

## Consultation on the future of our regulatory approach in response to the COVID-19 pandemic: Consultation questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by **14 August 2020**.

By email @: [shr@shr.gov.scot](mailto:shr@shr.gov.scot)

Or post to: Scottish Housing Regulator  
Buchanan House  
58 Port Dundas Road, Glasgow, G4 0HF

### Name/organisation name

East Ayrshire Council

### Address

Council Headquarters

London Road

Kilmarnock

### How you would like your response to be handled

To help make this a transparent process we intend to publish on our website the responses we receive, as we receive them. Please let us know how you would like us to handle your response. If you are responding as an individual, we will not publish your contact details.

### Are you happy for your response to be published on our website?

Yes

### If you are responding as an individual ...

Please tell us how you would like your response to be published.

*Pick 1*

Publish my full response, including my name

Please publish my response, but not my name

**1. Are our proposals for the Annual Assurance Statement right?**

Yes.

**2. Should we publish advisory guidance to assist landlords to adapt their approach to the submission of the AAS?**

We would support the publication of advisory guidance addressing specific issues related to COVID-19 to assist regulatory bodies to adapt their approach to the submission of the AAS. We also support the distinction of areas of non-compliance that is directly due to the pandemic from any other areas of non-compliance with regulatory standards and requirements, as per the Regulatory Framework. The annual assurance statement is an important addition to the range of tools available to the sector to improve oversight and accountability and to drive improvements in Governance.

**3. Would you like to make any other comments or suggestions about our approach to getting Annual Assurance Statements?**

No.

**4. Are our proposals for the publication of Charter performance right?**

We fully supported the extension to the submission date for the Charter return to July 2020 as a result of COVID-19 and as such, we would also support an extension to the publication of charter performance for tenants and service users to December 2020. This would allow for an appropriate length of time for all landlords' ARC returns to be published following on from the July submission and would consequently ensure that all benchmarking information could be included in our Annual Report to Tenants. We would certainly want to avoid a situation whereby the SHR has published all landlord summaries and the full benchmarking data set before we have made our own performance information available to tenants locally.

**5: Would you like to make any other comments or suggestions about our approach to the publication of Charter performance?**

No.

**6: Are our proposals for the publication of Engagement Plans and regulatory status right?**

We supported the SHR's decision to postpone the publication of this year's engagement plans due to the publication date coinciding with the height of the COVID-19 pandemic. Equally we recognise the importance of these plans in terms of transparency with tenants, service users and other stakeholders and would welcome the publication of updated engagement plans by the end of March 2021 which take cognisance of the risks posed to regulatory bodies as a result of COVID-19. It would also be helpful to indicate in advance what, if any, particular arrangements or approaches the SHR is proposing as a result of the current emergency situation.

**7: Would you like to make any other comments or suggestions about our approach to the publication of Engagement Plans and regulatory status?**

It would be helpful to understand how the SHR intends to take account of the current very difficult service delivery environment in its approach to assessing performance.

It is very likely that most landlords will see a decline in performance in some areas. This is likely to vary from area to area depending on the severity of the local pandemic and the extent to which resources have been drawn off to provide other services linked to local resilience responses.

Approaches based on, for example, indicators in the lowest quartile may not provide a good benchmark to and could require a deeper understanding of local pandemic impacts and responses.

In these circumstances we would hope that the SHR work with landlords to understand these issues of wider context before making any particular judgments about performance or direction of travel.

In the event of a “second wave” of COVID-19, this may have an impact on the proposed return dates outlined above and we would hope that the SHR would continue to work with landlords to find an appropriate solution should this occur.

**Thank you for taking the time to give us your feedback!**