Our regulation of social housing in Scotland
Discussion questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our discussion 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 11 August 2023.

By email @:   regulatoryframeworkreview@shr.gov.scot

Or post to: Scottish Housing Regulator
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Name/organisation name

Kingdom Housing Association

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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

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. We believe that our regulatory priorities should be:
   - listening and responding effectively to tenants and service users
   - providing good quality and safe homes
   - keeping homes as affordable as possible
   - doing all they can to reduce the number of people who are experiencing homelessness

   We are keen to hear your feedback on these priorities. Are they the right ones?

   > Yes. We believe they are all important and relevant priorities.
   > The wording of the priorities could be clearer avoiding phases such as 'doing all they can' and the tone being more of a firm commitment of priorities.

2. What are your views on amending the Statutory Guidance on Annual Assurance Statements to include provisions on specific assurance?

   > We agree with the proposal to include provisions on specific assurance in certain high risk areas. However, it is also important not to over complicate the Annual Assurance statement and to keep it as straightforward, short and as succinct as possible. If we add a provision for too many specific areas as issues arise we run the risk of the document becoming more than just a "Statement". The timing of when any provision is communicated with the sector is also important as RSLs submit their statements at different times throughout the year in the run up to the October deadline.
   >
   > The SHR may consider the Annual Assurance Statement being tied more closely to engagement plans – with any necessary improvements noted in the engagement plan referred to within the next Annual Assurance Statement for example.

3. Do you think that we need to change any of the indicators in the ARC or add to these?

   > Indicators 3 and 4 (Complaints) could show better quality information if changed slightly. More useful information to measure would be;
   > - The percentage of Stage 1 complaints that were Upheld (including partially upheld), Not Upheld, and Resolved on the front line.
   > - The percentage of Stage 2 complaints that were Upheld (including partially upheld), Not Upheld, and Resolved on the front line.
   > - The percentage of Stage 1 complaints closed within 5 working days
   > - The percentage of Stage 2 complaints closed within 20 working days
   >
   > You could still include the averages for info, but as a measure on its own focusing on 'average time' could encourage RSLs to close complaints quickly rather than well which could affect the customer experience and is more likely to result in escalations to Stage 2. It also masks any complaints that were resolved out of time.
   >
   > The above suggestions are already information we should be collecting to meet the SPSO KPI requirements, so wouldn't require any additional work from RSLs but could show better quality information in the ARC.
   >
   > Indicator 16: Currently the indicator measures sustainment over a relatively short period of time and the scope of the indicator could perhaps be extended. This could perhaps be changed to, or supplemented by, an alternative metric that tracks longer term

> tenancy sustainment. For example, using data that would already be accessible to landlords, for all tenancies terminated within the reporting year, you could report on the average length of tenancy - giving a sustainability metric over the full life span of tenancies.

4. Are the proposed areas of focus for tenant and resident safety indicators the right ones, and what should those indicators be?

> Yes there is a need to set clear indicators for tenant/resident safety but these need to be ones that can be clearly measured and meaningful for tenants. It might be worth considering breaking down some of the safety measures from SHQS (eg smoke detectors/EICRs) to clearly show where these are not being met, however for damp/mould it may be more difficult to establish one clear indicator/measure as covered in question 5.

5. What do you think would be the most effective and appropriate way to monitor the effectiveness of landlords' approach to managing reports and instances of mould and dampness?

> We think a high level overview perhaps looking at the number of complaints raised or number of service requests raised relating to mould/damp. However this is still reliant on tenants raising the issues with their landlord and doesn't take account of stock profile etc.
>
> We could then report on category of resolution e.g;
> - education around heating/ventilation and using the bath/shower and drying clothes provided to tenants
> - cosmetic repair only required (clean and paint)
> - minor internal repair/ replacement e.g. doors/plasterboard, carpets
> - Structural repair/replacement e.g. Timber structure, windows

6. What are your views on strengthening the Framework further on landlords listening to tenants and service users?

> We think this is a positive move to ensure consistency across the sector that we are all listening to customer views and highlighting how this influences decision making and service improvements.

7. How do you think we could streamline the requirements for landlords in the Notifiable Events statutory guidance?

> We would like to see greater emphasis placed on 'material', 'significant' or "exceptional" to allow the requirements to be streamlined.
>
> The SHR could also consider what is notifiable for a non RSL subsidiary within a Group structure with guidance issued on this.

8. *Do you think there is value in using more direct language in* the working towards compliance *status, or in introducing an intermediary regulatory status between compliant and working towards compliance?*

> We think an intermediary regulatory status could be of value. There could be a vast spectrum in the "working towards compliance" status of some with minor issues to resolve and others with more significant issues and this intermediary status will allow for more differentiation and a gradual step up (or down) from one status to another.

9. Are there any changes we should make to the Significant Performance Failures approach, including how we define these?

> For customer-facing communications we think the Significant Performance Failures leaflet should be simplified with fewer references to formalities like "regulatory framework" and "Standards of Governance…" which is likely to cause confusion with customers. The introduction to the leaflet could read much simpler in plain English.

10. Are there any other changes to the Regulatory Framework and associated guidance that you would suggest?

> No other suggestions, we believe the current Regulatory Framework is working very well.

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