

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

Caledonia Housing Association (Group)

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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	<input type="checkbox"/>
Please publish my response, but not my name	<input type="checkbox"/>

1. Do you agree with our proposed approach on specific assurance in Annual Assurance Statements?

In part – we broadly support the proposed approach, including the provision of prompt communications about any specific assurance requirements. We note the proposed wording in the statutory guidance indicates this communication will be issued by the end of April each year and consider this to be appropriate. We also consider it would be appropriate to highlight any specific individual assurance requirements within landlord engagement plans, and for the timing of broader sector communications to be aligned with the publication of updated engagement plans.

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 – we acknowledge the rationale for carrying out the ARC review next year and agree with the proposed approach. We recognise the appropriateness of considering new indicators covering tenant and resident safety, and energy efficiency issues and would be pleased to contribute to further discussions on this, to ensure data collected is of value. Similarly, we would ask that the introduction of any new indicators is underpinned by the principle of proportionate regulation; and that equal consideration is given to removing indicators that may be identified as being of limited value or no longer required or relevant.

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?

In part. We understand the fundamental importance of landlords listening, acknowledging and acting quickly and effectively to tenant and service user feedback. However, we are unclear as to the value of adding this general customer service statement as a distinct regulatory requirement, as it replicates robust provisions which currently exist within the Scottish Social Housing Charter and could complicate matters creating duplication and double regulation. We would also suggest that the wording is general and therefore it is unclear if these are additional actions or if the intent of the amendment is to reinforce the need to achieve Housing Charter standards.

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

Yes – While we have no comments or concerns about the existing process and guidance, we broadly support a move to a more streamlined approach, including clarification of the distinction between routine notification matters, and the more critical issues that would constitute a Notifiable Event. We acknowledge the minor proposed changes to wording in the Statutory Guidance and consider these all to be helpful and valid.

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

Yes – we agree with maintaining three statuses, and that the proposed changes to wording are helpful in providing added clarification in cases of non-compliance.

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

Yes - While we have no particular concerns about the existing arrangements and wording, we acknowledge the proposed amendments may assist in providing tenants and services users with added clarity about when it is appropriate to raise concerns with SHR.

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

Yes – we agree that the proposed minor amendments and added detail are helpful.

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

Yes – we acknowledge the relevance and appropriateness of the proposed amendments in clarifying how and when SHR will use its statutory powers, and adding procedural detail.

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

Yes – we acknowledge the rationale for maintaining the Determination until after the 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 – we agree the proposed changes are appropriate in order to ensure alignment with legislative provisions.

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

Yes – we agree the current guidance does not require amending.

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

Yes – we agree the proposed additional detail in the guidance is required, and that it appears helpful in summarising the key regulatory and legal requirements. We would be pleased to offer further insight to our experience of developing and operating a Group structure.

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

Yes – we acknowledge the minor points of clarification proposed.

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

Yes – we agree the current guidance does not require amendment.

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

Yes – we acknowledge the minor proposed changes to wording in the Statutory Guidance and consider these all to be helpful and valid.

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

Yes – we acknowledge the proposed minor updates to the guidance and the purpose of these.

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

Yes – we agree the current guidance remains adequate in setting out legislative provisions, how these should be interpreted and relevant procedural matters.

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

Yes – we agree the proposed changes are required to highlight the importance of considering equalities issues and promoting equal opportunities; and clarify some procedural matters.

19. Would you like to give feedback on any aspect of our impact assessments? Are there other potential impacts that we should consider?

We have no significant comments about the impact assessments. We suggest there is scope to amend the wording of the impacts which refer to “those with a protected characteristic” to more accurately reflect what is intended – i.e. those tenants or service users who may be vulnerable or have greater needs because of a protected characteristic (or combination of.) It may also be beneficial to include impacts on shareholding members.

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