Consultation on a Review of the Scottish Social Housing Charter:
An Analysis of Responses

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Acknowledgments

Executive Summary

Background

The Housing (Scotland) Act 2010 introduced the Scottish Social Housing Charter (the Charter). The Charter focuses on improving the quality and value of services provided by landlords across Scotland and sets the standards and outcomes that social housing landlords should be achieving for their tenants and other customers. The Scottish Housing Regulator (SHR) monitors and reports on landlord performance against the Charter based on a series of Charter indicators which they collect.

The Scottish Government has given a commitment to review the Charter every five years; it was last reviewed in 2017 and is currently undergoing a further review, with the aim of implementing the revised Charter in 2022. As part of the current review, the Scottish Government (SG) launched a formal consultation in June 2021; and held a number of virtual stakeholder consultation events, facilitated by TPAS (Tenant Participation and Advisory Service) and TIS (Tenants Information Service) who also undertook a range of tailored "Involving All" consultation events among a range of stakeholders across Scotland. Consultation sessions were also held by ALACHO (Association of Local Authority Chief Housing Officers), NETRALT (North East Tenants, Residents and Landlords Together) and COSLA.

Respondent profile

The consultation closed at the beginning of September 2021 and received a total of 86 responses.

Table 1:

	Respondent profile	Number
Tenants' and Residents' Groups and their Representative Bodies		11
Registered Social Landlords and their Representative Bodies		17
Local Authorities		16
Voluntary Groups		7
Public and Statutory Bodies		1
Total organisations		**52**
Individuals		34
Total respondents		**86**

Key Themes

A number of key themes were evident across questions as well as across respondent groups, although each was mentioned by a minority of respondents. These are summarised below.

- The views of organisations responding to this consultation were, in the main, more positive than those of individual tenants. From the responses given, it would appear that individual tenants were unhappy with the service received from their landlords rather than being dissatisfied with the Charter specifically.

- Across most of the 16 outcomes, respondents wanted to keep them exactly as they are. The exception was for Outcome 4 – Quality of Housing – where more respondents would like this to change; there were also relatively split views as to whether Outcome 6 – Estate Management, Anti-Social Behaviour, Neighbour Nuisance and Tenancy Disputes – should change or remain as it is.

- Views on the impact of the current Charter were largely positive, although a number of the individual tenants responding to this consultation were less positive than organisations.

- A few respondents wanted to see an emphasis on human rights and the 'right to housing' for all individuals incorporated into the Charter; allied to this, there were some references of a need to treat all tenants equally and with respect in terms of access to housing and housing services.

- There were calls for any information provided to be accessible to all individuals; both in terms of the language used and availability. While there may be a preference from some individuals to use digital means of accessing information, this is not the case for all. As such, some individual tenants would like information to be presented in a range of different formats, utilising a range of different information channels.

- While communication is seen to have improved over the last five years, some respondents felt that the quality of this is variable, with some respondents wanting to see further improvements, both in terms of the amount of communication from landlords and the different communication channels that are used. Allied to this, there were some requests for contact information on landlords so that when queries arise, individual tenants know who to contact.

- Some respondents pointed to the need for transparency, independent monitoring and investigation, and complaints resolution. There were also some requests for enforcement of the Charter when landlords fail to meet commitments.

- There were calls for the Charter to be updated across all relevant policy areas, including EESSH2, Housing to 2040, the Heat in Buildings Strategy and the recommendations of the ZEST taskforce.

- There were a few calls for clarity over some of the terms and definitions used in the Charter; for example, what constitutes 'value for money' or what is covered by service rent.

Main findings
Impact of the current Charter (Q1)
Most respondents answering this question felt the quality of landlord services has improved because of the Charter. Key improvements have included tenant satisfaction levels, responsiveness to tenants' needs, better communication from staff, and increased landlord accountability and transparency. The Annual Return (ARC) is perceived as having provided a consistent framework for all social landlords to work towards, as well as benchmarking their performance. The establishment of Tenant Scrutiny Panels is felt to be a positive move.

The few respondents who were negative about the impact of the current Charter were mostly individual tenants, some of whom felt there has been no or little improvement. Some of these respondents also identified a lack of opportunities to have their views taken into account.

Main Findings: Current Outcomes and Standards
Equalities (Charter outcome 1) (Q2)
There was widespread agreement that this outcome should be kept exactly as it is. A key issue emerging to this question was of a need to include housing as a human right and there were a few references of a need to treat all tenants equally and with respect in terms of access to housing and housing services.

There were a small number of references to the need for enforcement of the Charter and to the need to ensure that positive changes introduced by the pandemic are recognised and built upon.

Communication (Charter outcome 2) (Q3)
A majority of respondents supported keeping this outcome exactly as it is. While there was general agreement that communication has improved, some individual tenants were unhappy with the quality and level of communication they receive from their landlords. There were some references to the wording of the outcome as being too vague.

A key issue raised by respondents was a need for a broad range of communication channels, comprising both digital and non-digital formats, to be utilised, to meet the needs of tenants. Linked to this, there were also requests for all information to be accessible and for contact information on staff. A few respondents highlighted the need for transparency, independent monitoring and investigation and complaints resolution.

Participation (Charter outcome 3) (Q4)
A majority of respondents wanted this outcome to be kept exactly as it is; this view was particularly strong among local authorities. Again, there were some references to the need for enforcement of this outcome and for the indicators that are used to

measure this outcome to be expanded and for language used to be accessible to all tenants. There were also some calls for clarity in definitions.

Main Findings: Housing Quality and Maintenance
Quality of Housing (Charter outcome 4) (Q5)
A higher number of respondents outlined a need for change to this outcome, than for keeping it as it is; organisations were more supportive of change than individuals. The key change outlined by respondents was for the outcome to reflect EESSH2. Respondents also outlined various other changes to be incorporated into the Standard; these included ARC reporting regarding SHQS and EESSH, the Heat in Buildings Strategy, the recommendations of the ZEST taskforce, Housing in 2040, the Scottish Accessible Homes Standard, fire safety, green energy and zero carbon.

A key issue for individual tenants was the need for enhanced repairs and maintenance of properties, prior to and during a tenancy.

Repairs, Maintenance and Improvements (Charter outcome 5) (Q6)
A majority of respondents supported keeping this outcome as it is. Comments from individual tenants included the need to involve tenants and to take their preferences into account. Again, there were references to the need to update this outcome to reflect legislative changes such as EESSH2, ZEST recommendations and so on.

Main Findings: Neighbourhood and Community
Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes (Charter outcome 6) (Q7)
Slightly greater numbers of respondents supported change than wanted to keep this outcome exactly as it is. A number of comments referred to improved partnership working. There were also references to the role played by other organisations in that there will be occasions when the landlord will not be responsible for dealing with a specific issue. Once again, there were a few references to the need for enforcement.

There were some comments in favour of splitting this outcome into two.

Main Findings: Access to Housing and Support
Housing Options (Charter Outcomes 7, 8 and 9) (Q8)
A majority of respondents wanted to keep this outcome exactly as it is. Key comments were that the sections about getting information and homelessness advice need to be strengthened. A few respondents raised issues over the practical applications of these outcomes, citing a lack of resources, limited capacity of local authority housing options teams, a lack of places where individuals can access tailored advice, and problematic delivery to clients with language, reading or computer skills issues. There were also requests for more about property health checks, and the need for these to be regular and conducted by trained individuals.

Access to Housing (Charter outcome 10) (Q9)
A majority of respondents were in favour of keeping the outcome exactly as it is. The key issue was of a need to ensure there are reasonable opportunities for all

people, to get into social housing. A few respondents felt this outcome fails to happen in practice.

Tenancy Sustainment (Charter outcome 11) (Q10)
A large majority of respondents were in favour of keeping this outcome as it is; a large minority of whom wanted more references to be made to health or other vulnerability issues necessitating extra tenancy sustainment support. A small number of respondents noted a need for more emphasis on obligations to monitor tenancy sustainment, including the reasons for failures. A few respondents felt that tenancy sustainment support does not happen in practice; and there were also a few requests for early or timely support.

Homeless People (Charter outcome 12) (Q11)
A large majority of respondents were in favour of keeping this outcome as it is; although there were comments about a need to include or emphasise the importance of more speed within the rehousing system. A minority of respondents wanted to see greater priority given to the prevention of homelessness, to reduce the number of applicants for homelessness support or to support sustaining tenancies in line with the Housing First Model. Several respondents felt there should be more coverage given to the duties, actions or obligations of RSLs or Housing Associations.

Main Findings: Getting Good Value from Rents and Service Charges
Value for Money (Charter outcome 13) (Q12)
A majority of respondents were in favour of keeping this outcome as it is. A key comment from respondents was complaints about rents or a perceived lack of value for money; along with queries on what constitutes value for money, which can be a subjective term and can be interpreted differently by landlords and tenants.

Rents and Service Charges (Charter outcomes 14 and 15) (Q13)
Once again, a majority of respondents were in favour of keeping this outcome as it is. The main theme raised by respondents was the need for clarity, transparency and accessibility of expenditure and income information. There were also some requests for this outcome to be more prescriptive in terms of how landlords should consult their tenants on rents. There were some comments from individual tenants implying that this outcome is not successfully delivered in practice and some felt there is a lack of clarity about what services rent covers. As such, there were some requests for a consistent rent-setting approach across the social housing sector; also for higher levels of tenant representation at all stages of rent consultations and reviews.

Main Findings: Other Customers
Gypsies / Travellers (Charter outcome 16) (Q14)
A large majority of respondents were in favour of keeping this outcome as it is. In general, comments referred to the need to ensure more sites are available.

Introduction

Background

1. The Housing (Scotland) Act 2010 (The Act) introduced the Scottish Social Housing Charter (the Charter). This focuses on improving the quality and value of services provided by social landlords across Scotland and sets the standards and outcomes social housing landlords should be achieving for their tenants and other customers. 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. Specifically, the Charter:

- Gives tenants, homeless people and other customers a clear understanding of what they should expect from a social landlord.

- Gives landlords a clear understanding of what they should be delivering via their housing activities.

- Provides the basis for the Scottish Housing Regulator (SHR) to monitor, assess and report on the performance of social landlords, and if necessary to request compliance with the Charter, and, through the Regulator's reports.

- Gives landlords the information they need to achieve continuous improvements in their performance and in the value for money they provide.

- Gives 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.

2. The Scottish Housing Regulator (SHR) monitors and reports on landlord performance against the Charter. In May each year, all social housing landlords are required to submit an Annual Return on the Charter (ARC) to the SHR. This is used by SHR to make its assessment.

