



**REPORT TO: HOUSING AND COMMUNITY SAFETY COMMITTEE ON 15
NOVEMBER 2022**

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 the details of the Council's 2021/22 performance following data published by the Scottish Housing Regulator and compliance with both the Scottish Social Housing Charter and Regulatory Framework.
- 1.2 This report is submitted to Committee in terms of Section III (G) (15) 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) reviews the Council's performance against the Scottish Social Housing Charter in 2021/22; and**
- ii) considers and notes the content of the Assurance Statement and Annual Performance Report to tenants and other customers.**

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, including the quality of and value for money of services, the standard of homes and the opportunities to participate in their landlord's decision making processes.
- 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 also produce a performance report for tenants and service users and submit an Assurance Statement by 31 October each year.

4. PERFORMANCE BENCHMARKING

- 4.1 A summary of the Council's performance on key Charter indicators can be found in **APPENDIX I** and includes data published by the SHR and Scotland's Housing Network (SHN). It should be noted that the average performance for local authorities tends to be below the Scottish average, which includes all social landlords (local authorities, housing associations and housing co-operatives). The 2021/22 performance is summarised below under 6 themes:

Overall Satisfaction

- 4.2 The 2021 tenant survey found that 82.8% of tenants were satisfied with the overall service provided by their landlord (indicator 1). This was slightly below the Scottish average (87.7%) but was in line with the local authority (82.2%) and peer group averages (83.1%). The Tenant Survey improvement plan has been updated and can be found in **APPENDIX II**.

The Customer/Landlord Relationship

- 4.3 The 2021 tenant survey identified that 91.3% of tenants felt that the Council was good at keeping them informed about services and decisions (indicator 2). This was similar to the Scottish average (91.2%) but above the local authority (84.7%) and peer group average (86.5%).
- 4.4 In 2021/22, the average time to respond to a complaint (indicator 3-4) was 5 working days for 1st stage complaints and 22 working days for 2nd stage complaints. This is better than the Scottish average (1st stage 6 days, 2nd stage 27 days) and peer group average (1st stage 7 days, 2nd stage 24 days).
- 4.5 The 2021 tenant survey identified that 96.2% of tenants were satisfied with the opportunities given to them to participate in their landlord's decision making processes (indicator 5). This performance is significantly higher than both the Scottish average (86.8%) and peer group average (80.3%) and places the Council in the upper quartile for local authorities.

Housing Quality and Maintenance

- 4.6 Several changes have been made to the Scottish Housing Quality Standard (SHQS) in recent years. From January 2021, the energy efficiency element was updated to reflect the Energy Efficiency Standard for Social Housing (ESSH). Additional changes were introduced in early 2022 to comply with the amended fire safety regulations and to the tolerable standard relating to electrical safety.
- 4.7 After the ARC submission, in late July 2022 the SHR invited landlords to reassess their SHQS compliance in relation to electrical inspections. Following a review of the Council's position, the SHR was notified that the majority of properties fell slightly below the required electrical testing standard and therefore at 31 March 2022, 6.3% of properties met the SHQS (indicator 6). There were 4,653 properties which did not meet the SHQS and 1,245 properties which were exempt due to being 'hard to treat' or in abeyance (where work cannot be done for 'social' reasons such as the tenant refusing remedial works). SHQS has been included within the annual assurance statement under section 5 of this report along with details of how the Council will address the non-compliant properties. The averages within **APPENDIX I**

are based on data produced prior to the SHR's approach to all landlords and therefore may be overstated.

- 4.8 All social landlords must meet the Energy Efficiency Standard for Social Housing (EESH). At 31 March 2022, 60.4% of properties met the EESH (indicator C10) which is below the Scottish average (83.1%) and the peer group average (83.2%). EESH has also been included within the annual assurance statement under section 5 of this report.
- 4.9 The 2021 survey found that 82.7% of tenants were satisfied with the quality of their home (indicator 7). This was close to the Scottish average of (85.4%), but more in line with the local authority (80.7%) and peer group average (82.4%).
- 4.10 In 2021/22, the average time to complete emergency repairs (indicator 8) was 3.1 hours which was better than the Scottish average of 4.2 hours and the peer group average of 5 hours. Non-emergency repairs (indicator 9) were completed within an average of 8 working days which was also better than the Scottish average and peer group average which were both 9 days.
- 4.11 The Council completed 85.5% of non-emergency repairs right first time (indicator 10) in 2021/22 which was slightly below the Scottish average of 88.3% and the peer group average of 86.1%.
- 4.12 During 2021/22, only 4 of the Council's properties did not have a gas safety check completed by the anniversary date (indicator 11). This performance was better than the peer group average (33) which includes local authorities with less than 9,000 properties. Gas safety has been included within the annual assurance statement under section 5 of this report.
- 4.13 The 2021 tenant survey found that 83.7% of tenants were satisfied with the repairs service (indicator 12). This was slightly below the Scottish average and peer group average which were both 88%.

