

## 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  
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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. 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?

Indicator 14 – No concerns regarding the proposal to remove this indicator, although the refusal rate can act as a pre-cursor to condition of property at let, whether appropriate allocations are being made and if there is a trend between refusal rate and time to re-let.

Indicator 20 – At a time when the funding for adaptations has been decimated, there is value in keeping the source and level of funding for benchmarking and comparison.

Indicator 23 – Agree with the removal

Indicator 24 – Agree with the removal

Indicator C3 – Agree with the removal

Indicator C4 – Agree with the removal, however, there would need to be an amendment to the wording of Indicator 22 as most abandoned tenancies are not related to court action.

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 – Given there is a broad spectrum of timescales for landlords completing non-emergency repairs, we agree with the decision to remove late repairs as not being 'right first time'. There are wording anomalies with the proposal and some inconsistencies between '12-month period' and 'Reporting year'. It is also unclear if each subsequent repair is classed as a recall. The original wording for indicator 10 is adequate, upon removing the qualification of a Late Repair.

Indicator 15 – Agree with amendments

Indicator C2 – Agree with amendments

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?

There is no merit in confirming the number of properties void at year end as it is just a moment in time. A better measure would be an indicator; 'At any point during the reporting year, was a property void for more than six months?'. To understand the reason behind the void, it might be helpful to categorise the reasons; decant, extensive work, no demand, awaiting demolition etc, and have no exclusions (other than lock-ups and garages).

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?

Agreed, however, the electrical safety and fire detection data may be best reported as a percentage of self-contained stock rather than as a number, given the range in stock profiles across the sector. The guidance for this indicator needs to make it clear that this data collection is specifically for instances when the 5-year date/deadline has been exceeded and not only due to a failure of the SHQS element 45. For example, there may be instances when the deadline has been exceeded but the property does not fail element 45 of the SHQS. For example, Element 45 of the healthy, safe, & secure section requires landlords to organise EICR's at intervals of no more than 5 years. Currently under the SHQS, landlords report their performance as of 31 March each year for EICR compliance. This means that SHR will consider that a property passes element 45 of the SHQS if it has a valid EICR (i.e. done within the last five years) in place on 31 March, regardless of whether it was more than five years since the one before that was completed.

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?

Agree with proposals

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?

No concerns or issues in relation to the proposal to collect data on this topic. However, the number of open cases at year end is a moment in time and does not provide any direct indication on landlord performance or commitment to dealing with the issue.

A calculation on the percentage of stock with damp/mould issues over a reporting year may be a useful indicator to identify the extent to which it is a problem across a landlord's portfolio.

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?

Average length of time, in the same fashion as is used for non-emergency repairs, makes sense.

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

Yes, however, the Technical Guidance needs to provide more clarity on what is a complex area.

You may want to clarify explicitly that a new area of damp/mould would not be classed as a recurrence. Technical guidance should confirm an issue of damp/mould in the same room, but a different location, or due to a different cause (penetrating damp, for example, rather than condensation) should not be treated as a recall.

The definition of “work is satisfactorily completed in the opinion of the landlord” needs to be clearer or risk losing meaning. When measures are left to the opinion of a landlord you are likely to get significant swings in results rendering any findings from the measure meaningless.

The guidance infers that work is necessary to resolve a damp/mould issue, whereas in many cases support, advice, and education are all that is required – in these cases when would the case be resolved? For example, where a whole house ventilation system is installed and the tenants continues to turn it off, no additional work is required but support and advice as to why it needs to be left on would be appropriate. Also, where a tenant continues to refuse to use the technology installed to resolve any damp / mould issues, but continues to report issues, does this counts as a failure under right first time?

Thank you for taking the time to give us your feedback