This Statutory Instrument has been made in part to correct errors in S.I. 2022/197 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2024 No. 947

HOUSING, ENGLAND

The Student Accommodation (Codes of Management Practice and Specified Educational Establishments) (England) Regulations 2024

Made - - - -	*9th September 2024*
Laid before Parliament	*12th September 2024*
Coming into force in accordance with regulation 1(2) and (3)	

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 233(1) and (4) and 250(2) of, and paragraph 4(2) of Schedule 14 to, the Housing Act 2004(**a**).

The Secretary of State has taken reasonable steps to consult the persons mentioned in section 233(2)(b) of that Act and is satisfied as to publication arrangements as required by section 233(3) of that Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Student Accommodation (Codes of Management Practice and Specified Educational Establishments) (England) Regulations 2024.

(2) These Regulations come into force on 15th October 2024 subject to paragraph (3).

(3) Regulation 5(2)(b) comes into force on 15th January 2025.

(4) These Regulations extend to England and Wales.

PART 1

Codes of Management Practice for Student Accommodation

Application of this Part

2. This Part applies in relation to accommodation in England.

(**a**) 2004 c. 34. For the definition of appropriate national authority see section 261(1) of the Housing Act 2004.

Approval of code of practice

3.—(1) The code of practice mentioned in paragraph (2), which lays down standards of conduct and practice to be followed with regard to the management of living accommodation comprised in buildings falling within paragraph 4 of Schedule 14 to the Act (buildings occupied by students), is approved for the purposes of section 233 of the Housing Act 2004.

(2) The code of practice is the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 5th September 2024(**a**).

Revocations and savings

4.—(1) The following orders are revoked—

(a) the Housing (Approval of Codes of Management Practice) (Student Accommodation) (England) Order 2019(**b**);

(b) the Housing (Approval of Code of Management Practice) (Student Accommodation) (England) Order 2022(**c**).

(2) Notwithstanding the revocations made by paragraph (1), the following codes of practice continue to be approved for the purposes of section 233 of the Housing Act 2004—

(a) the Universities UK/Guild HE Code of Practice for the Management of Student Housing dated 1st May 2019(**d**);

(b) the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments dated 28th February 2022(**e**).

(3) Notwithstanding the revocation made by paragraph (1)(a), the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 1st May 2019 continues to be approved for the purposes of section 233 of the Housing Act 2004 before 15th January 2025.

PART 2

Amendments Relating to Specified Educational Establishments

Amendment of the Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2019

5.—(1) The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2019(**f**) are amended as follows.

(2) In regulation 2(b)—

(a) after "member of" insert "one of the following";

(b) omit sub-paragraph (i);

(c) omit sub-paragraph (iii) (and the "and" which precedes it);

(**a**) A copy of this code can be obtained from The National Codes Administrator, 155-157 Woodhouse Lane, Leeds, LS2 3ED, email NationalCodes@unipol.org.uk or online at www.nationalcode.org or www.anuk.org.uk. A copy of this code has been lodged in the libraries of both Houses of Parliament.

(**b**) S.I. 2019/884.

(**c**) S.I. 2022/198.

(**d**) This code was approved by S.I. 2019/884. A copy of this code can be obtained from Universities UK, Woburn House, 20 Tavistock Square, London, WC1H 9HQ, email info@universities.ac.uk or online at www.universitiesUK.ac.uk. A copy of this code has been lodged in the libraries of both Houses of Parliament.

(**e**) This code was approved by S.I. 2022/198. A copy of this code can be obtained from The National Codes Administrator, 155-157 Woodhouse Lane, Leeds, LS2 3ED, email NationalCodes@unipol.org.uk or online at www.nationalcode.org or www.anuk.org.uk. A copy of this code has been lodged in the libraries of both Houses of Parliament.

(**f**) S.I. 2019/904, amended by S.I. 2019/1260, 2022/197.

(d) at the end insert—

"(iv) the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 5th September 2024.".

(3) In the Schedule—

(a) at the appropriate place insert "Academy of Live Technology";

(b) omit "Stranmillis University College";

(c) omit "The Backstage Academy".

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Parliamentary Under Secretary of State
9th September 2024 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 233 of the Housing Act 2004 (c. 34) ("the 2004 Act") the Secretary of State may approve codes of practice which lay down standards of conduct and practice to be followed with regard to the management of houses in multiple accommodation (HMOs) or of excepted accommodation. Excepted accommodation is living accommodation falling within Schedule 14 to the 2004 Act that are not HMOs for the purposes of the Act (excluding Part 1, which deals with housing conditions) ("excepted accommodation"). Certain buildings occupied by students are excepted accommodation pursuant to paragraph 4 of that Schedule.

Regulation 3 approves a new code of practice, the Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 5th September 2024 ("new code of practice) which supersedes the code of practice of the same name dated 1st May 2019 ("superseded code of practice").

Regulation 4 revokes two previous orders under section 233, but saves the approval of those codes of practice approved under them which remain current. The approval of the superseded code of practice is saved for three months only to give members of the superseded code of practice time to become members of the new code of practice.

Schedule 14 to the 2004 Act specifies buildings which are not HMOs for the purpose of the 2004 Act (excluding Part 1). Paragraph 4 of Schedule 14 sets out one such type of "excepted accommodation", which can be summarised as "student accommodation". In order to fall under this paragraph (and therefore be excepted from being an HMO), the accommodation must be a building which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment, or at an educational establishment of a specified description, and where the person managing or controlling the building is the educational establishment in question, or a specified person, or a person of a specified description.

Regulation 5 amends the Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2019 ("the 2019 Regulations") which specifies educational establishments for the purposes of paragraph 4 of Schedule 14 to the 2004 Act. To be a specified educational establishment an educational establishment must be listed in the Schedule to those Regulations and also comply with requirements in regulation 2(b) of those Regulations about membership of codes of practice for the management of student accommodation.

Regulation 5(2) amends the provision relating to membership of codes of practice to reflect the approval of the new code of practice and revocation of the approval of the superseded code of practice. It also corrects two previous errors. First, it removes the reference to the Accreditation

Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments dated 28th February 2022 which is not relevant to educational establishments and was included erroneously. Second, it amends Regulation 2(b) to reflect that educational establishments are only to be required to be a member of one of the approved codes in order to be specified for the purpose of paragraph 4 of Schedule 14 to the Housing Act 2004. The previous wording required educational establishments to be a member of all listed codes which was not the policy intention.

Regulation 5(3) amends the list of educational establishments in the Schedule to the 2019 Regulations to omit Stranmillis University College (which had been included in that list erroneously) and to reflect the change of name of the Backstage Academy to the Academy of Live Technology.

Copies of the codes of practice referred to have been lodged in the libraries of both Houses of Parliament.

An impact assessment has not been provided for this instrument as no impact on the private or voluntary sector is foreseen.

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