

## Annual Return on the Scottish Social Housing Charter

### 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](http://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 **Friday 8 November 2024**.

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

Or post to: Scottish Housing Regulator  
5<sup>th</sup> Floor, 220 High Street  
Glasgow G4 0QW

#### Name/organisation name

Scottish Federation of Housing Associations

#### Address

Libertas House

3/1, 39 St Vincent Place

Glasgow

**Postcode** G1 2ER

**Phone** 0141 332 8113

**Email** enquiries@sfha.co.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. There are some indicators which we do not routinely use in our regulatory assessment of social landlords' performance. As part of the consultation we are proposing to stop collecting the following indicators **14, 20, 23, 24, C3 and C4**.

Do you agree with our proposals to remove these indicators?

In general, our members are supportive of reducing the number of indicators in principle. However, the usefulness of having access to data relating to many of these indicators for benchmarking purposes was highlighted. To continue gathering comparative data relating to any of these points, it will mean that RSLs will have to find other means to source the information beyond just consulting the ARC data.

Regarding **indicator 14, “tenancy offers refused during the year”**, it was noted that this information feeds into how “low demand” stock is classified by RSLs. Data on low demand stock data is currently gathered in the annual stock return within the ARC and is essential in demonstrating the reasons why properties can remain void for longer periods.

Regarding **indicator 20, “total cost of adaptations completed in the year by source of funding,”** – this information is helpful in demonstrating the impact of reduced funding on delivering adaptations. If this is not to be collected as part of the ARC submission, it would be helpful to include further opportunities to add contextual information in the other ARC indicators relating to adaptations (indicator 19 “*number of households currently waiting on adaptations to their home*” and indicator 21 “*the average time to complete adaptations.*”) Longer waiting lists for adaptations are inevitable if funding is not increased, and it is important that this is captured somewhere in explaining the figures reported in the ARC.

In terms of **indicator C4 “Number of abandoned properties during the reporting year”**, the consultation paper highlights that abandonment data will still be gathered under indicator 22 (*percentage of the court actions initiated which resulted in eviction and the reasons for eviction*). It would be helpful to provide clarity within the technical guidance as to whether this would still capture traditional abandonments without decree (i.e. after a Section 18/20 has been served).

As part of the SHR's Advisory Groups earlier in the consultation process, SFHA had also suggested that the removal of indicators 3 and 4 (relating to complaints) would cut down on duplication. This information is already submitted to the Scottish Public Services Ombudsman (SPSO) by RSLs and it would be helpful if it was only required to be submitted once. SFHA suggests a data sharing arrangement between the SHR and SPSO to allow these indicators to be removed from the ARC submission.

2. Following feedback from stakeholders we propose to amend the following indicators **10, 15 and C2**.

Do you agree with our proposals to amend these indicators?

**Indicator 10 – Reactive repairs completed right first time**

From the beginning of the ARC, the right first time indicator has been one of the indicators that caused most concern for RSLs and this has led to inconsistencies in how it is recorded across the sector. It is therefore welcomed that the SHR is looking to amend this indicator.

Some of our members expressed concern that the proposed changes – with a streamlined definition of “reported again” instead of the previous definition of “right first time” – might not actually be that different in practice and still lead to the same inconsistencies in recording across the sector. Some were also concerned that the technical guidance/definition was less detailed and suggested that more technical guidance would be helpful to provide clarity.

**Indicator 15 – *Anti-social behaviour cases resolved***

The reinstatement of “locally agreed targets” as part of the indicator has caused some concern amongst members, particularly due to the variations across the sector that this will lead to in agreeing targets. This will limit meaningful benchmarking and make performance comparisons more difficult. The addition of “per 100 homes” was generally welcomed as a more consistent measure.

**Indicator C2 – *Lets in the reporting year by source of let***

Whilst the changes to this indicator were generally welcomed, there was some concern noted by members about increasing pressure to offer a higher percentage of lets for section 5 referrals, and that data from this indicator could be used without context to exacerbate this issue. It was also noted that those RSLs who operate in a local authority area with a common housing register (or multiple LAs with different CHRs) may encounter complexities in reporting on this indicator more generally.

3. We also propose to introduce an additional indicator to monitor long term voids.

Do you agree that we should collect an additional indicator in relation to long term voids?

***New Indicator – Number of self-contained properties void at the year end and of those the number that have been void for more than six months.***

The main issue raised regarding this indicator by members was that it is a limited snapshot that could be greatly distorted by the timing of properties becoming void. SFHA suggests that using an average over the course of the year would be a more meaningful measure.

It was also noted by members that the reasons for lengthy void properties are very important to provide context, and that the ARC should provide opportunity to submit more information in this regard – especially on those void for more than six months.

4. We propose to collect two new indicators in relation to tenant and resident safety. Do you agree with the additional indicators we propose to collect in relation electrical safety and fire detection?

