 months of costs being incurred.	REQUIRED	s.20B Landlord and Tenant Act 1985
Gather feedback from residents on their experience of the works and the communications programme. Share a summary of findings and any actions with residents.	ESSENTIAL BEST PRACTICE (all) / REQUIRED (remediation)	MHCLG Code, Requirement 4.1
Review and, if necessary, update the RES in light of the works programme.	REQUIRED (HRBs)	s.91 BSA 2022; Management Regulations 2023, Reg. 10
For social housing providers: publish how tenants' views have been taken into account in decisions about the works and service delivery.	REQUIRED (social housing)	TIAS 1.3.1; 2.4.4(b)

3.4 Content and format of communications

Communication requirement	Tier	Regulatory source(s)
Use plain English. Avoid jargon; where technical terms are used, provide plain English explanations.	REQUIRED (remediation) / ESSENTIAL BEST PRACTICE (all)	MHCLG Code, Requirement 2.5
Ensure communications are accessible: consider large print, audio formats, translation into relevant languages, and support for residents who need help understanding written information.	REQUIRED (social housing) / ESSENTIAL BEST PRACTICE (all)	TIAS 2.1.2; MHCLG Code, Requirement 2.2 and 2.5
Use multiple channels appropriate to the resident population: letter, email, building notice, digital platform, in-person. Do not rely on a single channel.	ESSENTIAL BEST PRACTICE / REQUIRED (remediation)	MHCLG Code, Requirement 2.5; TIAS 2.1.2
Apply a consistent approach to all residents, regardless of tenure type (social tenants, leaseholders, private tenants).	ESSENTIAL BEST PRACTICE / REQUIRED (remediation)	MHCLG Code, Requirement 2.1
Include the names and contact details of those responsible for the project and for complaints. Be specific; do not refer only to a generic address or phone number.	ESSENTIAL BEST PRACTICE	MHCLG Code, Requirements 2.4 and 2.6
Include a summary of what residents should expect and what they can do if they have questions or concerns. Signpost clearly to complaints routes.	REQUIRED	MHCLG Code, Requirement 2.6; Housing Ombudsman Code 2024
Provide summaries for complex information with fuller detail available on request or via a dedicated URL.	ESSENTIAL BEST PRACTICE	MHCLG Code, Requirement 2.5 (guidance)

3.5 Regulatory assurance and evidence checklist

The requirements above set out what must be done. This checklist sets out what evidence should be retained to demonstrate compliance if a works programme is later reviewed.

Evidence of this kind may be called for during RSH inspections, Housing Ombudsman investigations, Building Safety Regulator reviews of an HRB, and internal audit or board assurance processes. Retaining it as works proceed is far easier than reconstructing it afterwards, and for HRBs the relevant records form part of the golden thread in any event.

This checklist applies to all landlords, not only social housing providers, though several rows are specific to registered providers and are marked accordingly.

Requirement	Evidence to retain	Regulatory source(s)
Resident updates and notices	Dated copies of letters, emails, newsletters, building notices and digital platform posts, with a record of which residents or units each was sent to and the channel used.	MHCLG Code Requirement 2.1; TIAS, 2.3.3 (social housing)
Pre-works information and named contact	The pre-commencement information pack, evidence of the named point of contact communicated to residents, and any pre-commencement meeting agenda, attendance and notes.	MHCLG Code, Requirements 2.1, 2.4 and 2.6
Tenant influence (social housing)	Consultation materials, records of feedback received, and "you said, we did" reports showing how resident views were considered and where they changed a decision.	TIAS 1.3 and 2.2.1; BSA 2022, s. 91 (Resident Engagement Strategy, HRBs)
Diverse needs and accessibility	Records of identified communication needs, translation and interpretation requests and how they were met, alternative formats provided, and reasonable adjustments made.	TIAS, 2.1.1 and 2.1.2; MHCLG Code Requirements 2.2 and 2.5; Equality Act 2010, ss. 20–21 and 29 (reasonable adjustments and provision of services)
Equality considerations (social housing)	Any equality impact assessment carried out before major works, records of residents identified as needing enhanced support, and the support provided.	Equality Act 2010, s. 149 (public sector equality duty, where the provider exercises public functions); Equality Act 2010, ss. 20–21 (reasonable adjustments); TIAS 2.1.1

