

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

Please publish my response, but not my name

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?

We would support these priorities which we agree should always be core principles for any Registered Social Landlord. We would welcome any supporting detail around what the expectations of landlords are against them, especially priority 1 and 4, to help landlords achieve the intended outcome. Providing assurance against those priorities and measuring our performance in these areas can be challenging due to the nature of activity so we would welcome any additional clarity or guidance on the priorities to support Landlords in meeting them effectively.

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

We would support the inclusion of provisions on specific assurance where it supports improved outcomes for customers. However, we would ask that if the Statutory Guidance is amended to include provisions on specific assurance, sufficient time to prepare for any new requirements is afforded to RSLs to factor this into their assurance and response.

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

The current ARC indicators are appropriate. However, the format of the completion of the ARC is not user-friendly and can be difficult to navigate. Some of the indicators have automation included to support with submitting the correct figures. We would welcome further automation of the system to make this process smoother and minimise the risks of human error.

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

We would support the proposed tenant and resident safety indicators if value is added for customers.

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?

An indicator in the ARC may be a useful way of monitoring the effectiveness of a landlord's approach but we would recommend considering how any additional questions would relate to existing indicators in the ARC relating to compliance with the Scottish Housing Quality Standards. It is also important that an inclusion of such an indicator would not take away from the importance of the management of all types of repairs or other risks to customers' health and safety.

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

We would support strengthening of the Framework in relation to listening to tenants and service users and would provide the appropriate data. However, it is important that clear guidance is provided to RSL's as to the expectations of this data, how it should be collected and in what format it should be submitted.

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

The Notifiable Events guidance can sometimes be difficult to navigate. We would welcome the guidance being refreshed to consider clearer wording, any opportunity to condense sections and whether it could be separated into different sections depending on the type of event. We would also welcome further information on ideal timescales for reporting. It currently feels as though notifiable events are all of the same importance to the SHR, it may be worthwhile adding further

clarity on expected timeframes for submission of notifiable events depending on the nature of the event.

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?*

The proposed wording within the document of 'compliant with improvements identified' feels too similar to the existing 'working towards compliance'. If an intermediary regulatory status was to be identified, it would be good to have a very clear framework as to what qualifies for this status to ensure the removal of any subjective opinion alongside what benefits the intermediary status would bring to the sector. The current approach of compliant and non-compliant feels more straight forward for customers to understand and engage with, however, we would welcome change if it brought improvements to the sector.

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

It may be useful to introduce some way of reflecting the severity of Significant Performance Failures to provide more clarity on the seriousness of findings. This could help to ease customers' feelings if they hear their RSL is undergoing an investigation and support colleagues working within that RSL. Further to this, it may be useful to create a flowchart for customers as to when it would be appropriate to log a Significant Performance Failure. The better guidance there is for customers, the better experience they will have which is important to us at Places for People Scotland, regardless of what the situation may be.

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

Please see some suggest changes below:

- From the landlord perspective, it would be great to see the website refreshed to consider areas of the framework under specific sections with all guidance and publications relating to that area within the section. This would support with navigation and the user journey.
- The terminology of 'Engagement Plan' can be confusing for some. Some RSLs are on Engagement Plans due to issues with their performance, whereas some RSLs are on plans due to the nature of their service e.g. Landlords of Systemic Importance. This is not clear within the individual plan and may cause concern for customers. A review of the terminology may be useful.
- Consideration to be made to our colleagues in smaller RSLs through a small return/larger return process. This would recognise that smaller providers do not have the resource to pull together complex returns, especially where the level of detail requested is not appropriate for this size of business.

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