

Review of the Scottish Social Housing Charter – A Consultation

June 2021

REVIEW OF THE SCOTTISH SOCIAL HOUSING CHARTER 2021

INTRODUCTION AND BACKGROUND

This consultation seeks your views on the Scottish Social Housing Charter. Following this consultation we will develop an updated version of the Charter and ask the Scottish Parliament to consider the changes and approve a revised Charter from 1st April 2022.

The Charter was introduced by the Housing (Scotland) Act 2010, which requires Ministers to set standards and outcomes that social landlords should be achieving for tenants and other customers through their housing activities. It also requires Ministers to review the Charter standards and outcomes from time to time with the last review being undertaken in 2016.

The Charter sets the outcomes and standards that all social landlords should be achieving for their tenants and other customers through their housing activities.

Its purpose is to:

- give tenants, homeless people and other customers a clear understanding of what they should expect from a social landlord
- give landlords a clear understanding of what they should be delivering through their housing activities
- provide the basis for the Scottish Housing Regulator to monitor, assess and report on the performance of social landlords, and if necessary to require compliance with the Charter, and, through the Regulator's reports:
- give landlords the information they need to achieve continuous improvements in their performance and in the value for money they provide
- give tenants and other customers information on how their landlord is performing in relation to other landlords, so that they can actively engage with their landlord in discussions about performance.

The Charter applies to Scottish social landlords and does not cover private-sector landlords.

The standards and outcomes do not add any new duties on social landlords; rather they describe what a good social landlord should be achieving for its tenants and other customers.

Since the Charter was last reviewed in 2016 we have already identified some changes that are required to reflect new legislation, standards and new business ways of working developed during the pandemic. These include the Domestic Abuse Protection (Scotland) Act 2021, virtual engagement and digital connectivity and the new milestone for improving energy efficiency of social housing EESSH 2.

We also want to ensure the Charter aligns to the ambitions for social housing as set out in the vision for housing in Scotland to 2040 and the route map to get there published in March 2021 [Housing to 2040 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/housing-to-2040/pages/introduction.aspx).

RESPONDING TO THIS CONSULTATION PAPER

We are inviting written responses to this consultation paper by **9th September 2021**.

We would be grateful if you would use the consultation questionnaire provided and it would be helpful if you could respond to the consultation online using the Scottish Government's consultation hub, citizen space by going to <http://consult.gov.scot/>

You can access and respond to this consultation directly at <https://consult.gov.scot/social-housing-services/scottish-social-housing-charter-review> You can save and return to your response while the consultation is still open. **Please ensure that consultation responses are submitted before the closing date of 9 September 2021.**

Or you can send your response with the completed Respondent Information Form (see "Handling your Response" below) to: TPadminsupport@gov.scot

If you want a paper questionnaire you can phone 07385 461397 or email TPadminsupport@gov.scot and we will send one out to you. The questionnaire should be returned to the address below.

Annabel Hoatson
Scottish Government
Tenant Participation Team
150 Broomielaw
5 Atlantic Quay
Glasgow
G2 8LU

If you have any queries please contact 07385 461397.

Handling your response

If you respond using the consultation hub, citizen space you will be directed to the "About You" page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the

provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>

If you use the consultation hub, citizen space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us produce a revised Charter. We aim to issue a report on this consultation process before the end of 2021. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or at

TPadminsUPPORT@gov.scot

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation.

Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

A NOTE ABOUT THE LANGUAGE USED IN THIS CONSULTATION

We use some key phrases throughout this consultation, and these should be interpreted as follows:

Outcome

- An outcome is a result we want to happen.
- The Charter sets out the results that a social landlord should achieve for its tenants and other customers.
- The Charter is not about what a landlord does or how it does it. It is about the customer's experience of using a landlord's services.

Scottish Housing Regulator

The Regulator is the independent body that was created to look after the interests of people who are or may become homeless, tenants of social landlords, or users of the services that social landlords provide. The Regulator monitors, assesses, and reports on how landlords are performing against the Charter's outcomes and standards.

Social housing

- Housing provided by councils and housing associations under a Scottish Secure Tenancy or Short Scottish Secure Tenancy.

