

# 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

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?

The Regulator will always have their priorities from the specific role they have but some of this doesn't equate with the biggest challenges we are facing as a sector (such as, new build development in the context of much higher interest rates, how we deliver retrofit and net zero never mind continue to invest in component replacement and "keep homes affordable as possible".)

Too much of the focus seems to stem from issues that have largely been a problem within the English housing sector (tenant engagement and tenant safety). We are not complacent but where is the evidence that this is a serious problem in the Scottish housing sector?

Energy Efficiency seems to be a key priority missing from this list.

In terms of the priority around keeping homes affordable this also needs to be balanced with affordability for landlords to meet tenants needs and continue to maintain these homes to a high standard.

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

This will be very welcome as it will improve the process and provide focus for Board's in terms of areas to scrutinise further. I

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

It would be good if the indicator in respect of ASB cases could be changed to average time taken to resolve as this would be more indicative to how landlords were performing in respect of managing ASB effectively. In terms of the complaints indicators, it would better if landlords did not have to include any complaints just prior to the 31<sup>st</sup> March 2023 as we have to report on these complaints as not responded to as they are just received prior to the year end. It impacts on our performance figures but does not reflect actual performance.

We are unclear why there are 3 indicators in respect of medical adaptations when it is a small part of what we do. Overall it would be good to have a guidance document in respect of the purpose of collecting each of the indicators.

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

Yes they are the right areas.

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?

If developing new indicators in respect of this – they should include number of cases reported, an indicators in respect of how many responded to and timescales for this. There should also be an indicator/reporting in respect of following up on cases as this is where the risk is.

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

As a sector we do this well in Scotland and while we can always improve, it is not an area that is poor in respect of Scottish RSLs. The framework could outline some key overarching principles and it would be up to different RSLs how they meet these principles in consultation with their tenants.

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

It would be good if this was split into Notifications and Notifiable Events. Notifications would be notifications in respect of leases, disposals, rule change etc (previous consent areas) and Notifiable Events would be significant events. Also think the SHR should focus on RSLs that never submit any notifiable events.

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?*

Introducing a further criteria is worth considering to avoid reducing the potential for a sudden movement from a compliant status to non-compliant.

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

There is potential to be clearer here in respect of what is meant by this and the guidance as has been highlighted in the discussion paper.

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

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