Our regulation of social housing in Scotland
Discussion questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our discussion 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 11 August 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

Regional Networks of Tenants and Residents

Address

c/o Shona Gorman (Chairperson) Central Regional Network on behalf of the Regional Networks

Postcode	Phone	Email Shona.Gorman@linkscrutinypanel.org.uk

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. We believe that our regulatory priorities should be:
   - listening and responding effectively to tenants and service users
   - providing good quality and safe homes
   - keeping homes as affordable as possible
   - doing all they can to reduce the number of people who are experiencing homelessness

   We are keen to hear your feedback on these priorities. Are they the right ones?

   > Generally the Regional Network members believe these are the correct regulatory priorities. These are broad categories and this is how it should be. We agree these are all key priorities that are current and require to be developed and addressed. An increase in focus on tenants and service user perception and of housing service delivery is needed to foster sound working relationships to address the key and current issues in what is a challenging financial climate. In the current Regulatory Framework (RF) under empowering tenants to say we empower tenants doesn't mean that tenants are empowered and more needs to be done to ensure that these are not just aspirational priorities. The RF needs to be clear on what is the responsibility of the SHR and what is out with their control.
   > The RF also needs to ensure that it meets human rights requirements in relation to the implementation of the right to adequate housing.

2. What are your views on amending the Statutory Guidance on Annual Assurance Statements to include provisions on specific assurance?

   > The Regional Networks agree that this is a positive move and provision to allow the SHR to require landlords to include explicit assurance in the Annual Assurance Statement (AAS) on specific issues should be included that may not otherwise be within the standard statement template. The Regional Networks also want to see a provision in the AAS that confirms the landlord is meeting their tenant participation legal requirements and this should be countersigned by a recognised tenant forum. Whilst the Networks accept that self-assurance is part of the regulatory process the AAS as part of the tenant empowerment priority should have some confirmation from tenants that what the landlord is confirming they are doing is what's happening in practice.

3. Do you think that we need to change any of the indicators in the ARC or add to these?

   > Indicator 30 – the "Average length of time taken to re-let properties in the last year" Potential to ask for data to record the time a property has spent being refurbished with the maintenance team and time spent in other areas of the process – provides enhanced level of breakdown on the overall time taken to re-let figure as a whole and

may help to identify areas where improvement actions could be focused.

Indicator 25 - "Percentage of tenants who feel the rent for their property represents good value for money".

VFM means different things to different people depending on their personal situation. Does this indicator add anything?

4. Are the proposed areas of focus for tenant and resident safety indicators the right ones, and what should those indicators be?

Yes the Regional Networks agree that these additional indicators (electrical, water, fire, asbestos and lift safety) are the correct ones to add to those on gas safety and emergency repairs. The only further comments we have is it would be better to have building materials safety rather than just highlight asbestos and lifts will not be applicable to all landlords only those landlords with high rise accommodation.

5. What do you think would be the most effective and appropriate way to monitor the effectiveness of landlords' approach to managing reports and instances of mould and dampness?

Overall there needs to be a clear, accurate methodology, and open approach by landlords, with open- and clear dialogue, not just between the landlord and tenant, but contractors too. There needs to be some kind of 'start to finish' process which would include the health and safety of the tenant, and be completed within a specific timeframe.

We see the following as an effective two pronged approach - active from landlords, annual check of properties, reactive from tenants who can report a specific problem. This will work positively and catch any issues at an earlier stage.

This also needs to be included within the annual assurance statement as a standard item to be reported on under health and safety. Landlords should set out and provide evidence of management and monitoring of damp cases/reports and confirm that they are meeting obligations within this area (or not) – this should include for details around staffing resource assigned to damp works, method of tackling (in-house trades/contractors/both) and timescales to respond and treat. An ARC indicator could be created to request data on the number of cases each year and time taken to resolve.

6. What are your views on strengthening the Framework further on landlords listening to tenants and service users?

The Regional Networks agree with this approach. Changing the title of this section of the Regulatory Framework is fine but it doesn't do anything to strengthen the framework, putting a greater emphasis on

landlords meeting their tenant participation legal requirements on consulting and informing tenants will ensure this happens.

This area is a priority to develop and ensure that landlord relations with tenants and service users is improved and is as best as it can be – this is vital to successfully improving housing stock and maintaining people in their homes in an environment which they are happy to live in. Looking forwards improvement in tenant feedback will be key in undertaking and developing a "soft landings" approach to installation of renewable tech in tenant homes with tenant education and understanding of new systems installed key to their success.

7. How do you think we could streamline the requirements for landlords in the Notifiable Events statutory guidance?

No comments

8. *Do you think there is value in using more direct language in* the working towards compliance *status, or in introducing an intermediary regulatory status between compliant and working towards compliance?*

Yes - adapting the language, so it's clear and easy to understand is important. Plain English is essential. The current categories need to be more meaningful to tenants. We support the view that there should be an intermediary regulatory status between the current categories.

9. Are there any changes we should make to the Significant Performance Failures approach, including how we define these?

The Regional Networks have no suggested changes to the approach however awareness across tenants of this approach is extremely limited so we would like to see the SHR promote what SPFs are and how tenants can report where they think their landlord may be failing. There is also the concern that if it's an issue affecting tenants that it has already got to the stage where it's a major failure and there should be clearer guidance for tenants on what actions they can take to prevent something becoming a Significant Performance Failure.

10. Are there any other changes to the Regulatory Framework and associated guidance that you would suggest?

No further changes or comments.

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