Requirement	Evidence to retain	Regulatory source(s)
Section 20 consultation	• Served Notice of Intention • Statement of Estimates • notice of reasons where applicable • dated proofs of service, and • records of observations received and how they were addressed. Where the works exceed the relevant procurement threshold: evidence that the contract was advertised on Find a Tender (the Central Digital Platform) and that the s20 notices reflected the displacement of the contractor nomination right. **For local authority and social housing landlords:** Where the works exceed the relevant procurement threshold: • evidence that the contract was advertised on Find a Tender (the Central Digital Platform), and • that the s20 notices reflected the displacement of the contractor nomination right.	Procurement Act 2023 (above-threshold works, from 24 February 2025) Procurement Act 2023 (above-threshold works, from 24 February 2025)
Access notices	Copies of 24-hour (s.11) and 48-hour (s.97 BSA, HRBs) access notices, with dates of service and records of any refused or rearranged access.	Landlord and Tenant Act 1985, s. 11(6); BSA 2022, s. 97 (HRBs)
Mandatory Occurrence Reports (HRBs)	MOR submissions to the BSR, the date the risk was identified and reported, and records of any related resident notification.	BSA 2022, s. 87; The HRB Management Regulations Reg. 6
Golden thread (HRBs)	The maintained record of works, safety case information, MOR submissions and resident engagement activity, kept current throughout the programme.	BSA 2022, s. 88; The HRB Management Regulations, Reg. 7
Complaints handling	Complaint logs showing acknowledgement and response dates against statutory timescales, responses issued, and records of learning and actions taken	Housing Ombudsman Complaint Handling Code 2024 (statutory under the Social Housing (Regulation) Act 2023)
Completion and feedback	Completion notifications to residents, the post-works feedback gathered, and any published summary of findings and resulting actions.	MHCLG Code 4.1; TIAS, 2.3.3 (social housing)

3.5.1 Note on sources

The sources in this evidence checklist identify the framework that gives rise to each evidence requirement.

In most cases the provision cited directly requires the underlying activity, and retaining the evidence is the practical means of demonstrating that it was carried out, rather than a separately stipulated record-keeping duty.

For example, the MHCLG Code and TIAS require residents to be kept informed, and keeping dated copies of communications is how a landlord evidences this, rather than there being a standalone rule requiring copies to be retained.

For higher-risk buildings, much of this evidence forms part of the golden thread and is subject to specific record-keeping duties in any event.

This checklist is a guide to the regulatory basis. It is not a substitute for legal advice on retention obligations in a particular case.



04 Proportionality: scaling communications to the impact of works

The compliance checklist in section 3 sets out what is required and expected across works programmes and the evidence you should maintain. A reasonable question is how these requirements apply to works that have a negligible impact on residents' daily lives: for example, does changing a light bulb in a communal corridor require the same pre-commencement meeting with the contractor as a scaffolded cladding replacement? The short answer is no, and the regulatory framework provides the basis for a proportionate approach.

4.1 What the frameworks say about proportionality

The Building Safety Act 2022 is explicit: the duty on PAPs and APs is to take "all reasonable steps", and the BSR has confirmed that proportionality is a vital consideration in determining what those steps are. The BSR assesses Building Assessment Certificate applications in a proportionate and pragmatic way, recognising that a one-size-fits-all approach is neither possible nor appropriate.

Crucially, the BSA resident engagement duty is framed around "building safety decisions", defined in section 91(2) as decisions that relate to the management of the building and are made in connection with the performance of the AP's duties. Not all maintenance is a building safety decision.

