

Our regulation of social housing in Scotland

Consultation questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our consultation 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 **15 December 2023**.

By email @: regulatoryframeworkreview@shr.gov.scot

Or post to: Scottish Housing Regulator
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36 North Hanover Street, G1 2AD

Name/organisation name

Wheatley Housing Group Limited

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Phone

Email

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. Do you agree with our proposed approach on specific assurance in Annual Assurance Statements?

Yes. We consider that this provides the SHR with the necessary ability to respond to emerging issues and will help to improve transparency and accountability to stakeholders.

2. Do you agree with our proposal to initiate a comprehensive review of the Annual Return on the Charter which we will consult on next year?

Yes. We would support a comprehensive review and agree that it should seek to align with the work of the Scottish Government's EESSH Review Group. We also support the proposed approach to engaging relevant experts and the sector more widely as part of the review process.

3. Do you agree with our proposed amendments to strengthen the emphasis on landlords listening to tenants and service users to include a requirement that landlords:

- a. provide tenants, residents and service users with appropriate ways to provide feedback and raise concerns, and
- b. ensure that they consider such information and provide quick and effective responses?

Yes. We consider this to be a fundamental part of being a good landlord and agree that landlords should be accountable to their tenants and service users in this area.

4. Do you agree with our proposed approach to Notifiable Events?

Yes. We think that the current process is well understood but agree that changes to help make clear that it is only the most significant issues that require to be notified would help improve this further.

5. Do you agree with our proposed approach to regulatory status?

Yes. We agree the changes proposed provide greater clarity around when a landlord is deemed to be compliant and when it is not.

6. Do you agree with our proposed approach to Significant Performance failures?

Yes. We welcome the detailed nature of the updates and feel this will bring clarity to tenants and landlords about what a Significant Performance Failure is and is not.

7. Do you agree with our proposed changes to the guidance on *Annual Assurance Statements*?

Yes. They are consistent with the approach set out in the Regulatory Framework

8. Do you agree with our proposed changes to the guidance on *Consultation where the Regulator is directing a transfer of assets*?

Yes.

9. Do you agree with our proposal to maintain *the Determination* at this time?

Yes. We note there are no substantive changes at this time and that it will be subject to future review.

10. Do you agree with our proposed changes to the guidance on *Determination of what is meant by a step to enforce a security over an RSL's land*?

Yes. The additional clarity and the inclusion of the specified steps set out in s.73 of the 2010 Act are a helpful reference.

11. Do you agree with our proposal to maintain the guidance on *Financial viability of RSLs*?

Yes. We consider that the current arrangements for submitting five-year financial projections are appropriate.

12. Do you agree with our proposed changes to the guidance on *Group structures*?

Yes. We agree it is important to ensure there is a clear alignment between the guidance and the Regulatory Framework. The proposed changes help to ensure this link and reinforce the importance of having strong governance arrangements in place. In addition, we believe it is important that these are reviewed, both at the time of any partnership and regularly thereafter, to ensure the benefit to tenants of such partnership continues to be delivered.

13. Do you agree with our proposed changes to the guidance on *How to request an appeal of a regulatory decision*?

Yes. We note that the amendment is minimal and provides clarity on de-registration.

14. Do you agree with our proposal to maintain the guidance on *How to request a review of a regulatory decision*?

Yes.

15. Do you agree with our proposed changes to the guidance on *Notifiable events*?

Yes. We welcome the additional clarity provided that only the most critical issues are to be brought to the SHR's attention.

16. Do you agree with our proposed changes to the guidance on *Preparation of financial statements*?

Yes.

17. Do you agree with our proposal to maintain the guidance on *Section 72 reporting events of material significance*?

Yes. We note that no changes are proposed to this guidance.

18. Do you agree with our proposed changes to the guidance on *Tenant consultation and approval*?

Yes. We agree in particular the inclusion of enhanced wording around equalities and, where necessary, make reasonable adjustments to consultation documents

19. Would you like to give feedback on any aspect of our impact assessments? Are there other potential impacts that we should consider?

The impact assessments are in line with our review of the framework.

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