
To: Communities, Housing and Planning Policy Board

On: 21 May 2019

Report by: Director of Communities, Housing and Planning Services

Heading: Regulation of Social Housing in Scotland

1. Summary

1.1 Following consultation in 2018, the Scottish Housing Regulator published its new framework for the regulation of social housing on 28 February 2019. Along with the statutory guidance also published at the end of February, this new framework applies to all local authorities and housing associations in Scotland from 1 April 2019.

1.2 The main changes for local authorities are:

- a small number of changes to the indicators used to report and compare performance against the Scottish Social Housing Charter
- the requirement to prepare an Annual Assurance Statement and submit this to the Scottish Housing Regulator by the end of October each year
- publication of an Engagement Plan for each social landlord by the Scottish Housing Regulator by the end of October each year

1.3 Further information is available on the Scottish Housing Regulator's website at <https://www.scottishhousingregulator.gov.uk/news>.

2. Recommendations

2.1 It is recommended that the Policy Board:

- (i) notes the changes to the regulation of social housing as outlined in this report.
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3. Background

- 3.1 The Scottish Housing Regulator consulted on changes to the framework for regulation of social landlords in 2018. The consultation response from Renfrewshire Council was approved by the Policy Board in January 2019. The new framework was published in February and implemented from April this year.

4. Charter Indicators

- 4.1 All social landlords are required to submit an Annual Return by May each year on performance against the Scottish Social Housing Charter. As part of the new regulatory framework, there are some changes to the Charter Indicators.
- 4.2 The Charter report for 2018/19 will remain unchanged. But from 2019/20 onwards, social landlords will report on a smaller number of indicators (32 performance indicators rather than 37 and 13 contextual indicators rather than 32). There are also several new indicators and changes to the definition of some indicators. As in previous years, a report will be presented to the Policy Board in August 2019 on performance against the Charter in 2018/19.

5. Annual Assurance Statement

- 5.1 As part of the new framework for regulation, all social landlords will be required to prepare an Annual Assurance Statement confirming:
- that they meet the Standards and Requirements, or
 - what they are doing to fix any instances of material non-compliance
- 5.2 The Statement should be reported to, and approved by, a relevant committee of the local authority and signed by the Convener of the committee before submission to the Scottish Housing Regulator. It should also be made available to tenants and other service users.
- 5.3 Statutory guidance on the Annual Assurance Statement was published by the Scottish Housing Regulator in February 2019. This makes clear that each landlord should determine the most appropriate way of getting the necessary assurance on compliance with the regulatory standards. Feedback from tenants and other service users should be considered as part of this process.
- 5.4 Taking account of this guidance, work will be progressed by officers in Communities, Housing and Planning and a report will be presented to the Policy Board later in 2019 on the first Annual Assurance Statement.

6. Engagement Plan

- 6.1 Each year the Scottish Housing Regulator will carry out risk assessment work, taking account of the Annual Assurance Statement as well as other information. Following this, an Engagement Plan will be published on its website for each local authority and housing association. This will set out: any information required from the landlord; what it needs to do; the form and reason for any engagement.
- 6.2 The Scottish Housing Regulator published an Engagement Plan which describes the level of engagement planned for every social landlord on 1 April 2019. Renfrewshire Council is one of only 6 local authorities where there is no planned engagement.
- 6.3 The Engagement Plan for Renfrewshire Council indicates that the Scottish Housing Regulator '*... don't at this point require any further assurance from Renfrewshire Council ... other than the annual regulatory returns required from all local authority landlords.*'. A copy of the Engagement Plan is attached to this report and will be made available for tenants and other service users on the Council's website.
- 6.3 The Engagement Plan also indicates that, when the Scottish Government's national homelessness statistics for 2018/19 and the Annual Return on the Charter are available, the Scottish Housing Regulator will review Renfrewshire's services for people who are homeless. In particular, this will focus on outcomes for people who are homeless and the percentage of lets made to people who are unintentionally homeless.
- 6.4 The annual regulatory returns which all social landlords are required to submit to the Scottish Housing Regulator are:
 - Annual Assurance Statement
 - Annual Return on the Charter
 - the return on the Energy Efficiency Standard for Social Housing.

Implications of the Report

1. **Financial** – The proposed Annual Assurance Statement will be reviewed by Internal Audit before it is reported to the Policy Board for approval.
2. **HR & Organisational Development** - None
3. **Community/Council Planning** –
 - Building strong, safe and resilient communities – improving and maintaining housing and neighbourhoods
 - Working together to improve outcomes – using the regulatory processes to support service improvement
4. **Legal** - None.

5. **Property/Assets** - None
 6. **Information Technology** – None
 7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
 8. **Health & Safety** - None
 9. **Procurement** – None
 10. **Risk** – None
 11. **Privacy Impact** - None
 12. **COSLA Policy Position** not applicable.
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List of Background Papers

- (a) Report to the Communities, Housing and Planning Policy Board on 15 January 2019, 'Regulation of Social Housing – Response to Consultation by the Scottish Social Housing Regulator'
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FC/LM
30 April 2019

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Renfrewshire Council

We don't at this point require any further assurance from Renfrewshire Council (Renfrewshire) other than the annual regulatory returns required from all local authority landlords.

What we will do

We will review Renfrewshire's services for people who are homeless with a particular focus on the following area when we receive the Scottish Government's 2018/19 national homelessness statistics and the Annual Returns on the Charter:

- outcomes for people who are homeless: the percentage of its lets Renfrewshire makes to people who are unintentionally homeless.

Regulatory returns

Renfrewshire must provide us with the following annual regulatory returns:

- Annual Assurance Statement
- Annual Return on the Charter; and
- the return on the Energy Efficiency Standard for Social Housing.

It should also notify us of any material changes to its Annual Assurance Statement, and any tenant and resident safety matter which has been reported to or is being investigated by the Health and Safety Executive or reports from regulatory or statutory authorities or insurance providers, relating to safety concerns



[Read more about Renfrewshire Council >](#)

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