

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

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

Or post to: Scottish Housing Regulator
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Name/organisation name

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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 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	<input type="checkbox"/>
Please publish my response, but not my name	<input type="checkbox"/>

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?

Aberdeenshire Council supports the removal of the following indicators:

- **Indicator 14: Tenancy offers refused during the year**
- **Indicator 20: Total cost of adaptations completed in the year by source of funding**
- **Indicators 23 and 24: Homelessness referrals**

With regards to **C3: Number of lets during the reporting year split between general needs and supported housing**, Aberdeenshire Council has a much larger proportion of Sheltered Housing properties than most other landlords, and it can be useful to us to see how these properties influence letting profiles across different landlords when we consider the context of our performance. Therefore, we would not agree with the proposal to remove this indicator.

With regards to **C4: Abandoned homes**, information regarding abandonments other than after decree is granted is still useful as contextual information, especially when used in conjunction with other information (e.g. abandonments per 100 homes or as a proportion of turnover), especially since it is not an onerous figure to collect. Therefore, Aberdeenshire Council does not agree with the proposal to remove this indicator.

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?

Aberdeenshire Council supports the proposed amendments to the following indicators:

- **Indicator 10: Reactive repairs completed right first time**
- **C2: Lets in the reporting year by source of let**

However, Aberdeenshire Council does not wholly support the proposed amendment to **Indicator 15: Anti-social behaviour cases resolved**. While we feel that reverting to the previous indicator is an improvement, the proposed indicator still does not provide the ability to draw meaningful comparisons between landlords because it only measures whether they have closed the case within target timescales, rather the effectiveness of an intervention. Therefore, we would propose that the Regulator considers introducing an indicator looking at the recurrence of issues (A 'right first time' approach similar to the proposed changes to Indicator 10 and the new indicator for Damp and Mould). The indicator could measure the number of complaints reported in the year, the number closed, and the proportion of closed cases where further complaints/issues were reported at the same address within 12 months. This would give a clearer picture of how effective landlord interventions are at preventing further ASB issues, and allow landlords to identify peers with low recurrence rates for sharing good practice.

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?

This is very similar to information reported by local authority landlord in the annual Scottish Government housing return, but could be a useful addition to allow benchmarking with RSL landlords as well.

However, we would argue that the proposed definition (excluding periods where properties are unlettable) means that the indicator will only be providing part of the picture. Therefore, we would suggest that the indicator should identify all properties that have been vacant over 6 months, but include a breakdown to identify the reasons for this (e.g. Low Demand, Major Works, For Disposal etc). This would give a clearer picture of the reasons for extended void periods, and allow for more meaningful comparisons between landlords.

Alternatively, the indicator could include the total number of properties that have been vacant for over 6 months, and then the number that have been vacant after exclusions are applied, to demonstrate the impact of major works etc on void periods.

Therefore, Aberdeenshire Council supports the re-introduction of this indicator overall, but suggests that the Regulator reconsiders the information collected to give a more detailed picture.

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?

Aberdeenshire Council supports the principle of enhancing monitoring of tenant and resident safety, and the importance of the subjects covered by the new indicators. Therefore, we are broadly supportive of the introduction of these measures.

However, we would point out that both measures are specific requirements of the Scottish Housing Quality Standard, compliance with which is already collected by the Regulator. Therefore, there is a significant element of duplication and we would highlight that collecting information on why properties do not meet the SHQS standard as part of that indicator would remove the need for a separate indicator on fire safety measures altogether while also giving a more informative picture of SHQS compliance.

It is also worth noting that the requirement to hold an up to date EICR is not a legal requirement in the same way as gas checks, only being required as part of SHQS. We also note that the SHQS allows for 'no-access' cases to be treated as exemptions/abeyances when considering SHQS compliance, and even where access is forced it may not be possible to complete an EICR where tenants have no credit on their meter.

Therefore, we would ask that the Regulator considers a recognition of exemptions/abeyances to bring the indicator on EICRs in line with the SHQS (e.g. collecting information on the proportion that would be considered in abeyance under the SHQS). Furthermore, since there is no separate legislation requiring EICRs, and the SHQS allows no-access cases to be counted as abeyances/exemptions to meeting the

standard, we also consider it important that the Regulator is clear that the information recorded under this indicator will be different from that used to evaluate whether a property meets the SHQS.

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?

Aberdeenshire supports this approach and the addition of positive assurance to the statement.

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?

Aberdeenshire Council supports the introduction of indicators to measure the performance of landlords with relation to Damp and Mould. We are happy to support the proposed indicators around average days to resolve and re-opened cases, but we do not feel the snapshot of open cases at year end is especially useful. We suggest that this be replaced by an indicator looking at the number of properties affected by Damp and Mould in the year (rather than the number of cases). This would allow comparisons based on the number of properties affected as a proportion of all stock, giving a clearer picture of the prevalence of the issue in each landlord's portfolio.

We also have some comments regarding the technical guidance, which are included below in the question about clarity.

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?

Aberdeenshire Council supports either option, but on balance we believe that the median would be more appropriate by ensuring that outliers (at both ends of the spectrum) have less of an influence on the final result. Alternatively, we would be happy for the Regulator to collect and report on both the median and mean values (which would not be an onerous task for landlords since the same dataset would need to be collected anyway).

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

We feel that the proposed technical guidance for the indicators is not clear on some key questions.

We would appreciate a more detailed definition of 'work is satisfactorily completed in the opinion of the landlord'. This is liable to interpretation by each landlord, meaning that benchmarking will not compare like with like and therefore limit the value of the indicator. The phrasing of the guidance also assumes that the landlord will be required to carry out work for every case – we feel that the guidance should also reflect cases where a landlord inspects a property to find that there is no work required, or that the issues are beyond their ability to resolve.

With regard to re-opened cases, we would like specific guidance on whether cases where the landlord has taken all reasonable steps but the issue is beyond the landlord's ability to resolve directly (e.g. where fuel poverty is a significant driver of the problem) should be counted as re-opened cases. This is especially relevant where the landlord receives repeated complaints about the same property and there is no further action they can take beyond giving the tenant appropriate advice and signposting.

Ideally, we would like the Regulator to ask landlords for a breakdown of the principal drivers of Damp and Mould in their housing stock. Given the current challenges of high energy costs and cost of living pressures on social housing tenants, we believe that it would be relevant and valuable for the Regulator to collect data on the root causes of Damp and Mould and build a national picture to assist landlords and government address these issues.

Thank you for taking the time to give us your feedback