

The Scottish Housing Regulator



1. The Scottish Housing Regulator

About us

1.1. The Scottish Housing Regulator is created by the Housing (Scotland) Act 2010 (“the Act”). The Act sets out our statutory objective, functions, powers and duties. It establishes us as an independent regulator directly accountable to the Scottish Parliament. You can read more about us on our website .

Our statutory objective is to safeguard and promote the interests of current and future tenants, homeless people and other people who use services provided by social landlords. The groups we identify as service users are:

- » **Tenants and their families:** just under 600,000 households live in homes owned and managed by social landlords. This is around a fifth of all households in Scotland;
- » **People who are homeless:** around 55,000 people seek help from local authorities each year as a result of homelessness or potential homelessness;
- » **Gypsies/Travellers:** over 500 Gypsy/Traveller families use the services of official sites provided by social landlords; and
- » **Owners and occupiers who receive factoring services from a local authority or RSL:** Around 100, 000 people who own their home receive services from social landlords.

We refer to these groups throughout this document as **tenants and other service users**.

1.2. We will monitor, assess, compare and report on social landlords’ performance of housing activities and registered social landlords’ (RSLs) financial well-being and standards of governance. We will intervene, where appropriate, to secure improvement and protect the interests of tenants and other service users.

1.3. We will keep a register of social landlords and publish it to give access to accurate and transparent information about the social landlords registered and regulated by us. We will approve which organisations can be listed on the register and can access the benefits and responsibilities that come with registration. We will also remove RSLs from the register under certain circumstances.

1.4. This document sets out the regulatory framework we use to work with our powers and duties.

How we involve tenants and other service users

1.5. Engaging with tenants and other service users is key to effective regulation and helps to make our work accountable, relevant and targeted. The Act requires us to consult and involve bodies who represent service users in the delivery of our general functions. The Public Services Reform (Scotland) Act 2010 also places a duty of user focus on us.

1.6. We will publish separately a Consultation and Involvement Strategy that explains our approach to engaging with and involving service users in the development of our regulatory approach and in carrying out our scrutiny work.

How we work with other regulators and scrutiny bodies

1.7. We are the lead regulator for RSLs in Scotland. We have statutory obligations from both the Act and the Public Services Reform (Scotland) Act 2010 to co-operate with relevant regulators. We meet these duties by engaging with other scrutiny bodies to ensure we have a co-ordinated approach, characterised by co-operation, collaboration and information sharing. We aim to ensure that there is no potential for regulatory gaps or duplication. We meet regularly with partner scrutiny bodies to discuss operational and strategic issues of mutual interest. We will have Memoranda of Understanding with relevant scrutiny bodies that set out clear operational arrangements for working with our new role.

1.8 The Act places a specific duty on us to consult the Accounts Commission for Scotland about the performance of our general functions in relation to local authority landlords. All our local authority scrutiny work is directed through a joint framework and shared risk assessment agreed with other scrutiny bodies. We are a signatory to the Local Government Scrutiny Joint Code of Practice. This governs how we undertake our scrutiny of local authorities' landlord and homelessness functions. The Code establishes processes for sharing information, jointly assessing risk, collaborative working, and sets out relationship management arrangements and processes for resolving disputes.

How we involve landlord bodies and other sector interests

1.9. Effective engagement with social landlords and their representatives helps us direct our focus, ensures we address regulatory issues arising from joint scrutiny and understand the impact we have on regulated bodies. We have constructive relationships with a range of bodies and we will further build our relationships with the main bodies who represent landlords (the Scottish Federation of Housing Associations, Glasgow and West of Scotland Forum of Housing Associations, the Convention of Scottish Local Authorities and the Association of Local Authority Chief Housing Officers). We will also have effective working relationships with a number of professional and representative bodies, such as the Council of Mortgage Lenders, Shelter, the Scottish Housing Best Value Network, sector auditors and the Chartered Institute of Housing.

1.10. We will have regular liaison arrangements with these bodies. These will include individual meetings and bringing larger groupings together to discuss issues of relevance to the sector as a whole. We will consult widely with landlords, representative bodies and other sector interests before publishing new or revised guidance on our statutory powers and duties.

Our commitment to equalities and diversity

1.11. We are committed to mainstreaming equality and diversity and working in a way which meets our statutory requirements as a public authority under the Housing (Scotland) Act 2010 and the Equality Act 2010.

1.12. We regulate to safeguard and promote the interests of tenants and other service users. These are diverse groups with different needs and priorities. We expect social landlords to comply with equalities legislation, to work to understand the individual needs of their customers, and to deliver services that recognise and meet these needs. We promote and monitor equal opportunities across social landlords in Scotland. We do this through:

- » using our inquiry powers to gather and collect information and get assurance from social landlords;
- » gathering and collecting information on equalities through annual returns on the Scottish Social Housing Charter;
- » conducting thematic inquiries on equalities issues where appropriate;
- » highlighting and sharing good and poor practice where we see it;
- » providing accessible and comparable information about each landlord's performance to help tenants and other service users hold them to account; and
- » participation in the 'Happy to translate' scheme and ensuring that all our corporate communications, including our website, are fully accessible.

1.13. As part of our consultation and involvement strategy, we will engage members or representatives of equalities groups as part of consultative groups or research activities.