Replacing a light bulb, repainting a corridor or servicing a communal boiler in a routine, low-impact way does not automatically engage building safety risks and does not therefore require the same level of resident consultation as, say, works that directly bear on fire or structural safety.

The MHCLG Code of Practice for the Remediation of Residential Buildings is more direct still: it is scoped specifically to works required to mitigate fire safety risks caused by an external wall system, given the particularly significant impacts those works have on residents' homes and lives.

The MHCLG Code acknowledges it may be applied to "similar significant projects and works", but the word significant is doing important work in that sentence. Minor routine maintenance is not in the MHCLG Code's primary scope, and its more onerous requirements, including the pre-commencement meeting with those having a significant role in the project, are calibrated to major remediation projects, not to day-to-day building management.

Similarly, the RSH Transparency, Influence and Accountability Standard (TIAS) requires registered providers to communicate with affected tenants on progress, next steps and outcomes when delivering landlord services. The key word is "affected": communication is warranted where tenants are genuinely affected.

Tenants whose daily lives are unaltered by works being carried out are not "affected" in any meaningful sense, and the TIAS does not require landlords to communicate where there is nothing of consequence to communicate.

> **Minor routine maintenance is not in the MHCLG Code's primary scope**

4.2 A practical framework for calibrating communications

A landlord planning any maintenance or works programme should consider three questions before determining what communications are needed:

1 **Does it bear on building safety risks?** If the works affect fire detection, means of escape, structural elements, or any other fire or structural safety measure, the BSA engagement duties apply fully. Examples: replacing fire doors, taking an evacuation lift out of service, altering fire detection. Examples of works that on assessment do not require a building safety decision: replacing light bulbs, repainting communal walls, fixing a leaking tap.

2 **What is the actual impact on residents' daily lives?** Works that cause noise, dust, restricted access, loss of light, loss of amenity, or require entry to homes demand proportionate pre-notification and engagement. Works that residents will not notice, or will notice only briefly, warrant basic informing at most. The question to ask is: what does a resident need to know to prepare, and what could cause avoidable concern or frustration if they were not told?

3 **Is there a service charge cost recovery dimension?** Where works will be charged to leaseholders and the cost to any one leaseholder exceeds £250*, Section 20 consultation is legally required regardless of how minor the works may otherwise seem. This is a standalone trigger that does not depend on impact or safety significance.

***or £100 per year for QLTA**

4.3 The complication: works within a larger programme

The proportionality principle is straightforward for genuinely standalone minor works. It becomes more complex when minor or moderate works sit within a larger remediation or refurbishment programme.

In those circumstances, three considerations apply:

1 **The MHCLG Code applies to the programme as a whole.** Where, for example small roof works or light fitting replacements form part of a broader remediation programme, the overarching communications framework for that programme, including its pre-commencement meeting obligations and named point of contact, already covers the individual workstreams within it. Residents do not need a separate pre-commencement meeting for each trade package if there is an existing, active programme communications structure in place.

2 However, new or changed elements of a programme that were not covered in the original pre-commencement communications do require residents to be informed. If coping stone works are added to a programme that previously covered only external wall remediation, residents should be told what the new works involve, why they are being done, and what impact to expect.

3 **Section 20 costs are assessed on a programme-wide basis by the courts in some circumstances.** Where works are part of a connected programme, it may not be possible to argue that individual elements fall below the £250* per leaseholder threshold. Legal advice should be sought on how to treat the works for Section 20 purposes.

***or £100 per year for QLTA**



What does a resident need to know to prepare, and what could cause avoidable concern or frustration if they were not told?

4.4 The Keeble Brown tiered communications model (TCM) for works of varying impact

The following model reflects the proportionality principle embedded in the regulatory frameworks and provides a practical reference for Keeble Brown clients when commissioning or reviewing resident communications requirements.

