



EVIDENCE FROM THE SCOTTISH FEDERATION OF HOUSING ASSOCIATIONS

**IN RESPONSE TO THE INFRASTRUCTURE AND CAPITAL
INVESTMENT COMMITTEE'S CONSIDERATION OF THE
SCOTTISH SOCIAL HOUSING CHARTER**

January 2012

1. Introduction

- 1.1 As the national representative body for housing associations and co-operatives in Scotland, the Scottish Federation of Housing Associations (SFHA) welcomes the opportunity to provide written and oral evidence to the Infrastructure and Capital Investment Committee relating to the redrafted Scottish Social Housing Charter.
- 1.2 Over 70% of the housing associations and co-operatives in Scotland are members of the SFHA. This makes us ideally placed to feedback to Scottish Government the view of the sector relating to the Scottish Social Housing Charter and its most recent redraft.
- 1.3 The SFHA welcomes that the revised Charter has been reduced to 16 outcomes. We consider that the revised draft is a great improvement upon the previous lengthy draft. Whilst we have some detailed comments regarding the wording of some of the outcomes, we are pleased that what has now been produced is much closer to the SFHA Alternative Charter¹ we suggested as part of the consultation process.
- 1.4 We wish to stress that the key to the success of the Charter will be the performance measures against each outcome, which the Scottish Housing Regulator (SHR) will not formally consult upon until the final Charter has been approved.

2. SFHA's Response to Social Housing Charter Consultation

- 2.1 The Scottish Government's initial draft of the Charter – produced in August 2011 - contained 71 outcomes. The SFHA highlighted a number of key concerns:
 - The Charter was far too long at 71 outcomes and would have created an overly burdensome, resource intensive reporting requirements;
 - Some of the outcomes were ambiguous and would have caused confusion amongst landlords and tenants;
 - The outcomes within the Charter were not measurable, so the SHR would not have been able to use the document as the basis for measuring the performance of the sector.
- 2.2 The SFHA produced an Alternative Charter (see Annex A and B) which contained 9 outcomes applying to all RSLs, and 3 outcomes that were clearly highlighted as not applicable to all landlords.
- 2.3 Our Alternative Charter was produced with the support of our membership, which was further demonstrated when approximately 60 members attended our four

¹ Copy appended to this evidence

regional focus groups to help shape the document and unanimously backed our proposal.

- 2.4 In addition to our separate responses, the SFHA, GWSF (Glasgow West of Scotland Forum of Housing Associations) and RIHAF (the Rural and Islands Housing Association Forum) submitted a joint statement to the Minister for Housing and Transport Keith Brown MSP, outlining the concerns stated at 2.2 above.

3. **Comments on Redrafted Scottish Social Housing Charter**

- 3.1 The SFHA is pleased that the redrafted Social Housing Charter has been reduced from 71 to 16 outcomes. This is much closer to what we had suggested in our Alternative Charter, and is a great improvement. It also shows that the Scottish Government has listened to the SFHA and our members in that the size of the Charter had to be greatly reduced in order to be fit for its intended purpose.
- 3.2 The wording of the Charter is also greatly improved in places that we considered ambiguous in the previous draft. We are pleased to see that on some outcomes our suggested wording has been used or paraphrased.
- 3.3 We have some comments and suggestions for further rewording of some of the outcomes:
- **Outcome 4 – Quality of housing**
There is some concern in our sector that it is not sufficiently clear in this outcome that there will be certain properties where the SHQS cannot be met due to technical problems. This is covered in the commentary beneath where it is stated: *“It covers all properties that social landlords let, unless the Scottish Government has agreed that particular properties do not have to meet the standard.”* Without reading the commentary, the outcome itself suggests SHQS must be met on all properties, which is incorrect. We would suggest that the wording of the outcome should include a reference to the caveat included in the commentary.
 - **Outcome 5 – Repairs, Maintenance and Improvements**
Within the commentary, as an example, reference is made to setting repair standards such as “getting repairs done right, on time, first time.” Every housing association and housing co-operative in Scotland aspires to this aim. However, there are circumstances where parts are required, where further diagnosis of a problem is required or other technical issues mean that this is not possible. We would suggest either removing this example or including further explanatory notes to reflect that there will be circumstances where it cannot be achieved.

- **Outcome 11 – Tenancy Sustainment**

The outcome states that landlords should “ensure” tenants can “get suitable support including services provided directly from the landlord”. RSLs will offer advice and guidance to tenants through their housing staff or in some cases, Welfare Rights Officers. However, formal housing support services will not necessarily be provided by a landlord directly – which the outcome implies. It needs to be clearly stated in either the outcome or the commentary that not all landlords will offer formal housing support services and may refer tenants to external agencies who do provide such services.

The commentary also includes the example “tenants who may need to have their home adapted to cope with age, or disability, or caring responsibilities”, as being something that landlords “can achieve” for tenants. Housing associations and housing co-operatives will endeavour to adapt tenants homes where required, but it is not always possible. Funding uncertainties have made it even more difficult in recent times for landlords to provide adaptations. We are expecting to hear shortly if our representations about this to the Scottish Government have resulted in any changes to the proposed Adaptations Budget for 2012-13. We would suggest that the commentary should make it clear that the landlord may not be able to provide adaptations in all cases.