Background to the consultation

3. The Scottish Government (SG) has given a commitment to review the Charter every five years; it was last reviewed in 2017 and is currently undergoing a further review, with the aim of implementing the revised Charter in 2022. Since the 2017 review, the SG has already identified some changes that are required to reflect new legislation, standards and new business ways of working developed during the pandemic. These include, virtual engagement and digital connectivity and the new milestone for improving energy efficiency of social housing, EESSH2.

4. As part of the current review, the SG launched a consultation in June 2021. A series of virtual stakeholder consultation events were held, facilitated by TPAS (Tenant Participation and Advisory Service) and TIS (Tenants Information Service), for tenants, tenant and resident group representatives,

Local Authority landlords, councillors, Registered Social Landlord (RSL) governing body members and anyone with an interest in the Charter. Additionally, a series of "Involving All" tailored virtual consultations were also undertaken among remote, rural and island tenants and landlords, younger people, people with support needs, gypsy travellers and homeless people. The views gathered across this consultation and associated discussions are outlined in this report and will feed into the development of the revised Charter.

Consultation responses

5. In total, there were 86 responses to the consultation, of which 52[1] were from organisations and 34 from individuals.

6. Respondents were assigned to respondent groupings in order to enable analysis of any differences or commonalities across or within the various different types of organisations and individuals that responded. Table 2 shows the number of respondents in each organisational category.

Table 2:

Respondent profile	Number
Tenants' and Residents' Groups and their Representative Bodies	11
Registered Social Landlords and their Representative Bodies	17
Local Authorities	16
Voluntary Groups	7
Public and Statutory Bodies	1
Total organisations	**52**
Individuals	34
Total respondents	**86**

7. A list of all those organisations that submitted a response to the consultation and agreed to have their name published is included in Appendix 1.

Methodology

8. Responses to the consultation were submitted using the Scottish Government consultation platform Citizen Space or by email; most respondents submitted their views via Citizen Space. Where responses were

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[1] Three organisations provided the views of their wider membership.

submitted in email or hard copy, these were entered manually onto the Citizen Space system to create a complete database of responses.

9. TPAS and TIS produced two reports outlining the findings from the events and consultation activities they facilitated. Reports from these events and consultation activities have been incorporated into this consultation report at the relevant questions. In most instances, the issues brought up during events and activities mirrored those raised by individuals and organisations who responded to the consultation; where this is the case, they have not been reported on separately. Where new issues were raised in events or consultation activities, these have been referred to in the relevant section of this report.

10.   It should be borne in mind that the number responding at each question is not always the same as the number presented in the respondent group table. This is because not all respondents addressed all questions. This report indicates the number of respondents who commented at each question.

11.   Some of the consultation questions were closed with specific options to choose from. Where respondents did not follow the questions but mentioned clearly within their text that they supported one of the options, these have been included in the relevant counts.

12.   The researchers examined all comments made by respondents and noted the range of issues mentioned in responses, including reasons for opinions, specific examples or explanations, alternative suggestions or other comments. Grouping these issues together into similar themes allowed the researchers to identify whether any particular theme was specific to any particular respondent group or groups.

13.   When considering group differences however, it must also be recognised that where a specific opinion has been identified in relation to a particular group or groups, this does not indicate that other groups did not share this opinion, but rather that they simply did not comment on that particular point.

Analysis of responses

14.   The analysis of responses is presented in the following chapters which follow the order of the questions raised in the consultation paper. While the consultation gave all who wished to comment an opportunity to do so, given the self-selecting nature of this type of exercise, any figures quoted here cannot be extrapolated to a wider population outwith the respondent sample.

15.   The Citizen Space database was exported to an Excel working database for detailed analysis. Where respondents requested anonymity

and / or confidentiality, their views have been taken into account in the analysis but quotations have not been taken from their responses. Quotations have been included where they illustrate a point of view clearly and have been selected across the range of respondent sub-groups.

Impact of the Current Charter

16. The first section of the consultation paper asked respondents their views on the impact of the current Charter. The question asked,

Q1: 'Do you think the quality of landlord services has improved because of the Charter? Please explain your answer and provide examples.'

17. Most respondents answering this question gave a definitive 'yes' or 'no' as to whether they felt the quality of landlord services has improved because of the Charter. However, a relatively small number of respondents answered 'yes' but then qualified their response. The following table differentiates between these responses. Overall, a large majority of respondents felt the Charter has contributed to improvements in landlord services (44 organisations across all sub-groups and 13 individuals), compared to only 13 – all individual tenants – who did not.

Table 3:

Views on whether the Charter has contributed to improvements in landlord services	Number			
	Yes	Yes, but	No	Don't know / No response
Tenants' and Residents' Groups and their Representative Bodies (11)	6	4	0	1
Registered Social Landlords and their Representative Bodies (17)	15	0	0	2
Local Authorities (16)	14	1	0	1
Voluntary Groups (7)	0	4	0	3
Public and Statutory Bodies (1)	0	0	0	1
Total organisations (52)	**35**	**9**	**0**	**8**
Individuals (34)	**8**	**5**	**13**	**8**
Total respondents (86)	**43**	**14**	**13**	**16**

18.   A total of 73 respondents across all sub-groups, opted to provide additional commentary in support of their initial response to this question.

Views on ways in which the Charter has improved the quality of landlord services

19.   Overall, most respondents were positive about the contribution made by the Charter to improvements in the quality of landlord services. A few organisations also asked members to provide their views and incorporated them into their response to this question. A number of specific themes emerged across respondent sub-groups. These are outlined in the following paragraphs.

20.   An improvement in tenant satisfaction levels was outlined by a minority of respondents, mostly organisations. This has included tenant participation on scrutiny panels, increased opportunities for tenants to become involved across housing services, more opportunities for tenants to provide their views and higher levels of communication from landlords. A local authority outlined a key benefit that involved tenants helping to identify where service improvements are needed and where landlords are failing; and an RSL / Representative Body noted that tenant satisfaction surveys using Charter indicators have helped to identify areas for improvement. The pandemic has led to a greater use of digital approaches and most organisations appear to have adopted these. As a Voluntary Group noted,

> "The Charter has played a fundamental role in embedding tenant participation in service design and delivery in Scotland's social housing sector. Requiring transparency in data collection and publication allows tenants, residents and other stakeholders to easily access information about landlord performance over time (and) is an invaluable tool."

21.   General and unspecified improvements to tenant satisfaction levels were cited by a few organisations – mainly local authorities – as one impact of the Charter, although one felt that covid may have impacted negatively on these. A few local authorities also referred to improved landlord services specifically, seeing the Charter as helping to increase a push for continuous improvement, accountability and transparency.

22.   Linked to the previous point, a significant number of respondents, across all sub-groups, also pointed to improved responsiveness to tenants' needs. A key element in this area was improvements to the repairs service, both in terms of the quality of the work undertaken and the timescales for repairs. That said, one or two individual tenants noted that not all repairs have been carried out more quickly, and responsiveness of those carrying out repair work could be improved upon. Covid was also seen to have impacted negatively on some repair work in that it has caused some delays. Participants at the TPAS and TIS events highlighted issues around low levels of engagement in important issues, such as rent setting. A need to keep evolving was highlighted: because things have got better, it does not mean it is good enough and there is always room for continuous improvement.

23.   There were a small number of comments stating that communication from staff has improved: for example, higher numbers of staff attending meetings or having involvement with tenants. A Tenants Group noted that policies developed in line with the Charter have encouraged more early intervention and that staff have been more proactive. There were some general comments about the greater focus on tenants and customers and increased levels of partnership working.

24.   Another area in which improvements were identified by respondents was that of increased landlord accountability and transparency. The Charter has been seen to set a standard for accountability, transparency of governance and involvement, with one RSL noting;

"In addition to a more results-driven approach, the Charter Outcomes set a standard for accountability, transparency of governance and involvement that also benefit our tenants. Our Tenant Scrutiny Panel meets quarterly and is trained in a quality management model (EFQM) so that they can challenge and scrutinise our performance. The annual assurance statement is also a standard of good practice that encourages accountability and transparency among RSLs."

25.   A number of respondents – all organisations and mostly RSLs and local authorities – made specific reference to ARC (the Annual Return on the Charter) as having provided a consistent framework for all social landlords to work towards and measure performance as well as identify gaps and weaknesses in their approach to service provision and service improvements. Some of these respondents noted the importance of using ARC as part of their performance review processes and movement towards specific targets such as EESSH (Energy Efficiency Standard in Social Housing) or SHQS (Scottish Housing Quality Standard), and monitoring measures undertaken to achieve statutory and legislative requirements.

26.   Some respondents, without referring specifically to ARC, praised the capacity to benchmark landlord performance against similar sized landlords and felt that this can help to drive up performance as well as provide consistent measures of performance and comparisons across the housing sector. One RSL also pointed to the benefit of being able to learn good practice from other landlords.

27.   A few respondents – all organisations – referred to the establishment of Tenant Scrutiny Panels, which they felt have helped to foster good outcomes for tenants as well as helping to improve internal processes and delivery of improved performance. Feedback from respondents attending the TPAS and TIS events noted that scrutiny activities were, in particular, identified as a positive approach in helping to improve services to tenants and other customers.

28.   A number of respondents made general positive comments about the Charter. These included;

- It has provided a clear focus for service delivery improvements.
- It has helped to focus on key performance indicators (KPIs).
- It is useful for landlords to understand their performance and focus on areas requiring improvement.
- It has contributed to the delivery of services to tenants across areas including tenant engagement and communication and the quality of repairs.
- It ensures that all social landlords focus on delivering the same outcomes and standards to their tenants.
- Data can be used to feed into decision-making and resource allocation, to develop strategies and to identify areas for improvement.

29.   While the views of many respondents were positive, a number of individual tenants felt there have been few or no improvements. In general, their comments referred to a lack of repair work being undertaken, delays to repair work or poorly maintained properties by their landlord.

30.   Some tenants identified individual problems with a lack of participation and communication with their landlords; and cited instances where they have not been offered opportunities to have their views taken into account, to have local representation via a Tenant / Resident Group or to participate in decision-making. One or two tenants also noted that the increase in digital approaches is not suitable for all tenants.

31.   Some respondents commented on suggestions for further improvements to the Charter. Suggestions were made mostly by single respondents and these included;

- A need to ensure increased awareness of the Charter among both staff and tenants; landlords should be obligated to provide all tenants with information on the Charter. The consultation events facilitated by TPAS and TIS highlighted that low awareness was particularly evident among young tenants, homeless people, people with support needs and Gypsy / Travellers.
- A need to consider how the Charter fits with other Scottish Government policy areas and legislation such as Climate Change, biodiversity, and so on. There was a suggestion that changes in context and legislation over the past five years should lead to a more comprehensive review of standards and indicators in the near future.
- Concerns over inconsistencies in approaches to tenant scrutiny.
- Concerns that some areas of service may be neglected while landlords focus on increasing performance against indicators.

