

# 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.scottishhousingregulator.gov.uk](http://www.scottishhousingregulator.gov.uk). Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by **14 December 2018**.

By email @ [consultation@scottishhousingregulator.gsi.gov.uk](mailto:consultation@scottishhousingregulator.gsi.gov.uk)



Or post to: Scottish Housing Regulator  
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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



Please publish my response, but not my name



### APPENDIX III

1. Is our overall approach, set out in Chapter 2 of the Framework, right? Do you have any other comments?

Yes we agree with the overall approach set out in Chapter 2 of the Framework:

- We support the introduction of annual assurance statements.
- We agree that tenant and other service user involvement has an important role in challenging landlord's performance and delivering service improvements.
- Your approach to engaging with landlords according to levels of risk and performance is reasonable.

This chapter refers to your equalities statement. The equalities statement states "...we collect annual information on equalities from social landlords through our Charter indicators" but you have also said within the equalities impact table "we will no longer require equalities data to be submitted to us". We understand that you expect landlords to continue to gather and monitor equalities data but we feel that these statements may be slightly contradictory.

2. Do the proposed regulatory requirements cover the right things, and are they framed in the right way?

Yes. The layout makes it clear which requirements apply to each type of landlord.

3. Is there anything missing? Or any other comments?

Not applicable.

We feel that the toolkit to support local authority committee members will be useful. However, it should be developed as soon as possible if the first assurance statements are required to be produced between April and October 2019.

4. Should we add to, amend, or remove anything from the proposed Standards?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

5. Is the new Standard 7 useful, and is it framed in the right way?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

6. Would you like to make any other comments about the Standards?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

7. Is the approach we have set out in Chapter 4 right? Any other comments?

Yes.

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We support the reduction in the volume of data collected, particularly where this is duplicated by other organisations such as the Scottish Government.

The Scottish Social Housing Charter indicators draft statutory guidance states under section 2.3 that the first time that landlords will submit this information will be May 2020. Section 7 of the consultation document confirms that you expect landlords to produce performance data for the revised indicators for the financial year 2019-2020. We are very concerned this leaves very little time for implementing data collection processes and updating systems to ensure that we collect a full year's data from 1 April 2019 to 31 March 2020 to form part of the May 2020 submission. Changes to systems/processes cannot be implemented until we have received the technical guidance and understand exactly what the performance monitoring requirements are. We assume that we will not receive this until you publish the result of the consultation in February 2019 – this means that we would have one month to change our systems and processes assuming you publish the charter indicator guidance at the same time.

We would like to be given the opportunity to contribute towards the development on the guidance of the new indicators to make sure that it is clear.

A 'why we need/monitor this' for each performance indicator may be useful when interpreting the guidance.

8. Are our proposals for the Annual Assurance Statement right?

Yes.

9. Is our approach to risk assessment right?

Yes.

10. Should we publish a regulatory status for each RSL as we propose?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

11. Is it right that we publish an Engagement Plan for every landlord?

Yes.

12. Would you like to make any other comments or suggestions about our approach to getting assurance?

We do have a slight concern about the practicality in terms of the timescale involved (i.e. by October 2019) which may be a challenge due to the cycle of our committee meetings but note that you plan to keep this under review to ensure that it is workable.

13. Is the approach set out in Chapter 6 right? Any other comments?

Yes.

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14. Is the approach set out in Chapter 7 right? Any other comments?

Yes. We value the thematic work which recognises good practice and helps to improve services.

15. Is the approach set out in Chapter 8 right? Any other comments?

Yes.

16. Are these registration and de-registration criteria the right ones? Any other comments?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

17. Do you have any feedback on the draft Assurance Statement guidance?

The guidance clearly explains what is required.

18. Do you have any feedback on the draft notifiable events guidance?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

19. Should we add to, delete or amend anything in the list of proposed indicators? Any other comments?

We support most of the changes but would like to comment on the following indicators.

### **Indicator 4 – Complaints**

While we aim to respond as quickly as possible, complex complaints involving multiple departments within a local authority tend to take longer. If the indicator changes to the average working days to respond then local authority performance may be less favourable against the Scottish average.

### **Indicator 5 – Satisfaction with opportunities to participate**

The high rate of ‘neither satisfied nor dissatisfied’ responses on postal surveys suggests that tenants do not understand the wording of this question.

### **Indicator 13 – Satisfaction with the neighbourhood**

Will the SHR allow a 3 year period from our previous tenant survey (2018) to collect this information to avoid an unnecessary expense to our tenants?

### **Indicator 15 – Gas safety**

We will need a reasonable period after the release of the guidance to change our reports. Also, will the guidance reflect the updated gas safety regulations which allow landlords flexibility in the timing of annual checks?

### **Indicator 16 – Right first time**

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This indicator is overly complicated and in our case, quite misleading. We measure this by looking for duplicate SOR codes – however these codes may be used on completely different jobs. For example, if we replaced a socket in two different rooms of the same property then these would not be counted as right first time in our figures. While we appreciate that this is one of the indicators that tenants feel is important, there has to be consideration as to what can reasonably be expected to be gathered by a system without significant manual manipulation of data. Considering whether local target times are met in the calculation may also be unfair when comparing results between landlords because of the differences between local target timescales. We strongly feel this indicator should be simplified.

### **Indicator 19 – Antisocial behaviour**

We support a change to this indicator because of the differences between landlords' local target timescales. However, we do not feel that the amendment proposed adds any real value. It will only give tenants an indication of how many complaints are open at the end of the year which is not a true measure of performance. We would therefore prefer to continue to report on whether local targets were achieved, but as a proportion of the total number *resolved* in the year rather than the number *reported*.

### **Indicator 23/24 – Adaptations**

In April 2016, the lead responsibility for adaptations and associated budgets were delegated from housing to health and social care integration joint boards. As a non-housing function, performance matters in relation to adaptations should also be the responsibility of health and social care agencies and not part of the housing regulatory framework.

The cost of adaptations indicator includes minor adaptations, which would be minimal cost, and major adaptations, which would be a significant cost. Combining both would not provide a meaningful comparison as the combined cost would depend on the relative proportions of minor and majors in the calculation rather than an assessment of equivalent works. This also applies to the average days calculation.

It would be useful if you could confirm whether you will be looking for the average time to complete adaptations or applications. The change tracker suggests the wording has changed.

### **General**

Local authority level data was lost when the ARC replaced the APSR. We feel that tenants would be more interested in local authority level data. But, more importantly, disaggregation by landlord to local authority level would provide vital intelligence for HNDA and local housing strategies.

20: Do you have any feedback on the draft group structures guidance?

Not applicable – this applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

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21: Do you have any feedback on this guidance?

Not applicable – this mainly applies to RSLs. We feel that they are better placed to give comments on this however we are supportive of changes which improve performance within the RSL sector.

We have no issue with the guidance that is relevant to all social landlords.

22. Would you like to give feedback on any other aspect of the proposals set out in the draft Framework and guidance?

No.

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

No.

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

DRAFT