

## Consultation on the future of our regulatory approach in response to the COVID-19 pandemic: Consultation questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by **14 August 2020**.

By email @: [shr@shr.gov.scot](mailto:shr@shr.gov.scot)

### Name/organisation name

Wheatley Housing Group Limited

### 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

### 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

### 1. Are our proposals for the Annual Assurance Statement right?

On balance, we believe the proposals are appropriate. Any material changes should have already been reported via the notifiable events process, which will likely relate primarily to service issues. The Assurance Statement is rooted in the principle of proportionality and materiality. We believe that it should be recognised that materiality in particular will be viewed through the lens of the pandemic.

In this instance we believe the term 'non-compliant due to Covid' would be better replaced with 'unable to fully comply due to Covid'. This subtle change in terminology makes clear that in some instances compliance was not an option available due to, for example, the prevailing government legislation and restrictions.

Given the circumstances, it should also be recognised that the level of external, independent assurance will be less than the previous year. However, we believe governing bodies will still be able to place reliance on a wide range of the independent, external assurance received for the previous year's assurance statement.

**2. Should we publish advisory guidance to assist landlords to adapt their approach to the submission of the AAS?**

Yes, we believe it is essential that to ensure consistency of approach across the sector that the explicit guidance is published on what represents 'material' non-compliance on issues that will apply across the full sector.

A particular example will be in relation to the Social Housing Charter and compliance with this within the context of the service model changes necessitated by government restrictions. We believe all RSLs should be required to report this in the same way and therefore specific guidance is necessary.

The guidance should also indicate any other areas the SHR is of the view that RSLs will not be complying to again ensure consistency of reporting across the sector.

Additionally, where a RSL has taken action in direct response to the pandemic, such as extending Chair tenures beyond 5 years for a time limited period, it should be clarified how materiality should be assessed in these cases.

Given the very tight timescale between publishing the feedback and the submission due date it would be helpful to give governing bodies some latitude on the submission date to align this with Board meetings.

For example, short extensions, by exception and with prior agreement of up to 4 weeks being made available to align with Board dates would be helpful.

**3. Would you like to make any other comments or suggestions about our approach to getting Annual Assurance Statements?**

No

**4. Are our proposals for the publication of Charter performance right?**

The consultation refers to allowing landlords additional time to December to publish performance information for customers, which is helpful. However, given that then SHR does not intend to publish ARC results until this time, it should be made clear that the information for tenants will not contain comparisons with other landlords as it does in other years.

Clarity would be welcomed on whether, following submission of 19/20 ARC, normal validation by SHR will take place. Will corrections, revisions or re-stating any figures will be dealt with as normal by SHR to ensure publication by December.

**5: Would you like to make any other comments or suggestions about our approach to the publication of Charter performance?**

Although this consultation does not cover changes to indicators or definitions in the ARC, it is important that homelessness indicators clearly demonstrate actual performance going forward given the high priority of this area. The existing indicator 23 does not work on a comparative basis as not all RSLs receive referrals in the same way or on the same basis. We are aware that the SHR are continuing to look at this.

We would propose that a revised lets to homelessness indicator is included in the main measures within the ARC. The number of lets to homeless households is already included in contextual indicator c2. To obtain a percentage a new measure for “applicable” lets should be added. This would use the total lets in c2 and then exclude properties which are not available to homeless households including sheltered housing properties and those with specific referral processes through social work services. Homes filled through nominations by Local Authorities should also be excluded for RSLs as RSLs have no control over the number of these which go to homeless households. We are happy to have further discussions on how this measure could be refined. This % of lets to homeless households would give a clear view on how RSLs are meeting/contributing to the required level of lets identified in local authority Rapid Rehousing Transition Plans

We would also propose that the SHR consider adding an indicator on the % of offers to homeless households which are accepted by the household.

These measures would ideally replace the existing indicator 23.

Similarly, we believe that the insight sought through indicator 11 (The number of times in the reporting year that you did not meet your statutory obligation to complete a gas safety check within 12 months of a gas appliance being fitted or its last check) could be made more meaningful for tenants and stakeholders, particularly at the current time. We suggest this is done through an additional indicator that focuses on the rate at which landlords who have not met their statutory obligation to complete a gas safety check recover the situation. This could be done through recording the average time it takes a landlord to complete a gas safety check following its expiry.

**6: Are our proposals for the publication of Engagement Plans and regulatory status right?**

Yes, the proposals are appropriate under the circumstances.

**7: Would you like to make any other comments or suggestions about our approach to the publication of Engagement Plans and regulatory status?**

No

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