



**REPORT TO: HOUSING AND COMMUNITY SAFETY COMMITTEE ON 12
SEPTEMBER 2023**

SUBJECT: SCOTTISH SOCIAL HOUSING CHARTER COMPLIANCE

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee of compliance with the Scottish Social Housing Charter and the Scottish Housing Regulator's Regulatory Framework.
- 1.2 This report is submitted to Committee in terms of Section III (G) (13) of the Council's Scheme of Administration relating to the Council's performance management framework.

2. RECOMMENDATION

2.1 It is recommended that the Housing and Community Safety Committee:

- (i) **Considers and approves the draft assurance statement in APPENDIX I; and**
- (ii) **Notes that a summary of performance on the key Annual Return on the Charter (ARC) indicators against national/benchmarking results will be presented to the Committee on 21 November 2023.**

3. BACKGROUND

- 3.1 The Scottish Social Housing Charter came into force on 1 April 2012. The aim of the Charter is to improve the quality and value of the services provided by social landlords. The Charter sets out the minimum standards and outcomes that tenants can expect from their landlord.
- 3.2 Each year, social landlords must submit an Annual Return on the Charter (ARC) to the Scottish Housing Regulator (SHR). Using a range of performance indicators, the SHR monitors and assesses landlords' performance against the Charter. To meet regulatory requirements, social landlords must submit an assurance statement to the SHR and publish a performance report for tenants and service users by 31 October each year.

4. **SCOTTISH SOCIAL HOUSING CHARTER COMPLIANCE**

Annual Return on the Charter

- 4.1 The Scottish Housing Regulator (SHR) requires landlords to monitor progress against the outcomes and standards of the Scottish Social Housing Charter. The Council's Annual Return on the Charter (ARC) was submitted in May 2023.

Assurance Statement

- 4.2 The SHR requires social housing landlords to submit an assurance statement between April and October each year. This assures the SHR and tenants/service users that the Housing Service complies with regulatory and statutory obligations. Landlords must notify the SHR of any material changes in their level of assurance during the year.
- 4.3 The statement must be made by the landlord's governing body or relevant committee and be available to tenants and other service users. The statement forms the basis of the SHR's risk assessment and level of engagement with the landlord. The statement must:
- confirm the landlord meets all of the relevant requirements set out in its regulatory framework which can be found online at www.housingregulator.gov.scot/for-landlords/regulatory-framework;
 - set out any areas of material non-compliance and describe improvement actions and timeframes for these;
 - confirm that appropriate evidence has been considered to support the level of assurance given by the governing body or Committee; and
 - confirm the date of the meeting of the governing body or Committee.
- 4.4 In reaching a decision about non-compliance, the Committee must decide whether the issue is material. The Committee should consider whether an issue:
- seriously affects the interests and safety of tenants or other service users;
 - threatens the stability, efficient running or viability of service delivery arrangements; or
 - brings the landlord into disrepute, or raises public or stakeholder concern about the organisation or the social housing sector.
- 4.5 In line with the guidance issued by the SHR on the content of the assurance statement, a draft has been prepared for the Committee to consider and approve in **APPENDIX I**. For this year's statement, the SHR have requested that landlords confirm whether they meet all duties in relation to specific areas of tenant and resident safety and that they have obtained appropriate assurance about compliance with all relevant safety requirements.
- 4.6 The SHR will consider both the ARC results and the assurance statement as part of their risk assessment process to decide whether they need further information or assurance. They will then publish an engagement plan for each social landlord by 31 March 2024.

Annual Performance Report

- 4.7 Social landlords must also produce an annual report on their performance for tenants and other service users by 31 October each year. The report sets out how they are achieving or progressing towards the outcomes and standards of the Charter.
- 4.8 The SHR expects the report to be developed in partnership with tenants and service users, rather than exclusively by the Council. Information about the development of the report was included within the Summer Tenants' Voice newsletter and was included on the agenda of the Moray Tenants' Forum meeting on 5 September 2023.
- 4.9 The SHR published the national results for all social landlords on 31 August 2023. The availability of the national data forms an essential part of the development of the annual performance report for 2022/23. The timing of this did not fit with the deadlines for today's meeting. However, a summary of the Council's performance on key ARC indicators will be presented to this Committee on 21 November 2023, along with a copy of the finalised annual performance report.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The monitoring and management of performance assists the Council to continue to improve its housing services and manage assets effectively to provide the best outcomes for tenants and other service users. This contributes towards meeting the actions, outcomes and priorities within the Corporate Plan and the Housing and Property Service Plan.

(b) Policy and Legal

Reporting on Scottish Social Housing Charter performance indicators is a legal requirement under the Housing (Scotland) Act 2010.

(c) Financial implications

There are no financial implications arising directly from this report. Any costs associated with implementing improvements will be met from within existing budgets.

(d) Risk Implications

The annual assurance statement and annual performance report are requirements under the Scottish Housing Regulator's Regulatory Framework. In addition tenants and service users must be provided with meaningful opportunities to participate in the management of their homes and decision making processes. Failure to meet these requirements presents a regulatory risk.

(e) Staffing Implications

There are no staffing implications arising directly from this report.

(f) Property

There are no property implications arising directly from this report.

(g) Equalities/Socio Economic Impact

There are no equalities implications directly arising from this report. The Housing Service is working towards compliance on recently published guidance from the Scottish Federation of Housing Associations relating to equalities.

(h) Climate Change and Biodiversity Impacts

The service delivery aims of the Housing Service are closely aligned to the Council's Climate Change Strategy, and Local Heat and Energy Efficiency Strategy (LHEES).

(i) Consultations

Consultation on this report has been carried out with the Head of Housing and Property, senior managers within the Housing and Property Service, Senior Solicitor (Georgina Anderson), Research and Information Officer (Christopher Dewhurst), the Equal Opportunities Officer, Customer Engagement Officer (Rebecca Irons) and Committee Services Officer (Lindsey Robinson). Their comments, where relevant to their areas of responsibility, have been incorporated in this report.

6. CONCLUSION

6.1 This report provides the Committee with an update on the Council's compliance with the Scottish Social Housing Charter and Regulatory Framework and asks the Committee to consider and approve the draft assurance statement to the Scottish Housing Regulator.

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Background Papers: With author
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