

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
2nd floor , George House
36 North Hanover Street, G1 2AD

Name/organisation name

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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?

Yes, however, it is noted that equalities, financial management and good governance are also included but not in bold or as a bullet point. Does this make these less important?
 There is no mention of sustainability or environmental issues, this could possibly be added to “keeping homes as affordable as possible whilst ensuring we meet our statutory and environmental obligations”

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

We are supportive of this generally but there is a concern that this is not a “knee jerk” reaction to specific incidents and a pragmatic and proportional approach is taken.

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

Yes.

We believe there may be some anomalies with Indicator 10 – Percentage of reactive repairs carried out in the last year completed right first time.

Across the sector, performance indicators are generally reported differently month on month than they are in the ARC, for example rent arrears performance (indicator 26). There are also different KPIs required for various benchmarking clubs. It would make sense for these indicators to be reported consistently. The calculations required for the ARC can sometimes be complicated.

The average time to re-let and average time for a new let should be separate indicators. The proxy calculation will not match the lost income to the number of days as new lets are included in one indicator but not in the other (Indicator 30)

There was clarification required recently with regard to the SHQS indicators and the 5 yearly EICR checks. There should perhaps be a more targeted indication regarding smoke and fire detection, and EICRs similar to gas and remove the SHQS section (see below)

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

The proposed indicators are:

- Electrical – If this is in relation to EICR is this already covered under SHQS and would you intend to remove the SHQS compliance section?
- Water, fire and lift safety – would need more information on what is to be reported and why?
- Asbestos – yes
- Include Legionella testing

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?

- No of cases reported
- Cause of problem broken into categories (eg property defect; overcrowding, fuel poverty etc)
- No resolved
- No outstanding

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

The title change from Tenant and Service User Redress to Listening and Responding to Tenants makes sense. The term Service User is becoming outdated, so maybe need to think about that.

There is a mention of providing tenants with an easy “and safe” way to provide feedback. Whilst it is appreciated what is intended by this, is it necessary?

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

The streamlining of Notifiable Events is welcome. The current list includes the requirement to notify the Regulator of “events” that are wholly operational. The focus needs to be on issues that are business critical. For example senior staff turnover and settlement agreements are operational.

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?*

No strong view

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

There may be confusion or even duplication between the reporting of a SPF and the standard complaints process. The guidance for the SPF notes that tenants should contact the landlord in the first instance, this would more than likely be treated by most organisations as either a Stage one or Stage two complaint and would then follow the SPSO route – perhaps if the SPSO finds it is a SPF then it is a Notifiable Event?

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

Would be keen for a review of the calculations within the 5-yr projections and how these are uploaded and submitted.

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