Neighbourhood and Community

- 4.14 The 2021 tenant survey found that satisfaction with the management of the neighbourhood (indicator 13) at 89.6% was above the Scottish average of 85.1% and the peer group average of 83.1%. This performance places the Council in the upper quartile for local authorities.
- 4.15 Applicants refused 27.2% of tenancy offers (indicator 14) which was better than the Scottish average (32.9%) and peer group average (35.2%). A low refusal rate helps to minimise void periods and rent loss.
- 4.16 In 2021/22, 74.4% of antisocial behaviour cases were resolved within local target timescales (indicator 15) which is below than the Scottish average (94.7%) and peer group average (90.5%).

Access to Housing and Support

- 4.17 Tenancy sustainment (indicator 16), where tenancies lasted for more than 12 months, was slightly higher in Moray (91.9%) than the Scottish average (90.8%) and peer group average (90.9%).

- 4.18 The turnover of properties (indicator 17) in Moray (7.3%) was similar to the Scottish average (7.8%) and peer group average (7.0%).
- 4.19 The proportion of court actions resulting in eviction (indicator 22) in Moray (50%) was higher than the Scottish average (21.9%) and peer group average (13.0%). This performance appears unusually high but is distorted by the low numbers involved. In 2021/22 just 2 court actions were initiated with 1 resulting in eviction. The Housing Service only uses eviction as a last resort where all efforts to engage with the tenant have been unsuccessful.

Getting Good Value from Rents and Service Charges

- 4.20 The 2021 survey found that 86.4% of tenants feel their rent is good value for money (indicator 25). This is above the Scottish average (82.5%) and peer group average (81.3%) and places the Council in the upper quartile for local authorities.
- 4.21 The Council collected 99% of the total rent due (indicator 26) which is similar to the Scottish average of 99.3% and peer group average 100.1%. This indicator includes both current and former tenant arrears in the calculation. At 3.8%, the Council had the lowest level of gross rent arrears (indicator 27) of all local authorities. The Scottish average was 6.3% and the peer group average was 8.2%.
- 4.22 The rent lost through properties being vacant (indicator 18) in Moray was 1.3%, which is better than the Scottish average of 1.4% and peer group average of 1.5%. The time to re-let empty properties reduced from 76 days in 2020/21 to 62 days in 2021/22 but remains higher than the Scottish average (51 days) and peer group average (55 days). This has also been noted within the annual assurance statement under section 5.

5. SCOTTISH SOCIAL HOUSING CHARTER COMPLIANCE

- 5.1 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 2022.

Annual Assurance Statement

- 5.2 Each year by 31 October, the SHR requires social landlords to submit a statement to assure the regulator and tenants/service users that they are meeting statutory and regulatory requirements. The statement informs the SHR's risk assessment process 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.

- 5.3 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.
- 5.4 On 21 June 2022, this Committee was informed that the Scottish Housing Regulator (SHR) would publish the landlord reports and national results for all social landlords on 31 August 2022. On 21 June 2022, this Committee granted delegated authority to the Head of Housing and Property Services to submit the annual Assurance Statement on behalf of the Committee, following a briefing for Members prior to the SHR's deadline of 31 October 2022 (paragraph 10 of the Minute refers).
- 5.5 In line with the guidance issued by the SHR on the content, the Assurance Statement which can be found in **APPENDIX III** was considered by Elected Members at a briefing on 26 October 2022. This identified the areas where the service is working towards compliance:
- properties have been identified which fail to meet the Scottish Housing Quality Standard as detailed in section 4.7;
 - properties have been identified which fail to meet the Energy Efficiency Standard as detailed in section 4.8;
 - some gas safety checks were not carried out within the 12 month timeframe for properties as detailed in section 4.12;
 - further improvement is needed in the time taken to re-let empty homes as detailed in section 4.22; and
 - the Housing Service is in the process of implementing recent guidance published by the Scottish Federation of Housing Associations relating to equalities. The SHR has asked landlords to update them on the stage they are at within this year's statement.

Annual Performance Report

- 5.6 Social landlords must produce an annual report on their performance for tenants and other service users which details how they are achieving or progressing towards the outcomes and standards of the Charter. The SHR expects the report to be developed in partnership with tenants and other customers, rather than exclusively by the Council. The format, content and design of the report has been based on discussions with tenant representatives and also from feedback forms from the previous year's report. The report mirrors the key themes of the Charter and is available on the Council's website at: www.moray.gov.uk/moray_standard/page_101335.html. The report has been publicised through the Tenants' Voice newsletter and through the Moray Council Tenants Facebook group. As has been the case in previous years, paper copies are issued to tenants on request.

6. **SUMMARY OF IMPLICATIONS**

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

Moray Council's Corporate Plan 2019-24 aims to empower local communities by understanding what they need and building their capacity to work with the Council and other partners to deliver and improve services and outcomes for people. This priority is reflected within 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

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 associated with this report.

(f) Property

There are no property implications associated with 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 and Committee Services Officer (Lindsey Robinson). Their comments, where relevant to their areas of responsibility, have been incorporated in this report.

7. CONCLUSION

- 7.1 This report provides the Committee with an update on the Council's performance and compliance with the Scottish Social Housing Charter.**

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Background Papers:	With author
Ref:	SPMAN-1285234812-1189