

Agenda Item	9
Report No	HP/19/20

HIGHLAND COUNCIL

Committee: Housing and Property Committee

Date: 10 December 2020

Report Title: Annual Assurance Statement to the Scottish Housing Regulator

Report By: Executive Chief Officer Housing and Property

1 Purpose/Executive Summary

- 1.1 This report provides the Council's Annual Assurance Statement for the calendar year 2020 to the Scottish Housing Regulator.

2 Recommendations

- 2.1 Members are asked to:-
- Note the report from the Scottish Housing Regulator on the Annual Assurance Statement for 2019; and
 - Approve the Annual Assurance Statement for 2020 detailed at **Appendix 1** of this report.

3 Implications

- 3.1 Resource - There are no resource implications arising from this report.
- 3.2 Legal - There are no legal implications arising from this report. Submitting a Committee-approved Annual Assurance Statement to the Scottish Housing Regulator is a regulatory requirement.
- 3.3 Community (Equality, Poverty and Rural) - There are no equality implications arising from this report.

- 3.4 Climate Change - There are no climate change implications arising from this report.
- 3.5 Risk - Risk is managed through regular review and reporting to allow corrective action to be taken if necessary.
- 3.6 Gaelic - There are no Gaelic implications arising from this report.

4 Background

- 4.1 The Scottish Social Housing Charter (SSHC) was established in April 2012 and sets out the standards and outcomes that service users such as tenants, homeless people and Gypsy/Travellers can expect from social housing providers. As part of the regulation process, the Scottish Housing Regulator requires social landlords to provide it with an annual performance return, focused on the outcomes of the Charter.
- 4.2 In February 2019, the Scottish Housing Regulator published a new Regulatory Framework and associated guidance setting out how it would regulate social housing providers and its reporting requirements for the next 5 years. This Framework introduced a new requirement for landlords to provide an Annual Assurance Statement by the end of October each year, starting in October 2019.
- 4.3 The timetable for submission in 2020 has been extended to the end of November as a response to the increased demands on social landlords during the coronavirus pandemic. Following discussion with the Regulator, Highland will submit its 2020 Statement immediately following approval at this Committee.
- 4.4 The Regulator will use the Assurance Statements alongside the existing Annual Return on the Charter to guide its engagement with landlords and assist in the production of the annual intervention plans for each landlord.
- 4.5 The Regulator requires that the assurance statement for local authorities is approved by the appropriate Council Committee and signed by the Committee Chair before submission.

5 Highland's Annual Assurance Statement 2019

- 5.1 Highland's Statement for 2019 was approved on 10 October 2019 at the Care, Learning and Housing Committee. As part of its review on the first year of the process, the Scottish Housing Regulator attended the Council in January 2020 and interviewed:-

Cllr Ben Thompson, Chair of Housing and Property Committee;
Brian Cameron, Housing Policy & Investment Manager;
Mandy Macleman, Principal Tenant & Customer Engagement Officer; and
Tenant Representatives.
- 5.2 Feedback from the Regulator was very positive, and they highlighted the tenant engagement that had taken place as part of the development of Highland's Annual Assurance Statement.

- 5.3 The national report published by the Regulator in April 2020 detailed its findings from its visit to Highland and 9 other social landlords. It stated:-

“Highland Council considered the effectiveness of its existing internal scrutiny and reporting committee structures in 2019. The new Housing and Property Committee’s remit will help ensure greater scrutiny and assurance of the housing and homelessness service, support the consideration of the Annual Assurance Statement and provide a greater focus on all housing issues. Highland also considered the existing level of tenant scrutiny, and for future years it plans to establish a specific tenant focus group to input to the self-assurance process.”

- 5.4 A full copy of the Regulator’s letter to Highland is available at **Appendix 2**.