Works level	Examples	Communications required	Notes on regulatory triggers
Level 1 Minor / no impact	Replacing light bulbs, minor repairs, redecoration with no access to homes, routine servicing of equipment	• No specific pre-works communication required unless works will cause brief noise or nuisance. • Ensure works are referenced in standing building communications (e.g. newsletters, websites, email updates, noticeboards and digital noticeboards if applicable). • Complaints route must always be signposted.	**Section 20 LTA 1985:** check whether costs across the programme exceed £250* per leaseholder even for minor works. *or £100 per year for QLTA **BSA 2022:** not a building safety decision unless works affect fire or structural safety measures. (see 4.1 for the definition of "building safety decision") **TIAS:** no proactive communication obligation where residents are not meaningfully affected. **Housing Ombudsman Code:** complaints route must always be accessible and publicised.
Level 2 Moderate impact	Works causing intermittent noise, temporary restriction of communal areas, short-term parking disruption	• Written notice to affected residents before works begin: what, why, when, duration, contact for queries. • Update if programme changes. • Complaints route clearly included.	**Section 20 LTA 1985:** required if leaseholder cost exceeds £250 per person; allow minimum two months for consultation. **BSA 2022:** will engage the RES if works relate to building safety decisions. (see 4.1 for the definition of "building safety decision") **TIAS 2.3.3:** duty to communicate with affected tenants on progress, next steps and outcomes. **Housing Ombudsman Code:** written updates during works reduce complaint risk.

Works level	Examples	Communications required	Notes on regulatory triggers
Level 3 Significant impact	Scaffolding, loss of light or ventilation, restricted access to building, access required to homes, extended programme	• Full communications plan including pre-commencement notice, named point of contact, programme updates at each phase, complaints route. • Pre-commencement meeting if works are part of a remediation programme. • Section 20 consultation if leaseholder costs exceed £250 or £100 per leaseholder per year for QLTAs.	**Section 20 LTA 1985:** required. Serve Notice of Intention before works start; allow 30 days for observations. **MHCLG Code of Practice:** pre-commencement meeting required for remediation; strongly expected for other significant works. BSA 2022: if on HRB, RES must cover the works; golden thread must be updated. **TIAS 2.3.3:** proactive updates at each phase required for social housing providers. **Housing Ombudsman Code:** Stage 1 complaints must be acknowledged and responded to within 10 working days.
Level 4 Building safety works	Works affecting fire or structural safety measures: fire doors, evacuation routes, detection systems, external wall remediation, structural repairs	• All Level 3 requirements, plus: • Full BSA resident engagement duties apply. • RES must cover the works. • MOR system must be in place. • Pre-commencement meeting required. • Golden thread must be updated.	**BSA 2022 s.84–91:** full AP/PAP duties apply. RES must cover the works. Golden thread must be updated. MOR system must be operational. **MHCLG Code of Practice:** fully in scope. All 14 requirements apply. **Section 20 LTA 1985:** required. Separate or combined notice may be needed for connected works. **TIAS:** full engagement and performance reporting obligations apply for social housing providers. Housing Ombudsman Code: proactive complaint route communication is required.

05 Does the MHCLG Code apply to programmes already underway?

This is a question that clients with remediation programmes predating July 2023 frequently raise. The short answer is yes: the MHCLG Code applies, and has done since its first publication on 27 July 2023.

5.1 No transitional period or carve-out for ongoing projects

The MHCLG Code contains no transitional period and no carve-out for programmes that were already underway when it was published. Its scope clause states that it applies to projects from inception (when a qualified professional is of the opinion that works are required) through to completion. There is no equivalent clause limiting this to projects that began after July 2023.

Furthermore, the government has stated clearly that all projects are expected to follow the MHCLG Code and that it will look to ensure projects are compliant and take action if necessary. The phrase 'all projects' is not qualified by a start date.

The companion residents' guide to the MHCLG Code (updated December 2025) reinforces this, stating that the MHCLG Code applies to all remediation projects regardless of who is responsible for delivering the project or how it is being funded, with no restriction based on when works commenced.

