**Annex**

**Note of issues raised by the Scottish Federation of Housing Associations (SFHA)**

Attendees: Sally Thomas (Chief Executive) and Sarah Boyack (Head of Public Affairs) from the Scottish Federation of Housing Associations (SFHA); Joe FitzPatrick (Minister for Parliamentary Business); Andrew Gunn (Scottish Government Freedom of Information Unit)

Date: 8 March 2018

* SFHA welcomed the opportunity to discuss the proposed Draft Order extending the Freedom of Information (Scotland) Act 2002 to Registered Social Landlords.

* SFHA noted the additional responsibilities being placed on RSLs in terms of homelessness obligations and compliance with the General Data Protection Regulation (GDPR).
* SFHA identified three areas where they considered further discussion was required in respect of the Draft Order:
* Subsidiaries (noting the unexpectedness of their inclusion and the lack of clarity around what functions would be within scope – as well as the impact on competition)
* Timescale (where it was considered insufficient preparation time was being proposed)
* Business impact assessment
* SFHA noted current discussion around issues of RSL governance.
* SFHA considered the wording of the order too broad – and suggested that basing the terms of the Order specifically around Scottish Secure Tenancy legislation would be preferable to aligning the Order to regulatory oversight by the Scottish Housing Regulator.
* SFHA raised concerns about bringing factoring services within scope of the proposed order - noting the different regulation that applied to factoring services.
* SFHA noted the need for clarity that care provision would not be included under the terms of the Order.
* SFHA also noted the range of services provided by RSL subsidiaries – including care, mid market rent (MMR) and factoring.
* SFHA proposed that further discussion took place with Scottish Government officials around the scope and timing of the Order.