

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

Or post to: Scottish Housing Regulator
Buchanan House
58 Port Dundas Road, Glasgow, G4 0HF

Name/organisation name
Anonymous

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?

No.
These are unprecedented times and to assume RSLs can submit a factual assurance statement which can be backed up by evidence, is not the approach to take.
Instead, the submission of the 2020 Statements should be cancelled as a direct result of the pandemic. Other statutory bodies have made changes to how they operate. As an example, the Corporate Insolvency & Governance Act 2020 which obtained royal assent this month was brought in as a direct result of the pandemic. Therefore, for the SHR to cancel the submissions, this would not be seen as a failure to regulate but as adapting working methods to take account of the impact of the virus on the sector.

RSLs are in the process of changing how they work and how they can adapt service provision due to the pandemic. To insist that the AAS is still submitted for 2020 will place an added burden on the organisations at a time resources are being concentrated on maintaining service provision to tenants.

It is understood by all, including key stakeholders, that services cannot be provided as laid down in policy documents. Physical meetings cannot be held, external validations have had to be postponed; visits to tenants houses to carry out repairs cannot take place other than life & limb repairs, and some RSLs are being forced to operate out with their Rules, all due to the pandemic.

There will not be one RSL who would be able to say that they are meeting all the requirements of the Regulatory Framework and the SSHC at all times during the current pandemic climate. Instead of having all RSLs state this in an assurance statement, the AAS for 2020 should be cancelled. This would be a one-off. From 2021 the AASs completed would have to include the impact of the virus on how RSLs operate.

This will result in all RSLs having the time to adapt their ways of working and ensuring regulatory compliance during a pandemic can be maintained in the future.

It is likely that this pandemic will be with us in some form or other for a number of years. RSLs can develop existing policies to cover times of lockdown and what it means to service provision to tenants and others; impact on H&S practices; how local lockdowns will be dealt with as they may arise in the future; how RSLs will cope with staff being told to isolate if there are outbreaks such as the current Lanarkshire call centre, as staff return to work. This is what RSLs should be concentrating their efforts on at this time, not checking to see how many of the Standards are being breached as a result.

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

No. Given that it is thought the pandemic is not going away any time soon RSLs need to adapt their ways of working to cope with COVID-19 restrictions. Each RSL will have to review their own ways of working to ensure in the future, they can comply with the Regulatory Standards and SSHC in spite of a pandemic being present.

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

Re-consider the timing of AAS. Remove the "Annual" from the title. For those RSLs who are fully compliant an 18-month submission could be implemented. For those RSLs with areas of non-compliance, these could remain annual to ensure that the RSL is concentrating on bringing the standards up to full compliance within the timeframe of a year which should be adequate.

This would ensure the SHR is concentrating their efforts on the RSLs who are most in need of assistance. This could be tied in with the Engagement Plans publication.

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

Yes.

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

No

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

Yes

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!