- A need for a greater focus on more qualitative data rather than simply focusing on outputs and improving performance data.

- A need to strengthen the Charter in terms of digital inclusion.

- It was suggested that the Charter be backed up by a 'good practice' guide. This would include examples of work in other areas which could demonstrate examples of how to raise standards (This came from TPAS / TIS events).

- Inclusion of a 'Wellbeing' Outcome (from TPAS / TIS consultation activities).

Current outcomes and standards

32.   The consultation paper asked for views on all 16 current Charter outcomes and standards and the supporting description for each. The views submitted in relation to each are reported in this chapter. Each section starts with the Charter outcome or standard and supporting description and a table showing the number of respondents who want the outcome to stay exactly as it is or to be changed. Views are then summarised as to what changes should be made, together with suggestions on how to improve the Charter outcome or its supporting description.

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.

33.   As table 4 demonstrates, there was widespread agreement across all sub-groups that this outcome should be kept exactly as it is; this was supported by 49 respondents, compared to 22 who wanted this to change. Within voluntary groups specifically, more respondents wanted this outcome to change than to remain as it is.

Table 4:

Views on whether Charter outcome 1 should be kept exactly as it is or changed	Number		
	Keep exactly as is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	7	1	3
Registered Social Landlords and their Representative Bodies (17)	11	5	1
Local Authorities (16)	11	4	1
Voluntary Groups (7)	1	3	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**30**	**13**	**9**
Individuals (34)	**19**	**9**	**6**
Total respondents (86)	49	22	15

34.   Respondents who noted their support for changes to the outcome were then asked to provide their reasons why and a total of 23 respondents chose to do so. Additionally, another 13 respondents who wanted the outcome to be kept exactly as it is also provided commentary; and a small number of respondents who had answered 'don't know' also gave their reasons for this response. Regardless of their initial response to this question, respondents raised similar issues; these are all summarised below.

35.   A key theme to emerge at this question, albeit only cited by a few respondents (mostly local authorities), was of a need to include housing as a human right. A respondent in the RSL sub-group asked for further guidance on the requirements and expectations for equalities and human rights for the sector so as to ensure consistency and continuity in approach; and a local authority noted the need for landlords to obtain equalities information from tenants and other service users, so this could be used to inform their decision making. A local authority commented;

"The drafting of these standards is very passive, with a focus on consultation activities rather than sharing influence and control over services with tenants and other service users; the human rights dimension including the obligation of 'progression realisation' isn't included …."

36.   Allied to the theme of human rights, there were a few references of a need to treat all tenants equally and with respect in terms of access to housing and housing services. A voluntary organisation noted the need to broaden the priorities to include a wider range of individuals. They commented;

> "From a human rights perspective, this outcome should include specific reference to 'rights' as well as 'needs' of tenants and customers. The supporting description emphasises the 2010 equalities protected characteristics, However, a human rights approach suggests that priorities should be widened to include people who are vulnerable and disadvantaged – which would include homeless people, people with long term health (physical and mental) issues and people leaving care or other institutions."

37.   However, a respondent in the RSL sub-group noted that it is not appropriate to have a list of personal characteristics as these could be amended before the next review, and that the list of characteristics is not exhaustive and others may be excluded by landlords if they are not listed. Two local authorities also noted that this indicator is difficult to evidence and that there may be a need to expand the description to give more guidance to users of the Charter.

38.   There were a small number of references to the need for enforcement of the Charter, for example, if the Equalities Act is not adhered to, or if landlords do not meet other legal obligations. A very small number of respondents also noted the need for independent investigation and monitoring.

39.   A small number of respondents also referred to the need to ensure that positive changes in customer relations brought about by the pandemic are recognised and built upon where they offer the opportunity for greater engagement and improved outcomes.

40.   There were a number of suggestions for specific changes to be made to this outcome, which included;

* Change the outcome title to 'Equalities and Human Rights' or to 'Equality and Diversity' (Voluntary groups).
* Amend the wording to include '...treated fairly according to their needs...' (Registered social landlords and their representative bodies).
* Amend the wording to "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 that meets their needs" (Voluntary group).
* Amend the wording to "social landlords perform all aspects of their housing services so that:
they recognise the diversity of their tenant base, and 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". (Registered social landlords and their representative bodies).

- One minor change that might simplify this (and some of the other outcomes) could be to remove the opening sentence that precedes them, such as "social landlords perform...." or "social landlords manage businesses so that..." In most cases the outcome itself and requirements for landlords would not be changed by doing so and it would make the focus more clearly on tenants and other customers. Any further necessary explanation about it being a requirement for landlords could be included in the supporting description.

41.   There were a few additional points made by individuals attending the consultation activities, and these included:

- Expand the Equalities outcome to include vulnerable people.

- The tenant landlord relationship needs to be strengthened to ensure the Equalities outcome is achieved.

- Increased recognition is required that Scotland is a multi-cultural society, therefore landlords and other organisations need to demonstrate how they provide information, advice, support, and housing for people of different cultures and languages spoken. The Charter outcomes should be added to and / or changed to reflect this.

- Further develop the Equalities outcome to ensure Gypsy / Travellers can access support services, along with aids and adaptations required to enable them to remain in their own homes.

42.   A few respondents also made suggestions for specific changes they would like to see to the supporting description and these were;

- Broaden the description to include all regulated customer groups including those who are homeless, gypsies / travellers and factoring customers (Local authority).

- "This outcome describes what social landlords 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. This outcome ensures that social landlords comply with equalities legislation" (Registered social landlords and their representative bodies).

- Change the text to refer to the requirements of Human Rights legislation as well as Equalities legislation (Registered social landlords and their representative bodies).

- Include the word 'nationality' within the list complying with equalities legislation (Individual).

- Include 'that meets their needs' at the end of the outcome (Voluntary group).

- "Landlords will make it clear / publicise widely that they can provide services in ways that will take account of individual customer needs; and respond positively to reasonable requests for services to be tailored to the needs of an individual customer while balancing it against the needs of other customers" (Registered social landlords and their representative bodies).

- "This outcome describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers. It includes landlords' responsibility for finding ways of understanding the needs of difference customers and delivering services that recognise and meet these needs" (Registered social landlords and their representative bodies).

43.   By and large, those respondents who wanted to keep this outcome exactly as it is, tended to acknowledge their support for this outcome, its wording and / or the wording in the supporting description. There was a request from a local authority for equalities indicators to be reintroduced to the SHR's annual return on the Charter; with another commenting that there are GDPR implications for recording and storing data.

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.

44.   As table 5 demonstrates, a majority of respondents, across all sub-groups, supported keeping this outcome exactly as it is. There was a higher level of support from organisations (29 supporting keeping it as it is, compared to 14 wanting to see change to this outcome), compared to individuals, where slightly more wanted to see change. As with Outcome 1, more voluntary groups wanted this outcome to change rather than to remain as it is.

Table 5:

Views on whether Charter outcome 2 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	7	1	3
Registered Social Landlords and their Representative Bodies (17)	11	5	1
Local Authorities (16)	10	5	1
Voluntary Groups (7)	1	3	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**29**	**14**	**9**
Individuals (34)	**15**	**17**	**2**
Total respondents (86)	**44**	**31**	**11**

45.   Regardless of whether respondents wanted this outcome to be kept exactly as it is or to be changed, similar issues emerged. While some individual tenants were unhappy with the communication they have with their own landlord, some other respondents – a mixture of tenants and organisations – noted that communication has improved. However, a number of respondents noted the need for improved communication between tenants and landlords. At the events facilitated by TPAS and TIS, there was general agreement that communications have improved as a result of the Charter – there is greater flexibility and increased options and opportunities including through the use of digital engagement. Participants highlighted how the Charter has improved communications with tenants and how tenants have helped landlords to improve their communication methods.

46.   A key issue raised by consultation respondents was a need for a broad range of communication channels, including digital and non-digital, to meet the needs of tenants. There were some positive references to the increased use of digital approaches due to covid, although some respondents pointed out that not all tenants have access to digital channels or have an understanding of how to use them.

47.   Linked to this point, there were some calls for any information provided to be accessible to all tenants (and meet accessibility standards); and for tenants to be able to contact staff when they have queries as well as being able to provide feedback. A small number of tenants noted issues over knowing who to contact in their landlord's organisation and accessibility to these people; and there were some calls for more personal interaction, rather than online contact, within local communities.

48.   The need for transparency, independent monitoring and investigation and complaints resolution was highlighted by a few respondents.

49.   There were also a couple of requests for any changes to include SHR indicators that can measure how landlords are communicating with tenants and how tenants can provide feedback on services.

50.   In summing up the importance of good communications, an RSL / Representative Body commented;

> "… good communication with tenants is key to overall satisfaction (with tenants) and efficient management of cases and queries. It is suggested that the current standard / outcome could be reviewed as it covers a complex mix of communications, service-delivery, plus perceptions relating to influence (that is, influencing their landlord's decisions). To improve services and satisfaction it is important to understand the drivers behind the outcomes and the complexity of this outcome makes that analysis more challenging."

51.   Individuals attending the virtual consultation / or Involving All events felt this outcome, as it stands, is too vague: for example, landlords are able to determine the level of required communications due to the vagueness of the outcome. Additionally, participants felt it can be difficult to measure this outcome in terms of engagement and, given the resources required to produce a range of different communications, whether it offers value for money. Individuals at the "involving all" events TIS/TPAS noted a need to;

- Include GDPR within the Communication outcome.

- Expand the Communication outcome to ensure landlords demonstrate how tenant views have influenced decisions and service improvements.

- Require landlords to provide information in tenants own languages, further develop digital engagement opportunities, and increase the use of "Near Me" to further improve Communication.

- Require landlords to provide specific information on housing options and access to housing for people leaving care, prison, or rehabilitation facilities - in advance of returning to the community.

52.	A small number of respondents made suggestions for specific changes to the wording of the Outcome. These included:

- "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 using channels that suit them, this information should include how and why they the landlord makes decisions and the services it provides" (RSL / Representative Body).

- Amend this outcome to include 'find it easy to communicate with their landlord, by whatever means suits their needs and get information' (Local authority).

- A need to make the outcome more specific and measurable, for example, that landlords should communicate in a ways that encourages greater engagement, while adopting web and app-based technologies and digital methods that make it easier for tenants and customers to access information and to become involved and participate (RSL / Representative Body).

53.	Suggestions for specific changes respondents would like to see to the supporting description included;

- Including a reference to flexible options across a wide range of communication channels including digital and non-digital, so that communication is inclusive.

