

# 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](http://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](mailto:regulatoryframeworkreview@shr.gov.scot)

Or post to: Scottish Housing Regulator  
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36 North Hanover Street, G1 2AD

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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 checked="" 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?

Agree

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

We are comfortable with the review of the Statutory Guidance on AAS's & the proposed principle of requesting specific assurance on areas identified by the SHR. Right First time should be removed. Agree that it would seem appropriate that indicators focusing on tenant and resident safety should be added.

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

Agree with the proposal around adding indicators on electrical, water, fire and asbestos. With regards to an indicator on lift safety, our insurances require lift inspections are carried out on all notified/insured lifts which results in recommended actions. In view of this we are not certain of the value of adding specific indicators around this area.

Given the complexity in measuring and known inconsistencies between organisations in how it is calculated, we believe the that Right First-Time indicator should be removed.

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

With the exception of lift safety (referred to above) we believe the proposed safety indicators are the right ones. We believe the following indicators should be used:

Electrical indicator: % of properties with valid EICR

Water indicator: % of properties with valid legionella testing carried out

Fire indicators: % properties where monthly communal fire safety inspection carried out

Asbestos: % of properties with full up to date asbestos data

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?

We believe that as a starting point it would be appropriate for landlords' to report on the following

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No of properties (as a %age of total stock) which have reported cases of mould and dampness

No of cases (as a %age of total reported cases) which have been responded to and are being actively managed

Over time, as sensor technology becomes more widely available and cost effective, we would anticipate the sector moving towards reporting based on individual property data on mould and dampness.

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

We believe that this is an appropriate change and are supportive.

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

Current approach is reasonable and effective

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 are comfortable with using more direct language and perhaps identifying specific areas where improvements are needed to achieve full compliance. We would not be supportive of more radical changes (such as the system used in England in terms of Governance and Viability ratings) at this stage given the potential implications on lender availability / interest rates.

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

Current approach is reasonable and effective

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

We acknowledge that there will be additional measures around EESSH once the outcome of the Review Group (SGEESH) has concluded

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