



**Scottish Housing  
Regulator**

# **Statutory Manager List Application Pack**

September 2023

## About us

We are the independent Regulator of social landlords in Scotland.

### We safeguard and promote the interests of:

- Around 600,000 tenants who live in homes provided by social landlords
- Over 120,000 owners who received services from social landlords
- Around 40,000 people and their families who experience homelessness and seek help from local authorities
- Around 335 Gypsy/Traveller families who can use official sites provided by social landlords.

### We regulate:

- Around 172 social landlords
- Around 140 Registered social landlords
- 32 Local authorities

### Our equalities commitment:

Promoting equalities and human rights is integral to all of our work. We set out how we will meet our equalities duties in our Equalities Statement.

### Our role:

To monitor, assess and report on social landlords' performance of housing activities and RSL's financial wellbeing and standards of governance. We intervene, where we need to, to protect the interests of tenants and service users.

Our Regulatory Framework explain how we regulate social landlords. It is available from [www.housingregulator.gov.scot](http://www.housingregulator.gov.scot).

## Introduction

In 2019 we published a list of people with suitable skills and experience, from which we can select when we make statutory appointments of managers to social landlords (RSLs and local authorities). We are carrying out an exercise to update our list of statutory managers. Our objectives in updating the list are:

- To maintain openness and transparency
- Have assurance the required skills, expertise and knowledge are available
- To control and potentially lower costs for regulated bodies

This information pack explains:

- The statutory manager's role
- How we will manage the list
- The statutory manager role profile
- Candidate assessment
- How to apply

Applications need to be submitted by **12 noon on 13<sup>th</sup> October 2023**.

## **The statutory manager's role**

As published in our [Regulatory Framework](#) available on our website one of our functions is to make regulatory interventions where appropriate, relating to the performance of housing activities by both local authorities and registered social landlords, and RSLs' financial wellbeing and standards of governance.

A regulatory intervention is when we use a statutory power to require action from a social landlord where it is failing to provide services or manage its affairs to an appropriate standard. This may be non-compliance with regulatory requirements or a failure to achieve the standards and outcomes in the Scottish Social Housing Charter. We will only intervene where we need to and will always be proportionate, using the most appropriate power to target the problem effectively.

Our overall aim in any intervention is to achieve our regulatory objective to safeguard and promote the interests of tenants and other service users. The specific aim of intervention is to ensure that the tenants and service users have the benefit of a social landlord which is compliant with regulatory requirements as quickly as possible and at the least cost to tenants and service users.

One of the intervention powers available to SHR under Sections 57 to 59 of the Housing (Scotland) Act 2010 is to appoint a statutory manager to a social landlord. Our framework sets out more information about the use of this and our other statutory powers.

The statutory manager is not an employee of SHR or of the landlord. This is an appointment to carry out a statutory function. The time commitment and length of appointment will vary in each case. An appointment is likely to be for a period of 6 months but could be extended. The appointment is also likely to be an almost full-time role and candidates in employment should be aware of the time commitment involved and ensure they can secure permission from their employer to accept an appointment potentially at short notice.

The landlord is responsible for paying the statutory manager's fees and expenses.

## **How we will manage the list**

SHR wishes to develop a list of people with suitable skills and experience to carry out the statutory manager role. We intend to use the list to select candidates if we need to appoint a manager to a social landlord. When making appointments we must be assured that the person appointed has the required experience, skills and knowledge to help deliver the changes needed within the social landlord to bring its performance, governance or financial management to an acceptable level and comply with regulatory requirements.

The list of potential statutory managers will be in place for three years, and we will keep the list under review. We may run mini-competitions for each appointment, or, if we need to act urgently, make a direct appointment. In the exceptional circumstances where no list members are available, or if we require specialist skills which are not available through the people on the list then we may make a direct appointment outwith the list.

Being on this list does not guarantee that an individual will be selected for appointment during this period.

We will provide full briefing when we make an appointment and will agree communication and reporting arrangements with the manager at that time.