6 Highland’s Annual Assurance Statement 2020

- 6.1 The Council’s draft Statement 2020 is attached as **Appendix 1** and is in line with the recommended Regulator guidance and following various discussions with the Regulator.
- 6.2 There is no specific guidance yet as to how tenants are to be consulted in regard of the Annual Assurance Statement. Following discussion with the Regulator, they confirmed that they were satisfied with the proposal that the Council discussed the content of the Statement with the Tenant Finance Group, the tenant representatives to Committee and the tenant representatives on the Northern Tenants Partnership.
- 6.3 The tenant feedback was positive regarding the proposed content of the Highland Statement, with tenants indicating that they wanted it to focus on progress against the performance indicators reported annually to the Regulator and quarterly to both Strategic and Area Committees.
- 6.4 It is anticipated that when further guidance is available, the format of this consultation may need to be adapted in future years to meet the requirements of the guidance.

7 Related Regulatory Reports

- 7.1 The Annual Assurance Statement should be viewed in the context of the Scottish Housing Regulator’s Engagement Plan and the Annual Report on the Scottish Social Housing Charter.
- 7.2 The Regulator provided an updated Engagement Plan in August 2019 which focused on monitoring homelessness initiatives in Highland. On 26 September 2019, the Regulator replied to the Highland response as follows:-

“We have reviewed the information in your comprehensive update and are assured that Highland is continuing to make progress in areas such as, unsuitable accommodation, the provision of temporary accommodation and permanent housing outcomes.

Likewise, it was good to see that although the Council did not receive all the funding it requested for its Rapid Rehousing Plan it has prioritised key provisions with the allocation received and is putting the monitoring systems in place to track progress.”

- 7.3 It should be noted that, as a result of the coronavirus pandemic, the Regulator has decided not to issue landlords with 2020-2021 Engagement Plans. However, the Council continues to discuss individual issues with the Regulator. This has focused on providing monthly updates on gypsy traveller engagement and proposed improvement works on Highland's 4 gypsy traveller sites. Highland has also been submitting monthly reports to the Regulator since June 2020 which detail performance against key housing issues during the pandemic.
- 7.4 The Regulator verified the Council's Annual Return of Charter in September 2020 and the Highland Landlord Report is available at <https://www.housingregulator.gov.scot/landlord-performance/landlords/highland-council>

Designation: Executive Chief Officer Housing and Property

Date: 27 November 2020

Author: Brian Cameron, Housing Policy & Investment Manager

Background Papers: Scottish Housing Regulator: Statutory Guidance on the Annual Assurance Statement (updated April 2019)

Annual Assurance Statement 2020

Legislative compliance

We can confirm that Highland Council achieves all the following standards and outcomes for tenants, people who are homeless and others who use our services:-

- All relevant regulatory requirements set out in Chapter 3 of the Regulatory Framework;
- All relevant standards and outcomes in the Scottish Social Housing Charter;
- Return on the Energy Efficiency Standard for Social Housing; and
- All relevant legislative duties.

Further to this, we can confirm that there were no health & safety breaches in 2019-20 resulting in intervention by the Health & Safety Executive.

Our compliance with the annual gas servicing requirements specified in the Framework was 99.9% for 2019-20. The figure of 99.9% reflects nine properties which Highland was unable to carry out the annual gas service as a result of national safety guidelines regarding the coronavirus pandemic. All of these properties have now received an annual service. It is anticipated that compliance will be further negatively impacted in 2020/2021 as a result of the pandemic.

Highland is progressing works to comply with the new legislation concerning the standards of fire and smoke alarms. Compliance towards the new standards will be reported as part of the Annual Return of Charter in Spring 2021 and Highland anticipates full compliance with the new standards before the compliance date in 2022.

