



**Scottish Housing**  
Regulator

# **Complaints & Serious Concerns**

Advisory Guidance:  
Information for  
social landlords

December 2025

## Introduction

This factsheet is for social landlords. It explains what we do when a tenant (or tenant representative) approaches us with a Serious Concern about their landlord.

We have published a [separate factsheet](#) for tenants and tenant groups about reporting a Serious Concern to us. This also explains the appropriate route for individual complaints.

**We require all landlords to display and make copies of our tenant factsheet available in their offices, on their website and to give a copy to all groups representing tenants' interests, including any registered tenant organisations.**

## Housing Scotland Act 2010

This factsheet; and the accompanying tenant factsheet, meet our duty under section 47 of the Housing (Scotland) Act 2010 to publish a statement on arrangements to enable and assist tenants of social landlords to provide SHR with information on significant performance failures (SPFs) by social landlords. In response to feedback about making SPFs easier to understand we decided to try to simplify the language and now refer to SPFs as 'Serious Concerns'.

You can find more information about Serious Concerns in our [Regulatory Framework](#).

## What is a Serious Concern?

Tenants can contact us where their landlord regularly and repeatedly fails to achieve the [regulatory requirements](#) for social housing; and this failure affects **a group of the social landlord tenants**.

### What is a Serious Concern?

When a social landlord:

- has acted in a way which puts tenants' interests at risk and this affects, or could affect, a group of tenants or all tenants; or
- repeatedly fails to achieve outcomes in the Social Housing Charter or outcomes agreed with tenants; or
- has not reported its performance annually to its tenants or has reported it inaccurately; or
- does not meet our standards for how an RSL should govern itself and manage its finances; or
- has not met any performance improvement, governance or financial management [targets](#) we have set in their Engagement Plan.

### Examples of a Serious Concern

(please note these examples are not exhaustive)

When a social landlord:

- fails to consult with tenants on a rent increase; or
- does not make its Engagement Plan available and accessible to tenants; or
- does not collect data on the protected characteristics of its tenants; or
- regularly fails to do gas safety checks when it should; or
- regularly does not do repairs when it should; or
- does not allow tenants to apply for another house; or
- does not respond formally to complaints.

### Who can report a Serious Concern?

Only tenants can report a Serious Concern to us. A group of tenants or an individual acting on behalf of a group of tenants, such as a representative of a registered tenants' organisation, can also report a Serious Concern to us.

To report a Serious Concern, they should complete the form attached to the [tenant factsheet](#) and send it to us by email or post. They should tell us exactly what the issue is and why they believe it should be considered through the Serious Concerns process. They should show how the problem **affects a group of the social landlord tenants**; and also tell us how and when they raised it with the social landlord and how it responded; and why they believe the issue was not resolved or resolved within a reasonable time.

### What will happen when a Serious Concern is reported?

We will decide whether we can consider the issue through our Serious Concerns route or for example, it is an individual tenant complaint.

If the issue can be considered through the Serious Concerns route we will normally discuss the issue with the landlord in the first instance. In most cases we will need to gather more information to establish the facts. We:

- will tell you that a Serious Concern has been reported to us and will set out the issue that has been raised with us;

- will check whether the issue has been firstly raised with you and that you have been given the opportunity to respond within your published timescale and to address the issue;
- may ask you to provide information. If so, we will tell you what we need and agree when you should send it to us;
- may need to meet with staff and/or members of your governing body/housing committee to discuss the issue;
- will keep you updated about progress and tell you when we aim to make a decision; and
- will write to tell you and the tenant of our decision and the reasons.

We will decide whether there has been a failing on the part of the landlord as quickly as possible. We will aim to make a decision within 20 working days, the length of time it takes will depend on:

- how complex the issue is;
- the amount of information we need to gather and look at; and
- how quickly we get the information we need.

If it will take us longer than 20 working days to make a decision we will give you regular updates on progress. In the more complex cases we will aim to complete our investigations and make a decision within 40 working days.

We also consider the information provided to us by tenants as part of our assessment of the landlord's achievement of the Charter and in our [risk assessment](#).

## What will happen next?

This will depend on the circumstances. If after investigation we find there has been no failing we will confirm this to you and to the tenants who raised the issue with us. But if we decide there has been a failing on the part of the landlord we will decide whether we need to engage with you to ensure you take action to address the issue.

We may take immediate regulatory action if we feel this is necessary. This would depend on the seriousness of the issue and the impact on tenants.

In most cases we will seek assurance that you will take action to address the issue. In our engagement with you we will therefore check that:

- you are able and willing to address the issue;
- you will be open with us and engage constructively with us as you address the issue; and
- that you have the capacity to deal effectively with the issue.

You may already be taking action to address the issue. If so we will ask how you are addressing the issue, what progress you have made and your timescales for completing the work. If you haven't yet started to take action to address the issue, we will ask you to tell us the actions you will take and how quickly you plan to do that.

Landlords who have dealt well with these issues have developed action plans with clear timescales which are monitored to ensure they are delivered. We might give feedback if we require any further information on what actions will be taken and in what timeframe.

Where there has been a failing on the part of the landlord it is important that the landlord is open with its tenants about a Serious Concern and the action it is taking to address it.

It is important that we are open and transparent about the engagement we have with landlords so if we need to engage with you about a Serious Concern, we will say this in your


Engagement Plan. The Engagement Plan will set out what we require you to do and the timescales for this.


We will continue to engage with you to seek assurance that the issue is addressed. If after engaging with you, we don't receive the necessary assurance that the issue is being addressed, we may escalate our engagement further, including possible use of our statutory powers. You can find further information on how we may use our statutory powers in our [Regulatory Framework](#) and in our advisory guidance '[How we use our statutory powers](#)'.

### **If you disagree with our decision**

You can ask us to review our decision. Further information about our review process and how you can request a review is contained in our guidance, [How to request a review of a regulatory decision](#) on our website.

### **How to contact us**

 Scottish Housing Regulator, 5<sup>th</sup> Floor, 220 High Street, Glasgow G4 0QW

 0141 242 5642

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

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