

# 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](http://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  
2<sup>nd</sup> floor , George House  
36 North Hanover Street, G1 2AD

### Name/organisation name

South Lanarkshire Council

### Address

Housing and Technical Resources		
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Hamilton		
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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 checked="" 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?

We welcome the proposal to enable landlords to provide explicit assurance on a specific issue or issues in the Annual Assurance Statement.

We would however highlight the importance of the Regulator communicating requirements to landlords sufficiently far in advance of the set annual submission timescale.

To promote consistency and clarity across the sector, it would be helpful if a standardised format was developed to accompany this proposal.

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?

The proposed comprehensive review of all ARC indicators during 2024/25 to involve relevant experts and people from the social housing sector and establishing working group(s) would be appropriate.

As with previous reviews, we feel it is important that the Regulator allows sufficient time for landlords to revise their collection and recording systems in advance of the date set for the introduction of any new indicators.

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?

At the same time it is important that the regulatory framework prominently acknowledges that it is fundamentally the responsibility of individual social landlords to establish appropriate arrangement for communicating and engaging with tenants and tenant representatives. The council, as with many other social landlords, has a well-established processes in place to address this.

Therefore, we would request that any new requirements, reflect the scale and quality of work already undertaken by landlords and that the role of the Regulator in communicating directly with tenants is considered alongside that of individual landlords within the revised regulatory framework.

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

RSL only.

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

RSL only.

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

We agree with the proposals to clarify responsibilities for dealing with service failure within the regulatory framework and the aim to set out a clear plain language statement of the routes available to tenants, whilst ensuring tenants and residents are aware of the respective roles of their landlord, the SPSO and the Regulator.

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

As mentioned above at Question 1, we welcome the proposal to enable landlords to provide explicit assurance on a specific issue or issues in the Annual Assurance Statement and also the importance for the Regulator to communicate this to landlords in advance of their submission.

To promote consistency and clarity across the sector, it would be helpful if a standardised format was developed to accompany this proposal.

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

RSL only

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

RSL only

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*?

RSL only

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

RSL only

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

RSL only

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

We consider the approach to request an appeal of a regulatory decision to be fair and appropriate.

However, the proposal that an organisation has 15 working days of receiving formal notification of the decision, to request an appeal, would be difficult for local authorities given the internal governance arrangements in place. We would ask for a greater amount of time to be provided and would suggest 20 working days.

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

The council supports to maintain the current guidance on how to request a review of a regulatory decision.

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

RSL only

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

RSL only

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

RSL only

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

RSL only

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

The response also highlights a point which the council has made in response to successive regulatory consultations which is, that in light of the forthcoming introduction of statutory duties on other public bodies to prevent homelessness, further consideration is required in relation to how performance in relation to homelessness is regulated. Indeed, in the context of the Scottish Government's "Ending Homelessness Together Action Plan", a strong case exists for this to be progressed on a multi-agency basis. We would therefore propose that consideration be given to assessing performance in relation to homelessness on a multi-agency basis with the involvement of all relevant regulatory bodies.

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