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
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Name/organisation name

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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	☐

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?

   > Yes, we agree that these are the right priorities, along with the continued focus on equalities, human rights and governance. In terms of homelessness, we would suggest this should be extended to reducing numbers of households living in temporary accommodation as well as experiencing homelessness in the first place.

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

   > Our experience has been that the Regulator has issued these requests over the last few years, so this feels like bringing the statutory guidance into line with practice. We have no concerns about this approach, but to be effective it would be helpful to include guidance on *how* SHR expects RSLs to assure themselves around particular issues.

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

   > We would be supportive of streamlining the range of ARC indicators. In the list below we have identified some indicators which we think are problematic and provided some brief narrative on these:
   > - Right first time. We think that the right first time indicator is confusing and does not really assess what it is intended to. This is because repairs fail when they exceed the RSL's published timeframes. We think this indicator should assess repairs that have failed or require to be recalled for other reasons, e.g. following a post inspection.
   > - Anti-social behaviour. We think that the current measure of anti-social behaviour resolution is not customer-focused. SHR should consider customer satisfaction dealing with anti-social behaviour as an alterative.
   > - Rent collection. We find the different ways this indicator is reported to be confusing and very technical. We think a simple measure, such as gross rent arrears, would be more effective.
   > - Contextual information. We think that there would be merit in the contextual information to include narrative about what else the RSL does, e.g. wider role/community regeneration as providing this wider support to communities is becoming increasingly important.
   > - Customer satisfaction. We think that the current guidance is not prescriptive enough about how satisfaction should be measured and as a result does not support comparison between landlords. We think all landlords should be required to collect satisfaction data in the same way.
   > - Void turnaround. We think that properties with no power due to meter issues should be classed as unlettable and therefore excluded from the KPI because this is outside of the Association's control.
   > - Tenancy sustainment. We think this indicator should exclude deaths and also positive move on, e.g. from supported accommodation to an independent tenancy.

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

   > We agree that there should be additional indicators around tenant and resident safety. We agree these should cover gas, electrical safety, lifts, water, asbestos and fire. We have attached our

> landlord health and safety KPI suits which we report to our Board quarterly. We would support the introduction of a similar suite of health and safety KPIs.

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?

> Yes we agree that this should be included. We think this should focus on the number of live (unresolved) cases rather than just the number of cases that have been reported. We also think there should be an indicator on cases that it took the RSL longer than two weeks to resolve. Our strategic damp and mould KPIs are included in the health and safety KPI suite attached. We would support introduction of similar health and safety KPIs for damp and mould.

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

> We would be supportive of the principle of this but would welcome more detail around what this would mean in terms of practical expectations. We would be concerned about proposals that focused on traditional, e.g. in person/written forms of tenant engagement.

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

> We would welcome the principle of this and look forward to seeing more detail. One area that we think needs more clarification is around negative media stories which we have received inconsistent guidance on in the past.

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?*

> We are unsure of the value in this proposal. In our experience tenants aren't aware of regulatory statuses and it would be great to see a proposal that aimed to be more engaging for tenants. In our experience most associations identify non-material areas for improvement in their Assurance statements anyway so we are not sure what benefit this additional status would bring.

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

> No, we think that this definition seems reasonable and proportionate.

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

> We would not suggest any other changes.

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