

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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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, but would reiterate the need to have sufficient advance notice in order to collect and collate the required assurance evidence where no previous requirement has been in place. This will also require a clear definition of the information to be collected.

Working groups would be welcomed to seek feedback from the sector in establishing appropriate and meaningful future indicators.

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 including the technical guidance to ensure RSL consistency in reporting would be welcomed and again as long as sufficient lead in time is given to enable landlords to change their reporting to facilitate these changes.

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, however, we believe we already provide a number of ways for tenants and residents to provide feedback. There is already extensive tenant engagement already in place and the information contained in the ARC, which allows for appropriate monitoring and effective remedial action. The ARC is not just an annual return but we also use it as a basis for monthly performance monitoring.

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

Yes, however, further updated guidance would be welcomed to attempt to bring a more consistent approach.

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

Yes, however, does making it more obvious when there is non-compliance cause additional risks that lenders may think things are worse than they actually are?

Where there is a non-compliance element then an explanation of how these will be addressed in the statement would help give confidence to users of the service that issues will be resolved.

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

Yes the additional guidance is welcomed to ensure clarity for all.

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

Yes but difficult to comment further until we see the changes being proposed.

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, however, may be more appropriate to await the planned review of the current SORP.

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 to ensure a consistent approach.

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

Yes.

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

Yes.

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

Yes as minimal proposals.

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

Yes as minimal proposals. Why is there changes to appeal but not review, it would be easier to follow if it was more integrated and streamlined.

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

Yes as last reviewed 2019 and consistency is required.

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, however, difficult to say until we see what type of information on equality might be included.

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?

No.

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