- Reference to the Freedom of Information Act.

- Including the word *'scrutinise'* (Tenant / Representative Body).

- Including reference to '*Use of online applications as well as smartphone applications'*; Social media should be encouraged as a 2-way communication method; Contact preferences suitable for all should be encompassed particularly with younger groups more likely to interact digitally.

- There needs to be reference to reasonable timescales (Voluntary group).

- Wording should change to include "This outcome covers all aspects of landlords' communication with tenants and other customers. This should include making use of new technologies such as web-based tenancy management systems, maximising engagement through social media, access to applying for a house online, smart-phone applications and accessing services online to maximise customer convenience, ensuring all communication methods are available to suit a range of customer groups. 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" (Local authority).

- Wording should change to include "This outcome covers all aspects of landlords' communication with tenants and other customers, including written correspondence and literature, face-to-face interaction, digital and virtual. It also covers how landlords facilitate tenants and other customers to complain and provide feedback which should influence services and performance improvements. It does not require landlords to provide legally protected, personal or commercial information" (RSL / Representative Body).

- The language needs to be updated to reflect that many technologies are no longer new (RSL / Representative Body).

- Strengthen the outcome to reflect the need for landlords to actively embrace digital communication (RSL / Representative Body).

- Include messages to encourage greater engagement and participation in decision-making (RSL / Representative Body).

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.

54.   As table 6 demonstrates, a majority of respondents across all sub-groups wanted this outcome to be kept exactly as it is (48 supported this compared to 24 who wanted change). Across organisation sub-groups specifically, higher numbers of local authorities wanted this to be kept the same in comparison to other sub-groups.

Table 6:

Views on whether Charter outcome 3 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	6	2	3
Registered Social Landlords and their Representative Bodies (17)	10	7	0
Local Authorities (16)	14	1	1
Voluntary Groups (7)	2	1	4
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**32**	**11**	**9**
Individuals (34)	**16**	**13**	**5**
Total respondents (86)	**48**	**24**	**14**

55. A wide range of comments, each made by small numbers of consultation respondents, were made in relation to this Outcome; with some respondents reiterating the importance of participation and the need for landlords to listen to their tenants and act on their behalf. This theme was echoed by participants at both the TPAS and TIS "involving all" and virtual consultation events where a small number of tenants felt that they are not offered opportunities to influence decision-making and / or that they were not given opportunities to participate during the pandemic.

56. Once again, there were references to the need for enforcement of this Outcome and for the indicators that are used to measure this outcome to be expanded, alongside tenant participation being further reflected in measurable outcomes. There were also calls for landlords to be accountable to their tenants and for generally higher levels of accountability and scrutiny. Two organisations referred to the need for this Outcome to reinforce peoples' explicit right to participation in line with a human rights perspective. Allied to this, an RSL suggested a need for training and guidance to be issued by the regulator across the sector.

57. A local authority noted that ensuring tenants have control over what happens to them in their home is important and that standards and outcomes under this heading need to better reflect these points; also that there is a

need to distinguish between opportunities and options to engage with landlords on general service issues and how tenants can actually impact or influence the delivery of services. An RSL / Representative Body noted the need for tenants to be able to scrutinise landlord services.

58.	In general, there were some comments about the language used, for example, for language to be accessible to tenants; for definitions and explanations to be provided for some of the terminology used in relation to participation, influencing and empowering, so that everyone using the Charter will interpret it in the same way. An RSL / Representative Body noted the need for the outcome to focus on engagement as well as participation to ensure that landlords are sharing the influence over decision-making and encouraging investment by tenants, customers and communities in improvements to services and neighbourhoods.

59.	At the TPAS and TIS "involving all" and virtual consultation events, it was pointed out that some landlords still do not make it easy for tenants to participate, but the converse of this is that there is a level of tenant apathy – many do not participate despite measures that are put in place by the landlord. It was noted also in a tenants' session that there can be a disconnection or mismatch between what landlords' say and what they do: it can look good in documents but still be a poor service.

60.	A few respondents commented on changes in wording they felt should be made to the Outcome; these included;

- "Social landlords manage their businesses so that: tenants and other customers are offered a range of opportunities that make it easy for them to participate in and influence their landlord's decisions at a level they feel comfortable with" (RSL / Representative Body).
- Delete 'at a level they feel comfortable with' (as this is patronising) (Individual).
- 'Find it easy' is too subjective (RSL / Representative Body).
- Amend this to "social landlords offer a comprehensive range of ways in which tenants can participate in and influence their landlord's decisions at a level they feel comfortable with" (RSL / Representative Body).
- "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 and using channels they feel comfortable with" (RSL / Representative Body).

61.	Comments made by participants attending TPAS and TIS "involving all" and virtual consultation events consultation activities noted some changes they would like to be made to this outcome. These included a need to further develop the Participation outcome to ensure representation of tenants from different cultures on Boards of Management and tenants'

groups and scrutiny groups; ensure Gypsy / Travellers are considered as service users and included as consultees on all related service delivery standards and planned improvements; and ensure the representation of young tenants.

62.   At the TPAS and TIS virtual consultation events there were a number of suggestions for improvement; the two most common were the need to reflect changes in technology, including digital opportunities and how this could help in, for example, attracting younger tenants and in overcoming geographical difficulties; albeit this should be achieved without diminishing face to face and collective opportunities. Another view was that while this outcome should remain, consideration should be given to strengthening it to reflect that all staff should have tenant participation responsibilities and be committed to its delivery.

63.   There were several comments on the need for landlords to consult with diverse groups and that they use inclusive methods to encourage participation.

64.   Suggestions for specific changes to the wording of the supporting description included;

- Strengthen this by increased reference to engagement e.g. describe what successful participation should look like in relation to service delivery, neighbourhood management & decision making (RSL / Representative Body).

- The terminology used should reflect the ethos of co-creation in service design; the current outcome focuses on a framework of active consultation but participation on its own cannot influence decision making without embedding this voice in service design & policy development (RSL / Representative Body).

- Include a description of how landlords should promote tenant participation options (Individual).

- Break up the second sentence as it is too long; or use bullet points.

- Change 'this could include supporting them to scrutinise landlord services' to 'should include …' (Tenant / Representative Body)

- Include reference to participation across all age groups (Tenant / Representative Body).

- This should ensure there is commitment to diverse engagement across all demographic groups able to meet equality legislation and best practice (RSL / Representative Body).

- The supporting description should include reference to co-production and should be more explicit about the right of tenants and customers to play an active role in developing policies that affect them as well as scrutinising and

monitoring performance. It should place greater emphasis on the role of social landlords in promoting the right to participation, the need for transparency and ensuring information accessible and on the importance of capacity building to enable meaningful participation by tenants and customers as rights-holders, including those who are marginalised and hard to reach (Voluntary Group).

- The supporting description should stress the need for social landlords to involve the widest range of users at all levels of the decision making process and to the use of a range of methods that might, for example, include outreach and advocacy (Voluntary Group).

- "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 and taking a coproduction approach to the planning and development of their services" (RSL / Representative Body).

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 Scotland Housing (EESSH) 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.

65.   As table 7 demonstrates, a higher number of respondents outlined a need for change to this outcome, rather than keeping it exactly as it is (49 supported change, compared to 26 who did not). Across those responding to this question, organisations were more supportive of change than individuals.

Table 7:

Views on whether Charter outcome 4 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	1	7	3
Registered Social Landlords and their Representative Bodies (17)	4	11	2
Local Authorities (16)	5	11	0
Voluntary Groups (7)	0	4	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**10**	**33**	**9**
Individuals (34)	**16**	**16**	**2**
Total respondents (86)	**26**	**49**	**11**

66.   A number of respondents – primarily individual tenants – made reference to the need for enhanced repairs and maintenance of properties, with some commenting that social housing often does not meet the requirements of SHQS. There were also some requests that properties should be in a good state of repair when they are let and after any work undertaken by a landlord. One local authority pointed out that there is no measure in the SHR's annual submission on the charter as to whether a property is clean, tidy and in a good state of repair when it is let, and suggested the reintroduction of measures to ascertain the standard of properties when they are let, in order to gather an indication of void lettable standards across all landlords.

67.   The key change outlined by a significant number of respondents across all sub-groups was for the outcome to reflect EESSH2, with some suggesting a completion date such as December 2027 or 2032. As noted by an RSL / Representative Body;

"It will be necessary to update the reference to EESSH. Whilst it would be logical to simply update this reference to EESSH2, it is important to note the recommendation of the Zero Emission Social Housing Taskforce (ZEST) report which states …"*T*he proposed review of EESSH2 should be brought forward to

> commence immediately with a final decision on the revised approach and implementation no later than 2023. This should include a period of reflection and further research while also allowing the outcomes of the recently published consultation on EPC assessments to be considered."

68.   This respondent also noted the need for this Outcome to reflect the review of EESSH2 which has been undertaken as part of its Climate Change Action Plan Update. A number of organisations also referred to other changes to be incorporated into the Standard, and these included the need for the description of the Standard to change in line with ARC reporting regarding SHQS and EESSH; for the energy efficiency Standard to be updated in line with the regulations and targets set out in the Heat in Buildings Strategy; and the recommendations of the ZEST taskforce.

69.   There were also a small number of comments of a need for the Standard to refer to wider environmental challenges and sustainability and to reference green energy and zero carbon.

70.   There were also a number of comments, mostly from organisations, of a need to make reference to Housing in 2040 as well as reference to the upcoming development of new building standards including the Scottish Accessible Homes Standard and fire safety. As a local authority noted;

> "The outcome could go a step further than EESSH 2020 and refer to improving standards in line with Housing to 2040 (Quality, sustainability, improving energy efficiency and working towards zero carbon)."

71.   A number of suggestions were made for changes to be made to the Standard and these included;

- "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 relevant Energy Efficiency Standard for Social Housing (EESSH)" (RSL / Representative Body).

- "Social landlords manage their businesses so that:
  tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) and the Energy Efficiency Standard for Social Housing (EESSH) when they are allocated; are always clean, tidy and in a good state of repair" (Local authority).

- Replace EESSH and December 2020 with EESSH2 and a target date (Tenant / Representative Bodies, Local authorities).

- Widen the scope of the Standard so that it also focuses on shared internal and external spaces (RSL / Representative Body, Voluntary Groups).

- Include reference to involvement of tenants and other customers in setting the standard of new and retrofitted homes (RSL / Representative Body).

- The Standard should continue to refer to SHQS to help ensure stock compliance (RSL / Representative Body, Tenant / Representative Body).

- Change 'minimum standard' to 'gold or maximum standard' (Tenant / Representative Body).