5.2 What this means in practice

For a programme that began before July 2023, there was a period before the MHCLG Code existed when its requirements could not, by definition, have been followed. That is accepted.

However, since publication, the MHCLG Code has applied to those programmes in all their current and remaining phases. Any communications, engagement activity or resident-impact management still to be delivered must comply with the MHCLG Code, even if earlier phases of the same programme did not.

It is also important to note that the MHCLG Code does not create new legal obligations in itself.

However, legal commentary has consistently noted that failure to comply is likely to be treated as evidence of failure to meet obligations that do carry statutory force, including duties under the Building Safety Act 2022 and, for social housing providers, the RSH consumer standards in force since April 2024.

5.3 The December 2025 update

The December 2025 update to the MHCLG Code did not change its substantive requirements.

The update added a plain English guide aimed at residents, making the MHCLG Code's expectations more accessible to non-professionals. The core requirements for resident communication and engagement have been consistent since July 2023.

A programme that has been genuinely compliant with the MHCLG Code throughout its life does not need to change its approach as a result of this update, though the plain English guide is a useful reference when drafting resident-facing materials.

5.4 Recommended action for pre-2023 programmes



If a client has a programme underway since before July 2023 and has not been systematically applying the MHCLG Code, the recommended approach is to treat all remaining activity, including any ongoing works within a wider remediation scheme, as fully in scope from now. The following steps are advisable:

1. Conduct a gap analysis against the MHCLG Code's requirements, particularly the communication and resident engagement requirements in Parts 2 and 3, to identify where current practice falls short.

2. Review and update the resident communications plan for remaining phases of the programme to bring it into line with the MHCLG Code, particularly requirements 2.1 (regular communications and meaningful engagement), 2.5 (appropriate communication methods) and 2.6 (clear routes for questions and complaints).

3. Confirm that a named point of contact for the works is in place and has been communicated to all residents, and that a project-specific complaints route is clearly publicised.

4. Document the steps taken to comply with the MHCLG Code from this point forward, including how residents have been considered in project decisions. This records a clear break point and demonstrates good faith compliance to regulators if the programme is reviewed.

5. For social housing providers, cross-reference the gap analysis against the RSH's Transparency, Influence and Accountability Standard (in force April 2024), which runs in parallel and carries its own inspection and enforcement framework.

06 Additional requirements for social housing providers

Social housing providers (housing associations and stock-holding councils that are registered providers) must meet the requirements of all five frameworks above, plus additional requirements under the TIAS and the Housing Ombudsman Complaint Handling Code that do not apply to private landlords.

6.1 Tenant engagement in works decisions

TIAS requires registered providers to give tenants a wide range of meaningful opportunities to influence and scrutinise their landlord's strategies, policies and services.

This applies to how maintenance and works programmes are planned and delivered, not merely to the communications about them.

Works communications should therefore reflect and evidence that tenant views were sought and considered during the design or scoping of the works.

A recurring question is what separates meaningful influence from simple consultation.

The distinction matters because TIAS expects the former, and an inspection will look behind the communications to see whether it was present.

6.1.1 Consultation

Consultation means informing residents of a proposal and inviting their views. Meaningful influence goes further: residents are engaged early enough, and on decisions that are still genuinely open, that their input can change the outcome.

Announcing a fixed decision and inviting comment on it is consultation, not influence. The test an inspector or the Ombudsman is likely to apply is whether residents could realistically have affected the decision, and whether the landlord can show how their input was weighed.

Not every decision in a works programme is open to influence. Some are constrained by safety, engineering or statutory requirements. The practical approach is to be clear with residents about which decisions they can shape and which they cannot, and to explain the basis for those that are fixed.