**New electrical safety indicator**

This was generally welcomed by members, as they are already collecting this data. At our Property Maintenance Forum, it was suggested that an MOT style approach – similar to what is in place for gas safety – would be helpful to RSLs to arrange EICRs well in advance, especially for hard to access properties. Under such an approach, EICRs could be completed up to 90 days in advance of the actual due date without changing the next due date. SFHA asks that the SHR amend the technical guidance for the indicator to allow for this approach as this was widely supported by our members.

**New fire detection indicator**

Similarly, this indicator was generally welcomed. Some further technical guidance was requested on specific points by our Property Maintenance Forum – particularly on what “regularly maintained and tested” means in practice.

5. Do you agree with our proposed approach to collect landlords’ performance in relation to compliance with tenant and resident safety duties as part of the Annual Assurance Statements?

Our members welcomed the proposal to use the Annual Assurance Statement (instead of introducing new indicators within the ARC) to report any non-compliance regarding lift safety, fire risk assessments, asbestos or legionella.

6. Issues of damp and mould continue to be an important area of concern for tenants. We therefore propose three new indicators in relation to damp and mould. Do you agree with our proposals to introduce these indicators?

Whilst it is acknowledged within the consultation paper that there are different types of damp and mould that require a different response from landlords (e.g. condensation damp would require a very different response than penetrating damp), the proposed indicators do not reflect this. For this reason, SFHA members have noted concern that the indicators as proposed would not provide meaningful data and potentially provide a misleading picture of performance within the sector due to lack of context. SFHA asks that all three proposed damp and mould indicators be revisited and a more meaningful approach be developed.

***New indicator - Average length of time taken to resolve cases of damp and/or mould***

The average figure could be greatly distorted depending on the severity of the issue encountered or the required methodology to resolve. It could also be that an average is higher because an RSL is choosing to resolve cases more thoroughly, e.g. by disinfecting any issue then diagnosing the cause. This also does not capture the necessary ongoing communication with tenants that can be necessary to resolve condensation damp and ensure it will not return.

***New indicator - Percentage of resolved cases of damp and/or mould that were reopened***

This again does not provide any context as to the type of damp and mould being treated and why it was necessary to reopen the case. Cases that were “re-opened” could also be more difficult to consistently identify – particularly in a case of condensation damp

where ongoing communication and revisiting the tenant is necessary to determine if the issue is fully resolved and will not return.

This also does not consider cases where the RSL has taken all reasonable steps and resolution is beyond their control. This could include when a tenant cannot afford to run their heating; or where ventilation is blocked by the tenant despite being cleared by the RSL previously.

**New indicator - *Number of open cases of damp and/or mould at the year end.***

As this is a snapshot of a particular point in time, it is not a helpful illustration of performance and can be greatly distorted by the timing of any cases of damp/mould. As highlighted above, this also makes no distinction on the severity of the cases or type of damp/mould.

7. Do you agree with the proposal to collect the “Average length of time taken to resolve cases of damp and/or mould” or would the “median” be more appropriate to measure the time to resolve cases of damp and/or mould?

There was split opinion amongst our members on whether median or average would be more useful in respect of the proposed damp and mould indicators. However, there was agreement that neither average or median as a measure would resolve the issues highlighted above regarding the lack of distinction between different types of damp/mould and the necessary different approaches required to resolve.

There needs to be a method of distinguishing the severity and type of issue to provide context.

8. Damp and mould is a complex area for landlords. Are the new indicators we propose on damp and mould clearly defined?

As above, the SFHA asks that the three proposed indicators be revisited to provide a more meaningful way of assessing RSL performance in this area. This needs to acknowledge severity and type of damp and mould reported, as the methodology of treatment differs greatly. The technical guidance as currently phrased infers that all cases of damp and mould will require some form of treatment, when in some cases providing information and advice can be all that is required.

Element 42 of the SHQS concerns mechanical ventilation and provides a definition of “persistent damp”. The definition of 'persistent' is when *“more than 5% of the combined surface area of the ceiling and walls is visibly affected by condensation or mould.”* This might also be a helpful definition in terms of shaping the technical guidance and indicators in this area.

Whilst not directly related to the indicators themselves, concern was highlighted by some members that housing management staff are feeling increasingly uncomfortable that they might be expected to carry out spot checks to try to identify damp/mould during routine visits. This is despite having no technical knowledge in this area. Further guidance in terms of who should be carrying out the diagnosis of damp and mould issues would be welcomed.

## 9. Revisions to technical guidance

There are 14 indicators for which the technical guidance has been amended to provide further clarity. Whilst this is welcomed in principle, and SFHA did not receive any further comment from members on these points, as there were no questions in the consultation package relating to these changes SFHA would encourage the SHR to ensure that none of these amendments have flown under the radar within the sector.

Thank you for taking the time to give us your feedback