72. Perhaps not surprisingly, the key change for the supporting description suggested by respondents was for this to be updated with EESSH2 information, although there were also requests for updates to the SHQS guidance.

73. There were a small number of requests for terms to be clearly defined and consistently applied for landlords so as to offer clarification on changes around how data should be collated for ARC purposes, so that all local authorities report on the same data set.

74. Other changes to the supporting description included;

- Widen the scope of the standard so that it also focuses on shared internal and external spaces (RSLs / Representative Bodies, Tenant / Representative Body).

- Reflect zero carbon targets and building and fire safety requirements (Voluntary Group).

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. 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.

75. As shown in table 8, around twice as many respondents overall supported keeping this outcome exactly as it is than wanted change. Organisations showed higher levels of support for this to remain exactly as it is, while the views of individuals were split relatively evenly.

Table 8:

Views on whether Charter outcome 5 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	8	0	3
Registered Social Landlords and their Representative Bodies (17)	13	2	2
Local Authorities (16)	11	5	0
Voluntary Groups (7)	2	2	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**34**	**9**	**9**
Individuals (34)	**16**	**18**	-
Total respondents (86)	**50**	**27**	**9**

76.   A total of 38 consultation respondents opted to provide additional commentary in support of their initial response; and a wide range of comments were made, albeit by small numbers of respondents.

77.   Key comments from individual tenants included the need to involve tenants and shared owners and that their wishes and preferences in terms of choices in design, specification and timescales should be taken into account. There were also a small number of references to the need to use good contractors and materials, rather than opt for the cheapest. The standard of repairs was also an issue to be considered and there were a small number of comments that some social housing is in a poor state of repair and not well maintained. Linked to this, there were some suggestions for checks on repairs to be undertaken, for measures of tenant satisfaction to be collected, or setting up an independent panel that could check on the quality of repairs. There were a couple of requests for automated reporting and tracking of repairs or statistics from landlords to demonstrate that repair deadlines are being met. Some of these issues were also echoed by organisations, primarily tenant organisations.

78.   At the TPAS and TIS virtual consultation events, tenant representatives identified some specific areas where there had been little or no improvements and these included a lack of knowledge of both tenants and

staff in relation to tenants' rights about repairs and tenant involvement in the procurement of contracts and suppliers.

79.　　　Other comments made by consultation organisations included;

- Update this outcome to reflect legislative changes, the requirements of EESSH2 and the decarbonisation process (Local authority).

- A need to consider the recommendations of the ZEST recommendations (Local authority).

- There is a need to include indicators to measure the number of appointments completed within an agreed timescale and to compare with other landlords (Local authority / Individual).

- There should be a greater emphasis on health and fire & safety (RSL / Representative body).

80.　　　A number of respondents made specific suggestions for changes to the wording within the Outcome, and these included:

- Extend this to ensure landlords obligations regarding adequate housing in human rights terms and the right to a home life are included (Local authority).

- Highlight the expectation that repairs should be carried out *"quickly when required"* (Local authorities).

- Include 'and advance notice' after 'reasonable choices' (Voluntary Group).

- "tenants' homes are well maintained, with repairs and improvements carried out when required, tenants are given reasonable choices about when work is done and are satisfied with the outcome" (Voluntary Group).

- Inclusion of text for 'tenants to be informed of any issues and proposed timeframes' (Voluntary Group).

81.　　　There were also a small number of comments on changes that should be made to the supporting description, and these included;

- A need for references to technology that can support landlords to improve their properties; promote the use of technologies for a more proactive approach to managing repairs and property maintenance (Local authority).

- Ensuring this includes a reference to temporary accommodation (Voluntary Group).

- Including a reference as to when repairs, maintenance and improvements cannot happen, for example, at times of crisis (Individual).

- Making a reference to assessing tenant satisfaction with repairs undertaken (Local authority).

- Including recognition of improvements to safety, energy efficiency and the carbon emissions of buildings (Voluntary Group).

- "This should include repair priorities and reasonable timescales including satisfactory standards" (Individual).

- Providing a link within the supporting description to the Right to Repair Guidance (RSL / Representative Body).

- Wording the description to allow for choice in timescales (Tenant / Representative Body).

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 actions 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.

82.	As shown in table 9, across all respondents, slightly more supported change to this outcome than keeping it exactly as it is. Among organisations specifically, there was a higher level of support for change, with the exception of local authority respondents. The views of individuals were split with the same number supporting change as for keeping the outcome as it is.

Table 9:

Views on whether Charter outcome 6 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	3	5	3
Registered Social Landlords and their Representative Bodies (17)	5	11	1
Local Authorities (16)	10	5	1
Voluntary Groups (7)	1	3	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**19**	**24**	**9**
Individuals (34)	**14**	**14**	**6**
Total respondents (86)	**33**	**38**	**15**

83.   A total of 39 consultation respondents provided comments in relation to this Outcome. The key theme, albeit mentioned by a minority of respondents, was in relation to partnership working, with requests for improved communications between different departments within organisations and across organisations.

84.   The role played by other organisations was raised by a few respondents, who noted that there will be occasions when agencies other than the landlord are responsible for dealing with a specific issue. Allied to this, an RSL / Representative Body suggested the question around satisfaction with a landlord's management of the neighbourhood needs to differentiate between services provided by the landlord and services provided by other organisations. There was also a comment from another RSL / Representative Body which noted the delivery of this outcome can be affected by partner organisation funding decisions. There was a suggestion from one individual for RSLs to work proactively in encouraging and advising on standards of what behaviour is expected and what behaviour might be considered as neighbourhood nuisance or ASB.

85. Concerns over safety were raised by a small number of individual tenants, with one suggestion for more anti-social behaviour (ASB) wardens.

86. Once again, there were a small number of references to reporting and enforcement, with suggestions for an annual report to be produced in conjunction with other partners to outline what work has been carried out and the outcomes of this; and for requests to hold landlords to account.

87. There were a few requests to separate this Outcome into more than one. The first suggestion was to split this outcome into two, with one outcome for estate management and a second for ASB, neighbour nuisance and tenancy disputes. A Voluntary Group suggested one outcome should reflect human rights expectations that adequate housing is available; and a second outcome to include domestic abuse. Another respondent in the RSL / Representative Body category simply noted that this should be broken down into more specific outcomes where responsibility can be attributed. At the virtual consultation events run by TPAS and TIS, there were some comments that the outcome does not reflect the chronic housing shortages in some areas and that it needs to go beyond estate management issues and ASB to the quality of the neighbourhood which would include human rights and regeneration.

88. A need for clarity and / or further information was highlighted by a very small number of respondents, who felt that 'well-maintained' neighbourhoods requires further explanation; another that tenants should be provided with additional information on the complaints process.

89. Similarly there were a small number of comments that the wording of this Outcome is too vague, that it needs to be more focused or that it should reflect changes in areas such as domestic abuse, racism, victimisation of those in LGBTQI communities and so on, that have taken place in recent years.

90. There were also a small number of comments for changes to the title of this Outcome, with suggestions to change to *'Safe Neighbourhoods'* or to replace the word *'neighbourhood'* with *'communities'*.

91. There were a number of specific comments in relation to the wording of the Outcome, and these are outlined in the following points;

• Include 'landlords are seen to have a duty of care to all their tenants' (Tenant / Representative Body).

• Change the wording to reflect the need for landlords to work with different agencies; or include *'working in conjunction with'* to acknowledge that landlords often cannot deal with issues alone (RSL / Representative Body).

- The wording should reflect that landlords should respond to complaints and attempt to resolve them but that it might not always be possible (RSL / Representative Body).

- Insert *'well-managed'* after *'well maintained'* (RSL / Representative Body).

- Wording should be refined to reflect housing matters rather than wider social considerations that are dealt with by police or other services (local authority).

92.   There were a number of comments on specific changes that should be made to the supporting description; these included:

- In the last sentence, insert *'and tenants'* after *'the role of landlords'* (RSL / Representative Body).

- Include reference to landlords having an appropriate strategy in place for domestic abuse (Local authority).

- Specific reference to the current (and future) agencies that have responsibility to work with RSLs (Tenant / Representative Bodies).

- Inclusion of reference to any enforcement that landlords can impose and the support they can provide to victims, tenants or the wider community (Local authority).

- Emphasis on the benefits of involving residents in partnerships and using public and community resources to build community wellbeing and resilience (Voluntary Group).

- Reference to building changes that can be made to improve safety (Voluntary Group).

- More emphasis on the maintenance of the neighbourhood (Local authority).

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.

93.   As demonstrated in table 10, a clear majority of respondents from all sub-groups, except for voluntary groups, would keep these outcomes exactly as they are.

Table 10:

Views on whether Charter outcomes 7, 8 and 9 should be kept exactly as they are or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	6	2	3
Registered Social Landlords and their Representative Bodies (17)	10	6	1
Local Authorities (16)	11	5	0
Voluntary Groups (7)	1	3	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**28**	**16**	**8**
Individuals (34)	**17**	**12**	**5**
Total respondents (86)	**45**	**28**	**13**

94.   Among the 23 consultation respondents who gave responses to the question about what changes could be made to the outcomes, two main themes arose: strengthening the section about getting information (Outcome 7), and strengthening the section about homelessness advice (Outcome 9).

95.   Suggestions to strengthen the section about getting information included the following suggestions and additions, each from one or two respondents:

- Including background information about the prospective location which the tenant is moving to (e.g. waiting times for properties) (2 Individuals).

- "Getting information based on the individual's circumstances, to help them make informed and realistic choices about the range of housing options available to them" (RSL).

- Including provision of financial advice to ensure tenancies are sustainable (Local Authority).

- Provision of information in an *"easy to understand format with sufficient time"* allowing for the individual to review housing options (Voluntary Group).

96.   Suggestions for strengthening the section about homelessness advice included the following alterations and additions, each from single respondents:

- Suggested change at Outcome 9 to: "People at risk of losing their homes get advice on preventing homelessness, including those actions set out in Charter Outcome 11." (Voluntary Group).

- Suggested change at Outcome 9 to "…advice on preventing homelessness including providing contacts with relevant agencies and charities." (Individual)

97.　A few respondents raised issues with practical application of the outcomes, citing a lack of resources, limited capacity of local authority housing option teams, a lack of places where individuals can access tailored advice (unless at crisis point), and problematic delivery to clients with language, reading or computer skills issues.

98.　There were also suggestions that more detail was required about property waiting times.

99.　A couple of respondents desired an overt link to Outcome 11: Tenancy Sustainment.

100.　Other single suggestions for changes included:

- "Social landlords working with other agencies should ensure that:" (Local Authority).

