

Our regulation of social housing in Scotland

Discussion questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our discussion paper on our website at www.housingregulator.gov.scot
Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by 11 August 2023.

By email @: regulatoryframeworkreview@shr.gov.scot

Or post to: Scottish Housing Regulator
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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 No

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	<input type="checkbox"/>
Please publish my response, but not my name	<input type="checkbox"/>

1. We believe that our regulatory priorities should be:
 - listening and responding effectively to tenants and service users
 - providing good quality and safe homes
 - keeping homes as affordable as possible
 - doing all they can to reduce the number of people who are experiencing homelessness

We are keen to hear your feedback on these priorities. Are they the right ones?

In general, yes – they encapsulate the key issues in the delivery of our work and are clearly stated.

However, it is important to reinforce that there are complex inter-relationships between these priorities and there is some inherent tension between them. This has always been the case, but the current challenges in the operating environment have highlighted these further.

It may be appropriate to include 'decarbonisation' as a separate and standalone priority.

2. What are your views on amending the Statutory Guidance on Annual Assurance Statements to include provisions on specific assurance?

We support the statement in the document that all parties would welcome a period of 'stability and continuity' in the framework.

The proposal to add the ability to request explicit assurance on specific issues, should this be required, appears sensible. However, we would request that this is used sparingly and proportionately should an issue of significance arise, and that due notice and engagement informs any such decision to apply this provision.

3. Do you think that we need to change any of the indicators in the ARC or add to these?

As above, the stability and consistency theme applies.

However, under the principle of proportionality, we would argue that Charter Indicator 10 on 'right first time' reactive repairs remains a cumbersome and questionable indicator to collect and interpret.

We value the intention behind the inclusion of this indicator, but we would welcome this issue being revisited at the next opportunity.

4. Are the proposed areas of focus for tenant and resident safety indicators the right ones, and what should those indicators be?

Yes – they would seem appropriate and justifiable.

As with elsewhere in the Framework, discussions on the specifics of the data and definitions will need to be carefully considered.

5. What do you think would be the most effective and appropriate way to monitor the effectiveness of landlords' approach to managing reports and instances of mould and dampness?

It is difficult for an individual landlord to be definitive about the issue of monitoring effectiveness in this area.

Clearly, there has been a lot of activity in the area following recent tragic and well publicised cases and it is important that the learning from these efforts is sensibly and logically drawn out.

We would suggest that this would be a fruitful topic for a short-life group to be established to make recommendations on these matters.

6. What are your views on strengthening the Framework further on landlords listening to tenants and service users?

We have no issues with what is suggested in this section and support the direction of this proposal.

We are unclear as to the meaning of the phrase ‘...easy and safe ways to provide feedback and raise concerns...’ in the document. Clearly, we would wish these processes to be easy for tenants to use but it would be useful to clarify the intent behind the use of the word ‘safe’ in this context.

7. How do you think we could streamline the requirements for landlords in the Notifiable Events statutory guidance?

In general, we feel the notifiable events process works reasonably well. However, the suggestion of seeking to streamline this could be a positive suggestion.

There is an element of ‘catch all’ about the guidance as it stands which then requires a high degree of subjectivity in the decision on what constitutes a notifiable event. Seeking to clarify such matters or including an aspect of flagging a ‘potential’ notifiable event, may be options worth considering.

8. *Do you think there is value in using more direct language in the working towards compliance status, or in introducing an intermediary regulatory status between compliant and working towards compliance?*

We have no direct experience of this and will leave this for others to comment.

9. Are there any changes we should make to the Significant Performance Failures approach, including how we define these?

No, this seems to work well currently.

10. Are there any other changes to the Regulatory Framework and associated guidance that you would suggest?

The lack of reference to Net Zero is notable and worth considering as part of the next stage in this process.

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