- **Outcome 13 – Value for Money**

The outcome refers to “continually improving value” for tenants. Every housing association and housing co-operative is committed to providing value for money to its tenants, but to “continually improve” value in the current financial climate is over stating what can realistically be achieved. Also, we consider that it would be extremely difficult to demonstrate and measure. We suggest that the phrase “continually improve” be removed from this outcome, so that landlords are committed to providing high quality services that represent value for what tenants, owners and other customers pay.

- **Outcome 15 – Rents and Service Charges**

The outcome refers to providing tenants with “details of individual items of expenditure above thresholds agreed between landlords and tenants.” We agree that landlords must be committed to being transparent and accountable organisations and to providing appropriate information to tenants as requested. But there are some concerns in our sector about how agreeing thresholds in this way would work in practice. Some organisations already provide tenants with information on expenditure over a certain threshold, but this may not be appropriate for all organisations or desired by all tenants. The outcome now refers to reaching an agreement with tenants about the threshold, but is silent on the process of consulting tenants. We anticipate that the Scottish Housing Regulator will have expectations in this regard, but

it is difficult to comment on the practicalities of this process without knowing what these expectations are.

- 3.4 The key to the Charter working in practice remains the performance measures that will be used by the Scottish Housing Regulator against each outcome. The Scottish Housing Regulator will formally consult on this process once the Charter has been approved, and we will be feeding into this process.

4. Concluding Comments

- 4.1 Overall the SFHA is pleased that the Charter has been greatly reduced in size, and is on the whole a much more user friendly document. This document is now much closer to what we suggested in our Alternative Charter.
- 4.2 We have made some comments with regards to outcomes 4, 5, 11, 13 and 15, with a view to improving the document further. Where we have suggested amendments these aim to resolve points of ambiguity that may leave both landlords and tenants with unclear expectations.
- 4.3 As we have stated throughout this evidence, the Charter can only work in practice if the performance measures against each outcome (which are yet to be defined by the Scottish Housing Regulator) are clear, realistic and do not greatly increase the regulatory burden on the sector.

APPENDIX A – SFHA ALTERNATIVE CHARTER (APPLICABLE TO ALL RSLs)

Communication and Transparency

Tenants (and other customers where appropriate) are able to contact their landlord when necessary through a range of methods available, and relevant information is provided to them about how the landlord operates. The landlord will also respond to appropriate requests for further information when the tenant (or other customer) requires further explanation.

Participation

Tenants (and other customers where appropriate) if they wish to, can participate in their landlord's decisions and services through a range of methods available, and at a level they feel comfortable with.

Allocations

People looking for housing have access to a landlord's allocations policy, which will contain clear details on how the landlord allocates homes and the range of housing options available. People looking for a home will be able to find out from the landlord their prospects for being allocated a property following their application. Once a property becomes empty, the landlord will allocate this property as quickly as possible.

Rents and service charges

Tenants' rents are set taking into account of affordability to tenants and landlords' operating costs, with tenants being made aware of how rents are set and consulted upon any change. Tenants will be made clear of the procedures that shall be used by their landlord to prevent and recover rent arrears in an efficient and timely manner, and landlords will follow these procedures in all cases.

Maintenance and Housing Quality

Tenants receive efficient repairs and maintenance services, with any necessary works carried out within agreed timescales. Tenants live in safe, quality homes that the landlord maintains to this standard – providing them with as much choice as possible when improvements are carried out.

Tenancy Sustainment

Tenants are made aware by their landlord of what support is available to them in order to sustain their tenancy, and informal advice and assistance will also be provided.

Estate Management

Tenants (and residents where appropriate) receive a level of estate management that ensures the environment around their properties and any common areas is managed effectively, and their landlord works in partnership with other bodies to ensure that the neighbourhood is as well-maintained and as safe as possible.

Anti Social Behaviour

Tenants (and residents where appropriate) have access to clear anti social behaviour policy that is followed by the landlord in all cases. This policy will outline how their landlord will work with other agencies where appropriate to manage such behaviour, and how such cases will be dealt with promptly and fairly.

Complaints

Tenants (and other customers where appropriate) have access to effective and efficient complaints procedures, with any complaints that they may have dealt with in a timely manner and used by the landlord (where appropriate) to inform service improvements.

APPENDIX B - SFHA ALTERNATIVE CHARTER (NOT APPLICABLE TO ALL RSLs)

Homeless People (To be divided into two sections)

The majority of homelessness outcomes highlighted in the Government consultation paper concern only local authorities – and these should be separated from the Charter as such. It should be stated clearly that these do not apply to housing associations. Therefore SFHA will not redraft the whole of this section. However – as with Performance Standards – we suggest that there be an additional separate homelessness outcome applicable only to RSLs (adapted from the existing Performance Standard:

Homeless people can access accurate and up-to-date information about a landlord's stock from local authorities – which the landlord will provide as requested to the local authority. When Local authorities make requests to landlords for accommodation for homeless people, landlords will make every effort to meet the request, and will provide good reasons if it is not possible.

Services for Gypsies/Travellers (applicable to local authorities only)

As with Performance Standards – this outcome should apply to local authorities only. As such the SFHA will not attempt to redraft this outcome, just that it must clearly state it is not applicable to our sector.

Factoring (not applicable to all RSLs)

This would replace the suggested “other customers” category. We suggest (adapted from Performance Standard AS5.2):

Where owners and residents receive a factoring service from a landlord, they receive a fair, efficient and effective service that complies with agreed standards outlined in a readily available Factoring policy.