

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

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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. It is correct that the Regulator should focus on areas that pose the greatest risk to tenants. However, the current context in the UK does mean that landlords face significant challenges in providing access to housing, good quality and safe homes and also driving a prevention agenda. A balance is needed to reflect the Net Zero ambition in Scotland that poses cost challenges for landlords and potentially rent increases required to fund SHQS/ESSH.

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

Agree there is value in specifying the approach to tenant safety/house condition. However, compliance with SHQS may be a better fit, the process of self-assessment required to demonstrate Assurance adds another layer of bureaucracy and could be refined. Landlords already demonstrate a focus on safety in other ways.

The level of assurance required needs to reflect the time required to gather information and be reflective also of governance in organisations and the need to gain sign off at Committee and provide evidence of compliance.

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

A review of the indicators is required, antisocial behaviour, medical adaptations, repairs RFT, for example are not easily comparable with other organisations as we have differing timescales etc. It may be that if additional assurance is required then perhaps the current indicators are no longer relevant. Technical guidance also has to be clearer.

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

Agree with all listed. EDC are already undertaking work to ensure tenant safety and are working on a mechanism to record this work in a new IHMS still to be tested and implemented. Technical Guidance needs to be clear and landlords advised of changes in time to update various systems to be ready to report- in 2025/26.

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?

As above, due to various departments in the local authority being responsible for delivering (work on damp/mould) (medical adaptations) (voids) (SHQS) therefore appropriate lead in time has to be given to feed information to other departments and ensure there are systems with capacity to collect data for any new indicator from 2024 onwards should reporting be required from 2025/26.

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

Agree to the change in language, much more user friendly. The reviewed Tenant Participation Strategy 23 -28 seeks to improve performance further by adding a 'You Said, We Did' approach to actions for the next five years and beyond that fits with this vision.

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

Current approach is satisfactory and mainly effects RSLs, a local authority landlord there is potential to notify significant events such as failure to carry out gas safety checks as an example. However, it could be clearer what specific things should be flagged to the Regulator. For example, selling a property (disposals) is already recorded by the Scottish Government Housing Statistical Annual Return (HSAR) and would lead to duplication.

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?*

Yes. Agree that 'working towards compliance' is helpful to demonstrate where service improvement is taking place over time and provides evidence that will demonstrate to Committee the value in providing assurance.

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

Definition needs to be clearer on what a significant failure is. The Council has a corporate complaints policy that provides redress for the customer. There is also a whistleblowing policy in place. Therefore, other routes of redress are currently available in particular SPSO.

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

Improved technical guidance that would help us to train new staff. Access to pdf documents on website. FAQs for example. Stock return was more accessible previously when included in main body of ARC as opposed to portal. The portal itself could be more user friendly.

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