



# Review of the Scottish Social Housing Charter – A Consultation

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# **Review of the Scottish Social Housing Charter - A Consultation**

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# REVIEW OF THE SCOTTISH SOCIAL HOUSING CHARTER 2016

## INTRODUCTION AND BACKGROUND

This consultation seeks your views on the Scottish Social Housing Charter, which remains in force until 31 March 2017. Following this consultation, we will develop an updated version of the Charter and ask the Scottish Parliament to consider the changes and approve a new Charter from 1st April 2017.

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

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

### **Its purpose is to:**

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

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

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

## **RESPONDING TO THIS CONSULTATION PAPER**

**We are inviting written responses to this consultation paper by 24th August 2016.**

**We would be grateful if you would use the consultation questionnaire provided and it would be helpful if you could respond to the consultation online by going to:**

**<https://consult.scotland.gov.uk/social-housing-services/scottish-social-housing-charter>**

**or you can send your response with the completed Respondent Information Form (see “Handling your Response” below) to:**

**[housingcharter@gov.scot](mailto:housingcharter@gov.scot)**

**or if you want a paper questionnaire you can phone 0141 242 5426 and we will send one out to you. The questionnaire should be returned to the address below.**

Housing Services Policy Unit  
Better Homes Division  
Atlantic Quay  
5th Floor  
150 Broomielaw  
Glasgow G2 8LU  
0141 242 5426

If you have any queries please contact Annabel MacMillan using the above contact details.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.gov.scot/consultations/current>

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but does not replace, Scottish Government distribution lists, and is designed to allow stakeholders to keep up to date with all Scottish Government consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

## HANDLING YOUR RESPONSE

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public.

Please complete and return the **Respondent Information Form** as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly. All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

## NEXT STEPS IN THE PROCESS

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library and on the Scottish Government consultation web pages within 25 days of the consultation closing. Copies of responses can be viewed by visiting the library or can also be provided by post. Charges for photocopies are made on a cost-recovery basis. To request copies by post and enquire about charges or make an appointment to view responses at the library, contact the Library on 0131 244 4565.

## **WHAT HAPPENS NEXT?**

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us produce a revised Charter. We aim to issue a report on this consultation process during Autumn 2016.

## **COMMENTS AND COMPLAINTS**

If you have any comments about how this consultation exercise has been conducted, please send them to Annabel MacMillan using the contact details above.

## **A NOTE ABOUT THE LANGUAGE USED IN THIS CONSULTATION**

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

### **Outcome**

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

### **Scottish Housing Regulator**

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

### **Social housing**

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

### **Social landlord**

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



## **Standard**

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

## **Supporting narrative**

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

## **Tenants and other customers**

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

## THE CONSULTATION QUESTIONS

This consultation is set out in three parts;

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

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

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

### Section 1 – Impact of the current Charter

**In this section of the questionnaire we ask for your views on the impact of the current Charter.**

- 1) Do you think the quality of landlord services has improved because of the Charter? Please explain your answer and provide examples.**

This could include examples of improvements to a specific service such as higher quality, quicker repairs or increased opportunities for tenants to get involved.

- 2) **Does the way the Charter is reported on help you judge whether landlords are meeting the Charter outcomes and standards? Please explain your answer:**

## **Section 2 – Current outcomes and standards**

**In this section of the questionnaire we ask for your views on all 16 current charter outcomes and standards and the supporting narratives that describe them. These are listed in 6 sections below:**

- **The customer/landlord relationship**
- **Housing quality and maintenance**
- **Neighbourhood and community**
- **Access to housing and support**
- **Getting good value from rents and service charges**
- **Other customers**

## 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 Narrative**

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.

**3a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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 Narrative**

This outcome covers all aspects of landlords' communication with tenants and other customers. 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.

**4a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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 Narrative**

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; how they shape their services to reflect these views; and how they help tenants and other customers to become more capable of involvement.

**5a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

## **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) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.<sup>1</sup>**

#### **Supporting Narrative**

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. Beyond SHQS, landlords should be looking for cost-effective ways of achieving higher energy-efficiency standards for their properties, to provide warmer homes for their tenants and help to meet climate change targets. During this Charter's lifetime, the Scottish Government will consult on higher standards. If adopted, these new standards will form part of the next Charter.

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<sup>1</sup> This will be updated in the revised Charter to reflect the introduction of the Energy Efficiency Standard for Social Housing (EESH).



**6a) Would you:**

**Keep this standard exactly as it is**

**Change this standard**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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 Narrative**

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.

**7a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

## **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 that:

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

#### **Supporting Narrative**

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

**8a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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 Narrative**

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

**9a) Would you:**

**Keep these outcomes exactly as they are**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

### **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 Narrative**

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

**10a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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 Narrative**

This outcome covers how landlords 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.

**11a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**



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

### **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 Narrative**

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

**12a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

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

## 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 Narrative

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; and giving better value for money by increasing the quality of services with minimum extra cost to tenants, owners and other customers.

**13a) Would you:**

**Keep this standard exactly as it is**

**Change this standard**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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 Narrative**

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. 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.

**14a) Would you:**

**Keep these outcomes exactly as they are**

**Change these outcomes**

**Don't know**

**Please tick only one box and explain your answer below**

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

**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.**

**Supporting Narrative**

This outcome applies only to those councils and other social landlords that are responsible for managing these sites.

**15a) Would you:**

**Keep this outcome exactly as it is**

**Change this outcome**

**Don't know**

**Please tick only one box and explain your answer below**

**15b) Please provide any suggestions below on how we could improve the supporting narrative**

### **Section 3 - Adding anything to the Charter**

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

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



## **ASSESSMENTS**

An Equality Impact Assessment was prepared for the development of the Scottish Social Housing Charter in 2011. A Partial Business and Regulatory Impact Assessment on the Charter was also prepared in 2011 before the Charter was introduced to the Scottish Parliament for approval. These examined both the Charter's likely impact on equalities and the costs and benefits to social landlords of the changes.

Following this consultation, we will consider what further assessments need to be undertaken before the final version of the reviewed Charter is considered for approval by the Scottish Parliament.



The Scottish  
Government

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