

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
2nd floor , George House
36 North Hanover Street, G1 2AD

Name/organisation name

Loreburn Housing Association

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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

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 – Landlords should be required to give specific assurance. Providing timely guidance on what this consists of, if it is to change on an annual basis, is crucial if this is to be an effective process. We agree that by the end of April allows sufficient time for landlords to prepare effectively. Would there be an option for an annual visit to review the evidence banks, this would provide assurance for the SHR, our Boards and tenants.

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 – a review of the ARC is welcomed and we believe that the focus of the review should be around outcomes for tenants rather than the process. The accompanying technical guidance is equally as important and must be specific and objective in terms of reporting requirements to ensure landlords are assessed on a like for like basis in sector comparisons.

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

Yes – ensuring landlords strengthen the tenant voice in all we do is vital if we are to enhance outcomes.

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

Yes – whilst there is not any substantive change proposed, we welcome the approach regarding contacting the lead regulation manager if there is some uncertainty over whether a notifiable event is required prior to formal notification. If the NE process could be more transparent within the sector that would assist all RSLs. It is also encouraging to see the guidance referring to the approach being risk-based and proportionate therefore the proposed wording at 6.1 is welcomed.

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

Yes – the current approach seem to be working well and should be maintained. Additional wording/guidance as proposed to remove subjectivity from the 'working towards compliance' status is welcomed. Could there be guidance issued on how the second and third categories are measured and assessed so that tenants can be reassured about the performance of their landlord.

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

Yes – we welcome the additional guidance. This makes it clear that the process is not for dealing with individual complaints and is geared to ensure landlord's have been given a fair opportunity to address the matter through their own procedures and the SPSOs procedures in the first instance. (RW)

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

Yes – whilst proposed changes are minimal, the proposals regarding specific assurance and proposed timeframes at 1.5 are fully supported.

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

Yes we support these changes.

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

Yes, we support this proposal

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, we support this proposal

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

Yes, we support this proposal

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

Yes – the additional guidance is welcomed.

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

Yes, minimal changes proposed. Process is as clear and straightforward as it can be when dealing with such complex matters that we recognise will require flexibility of approach dependent on risk.

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

Yes – minimal changes proposed.

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

Yes – as per our comments at Q4, the proposed changes are welcomed.

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

Yes, we support these changes

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

Yes

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

Yes

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 assessment information is comprehensive. You have given consideration to Island communities , could you consider rural / very rural communities as a potential impact as they experience similar challenges as island communities.

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