

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

East Lothian Council

Address

Penston House

Macmerry Industrial Estate

Macmerry

East Lothian

Postcode EH33 1EX

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 the specific assurance matter in question needs to be preceded by clear guidance on expectations. We would also welcome reasonable lead in time in advance of any updated submission.

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, however, if the AAS is to be used as the only vehicle meantime (i.e. for landlords reporting specific assurance on their compliance with their tenant and resident safety obligations, including their performance in dealing with instances of mould and damp), then for those items not included in the SHQS, clear guidance on the reporting expectations should be documented and shared with Landlords with further clarity around the interpretation of what constitutes compliance / non-compliance in the context of associated legislative, regulatory & best practice guides.

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:
- provide tenants, residents and service users with appropriate ways to provide feedback and raise concerns, and
 - ensure that they consider such information and provide quick and effective responses?

Yes

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

N/A – RSL only - no comment

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

N/A – RSL only - no comment

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

Wording on page 30 should be revised to read: 'We may consider serious concerns of this nature to be "significant performance failures" under the 2010 Act.'

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

Yes, but under item 1.5, the specific assurance matter in question needs to be supported by clear guidance on reporting expectations (relates to requirements at response 2 above).

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

N/A

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

N/A

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?*

N/A

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

N/A

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

N/A

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

N/A - Very minimal administrative changes - only really affected RSL

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

N/A

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

N/A

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

N/A

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

N/A

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 comment

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