## **Statutory manager role profile**

Successful candidates will have a proven track record of carrying out interim senior officer roles in regulated organisations with serious performance, governance, and/or financial management problems. They will have extensive experience in governance, financial management and change management. They will also have excellent communication, people management and risk management skills.

The statutory manager role profile is attached at Annex 1 and sets out the essential criteria which the manager we appoint must demonstrate in their application.

We can only accept applications from individual applicants rather than from a company or organisation with its own legal identity. Individuals employed by companies who wish to apply will be required to make their own arrangements with their employers and should apply separately on their own behalf.

We expect statutory managers to abide by relevant Codes of Conduct and to:

- Work with integrity and impartiality;
- Act with respect, sensitivity and courtesy;
- Respect diversity and promote equal opportunities and keep the interests of tenants and service users at the forefront of their activities;
- Communicate clearly and helpfully using plain English.

We will discuss the anticipated time commitment for an appointment with candidates before any appointment is made. We will expect a significant proportion of the time to be spent on site at the social landlord's premises. In the initial stages of an intervention an appointment can be full time. We also expect candidates to be flexible in working evenings and weekends in order to attend meetings or other engagements if required.

All successful candidates will be required to produce indemnity insurance prior to commencing their role as a statutory manager. A Basic Disclosure certificate may also be required at a later stage. Further information on Basic Disclosure certificates can be found at [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk).

If you're a non-British national you can apply. You must be legally entitled to work in the UK and SHR would require the successful applicant to provide proof of eligibility to work in Scotland.

## **Candidate assessment**

We have set out the essential criteria for the statutory manager role at Annex 1.

In order to apply to be included on the statutory manager list candidates should submit a recent CV and application form. Submitted CVs and application forms should match the essential criteria in Annex 1 demonstrating that applicants have the required experience, knowledge and skills for the appointment. We will use candidates' CVs and application forms to conduct an initial sift and decide which candidates best meet our essential criteria. We will assess CV's and application forms against our essential criteria.

Candidates who pass the initial sift will proceed to the next stage of the assessment process which is the taking up of references.

We will take up references for two recent appointments. References will be used to demonstrate that candidates meet the essential criteria.

Applicants should also state a daily rate when applying to become part of the list. The person's suitability, qualifications and experience to carry out this role are our most important selection criteria. We will weight quality (80%) and price (20%) in our assessment.

We will select the candidates who best meet our requirements for the list of potential managers. We anticipate the assessment process will take approximately four weeks for stage 1 and four weeks for stage 2.

### **How we assess candidates**

- Candidate sends application form and CV
- Stage 1: SHR use application forms and CVs to assess candidates. Successful candidates move to Stage 2
- Stage 2: SHR request references.
- Successful Candidates join the list.

### **How to apply**

If you are interested in being considered, please provide us with a CV demonstrating how you meet the criteria and complete the application form on our website. It needs to be returned to SHR by **12 noon on 13<sup>th</sup> October 2023**. The forms can be returned:

By post to SHR, 2<sup>nd</sup> Floor, George House, 36 North Hanover Street, Glasgow, G1 2AD

By email to [shr@shr.gov.scot](mailto:shr@shr.gov.scot)

The information pack and application forms are also available on the SHR website [www.housingregulator.gov.scot](http://www.housingregulator.gov.scot).

SHR is an equal opportunities organisation and welcomes applications from suitably qualified and eligible candidates regardless of age, disability, gender reassignment, marital status, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

We recognise the principles of Equal Opportunities and are keen to find out whether we are attracting people from across our communities. To help us do that applicants are invited to provide Equal Opportunities monitoring information in the equalities monitoring form. This is not compulsory.

This information will form no part of the selection process, however if you would prefer not to answer the questions please tick the box on the form. All information supplied will be anonymous and held in accordance with the UK GDPR and Data Protection Act 2018.

### **Any Questions?**

If you have any questions, please e-mail [shr@shr.gov.scot](mailto:shr@shr.gov.scot),

**Annex 1  
Statutory Manager Role Profile**

**Experience, knowledge and skills required**

We are looking for you to demonstrate **all** the experience and knowledge and skills listed under Essential Criteria.