Social landlord

- A council landlord.
- A not-for-profit landlord, registered with the Scottish Housing Regulator (for example, a housing association, or co-operative).
- A council that does not own any housing but provides housing services, for example services for homeless people.

Standard

- A level of quality that every social landlord should achieve.

Supporting description

- Describes the context of the outcome or standard and gives some examples of what it covers.

Tenants and other customers

- People who are already tenants of a social landlord.
- People who may become tenants in the future – for example, someone who has applied for a tenancy.
- Homeless people.
- People who use the housing services provided by a social landlord – for example, home owners who pay a social landlord to provide a factoring service, or Gypsies/Travellers who use sites provided by a social landlord

THE CONSULTATION QUESTIONS

This consultation is set out in three parts;

Section 1 asks you about the impact of the current Charter.

Section 2 asks you about the current standards and outcomes. The 16 standards, outcomes and the supporting description that describe them are included in the consultation document to help you complete the questionnaire.

Section 3 asks whether you think anything should be added to the Charter and why.

Section 1 – Impact of the current Charter

In this section of the questionnaire we are seeking your views on the impact of the current Charter.

1) Over the last 5 years, do you think the Charter has contributed to improvements in landlord services? Please explain your answer and provide examples.

This could include examples of improvements to a specific service such as the ability to request appointments online, repairs being completed more quickly or increased opportunities for tenants to get involved in decisions about services and standards.

West Dunbartonshire Council is a strong supporter of the Scottish Social Housing Charter and welcomes this opportunity to contribute to the review of the Charter via this consultation.

We believe that the quality of landlord services has improved as a result of the Charter being introduced and this is evidenced by the National Reports on the Scottish Social Housing Charter published by the Scottish Housing Regulator which outline the improvements made by the sector as a whole.

The Charter ensures that all social landlords focus on delivering the same outcomes and standards for tenants and other customers and individual landlords will have an increased awareness of their performance as a result.

A core part of the improvements seen as a result of the Charter has been the increase in focus on tenants and customers and the increased partnership working witnessed across the sector in terms of better communication, increased opportunities for participation and the development of the scrutiny of housing services by those they are delivered for.

The most recent National Report published in October 2020 and covering the period up to and including 2019/20, showed that almost 9 out of 10 tenants were satisfied with their homes and the services their landlord provides. Performance against 10 out of 15 Charter standards and outcomes was maintained or improved and landlords continue to report strong performance in most of the service areas that are most important to tenants.

Section 2 – Current outcomes and standards

In this section of the questionnaire we are seeking your views on all 16 current charter outcomes and standards and the supporting descriptions that describe them.

THE CUSTOMER/ LANDLORD RELATIONSHIP

EQUALITIES (Charter outcome 1)

Social landlords perform all aspects of their housing services so that: *every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.*

Supporting Description

This outcome describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation. It includes landlords’ responsibility for finding ways of understanding the needs of different customers and delivering services that recognise and meet these needs.

2a) Would you:

- Keep this outcome exactly as it is**
- Change this outcome**
- Don’t know**

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

2b) Please provide any suggestions on how we could improve the supporting description

We support this outcome as we think that it is important that landlords ensure that all their customers have fair access to housing and housing services.

The supporting description could be improved by making mention of the need for landlords to ask for equalities information from their tenants and other service users for all protected characteristics under the Equality Act and to use it to inform their decision making.

COMMUNICATION (Charter outcome 2)

Social landlords manage their businesses so that:

tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

Supporting Description

This outcome covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems and smart-phone applications. It is not just about how clearly and effectively a landlord gives information to those who want it. It also covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback. It does not require landlords to provide legally protected, personal or commercial information.

3a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don't know

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

3b) Please provide any suggestions below on how we could improve the supporting description

We support this outcome as it is clearly important that tenants and other customers find it easy to communicate with their landlord and get the information they need. The supporting narrative is clear and well defined by focusing on giving information to those who want it, making it easy to make complaints and how these complaints and other forms of communication (such as feedback from satisfaction surveys) lead to improved services.

PARTICIPATION (Charter outcome 3)

Social landlords manage their businesses so that:

tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with.