Committee Reporting

We can confirm the following reporting structure within the Council:-

- Each of the 10 Area Committees receives quarterly or bi-annual housing performance reports and also reports on request of the Area Chair/Members; reporting has been adapted since January 2020 to accommodate the revised Area Committee structure in Ross-shire;
- The Council's Housing & Property Committee receives quarterly performance reports on key performance indicators and monitoring reports on other housing policy issues; the new Committee has been active since January 2020;
- Quarterly financial reports on spend against the Housing Revenue Account, non-Housing Revenue Account housing expenditure and Housing Revenue Account Capital Programme are submitted to the Housing & Property Committee;
- Reports are submitted annually (or on request of Members) to the Housing and Property Committee on the subjects of the Highland Housing Register; the Council's Rapid Rehousing Transition Plan; and the Annual Assurance Statement;
- Reports relating to housing services will also be subject to full Council and the Council's Audit and Scrutiny Committee as appropriate; and

- Council Members and tenant representatives will also meet as a Policy Development Group during the year to identify policy review issues as appropriate.

The Area and Strategic Committee reporting is based almost exclusively on the performance indicators as established by the Scottish Housing Regulator in its Charter and by the Scottish Government in its Quarterly Homelessness Return.

From October 2018 there have been tenant-nominated tenant representatives at Strategic Committee and at the associated Policy Development Groups.

Annual Customer Report for Tenants

The annual report for tenants was provided to tenants in November 2020 as required by the Scottish Housing Regulator. This included key performance information which is of interest to tenants.

As part of this annual process the Council asked the views of tenant representatives ahead of publication and their views were considered in producing the final document.

Customer Satisfaction Survey

The Council is required to undertake a comprehensive tenants' satisfaction survey every 3 years.

A range of other customer satisfaction surveys are in place across the Service in order to assess the quality of the service on an ongoing basis. These include:-

- New tenants' survey regarding the quality of home and service;
- Repairs Satisfaction survey;
- Capital Improvements satisfaction survey; and
- Homelessness service questionnaire

Other forms of tenant feedback include but are not limited to the following:-

- Homelessness client group
- Young tenants focus group
- Tenant Scrutiny Panel
- Tenant involvement in the Trades Redesign
- Gypsy/Traveller client group
- Rate your Estate inspections.

The Council has been participating in the Scottish Government's Next Steps Programme and tenants have been actively involved in drafting a Tenant Participation Action Plan which will be incorporated into the review of the Tenant Participation Strategy in 2021. The Tenant Participation Advisory Service has commended Highland staff and tenants for their ability to work together to identify how tenant participation can be progressed in Highland.

Highland Council have been instrumental in setting up a group called Northern Tenants Partnership. This is a group made up of officers and tenants / residents from most of the social housing landlords in the North of Scotland. The group meet quarterly and their objective is to work together to improve tenant participation, discuss common issues, share good practice and carry out joint training.

Scottish Housing Regulator's Engagement Plan

The Scottish Housing Regulator's Engagement Plan in April 2019 highlighted key indicators, relating to service quality, where they indicated they wished to engage with the Council. These are: -

- Compliance with the Council's statutory duties in relation to offers of temporary accommodation and the unsuitable accommodation order;
- Engagement with the Council following submission of its Rapid Rehousing Transition Plan;
- Delivery of the minimum standards for Gypsy/Traveller sites;
- Charter performance in regard to the following indicators:-
 - overall satisfaction;
 - satisfaction with the Council keeping tenants informed about services and decisions;
 - satisfaction with opportunities to participate;
 - satisfaction with the quality of home;
 - complaints' management; and
 - factored owners' satisfaction with the factoring service.

Updated information relating to these indicators was provided to the Regulator in May and June 2019.

The Regulator provided an updated Engagement Plan in August 2019. In response Highland detailed the recent progress made in terms of mitigating homelessness in Highland, including progress against the Unsuitable Accommodation Order.

As a result of the coronavirus pandemic, the Regulator has not issued a 2020-2021 Engagement Plan. However, the Council continues to discuss individual issues with the Regulator including monthly updates on gypsy traveller engagement and proposed improvement works on Highland's 4 gypsy traveller sites. Highland has been submitting monthly reports to the Regulator since June 2020 which detail performance against key housing issues during the pandemic.