<b>Essential Criteria</b>	
<b>Experience</b>	<ul style="list-style-type: none"> <li>• You will have a proven track record of leadership and successfully carrying out interim senior officer roles in regulated organisations with serious performance, governance and/or financial management problems. And delivering improvements and lasting change</li> <li>• You will have experience in governance and financial management at a senior level</li> <li>• You will have experience in assessing risks and using sound judgement to develop and implement effective strategies to address risk</li> <li>• You will have a track record of working collaboratively with internal and external colleagues/stakeholders to manage risk and deliver improvements in troubled organisations</li> <li>• You will have personal resilience to deliver improvements in challenging organisational environments</li> <li>• You will have experience of identifying and implementing performance improvement. This will include planning, agreeing and monitoring the delivery of financial and other performance targets</li> </ul>
<b>Knowledge</b>	<ul style="list-style-type: none"> <li>• You will understand the role of the Scottish Housing Regulator</li> <li>• You will have a high level of relevant knowledge of regulation frameworks and expectations</li> <li>• You will have a high level of relevant specialist knowledge of social housing operations, legislation and professional competence</li> <li>• You will have knowledge of relevant legislative framework for Scottish social landlords/Scottish housing sector</li> <li>• You will have an excellent understanding of governance structures, processes, controls and behaviours in a social housing context</li> <li>• You will have financial acumen and an ability to understand complex financial information in order to make management decisions</li> <li>• You will understand the funding environment, financial structures and funding mix for Scottish social landlords</li> <li>• You will have a knowledge of employment legislation</li> <li>• You will have a knowledge of equalities legislation</li> </ul>

Skills	
Leading change:	<ul style="list-style-type: none"> <li>• You communicate a clear vision which supports action and engages others</li> <li>• You set a standard by taking responsibility for delivery</li> <li>• You manage risk and resources to drive continuous improvement</li> <li>• You are able to lead a way through complex issues and conflicting perspectives</li> <li>• You manage conflict effectively to achieve desired outcomes</li> <li>• You lead &amp; manage the authorising environment, making connections across boundaries to build strong networks and partnerships</li> </ul>
Governance	<ul style="list-style-type: none"> <li>• You provide strategic direction to the organisation</li> <li>• You understand governance structures and processes and use these to ensure accountable decision making</li> <li>• You embed good governance structures, processes and behaviours</li> <li>• You demonstrate robust challenge</li> </ul>
Financial management skills	<ul style="list-style-type: none"> <li>• You use a variety of tools and techniques and know when to seek advice from audit, risk, procurement and finance specialists</li> <li>• You assure the highest standards of value for money, internal controls and governance</li> <li>• You are able to interpret complex financial information &amp; options to underpin sound decisions</li> <li>• You are able to effectively manage funder/investor relationships</li> </ul>
Communication and engagement	<ul style="list-style-type: none"> <li>• You have excellent written and oral communication skills.</li> <li>• You use customer insight to identify appropriate communication channels to target internal /external stakeholder audience needs</li> <li>• You understand, influence and translate the wider communications agenda</li> </ul>
People management	<ul style="list-style-type: none"> <li>• You work collaboratively with internal and external colleagues/stakeholders to manage risk and deliver improvements in troubled organisations</li> <li>• You are credible with stakeholders, creating conditions to build effective teams that empower, value, recognise, inspire and motivate people</li> <li>• You raise performance using constructive challenge and feedback</li> <li>• You are a resilient and self-aware role model. You recognise your impact on others</li> <li>• You are able to shape the business direction to engage and align governing bodies and staff, manage workloads &amp; ensure capacity to deliver</li> <li>• You seek advice from employment specialists when necessary</li> </ul>

Risk management and improving performance	<ul style="list-style-type: none"> <li>• You oversee risks to strategic objectives, influencing others to enhance outcomes and aid continuous improvement</li> <li>• You assess risks and use sound judgement to develop and implement effective strategies to address risk</li> <li>• You prioritise areas of action based on sound risk management</li> <li>• You plan, agree and monitor the delivery of financial and other performance targets</li> <li>• You implement ways to improve resource &amp; asset efficiency</li> <li>• You link evidence with specific outputs and outcomes to challenge norms, and identify new ways of working</li> <li>• You use skills and resources effectively to meet changing circumstances and expectations</li> </ul>
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Applicants will be asked to certify that the information provided to us is correct. If the application passes the initial sift we will take up references from two recent appointments.