Supporting Description

This outcome describes what landlords should achieve by meeting their statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants, other customers and bodies representing them such as registered tenant organisations to become more capable of involvement - this could include supporting them to scrutinise landlord services.

4a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don’t know

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

4b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve.

HOUSING QUALITY AND MAINTENANCE

QUALITY OF HOUSING (Charter standard 4)

Social landlords manage their businesses so that:

tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020

Supporting Description

This standard describes what landlords should be achieving in all their properties. It covers all properties that social landlords let, unless a particular property does not have to meet part of the standard.

If, for social or technical reasons, landlords cannot meet any part of these standards, they should regularly review the situation and ensure they make improvements as soon as possible.

5a) Would you:

- Keep this standard exactly as it is
- Change this standard
- Don't know

Please tick only one box. If you have ticked “ Change this standard” please let us know what you would change

5b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve.

REPAIRS, MAINTENANCE AND IMPROVEMENTS (Charter outcome 5)
 Social landlords manage their businesses so that:
tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.

Supporting Description
 This outcome describes how landlords should meet their statutory duties on repairs and provide repairs, maintenance and improvement services that safeguard the value of their assets and take account of the wishes and preferences of their tenants. This could include setting repair priorities and timescales; setting repair standards such as getting repairs done right, on time, first time; and assessing tenant satisfaction with the quality of the services they receive.

6a) Would you:

- Keep this outcome exactly as it is
- Change this outcome
- Don't know

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

We support this outcome as it is clearly important that tenants' homes are well maintained and that repairs are carried out when required and that tenants are given choices about when work is carried out. However, the wording of the outcome would be improved if it highlighted the expectation that repairs should be carried out “quickly when required”.

6b) Please provide any suggestions below on how we could improve the supporting description

The expectation that repairs should be carried out quickly should be mentioned in the supporting narrative. This would complement the reference made to tenants being involved setting repairs priorities and timescales.

NEIGHBOURHOOD AND COMMUNITY

ESTATE MANAGEMENT. ANTI-SOCIAL BEHAVIOUR. NEIGHBOUR NUISANCE AND TENANCY DISPUTES (Charter outcome 6)

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that:

tenants and other customers live in well-maintained neighbourhoods where they feel safe.

Supporting Description

This outcome covers a range of actions that social landlords can take on their own and in partnership with others. It covers action to enforce tenancy conditions on estate management and neighbour nuisance, to resolve neighbour disputes, and to arrange or provide tenancy support where this is needed. It also covers the role of landlords in working with others to tackle anti-social behaviour.

7a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don't know

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

7b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve. The supporting description could be improved by including reference to landlords having an appropriate strategy in place to respond to domestic abuse.

ACCESS TO HOUSING AND SUPPORT

HOUSING OPTIONS (Charter outcomes 7,8 and 9)

Social landlords work together to ensure that:

people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.

Tenants and people on housing lists can review their housing options.

Social landlords ensure that:

people at risk of losing their homes get advice on preventing homelessness.

Supporting Description

These outcomes cover landlords' duties to provide information to people looking for housing and advice for those at risk of becoming homeless. This could include providing housing 'health checks' for tenants and people on housing lists to help them review their options to move within the social housing sector or to another sector.

8a) Would you:

Keep these outcomes exactly as they are

Change these outcomes

Don't know

Please tick only one box. If you have ticked “ Change these outcomes” please let us know what you would change

8b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve.

ACCESS TO HOUSING (Charter outcome 10)

Social landlords ensure that:

people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.

Supporting Description

This outcome covers what social landlords can do to make it easy for people to apply for the widest choice of social housing that is available and suitable and that meets their needs. It includes actions that social landlords can take on their own and in partnership with others, for example through Common Housing Registers or mutual exchange schemes, or through local information and advice schemes.

9a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don't know

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

9b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve.

TENANCY SUSTAINMENT (Charter outcome 11)

Social landlords ensure that:

tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

Supporting Description

This outcome covers how landlords on their own, or in partnership with others, can help tenants who may need support to maintain their tenancy. This includes tenants who may be at risk of falling into arrears with their rent, and tenants who may need their home adapted to cope with age, disability, or caring responsibilities.

