

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.housingregulator.gov.scot
Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by **15 December 2023**.

By email @: regulatoryframeworkreview@shr.gov.scot

Or post to: Scottish Housing Regulator
2nd floor , George House
36 North Hanover Street, G1 2AD

Name/organisation name

North Lanarkshire Council

Address

Housing Solutions, 3rd Floor Civic Centre

Windmillhill Street

Motherwell

Postcode ML1 1AB

Phone

Email localhousingstrategy@northlan.gov.uk

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

1. Do you agree with our proposed approach on specific assurance in Annual Assurance Statements?

Yes, provisions on specific assurance are supported. We also welcome the proposal that communication on the specific assurance requirements to landlords in advance of the AAS.

2. Do you agree with our proposal to initiate a comprehensive review of the Annual Return on the Charter which we will consult on next year?

Yes, we agree that this is required and is a logical approach given that the Scottish Government's EESSH Review Group has just concluded, and landlords will require some time to fully consider the findings and recommendations arising. Establishing a working group(s) will be helpful in the development of appropriate indicators for tenant and resident safety, damp, and mould and EESSH, particularly given the complex nature of issues surrounding damp and mould and need for careful consideration involving subject matter experts in this area.

3. Do you agree with our proposed amendments to strengthen the emphasis on landlords listening to tenants and service users to include a requirement that landlords:
- provide tenants, residents and service users with appropriate ways to provide feedback and raise concerns, and
 - ensure that they consider such information and provide quick and effective responses?

Yes, we agree with the amendment, for the majority of landlords, including ourselves, are able to meet the amendments stipulated already. However, strengthening the emphasis will help ensure a consistent approach across the sector which will be beneficial for tenants, residents, and service users.

4. Do you agree with our proposed approach to Notifiable Events?

Yes, we agree with the principle of a streamlined approach to the Notifiable Events process and are supportive of engagement with the lead regulation manager in determining whether something is a Notifiable Event.

5. Do you agree with our proposed approach to regulatory status?

Yes, amendment of the language stated is welcomed to reduce ambiguity.

6. Do you agree with our proposed approach to Significant Performance failures?

Yes, we agree with the proposed approach to Significant Performance Failures. The revised proposed text makes clear the different routes of redress for tenants whilst also making clear what constitutes a Significant Performance Failure. This should assist tenants and landlords in making clearer what options are appropriate at what stage and when it is appropriate for serious concerns to be brought to the attention of the Scottish Housing Regulator.

7. Do you agree with our proposed changes to the guidance on *Annual Assurance Statements*?

Yes, we agree with the changes with the reasons stated above in question 1.

8. Do you agree with our proposed changes to the guidance on *Consultation where the Regulator is directing a transfer of assets*?

Yes, we are generally supportive of this in aiding clarity.

9. Do you agree with our proposal to maintain *the Determination* at this time?

Yes, it is logical to maintain at this time given the review of Statement of Recommended Practice (SORP) will not be completed until 2024.

10. Do you agree with our proposed changes to the guidance on *Determination of what is meant by a step to enforce a security over an RSL's land*?

Yes, the inclusion of the specified steps is helpful.

11. Do you agree with our proposal to maintain the guidance on *Financial viability of RSLs*?

Yes.

12. Do you agree with our proposed changes to the guidance on *Group structures*?

Yes, the additional information should assist RSLs compliance with legislative and regulatory requirements relating to forming and operating group structures. The addition of section 2.4 is particularly helpful in setting out compliance with standard 7.

13. Do you agree with our proposed changes to the guidance on *How to request an appeal of a regulatory decision*?

Yes, these are minor clarifications on de-registrations but nonetheless they are helpful.

14. Do you agree with our proposal to maintain the guidance on *How to request a review of a regulatory decision*?

Yes – the proposed changes are minor clarity aids, rather than any material change to the process.

15. Do you agree with our proposed changes to the guidance on *Notifiable events*?

Yes, any guidance that improves clarity is welcomed. The changes help make clear that only most critical issues are brought to the SHR's attention. The additional text in section 6 is beneficial in setting out what the SHR will do with the information given, and that factors, such as size or complexity of RSL will affect to varying extents case closure of notifiable events.

16. Do you agree with our proposed changes to the guidance on *Preparation of financial statements*?

Yes, as outlined in previous responses – any changes which seek to improve clarity are welcomed.

17. Do you agree with our proposal to maintain the guidance on *Section 72 reporting events of material significance*?

Yes.

18. Do you agree with our proposed changes to the guidance on *Tenant consultation and approval*?

Yes, it is fundamental that equalities are appropriately considered and the optimum way to consider equalities and impact on decisions, policies, plans, or strategies is through robust equality impact assessment. This should already be mainstreamed in social landlord processes. However, the addition of this within the framework helps reinforce this position.

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

The impact assessment has potential for further information in relation to equalities, particularly in relation to identifying which specific 'protected characteristic' groups would be affected to a greater extent than others, rather than a blanket reference to all protected characteristic groups. There is a brief mention of intersectionality, which is positive, but again further consideration and clarity in the impact assessment to explore this further would be helpful, especially given we know that lower income households are disproportionately represented in the social rented sector, and that we also know that women continue to be lower earners and face specific additional challenges. Similar issues exist for ethnic minority groups and homeless people also – with multiple factors affecting the impact of such changes.

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