Decisions residents can often genuinely influence include:

- Working hours and the scheduling of noisy or disruptive activities.
- How and how often residents are communicated with, and through which channels.
- Decant arrangements, where residents need to move out temporarily, including timing and support.
- Access arrangements and appointment scheduling for entry to homes.
- Community safety measures during the works, such as site security, lighting and hoarding

Where decisions were taken that residents had no opportunity to influence (for example, technical decisions about how works must be carried out), communications should explain the basis for those decisions clearly. Simply announcing an outcome without explanation does not meet the TIAS standard.

Evidencing influence. It is not enough to have invited views; a registered provider should be able to show that feedback was considered and, where it changed something, what it changed. A "you said, we did" record is the most widely recognised way of demonstrating this: it sets out what residents raised, what the landlord did in response, and, where a suggestion was not taken forward, why not.

Retaining this alongside the consultation materials provides the evidence an inspection or investigation will look for, and feeds directly into the assurance and evidence checklist in section 3.

6.1.2 Estate regeneration and major redevelopment schemes

Where works form part of an estate regeneration or major redevelopment scheme, the government's Estate Regeneration National Strategy: Resident Engagement and Protection (DCLG, December 2016) sets out expectations for resident engagement that go beyond routine works communications.

Although it is specific to estate regeneration involving demolition, decant or redevelopment rather than general works, its engagement principles are a useful reference for those schemes.

They include:

1. early and ongoing engagement across the life of the scheme;
2. a single joint approach owned and led by the landlord or local authority rather than residents being engaged separately by different parties;
3. a residents' charter setting out commitments and the housing offer;
4. named contacts who can deal with enquiries without referring on;
5. minimising the number of times residents have to move; and
6. post-occupancy evaluation with a commitment to act on the findings.

6.2 Proactive information provision

Under TIAS outcome 1.4 (and specific expectation 2.3), registered providers must communicate with affected tenants on progress, next steps and outcomes when delivering landlord services.

This is a proactive obligation: providers should not wait to be asked. For a works programme, this means planned communications at each key stage, not just at the start and end.

TIAS specific expectation 2.3.1 also requires providers to give tenants accessible information about the standards of safety and quality that communal areas must meet, and the provider's and tenant's respective maintenance responsibilities. Works communications are an appropriate place to reinforce this information.

6.3 Tenant Satisfaction Measures

Social housing providers are required to collect and publish data against 22 Tenant Satisfaction Measures (TSMs).

Several TSMs directly relate to works communications, including measures covering satisfaction with repairs and maintenance, communication, and the extent to which tenants feel listened to.

A poorly handled works communications programme will be reflected in TSM scores, which are submitted annually to the RSH and published for tenants.

6.4 Complaint handling

Social housing providers must comply with the Housing Ombudsman Complaint Handling Code. Any works-related dissatisfaction is a potential complaint.

Communications should include prominent signposting to complaint routes. Providers must complete and publish annual self-assessments against the MHCLG Code, and the Ombudsman has powers to issue Complaint Handling Failure Orders where providers do not comply.

A practical implication for works communications: every letter or notice about works should include a clear and accessible reference to the complaints process, not buried in small print.

6.5 Vulnerability and equality considerations



Beyond the diverse needs obligations that run through this guide, registered providers will often need to show that a works programme has been planned with the Equality Act 2010 and their own vulnerability policy in mind.

The TIAS expectations on diverse needs and the MHCLG Code's requirements on inclusive communication both point in this direction, and consumer regulation increasingly expects providers to demonstrate that vulnerable residents were identified and supported, not simply communicated with in the same way as everyone else.

1. **Carry out an equality impact assessment before major works,** considering how the programme and its disruption may affect residents who share a protected characteristic, and what mitigations are needed.

2. **Identify residents requiring enhanced support,** for example older residents, disabled residents, and residents with physical or mental health conditions that the works could affect.

3. **Record reasonable adjustments** made for individual residents, both to communications (format, language, additional contact) and to the conduct of the works themselves (timing, access, temporary arrangements).