- An amendment to reflect the obligations of local authorities in relation to the prevention of homelessness and housing (not all local authorities are social landlords) (RSL).

- The emphasis on *"housing options"* could be strengthened to *"offering advice and support"* (RSL).

- For clarity, combining Outcomes 7, 8 & 9 into one 'Housing Options' outcome (RSL).

- The outcomes should be reviewed along with Outcome 10 to ensure it has longevity for 5 years as part of the proposed new rented sector strategy in Housing 2040. (Voluntary Group).

- An update to reflect the operational context that housing lists (Outcome 8) are no longer held by all RSLs (RSL).

- A proposal that the indicator definition be expanded to consider the inclusion of practical assistance on preventing homelessness (Local Authority).

- A TRG respondent thought it more positive to describe social landlords as giving advice to *'sustain'* a tenant's properties rather than *'prevent homelessness'* (TRG).

101.　Most comments on the supporting description expressed a wish to include more about property health checks. Points were made about their regularity (once a year was suggested, with a couple of respondents querying whether these actually happen at present), these being carried out by properly trained people, being the highest priority for people either of a

certain age or on the medical list, and being carried out before tenants sign the tenancy. There was also a suggestion from a single local authority to include a reference to Housing Options (Training Toolkit) focus (rather than 'Housing Health Check') as this toolkit will be launched Scotland-wide, and a wording alteration to "housing and financial health checks".

102.   Other alterations and additions to the supporting description were suggested as follows (all by single respondents):

- "Highlight the importance of S11 notices being supplied and acted on, referrals to independent and specialist housing advisors (e.g. Shelter for general advice or Housing Options Scotland for people with disabilities) and the potential to make use of peer support in reviewing options." (Voluntary Group).

- Provide more on the landlord's duty to provide advice to the potentially homeless (e.g. further messaging for those at risk or advising people of relevant charitable organisations) (Individual).

- "Needs to be clearer in the wording of the supporting description that people have a choice of options available to them and their choice should be supported" (TRG).

- "The text could be updated to reflect how activity in housing options hubs has moved on in the last 5 years and how this is expected to progress from 2022" (Voluntary Group).

103.   A few more general related points were made, also by single respondents as follows:

- A request to use properly trained staff (Individual).

- More focus on the older homeless (e.g. with mobility issues such as the presence of stairs preventing basic access to their home); also more focus on tenants with disabilities or health issues for whom property adaptation may be required (Voluntary Group).

- "With regard to social landlords working together, there is a clear need for a national database covering types of housing, availability and turnover, and local pressures caused by homelessness" (Individual).

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 won and in partnership with others, for example through Common Housing Registers or mutual exchange schemes, or through local information and advice schemes.

104.   As table 11 shows, a very clear majority of respondents who responded were in favour of keeping the outcome as it is, except for voluntary groups.

Table 11:

Views on whether Charter outcome 10 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	8	0	3
Registered Social Landlords and their Representative Bodies (17)	13	3	1
Local Authorities (16)	11	4	1
Voluntary Groups (7)	1	3	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**33**	**10**	**9**
Individuals (34)	**22**	**6**	**6**
Total respondents (86)	**55**	**16**	**15**

105.   Amongst the 18 consultation respondents who gave answers to the question about what changes could be made to the outcome, the main theme was a plea to ensure reasonable opportunities for all to get into social housing such that no vulnerable group (e.g. the elderly, single people, asylum seekers, the disabled, those with affordability issues) is disadvantaged. One voluntary group wished to emphasise the requirement that the allocation process is non-discriminatory, and stressed a need to capture and monitor data or applicants for this purpose. Two respondents wished to enshrine the principle that housing is a human right within the outcome.

106.   A few respondents perceived that the outcome failed to happen in practice; one individual reported that they don't get a choice – *"You used to get a choice of flats, now it's 'that one there, no you can't go and have a look inside and if you don't want it you are off the list". Several related remarks were made about the need for more practical application of the outcome including more regulation or enforcement, a need for more social housing to give tenants more options, and a request to put in extra effort to reduce the length of time homes are unoccupied.

107.   A couple of respondents felt that there should be more encouragement or prompting of social landlords to do all they can in the wording. A voluntary group suggested the following: "Social Landlords take a proactive approach to ensure they can provide a wide supply of housing to meet the needs of tenants in the future, such as older or disabled people that may require enhanced accessibility standards within their home".

108.   On prospects of being housed, a few respondents made suggestions concerning waiting lists; these included informing tenants about housing placement on waiting lists, and including those on waiting lists as customers.

109.   At the virtual events run by TPAS and TIS, it was reported that this outcome could be more specific. The application process was seen as very complicated in some areas. There was a perception this outcome should measure access to information about housing and the clarity and ease of understanding housing options materials.

110.   Further suggestions from consultation respondents about alterations to Outcome 10 were made by single respondents and included the following:

- Reflect the likely changes that will come with the new prevention duties (Local Authority).
- Explain the role of the Scottish Government in the housing system (RSL).
- "This outcome should be reviewed along with 7,8 and 9 above to ensure it has longevity for 5 years as part of the proposed new rented sector strategy in Housing 2040." (Voluntary Group).

- "The outcome should emphasise the requirement for social landlords to ensure their allocation process is non-discriminatory. From a human rights perspective the outcome should stress the importance of social applicants being given a real choice over the accommodation they are allocated, including homeless applicants." (Voluntary Group)

111.   Amongst 22 respondents who made comments about the supporting description, a significant minority recommended a need for a national database or register (rather than mutual exchanges managed per landlord) or a streamlined national approach to opportunities for exchanges. The use of technology and digital online methods to access this was recommended with landlords encouraged to participate. Suggestions for areas to be incorporated included types of housing, availability, turnover, and local homelessness figures.

112.   One TRG wanted to make Common Housing Registers easier to use: "The local … Common Housing Register is not as open to all as it should be and some people find it hard to use, therefore may be homeless, in temporary accommodation / B and B's for too long."

113.   Other alterations or additions to the description, some of which reiterated points made about changing the outcome, were made by single respondents as follows:

- Making a reference to rapid rehousing (Local Authority).

- Referring to or explaining the role of the Scottish Government in the housing system (RSL).

- Cognisance of the changing nature of housing associations in respect of delivering Wellbeing Frameworks, Ageing Well Strategies etc., and the changing expectations of tenants today (RSL).

- Amend the text to have more emphasis on meeting housing need rather than social housing (Voluntary Group).

- Include social housing as supporting aspirations *"to maintain social and family support networks"* (RSL).

- Participants at consultation activities felt that improved housing support is required to ensure all tenants are integrated into the community and to improve harmony amongst tenants.

114.   Specific changes to the supporting description were offered by the following respondents:

- "given the opportunity to apply for the widest choice of social housing that is available and suitable and that meets their needs." (Registered Social Landlord)

- "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, irrespective of current tenure. It includes actions that social landlords are encouraged to take on their own and in partnership with others, for example, encouraging partnerships with digital/ online Common Housing Registers or mutual exchange schemes, or through local information and advice schemes." (Local Authority)

115.   Finally, a few respondents said that no changes were necessary.

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.

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116.   As table 12 demonstrates, a large majority of respondents were in favour of keeping Outcome 11 as it is, though RSLs and voluntary groups' views were split down the middle.

Table 12:

Views on whether Charter outcome 11 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	7	0	4
Registered Social Landlords and their Representative Bodies (17)	8	8	1
Local Authorities (16)	10	6	0
Voluntary Groups (7)	3	2	2
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**28**	**16**	**8**
Individuals (34)	**22**	**8**	**4**
Total respondents (86)	**50**	**24**	**12**

117.   Among the 21 respondents who made comments regarding Outcome 11, a large minority desired more reference to be made to health or other vulnerability issues necessitating extra tenancy sustainment support. Extra support suggested included help from a named officer, or social landlords profiling new tenants to establish their needs.

118.   A small number of respondents saw a need for more emphasis on obligations to monitor tenancy sustainment including the reasons for failures, for example in relation to those who don't engage with rent arrears actions. There were also a few negative views about the regulator's indicator not reflecting situations; firstly where the tenancy ending is for positive reasons rather than negative ones, and secondly contesting the blanket conclusion that all tenancies ending in less than a year are regarded as failures.

119.   A few comments – all from individuals - indicated that tenancy sustainment support was not happening in practice, due to reasons such as landlord staff shortages and backlogs of cases.

120.   Two consultation respondents and those attending consultation activities thought links with health and social care partners and the joint

working that is now established across Scotland should be referenced in the outcome.

121.   There were a few comments expressing the need for "early intervention" or "timely support" to provide tenants with the best possible chance of sustaining their tenancy, with an individual suggesting an alteration to "get the information they need as soon as possible on how to obtain support to remain in their home".

122.   Two RSL respondents were in favour of deleting the term 'get' and replacing it with 'offered', as follows: "Tenants are offered the information they need on how to obtain support to remain in their home, and offer suitable support, including services provided directly by the landlord and by other organisations."

123.   Further wording amendments, each suggested by single respondents, were suggested as follows:

- "tenants get the information they need on how to obtain support to remain in their home or know where to request this…" (Local Authority).

- "tenants get the information they need on how to obtain support to remain in their home where this is the correct option for them and their preference". (Local Authority).

- "tenants get the advice and help they need to obtain support to remain in their home; ..." (Voluntary Group).

- "tenants get the information they need on how to obtain support to remain in their home because suitable support is available either from their landlord directly or by other organisations." (RSL).

- "Social landlords ensure that: tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support and advice is available, including services provided directly by the landlord and by other organisations." (Voluntary Group)

124.   An RSL thought two outcomes were needed for tenancy sustainment: one to reflect the existing outcome of supporting tenants to remain in their home, and one to provide a focus on the landlord supporting tenants, subject to their agreement, to access more suitable accommodation in which tenants would be able reside and sustain their tenancy over the long-term.

125.   17 respondents made comments about the supporting description of Outcome 11; five of these supported no changes to the text.

126.   A small number of respondents complained that support and communication was failing to happen and that this outcome needed enforcement to help people move in an easier manner. However, one RSL

felt the description should reflect the fact that landlords are not always able to ensure that support is available.

127.   In particular, a small number of respondents thought the supporting statement should more overtly reflect the need to support tenants who have particular needs or changed needs in their accommodation requirements; a local authority suggested an alteration to "…and tenants who may need their home adapted to cope with age, disability caring responsibilities <u>or health conditions.</u>" One individual suggested that landlords carry out routine welfare checks on vulnerable tenants to ensure the continued suitability of their homes.

128.   An RSL thought the description should make clear that the successful delivery of outcome 11 would contribute to outcome 12.