When we need to make an appointment we will take steps to confirm that the applicant is able to be appointed to the position. At that stage applicants will be asked to certify that:

- they have indemnity insurance
- they have no inappropriate or unmanageable conflicts of interest incompatible with the appointment
- the applicant's appointment is not barred by criminal offences or other relevant matters
- they agree to be bound by relevant Codes of Conduct
- they are able to meet the time commitment required

## **Annex 2 -Privacy Notice for processing data in relation to the Statutory Manager selection list**

This privacy notice explains your rights under the UK General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA). It describes how we use, store and share the personal information we collect about you.

Personal Data (which we will refer to as 'data' throughout this notice) means any information about an individual from which that person can be identified.

Any personal information gathered from you will be held in line with the principles of Data Protection legislation.

### **Why we are collecting data**

Any personal data collected from you will only be used for the purpose of managing the recruitment process for the statutory manager list. We may also contact people named by you for references. We may also publish your name on our website if you are successful in your application.

### **Legal basis for processing data**

We will only process your data when permitted to by law. We may use your personal information where:

- The processing is necessary for the performance of a contract
- It is needed to perform a task carried out in the public interest
- We need to comply with a legal requirement
- It is necessary for the purposes of the prevention, investigation, detection or prosecution of criminal offences

### **What data we collect**

In undertaking this procedure, where applicable we may process the following categories of personal and special category data such as: full name, title, gender, nationality, place of residence in the UK, telephone number, email address, employment role and any conflict of interest relating to the role.

If applicable, some of the data that we process may be classed as 'special category' data, including any equal opportunities and diversity monitoring information that you provide to us. The lawful basis for processing this special category data is that it is necessary for reasons of substantial public interest for the purposes of equality of opportunity or treatment. On receipt of the optional equal opportunity and diversity monitoring form we will immediately separate this from your application and ensure it is non attributable to you.

### **Who we will share your data with**

We will keep a record of your data in a secure electronic location with restricted access. Paper files may also be kept and retained. These will be stored securely in locked cabinets within a secure area, with restricted access. There may be circumstances in which we may lawfully share your data with third parties where, for example, we are required to do so by law. Where we share data, we shall do so in accordance with data protection laws.

### **How long we will keep your data**

Your personal data and that of third parties (for example, references) will be retained for as long as it is necessary for the purpose it was collected. All paper files that contain your personal data will be destroyed within six months of receipt if you are unsuccessful in your

application. All electronic files that contain your personal data will be deleted within six months of receipt if you are unsuccessful in your application.

If you are successful in your application then all paper and electronic files that contain your personal data will be kept while your name remains on the list.

## Your data rights

In relation to your personal data held by us, you have the right to:

- **Object** – request that your data is not processed for certain purposes
- **Restrict Processing** – request that the processing of your personal data is restricted in certain circumstances, for example, where accuracy is contested
- **Rectification** – request that any inaccuracies in your personal data are rectified immediately and request that any incomplete personal data is completed, including by means of a supplementary statement
- **Access** – request information about how your personal data is processed and to request a copy of that personal data

## Contact Details

If you have any questions about anything in this privacy notice or if you consider that your personal data has been misused or mishandled, or you would like to exercise any of your rights, contact:

If you are not satisfied with the response, you have the right to make a complaint to:

**Scottish Housing Regulator**  
2nd Floor. George House  
36 North Hanover Street  
Glasgow  
G1 2AD

Email  
[shr@shr.gov.scot](mailto:shr@shr.gov.scot)

**The Information Commissioner**  
Wycliff House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113

Website: <https://ico.org.uk/>



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