

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 principle, yes, however we are mindful that in the current economic climate there is often conflicting pressures on landlords to maintain affordability whilst delivering improved services and this should be recognised.

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

We agree in principle that the statutory guidance should be amended to include provisions on specific assurance which may change from year to year, however, a proportionate and consistent approach is required and this would need to be communicated to landlords as early as possible in the reporting year to ensure it is built in to the self-assurance process. In general, we feel that the self-assurance process is very time consuming for Board members when carried out properly and there is significant overlap between some of the Standards which leads to repetition when carry out the self-assurance process. We are concerned that the size of the AAS may increase as a result of the Framework review and feel that standards and requirements should be reviewed with the aim of cutting down on both the repetition and size/complexity of the self-assurance process.

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

We feel that some of the indicators should be reviewed. The indicator on rent collected as a percentage of rent due should be removed as this information is largely the inverse of the indicators on rent arrears so is a form of duplication. The technical guidance on repairs completed right first time is complex and difficult to benchmark against and should be reviewed to make it simpler. Indicator 21 on adaptations completed is dependent on funding and is therefore of limited use. Anti-social behaviour reports on cases reported and resolved in the reporting year therefore the data produced is often about a timing issue rather than a decrease in performance and this indicator is therefore of limited value. This also applies to the method of reporting complaints received/resolved.

We feel that the method of reporting on the ARC tenant satisfaction levels should be reviewed. We note that the level of tenant satisfaction is calculated by adding together the number of tenants who respond that they are either fairly or very satisfied with the landlord's service and calculating the satisfaction percentage according to the number of respondents. This method of calculation does not take into account the number of tenants who respond that they are neither satisfied nor dissatisfied with the landlord's service or where the tenant did not express an opinion. A tenant is either dissatisfied with a landlord or is satisfied with the service they receive and tenants who are neither dissatisfied or satisfied or who don't want to express an opinion should be excluded from the calculation as this does not provide a true reflection of the position.

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

We agree with the proposed focus on the additional indicators referenced in the discussion paper, however, we note that some of the indicators are already covered in SHQS therefore this may lead to duplication.

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?

Monitoring the approach to damp and mould issues is challenging, and by nature the issues are varied, ranging from simple repairs such as water ingress to more complex levels of

damp/mould. Any approach would need to recognise the different levels and the required response.

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

We agree with this approach as long as it doesn't become a tick box exercise and there should be clarity in terms of how this feeds into the complaints process.

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

We recognise that it is not possible to include every eventuality in the guidance to demonstrate what constitutes a notifiable event and are happy with the statutory guidance in its current form.

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 disagree that introducing an additional category would improve transparency. Landlords are either compliant or not and introducing a new category of 'compliant with improvements needed' would only confuse matters.

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

No

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

Changes could be made to be Portal to make the reporting of events and updating their status more user friendly. Additionally, the requirement for the chair of the governing body to notify where the event relates to a governance or organisational issue should be removed from a practical point of view, and this could be delegated to the relevant member of staff with reporting to the governing body. The facility to printable or save documents in pdf would be welcomed e.g. stock return.

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