129.   A voluntary group felt a clear policy surrounding pets was needed and suggested the following addition: "…and tenants who may need their home adapted to cope with age, disability, or caring responsibilities <u>and tenants who may need support to be a responsible pet owner</u>."

130.   A few other comments were made including providing tenants' with access to legal services, negative remarks about rent costs, and problems with the tenancy sustainment indicator.

131.   At the events, there was a request for what is meant by 'housing support' in the supporting description.

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.

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132.   As table 13 demonstrates, a majority of respondents wished to keep the outcome as it is, with the exception of voluntary groups.

Table 13:

Views on whether Charter outcome 12 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	4	3	4
Registered Social Landlords and their Representative Bodies (17)	10	4	3
Local Authorities (16)	10	6	0
Voluntary Groups (7)	2	4	1
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**26**	**17**	**9**
Individuals (34)	**18**	**9**	**7**
Total respondents (86)	**44**	**26**	**16**

133.   While consultation respondents were generally in favour of keeping this outcome as it is, some of those attending "involving all" and virtual consultation events facilitated by TPAS and TIS felt this outcome needs to be strengthened and updated, particularly as it does not measure the effectiveness of relationships with other landlords.

134.   Amongst the 30 consultation respondents who chose to comment about changes to the outcome, the largest numbers – a significant minority – desired to include or emphasise the importance of more speed within the rehousing system.   Several respondents referred to Rapid Rehousing or Rapid Rehousing Transition Plans as a means for achieving this. None of these respondents, however, suggested a precise rephrasing of the outcome to reflect their views.

135.   A significant minority of respondents wanted more priority given to the prevention of homelessness, to reduce the number of applicants for homelessness support or to support sustaining tenancies in line with the Housing First model. One TRG respondent summed up the aforementioned points as follows:

> "This outcome should acknowledge and reference Housing First and Rapid Rehousing Transition Plans as temporary / emergency accommodation should start to gradually wind down as persons experiencing homelessness should be moving into settled accommodation rather than temporary or emergency."

136.   Several respondents thought there should be more coverage given to the duties, actions or obligations of RSLs or Housing Associations required in order to prevent homelessness, in addition to those of local authorities. Mentions were made about action needed around those tenants who do not engage with rent arrears actions, and that housing associations were too quick to evict people for only small rent arrears. In particular there were a few recommendations to follow up or build on the recommendations of the Prevention Review Group, as the current outcome was perceived not to reflect changes to prevention duties.

137.   Mention was also made about the outcome not being successfully put into action as things stand; instances were given including tenants not being offered temporary accommodation and accommodation not being 'good quality'.

138.   Several respondents wished to add or alter the wording to reflect an expectation of securing settled, sustainable, permanent accommodation for homeless households in good time.

139.   The following specific changes to outcome text were suggested, each by single respondents:

- "People experiencing homelessness get prompt…" (RSL)
- "support to help them get and keep the home they are entitled to in ordinary communities." (Local authority)
- "…and are offered continuing support to access housing as quickly as possible and provide support to sustain their tenancy going forward." (Local authority)

140.   A few other remarks were made in relation to the outcome, without detailing changes, as follows:

- Problems with indicators, either not supporting the outcome or encouraging wrong behaviours.
- Lack of clarity as to who is entitled to housing and who is not.
- Comments recognising the role of pets as often being a main source of companionship for homeless people, with requests to make temporary accommodation pet-friendly.

141.   TPAS and TIS participants at the "involving all" events felt there is a need to include the Human Rights and Housing First approaches to housing within the revised charter.

142.   18 consultation respondents made comments about the supporting description; five of these were in favour of no changes.

143.   Many of the comments reiterated points and requests made in remarks about changes to the outcome, as follows:

- The need for a reference to partnership working (between public services stakeholders) to assist with the allocation of housing and prevention of homelessness.

- The need for a reference to Rapid Rehousing.

- Including a reference to ensure temporary accommodation is of a high standard.

144.   Small numbers of respondents also suggested the following actions needed to be taken, though without explicitly saying they should be part of the description:

- The need to have a person-centred approach (i.e. interact with the homeless person to find solutions).

- Reducing the amount of empty housing, thus enabling greater emergency home availability for tenants.

- Provision of more information about government support mechanisms (e.g. national database to explore options in other local authority areas).

145.   One local authority felt there needed to be a reference to the landlord's position in cases where housing applicants abuse or misuse homeless legislation or temporary accommodation.

146.   Only one respondent mooted a specific change to the text; an individual suggested adding "…while having due consideration to surrounding neighbourhoods and dwellings, either social housing or private" to the end of the description.

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.

147.   As table 14 demonstrates, once again, a majority of respondents were in favour of keeping the outcome as it is.

Table 14:

Views on whether Charter standard 13 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	5	3	3
Registered Social Landlords and their Representative Bodies (17)	9	6	2
Local Authorities (16)	12	3	1
Voluntary Groups (7)	2	2	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**28**	**14**	**10**
Individuals (34)	**20**	**12**	**2**
Total respondents (86)	**48**	**26**	**12**

148.   30 consultation respondents made comments about changing Outcome 13. However, a large minority of these – all of them either individuals or TRGs – chose to focus their comments on the situation in practice. These remarks consisted of either complaints about rents (in terms of being unaffordable, increasing yearly, or tenants having no say in rent-setting) or a lack of value for money (in terms of perceived money wastage, perceived services decreasing, a lack of repairs, a need to decrease management and admin staff amongst stakeholders, and a need to employ competent people).

149.   A significant number of respondents queried what constitutes *'value for money'*. It was intimated that defining value for money tends to be subjective: tenants tend to look at it as the cost of rent per week or month, whereas landlords will view it through the lens of services offered. For this reason, there were requests for the outcome to be more prescriptive in nature. There were also requests from those attending consultation activities for the development of local variations on what Value for Money and Affordability means in different areas as this can vary across Scotland in terms of rent levels and the local economy.

150.   Several respondents called for the removal or alteration of the term 'continually improving', viewing this as not always possible or unrealistic to achieve. These respondents each made suggestions to rephrase the outcome accordingly as follows:

- "…services that provide continual value…" (RSL).
- "Social landlords manage all aspects of their businesses so that: tenants, owners and other customers receive services that they consider to represent value for money" (RSL).
- "tenants, owners and other customers receive services that provide continuous improving value for rent and other charges they pay" (TRG).
- "Tenants, owners, and other customers receive improving value for the rent and other charges they pay" (RSL).

151.   A need to recognise current challenges such as Covid, increasing labour and material costs, and investment to meet green targets within the outcome was mooted by a few respondents, without specifying changes to the text.

152.   Two other suggestions for amended text were made as follows:

- "Landlords continually seek opportunities to improve value for money in order to improve various services provided." (RSL).
- *"customers receive quality services…"* (in order to ensure that the focus on value continues to be balanced with the quality of services provided) (RSL).

153.   Small numbers of other remarks focused on the need to communicate information to stakeholders (particularly tenants) and increase tenant participation generally.

154.   Thirty consultation respondents made comments about the supporting description; five of these were in favour of no changes.

155.   Many comments simply reiterated the same issues about rent and lack of value for money originally made when responding to changes about the outcome.

156.   However, the greatest numbers of respondents – more than one in three of those who commented on the description – focused on giving more credence to the last sentence about involving tenants and other customers in monitoring and how landlords give value for money. Respondents comprising TRGs, Voluntary groups and Individuals wished to clarify that information about costs and value for money should be readily available for tenants and other stakeholders to scrutinise. One TRG respondent cited inconsistent involvement of tenants in budgeting consultations, with some landlords charging Consumer Price Index for rents, while some charge by Retail Price Index, as examples of current problems. Specific solutions posited included to have value for money assessed annually by tenants' panels and social landlords to produce yearly accounts. A TRG wished to add *"… and this information should be made available in a clear and concise way that is easily understood"* to the description.

157.   A few respondents went further and recommended that landlords should involve tenants in decision-making (e.g. how funds are allocated, how services are procured).

158.   A couple of respondents said there was a need to reference current challenges including increasing costs within the description, though neither of these suggested specific wording changes. Further alterations to the description were mooted as follows, each by single respondents:

- Breaking up the second sentence, perhaps by using bullet points (RSL).
- Changing the wording to *"should receive"* as value for money isn't always constant (TRG).
- "The text could be more explicit by being changed from "this standard covers the efficient and effective management of services" to "this standard covers the efficient and effective management of costs". This would broaden the outcome from the management of front line services to the inclusion of overheads and back office costs." (Voluntary Group)
- "In recognition of the importance of sustainable housing principles we would suggest the supporting description is amended to include maximising positive outcomes and impacts for communities." (RSL)

- Add "Social landlords who provide a factoring service need to ensure they recover all charges associated with the provision of factoring services." (RSL, referring to a review recommendation from the Scottish Housing Regulator's review of factoring services in Scotland, Nov 2017)

> **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.

159.   As table 15 demonstrates, a majority of respondents from all subgroups, with the exception of voluntary groups, would like to keep these outcomes exactly as they are.

Views on whether Charter outcomes 14 and 15 should be kept exactly as they are or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	5	3	3
Registered Social Landlords and their Representative Bodies (17)	11	4	2
Local Authorities (16)	10	5	1
Voluntary Groups (7)	2	2	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**28**	**14**	**10**
Individuals (34)	**19**	**12**	**3**
Total respondents (86)	**47**	**26**	**13**

160.   Among the 29 consultation respondents who gave responses to the question about what changes could be made to the outcomes, the main theme, discussed by more than one in three of these respondents, was a need for clarity, transparency and accessibility of expenditure and income information; suggestions to facilitate this included compulsorily published accounts, making the information viewable online and making it subject to the Freedom of Information process. One TRG said *"Accountability for Housing Revenue Accounts (HRA) for Local Authorities should also be considered for this outcome".*

161.   Participants at the TPAS and TIS virtual consultation events and consultation activities commented that this outcome should be amended; and there was one general comment that landlords would benefit from this outcome being more prescriptive in relation to how to consult their tenants on rents. Suggestions for changes to the outcome included;

- Having criteria for rent setting.
- Allowing rent setting option to be every 3/5 years to fit in budgeting with tenant priorities.
- Linking of rent setting to budgets and investment.
- The removal of thresholds for spending.

- Guidance on how annual rent consultations should provide clear deliverable options for tenants to give their views.

- Landlords to evidence tenant involvement in the whole rent setting process, not just the annual consultation.

- Standardisation on rent increase measurements across landlords – CPI or RPI and at a fixed point in the year.

162.   A large minority of consultation respondents – almost all of whom were individuals – complained about the outcome not being successfully delivered in practice. Instances mentioned included a failure to get services or maintenance for which payments had been made; and a lack of action to curb landlord behaviour as well as more general complaints about high rents and repeated rent increases.