4. **Manage and monitor the impact** of the works on those residents as the programme proceeds, adjusting support where circumstances change

Recording this work serves two purposes: it helps ensure vulnerable residents are genuinely supported through what can be a stressful period, and it provides the evidence of compliance that the assurance and evidence checklist in section 3 anticipates.

6.6 Best practice examples from the sector

The following approaches have been highlighted by the RSH, the Housing Ombudsman and the government's Code as demonstrating good practice.

1. **Establishing a dedicated project communication channel.** (email address, phoneline or online portal) staffed by someone who can answer works-specific questions, separate from the general repairs or tenancy management line.

2. **Producing a 'works at a glance' one-page summary** for each phase of a project, updated and redistributed when the programme changes. Peabody and L&Q have both used this approach in their remediation programmes.

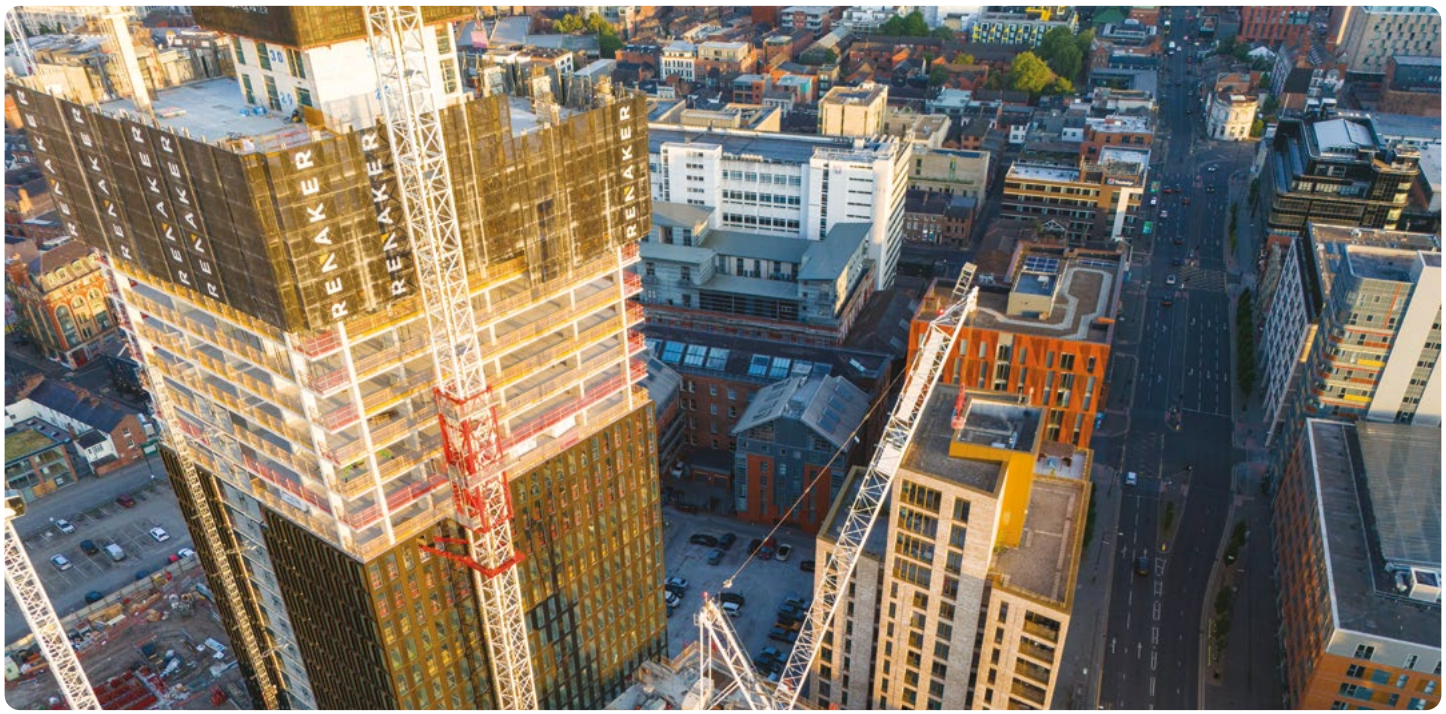
3. **Providing multilingual summaries** for buildings with a high proportion of non-English-speaking residents, with face-to-face drop-in sessions supported by interpreters.