10a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don't know

Please tick only one box. If you have ticked “ Change this outcome”

please let us know what you would change

10b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve.

HOMELESS PEOPLE (Charter outcome 12)

Local councils perform their duties on homelessness so that:

homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.

Supporting Description

This outcome describes what councils should achieve by meeting their statutory duties to homeless people.

11a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don't know

Please tick only one box. If you have ticked "Change this outcome" please let us know what you would change

We support this outcome We support this outcome as it is clearly important that homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.

However, the wording of the outcome would be improved if it highlighted the expectation of securing settled, sustainable accommodation for homeless households as quickly as possible.

11b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and an outcome all landlords should be aiming to achieve.

GETTING GOOD VALUE FROM RENTS AND SERVICE CHARGES

VALUE FOR MONEY (Charter standard 13)

Social landlords manage all aspects of their businesses so that:

tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

Supporting Description

This standard covers the efficient and effective management of services. It includes minimising the time houses are empty; managing arrears and all resources effectively; controlling costs; getting value out of contracts; giving better value for money by increasing the quality of services with minimum extra cost to tenants, owners and other customers; and involving tenants and other customers in monitoring and reviewing how landlords give value for money.

12a) Would you:

Keep this standard exactly as it is

Change this standard

Don't know

Please tick only one box. If you have ticked “ Change this standard” please let us know what you would change

12b) Please provide any suggestions below on how we could improve the supporting description

The supporting description is clear and concise and highlights that involving tenants and other customers in monitoring and reviewing how landlords give provide value for money is a key element of the outcome and one that all landlords should be aiming to achieve.

RENTS AND SERVICE CHARGES (Charter outcomes 14 and 15)

Social landlords set rents and service charges in consultation with their tenants and other customers so that:

A balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and other customers can afford them.

Tenants get clear information on how rent and other money is spent, including any details of individual items of expenditure above thresholds agreed between landlords and tenants.

Supporting Description

These outcomes reflect a landlord's legal duty to consult tenants about rent setting; the importance of taking account of what current and prospective tenants and other customers are likely to be able to afford; and the importance that many tenants place on being able to find out how their money is spent. For local councils, this includes meeting the Scottish Government's guidance on housing revenue accounts. Each landlord must decide, in discussion with tenants and other customers, whether to publish information about expenditure above a particular level, and in what form and detail. What matters is that discussions take place and the decisions made reflect the views of tenants and other customers.

13a) Would you:

Keep these outcomes exactly as they are

Change these outcomes

Don't know

Please tick only one box. If you have ticked “ Change these outcomes” please let us know what you would change

We support the outcome, however whilst tenants should get clear information on how rent and other money is spent, this may not need to include details of individual items of expenditure above certain thresholds unless this is requested by tenants.

13b) Please provide any suggestions below on how we could improve the supporting description

The supporting description could be improved by stating that details of individual items of expenditure above certain thresholds should be provided where there is requested by tenants.

OTHER CUSTOMERS

GYPSIES/TRAVELLERS (Charter outcome 16)

Local councils and social landlords with responsibility for managing sites for Gypsies/Travellers should manage the sites so that:

sites are well maintained and managed, and meet the minimum site standards set in Scottish Government guidance.

Supporting Description

This outcome includes actions landlords take to ensure that: their sites meet the Scottish Government guidance on minimum standards for Gypsy/Traveller sites, and those living on such sites have occupancy agreements that reflect the rights and responsibilities set out in guidance.

All the standards and outcomes in the Charter apply to Gypsy/Travellers.

14a) Would you:

Keep this outcome exactly as it is

Change this outcome

Don't know

Please tick only one box. If you have ticked “ Change this outcome” please let us know what you would change

14b) Please provide any suggestions below on how we could improve the supporting description

This outcome is clear and concise and an outcome all landlords should be aiming to achieve.

Section 3 – Adding anything to the Charter

In this section we ask you to provide details of anything else the Charter

should cover.

15) Is there anything else you think the Charter should cover? If so please tell us what and why you think it should be included?

The Charter should introduce an outcome in relation to social housing development. This would assess wider impacts, it should gauge ongoing improvement and measure satisfaction levels within new build homes. This could assess the value of investment in this area by landlords and Scottish Government.



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