163.   Several individuals mentioned a lack of clarity about what services rental payments pay for, citing a need for more interaction with landlords and reasons for why rent increases were needed. Similar points were made about the need for a consistent rent-setting approach across the social housing sector due to disparities between landlords.

164.   Particular issues concerning service charges were identified by a significant minority of respondents. Problems identified included a lack of clarity and consistency as to what costs make up service charges, services often not being provided and the charges often not being anything to do with the landlord; one solution mooted by a TRG was to include these charges in rent-setting.

165.   Additionally a small number of respondents thought there should be greater consideration of the impact of capital costs of building new homes on tenants' rents.

166.   A call for tenant representation at every stage of rent consultations and charge reviews was made by several respondents in order to help balance costs, services and affordability; one local authority said the outcomes provided "an opportunity to further enhance the profile of Participatory Budgeting in Scotland".

167.   Other issues were raised about the measuring of affordability in Outcome 14 as follows:

- "Providing value for money is one obligation but not necessarily the same as meeting the human right to affordable housing. Some consideration is needed as to how these separate obligations are articulated and measured and how they are reflected in service design and charging structures." (Local Authority)

- "It is difficult to comment on the outcomes relating to rent setting and affordability while there is an ongoing conversation in the sector around the

development of a shared understanding of "affordability" as set out in Housing to 2040" (Voluntary Group)

168.   Doubts were expressed by a couple of respondents as to whether Outcome 15 ever gets achieved; one TRG said "It should underline what level of breakdown of investment is required for tenants."

169.   Single respondents proposed the following wording changes to Outcomes 14 and 15:

- "Tenants influence rent-setting and service charge reviews to strike a balance between the level of service, cost, and affordability". (RSL)

- "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 and the impact of any unforeseen circumstances such as COVID-19 and Brexit" (RSL)

- "… insert the words "taking account of legal and regulatory requirements in relation to housing quality, standards and operations" at the end of current text." (RSL)

- "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" (Local Authority)

- "… remove the individual item of expenditure from the comment. We feel that this is suitably covered within the supporting description." (Local Authority)

170.   19 consultation respondents made comments about the description; three of these were in favour of no changes.

171.   The main theme concerned the need to get a balance between costs, affordability and investment when consulting. An RSL suggested a text change to "These outcomes reflect social landlords' legal duty to consult tenants about rent-setting; the necessity to take affordability for current and prospective tenants and customers into account; and the need for tenants to know how their money is spent." Other RSLs raised the following issues:

"The proposed change is to recognise that the Scottish Government which is setting this outcome/standard is also setting competing/ conflicting requirements which drive up expenditure or investment eg SHQS, EESSH, EESSH2 or fire/building regulations. These are not 'bad' things as such but they have a cost and that cost burden on landlords which falls through to tenants needs to be recognised in the round."

> " this outcome should be supported by a more specific definition of affordability which could address the variation in rent charges across the sector. Such a definition would hold landlords to account when setting rents."

172.   Calls were made to clarify the manner and frequency of discussions; an individual surmised that rents should be discussed annually, due to changing economic and social circumstances.

173.   A few respondents discussed decision-making regarding publishing expenditure information. Varied views were given by the following respondents:

- "The supporting description could be improved by stating that details of individual items of expenditure above certain thresholds should be provided where this is requested by tenants" (Local Authority).

- "…the supporting statement for outcome 15 should clarify what types of things tenants and landlords should agree thresholds for, what type of information should be published and where it might be published." (Tenants and Residents Group).

- "For consistency, the Regulator may also wish to clarify what that threshold for expenditure is, rather than RSLs making individual decisions about reasonable parameters for consultation and communication." (Registered Social Landlord).

174.   A voluntary group was in favour of changing the text to take account of the government's national outcomes around child poverty and rent affordability.

175.   Finally, a small number of comments reiterated remarks previously made about the outcome concerning a lack of effect in practice, the need for transparent expenditure and a request to remove the section about the requirement for tenant approval of expenditure above certain limits (as it was deemed not useful).

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 describes 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.

176.   As table 16 shows, a large majority of respondents, across all sub-groups, wanted this outcome kept exactly as it is.

Table 16:

Views on whether Charter outcome 16 should be kept exactly as it is or changed	Number		
	Keep exactly as it is	Change this outcome	Don't know
Tenants' and Residents' Groups and their Representative Bodies (11)	7	0	4
Registered Social Landlords and their Representative Bodies (17)	8	1	8
Local Authorities (16)	13	2	1
Voluntary Groups (7)	3	1	3
Public and Statutory Bodies (1)	0	0	1
Total organisations (52)	**31**	**4**	**17**
Individuals (34)	20	5	9
Total respondents (86)	**51**	**9**	**26**

177.   Only 15 consultation respondents opted to provide any further commentary to this question; each comment was made by only one or two respondents.

178.   A respondent in the voluntary sector noted that the outcome is weak in terms of meeting human rights, as gypsies / travellers require culturally acceptable accommodation in locations that can provide access to other services; and a local authority commented that there is a need to expand this standard beyond gypsy / travellers to include other areas of culturally appropriate accommodation, and gave the example of housing for older people from a variety of ethnic or religious backgrounds. Another local authority also commented that the standard is focused on the existing sites but there is also a need to consider other services that may be offered. A local authority also noted the need to recognise the different needs of the gypsy / traveller community and sites throughout the Charter.

179.   There were a small number of comments that there should be more sites available or that all individuals should have a right to live in a caravan if they choose and that sites need to be safe for individuals and their families.

180.   A very small number of individuals commented on the litter and mess created at these sites, and another noted that gypsies / travellers should be responsible for any damage to the site or surrounding area.

181.   In terms of any changes to be made to the outcome, there were a small number of comments that the reference to 'minimum standards' is inadequate and should reflect higher standards than are being developed. A tenant / representative body noted the need for ongoing improvements to exceed the minimum requirements, in consultation with site users.

182.   In relation to changes to the wording of the standard, a local authority felt that this is currently focused on site specific standards, and that the outcome should expand in terms of the responsiveness of community needs.

183.   Those attending consultation activities suggested that, in addition to ensuring improvements to Equalities, Communication and Participation regarding Gypsy / Travellers, as already detailed, the Charter should reflect:

- Landlord duties and responsibilities to repair, maintain and improve sites.
- Resident opportunities to influence services and standards.
- Access to aids and adaptations to assist people to remain at home.
- Requirement to develop allocations policies for sites.
- Resident involvement in rent setting and value for money consultations and decision making.

Adding anything to the Charter

184.   The final question in this consultation paper asked respondents to provide details of anything else the Charter should cover. To a large extent, responses reiterated points made at earlier questions. Additional points raised included:

- A need for a clear set of minimum standards to help with benchmarking; a clear set of meaningful indicators for the reviewed Scottish Social Housing Charter.

- Clarity regarding the roles of different organisations, such as TPAS, TIS, the Housing Regulator and how they represent tenants; further explanation as to how the Regulator would engage with, and provide a route of appeal for landlords who are subject to engagement as a result of their performance against the Charter.

- The Charter should reflect the need for wider public service bodies to work in partnership in the prevention of homelessness.

- Consider using the Charter in the future for the mid-market rental sector.

- The costs of new legislation such as changes to carbon emissions should not be passed onto tenants.

- The full dataset in the ARC should be available by local authority area, for example, average rent costs per property size in the local authority areas or turnover in the local authority area.

- Suggestions for guidance documents to sit alongside the Charter.

- Recognition of the role of social landlords and other organisations in reducing barriers to all individuals in need of assistance.

- Recognition of the role of social landlords, other organisations and tenants in contributing to future placemaking and community wealth building initiatives.

- A greater focus on health and wellbeing; and a consideration of the social impact, social value and added value.

185.   A number of respondents suggested the inclusion of new outcomes within the revised Charter. These included

- An outcome combining sustainability and affordability in the context of new sustainable technologies.

- An outcome for tenant scrutiny.

- An outcome for landlord actions, in terms of service delivery and investment in existing and new housing, to meet climate change and the wider environmental requirements as per the Housing to 2040 road map; or for landlords activities to meet zero carbon targets.

- An outcome in relation to social housing development.

- An outcome on public benefit to illustrate what else a landlord is contributing.

- A standard for housing in supporting independence and enabling people to live their lives to the full.

- A standard for RSLs and local authorities around how development programmes which are grant funded meet identified needs.

- An outcome focused directly on the needs of older people.

APPENDIX 1: Respondent Organisations

Local Authorities and their representative bodies

Aberdeen City Council
Aberdeenshire Council
ALACHO (Association of Local Authority Chief Housing Officers)
Angus Council
COSLA
Dundee City Council
Dumfries and Galloway Council
East Lothian Council
Glasgow City Council
North Lanarkshire Council
Perth and Kinross Council
Renfrewshire Council
South Ayrshire Council – Officers and Involved Tenants
South Lanarkshire Council
Stirling Council
West Dunbartonshire Council

Public/Statutory Bodies

Scottish Public Services Ombudsman

Registered Social Landlords and their Representative Bodies

Argyll Community Housing Association
Bield Housing & Care
Blackwood Homes and Care
Dalmuir Park Housing Association
Hebridean Housing Partnership
Link Group Limited
Loreburn Houisng Association
Manor Estates Housing Association
Mears Group
Milnbank Housing Association
Ochil View Housing Association Ltd
Port of Leith HA
Scottish Borders Housing Association
Scottish Federation of Housing Associations
West of Scotland HA
Wheatley Group
Yoker Housing Association Limited

Tenants' and Residents' Groups and their Representative Bodies

Central Scotland Regional Network
Edinburgh Tenants Federation
Link Tenant Scrutiny Panel
Living Rent
North Lanarkshire Council (Tenants and residents)
North of Scotland Regional Network
Renfrewshire Tenant Scrutiny Panel
Scottish Borders Tenants Association
South East Scotland Regional Network
South Lanarkshire Tenants Development Support Project
South West Scotland Regional Network

Voluntary Groups

Age Scotland
Cats Protection
Chartered Institute of Housing, Scotland
Dogs Trust
Edinburgh Dog and Cat Home
Housemark
Royal Institution of Chartered Surveyors (RICS

How to access background or source data

The data collected for this <statistical bulletin / social research publication>:
☐ are available in more detail through Scottish Neighbourhood Statistics

☐ are available via an alternative route <specify or delete this text>

☐ may be made available on request, subject to consideration of legal and ethical factors. Please contact <email address> for further information.

☐ cannot be made available by Scottish Government for further analysis as Scottish Government is not the data controller.