4. **Setting up a resident liaison group or works steering group** that meets regularly with the project team, with agreed terms of reference and minutes circulated to all residents.

5. **Proactively writing to residents** to confirm when a phase of works is complete, what was done, and what is planned next, before any resident has asked.

6. **Including a feedback questionnaire at** the end of a works programme, with published outcomes and a commitment to act on findings in future programmes.

7. **For regeneration and redevelopment schemes, adopting a residents' charter** developed with residents, setting out commitments, the housing offer and named contacts who can deal with enquiries without referring on, in line with the government's estate regeneration strategy.



07 Sources and references

The following primary sources were used in the preparation of this guide.

Links were correct at the time of publication.

7.1 Legislation

- Building Safety Act 2022 **legislation.gov.uk/ukpga/2022/30**
- Landlord and Tenant Act 1985 (as amended by the Commonhold and Leasehold Reform Act 2002) **legislation.gov.uk/ukpga/1985/70**
- Social Housing (Regulation) Act 2023 **legislation.gov.uk/ukpga/2023/36**
- Equality Act 2010 **legislation.gov.uk/ukpga/2010/15**
- Procurement Act 2023 **legislation.gov.uk/ukpga/2023/54**
- Regulatory Reform (Fire Safety) Order 2005 **legislation.gov.uk/uksi/2005/1541**
- Higher-Risk Buildings (Management of Safety Risks etc) (England) Regulations 2023 (SI 2023/909) **legislation.gov.uk/uksi/2023/909**
- Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 **legislation.gov.uk/uksi/2023/909**
- Service Charges (Consultation Requirements) (England) Regulations 2003 (SI 2003/1987) **legislation.gov.uk/uksi/2003/1987**

7.2 Guidance and standards

- MHCLG, Code of Practice for the Remediation of Residential Buildings (updated December 2025) **gov.uk/government/publications/code-of-practice-for-the-remediation-of-residential-buildings**
- Regulator of Social Housing, Transparency, Influence and Accountability Standard (April 2024) **gov.uk/government/publications/transparency-influence-and-accountability-standard-2024**
- Regulator of Social Housing, Reshaping Consumer Regulation: Our New Approach (February 2024) **gov.uk/government/publications/reshaping-consumer-regulation**
- Housing Ombudsman, Complaint Handling Code (statutory from April 2024) **housing-ombudsman.org.uk/landlords-info/complaint-handling-code**
- Cabinet Office, Transforming Public Procurement (Procurement Act 2023 guidance and go-live, 24 February 2025) **gov.uk/government/collections/transforming-public-procurement**
- Find a Tender service (Central Digital Platform) **find-tender.service.gov.uk**
- Building Safety Regulator, guidance on Resident Engagement Strategies and the five key principles for successful engagement **gov.uk/guidance/engaging-residents-in-building-safety**
- LEASE (Leasehold Advisory Service), guidance on Section 20 consultation **lease-advice.org**
- DCLG, Estate Regeneration National Strategy: Resident Engagement and Protection (December 2016, ISBN 978-1-4098-4945-2) **gov.uk/government/publications/estate-regeneration-national-strategy**

7.3 Case law

- Ambercrown Ltd v Perrett and another [2024] Upper Tribunal case on Section 20 consultation for roof works.

Disclaimer

This guide was prepared by Keeble Brown and is intended for client guidance purposes only. It does not constitute legal advice. Clients should take independent legal advice on their specific obligations, particularly in relation to Section 20 consultations, HRB duties and the Housing Ombudsman Code. Regulatory requirements change: this guide reflects the position as at June 2026.



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