David Goldie
Head of Housing and Building
Maintenance
Highland Council

By e-mail

20 February 2020

Dear David,

Annual Assurance Visit

I would like to thank you again for you and your colleagues' time and assistance during our visit on 30 January 2020 to discuss the process of producing your first Annual Assurance Statement (AAS). The purpose of our visit was to:-

- help us understand your experiences of producing the AAS;
- find out how you assured yourself about your compliance with regulatory requirements and in particular to find out how you gained assurance about tenant and resident safety and rent affordability; and
- identify and share positive practice, and any lessons learned.

We found Highland Council (HC) had demonstrated a planned, structured and clear approach for the completion of your first AAS. You looked at the completion of the AAS as both a challenge and an opportunity which provided you with a strategic overview of assurance. HC's statement focused on the key themes of statutory requirements, legislation, charter performance, customer satisfaction and our engagement plan.

HC's information submission provided us with a helpful insight into the process followed by the organisation and this was supported by conversations with Brian Cameron, Housing Policy and Investment Manager during our visit.

As part of our visit we also had a discussion with Councillor Ben Thompson, the new Chair of your Housing and Property Committee. Ben provided an overview of the role of the Committee going forward and explained how tenant safety and rent affordability would be a priority for the Committee. HC provided a number of documents to support our visit and arranged meetings with HC tenant representatives and Tenant Engagement Manager. Overall this gave us a detailed understanding of the process HC had followed to gain assurance about its compliance with regulatory requirements. I have set our findings under the headings below.

Experience of producing the AAS

We found that:

- HC considered the AAS process supported many of the processes, procedures and reports it already had in place and was business as usual. You considered the AAS as both a challenge and opportunity to provide a strategic overview of assurance that did not only confirm compliance but provided some background detail.
- You based your AAS on specific key themes around statutory requirements, legislation, charter performance, customer satisfaction and the SHR engagement plan. You noted that the requirements for the AAS have been integrated into your long-term strategy and that it would now form part the annual updates to Committee.
- You thought it was positive that a template for the AAS was not included in the guidance as this would have been too restrictive.
- HC staff members were involved to various degrees in the preparation of the AAS but it did not take up excessive amounts time.
- HC were keen to not only make tenants aware of the AAS but to allow them to comment and input to the assurance process.
- You advised that in the first year Committee involvement in the process was limited as the relevant committee covered Care, Learning and Housing. The number of reports considered and discussed regarding Housing issues was therefore limited as the Committee also oversaw both the education and social care functions of the Council.
- HC has since reviewed its committee structure and the new Housing and Property committee had its first meeting in January 2020. The Committee Chair confirmed the role and remit of the new committee is to increase the level of oversight and scrutiny of the Housing and Property Service. This increased focus will provide the opportunity not only to raise the level of assurance in key areas such as tenant safety and affordability but also in tenant and service user involvement/input in all aspects of the services provided.

What went well

Our findings identified that HC had provided specific examples which presented as key positive practices. You told us:

- HC is keen to involve tenants in the AAS process and that this input should be meaningful. This was evident in your engagement with tenants as part of this year's process and you have plans to increase this involvement in the future. Last year you involved tenants in seeking their opinion on the draft statement.
- For the current year HC was looking for further assurance about the affordability of its rents and therefore carried out a 90-stop tenant engagement exercise across the Highland region to increase tenant input into the rent increase. As a result, the feedback level increased from about 3% to 10%. This face to face contact facilitated through a mobile bus with a publicised route, increased tenant engagement and awareness significantly, not only of the rent increase and provided feedback on affordability but resulted in information and feedback being received across a range of issues.
- HC adopted a new committee structure and now has a new Housing and Property committee where the core aspects of its role and remit is to increase the level of scrutiny and assurance across the housing service.

Lessons Learned

HC highlighted the following to us:-

- The toolkit and other key guidance became available too late in the process to be of assistance in year one given the Council committee schedule and the need for the committee Chair to sign the AAS. Preparation for year two can start much earlier this year and will include a review of your approach taking account of the toolkit and guidance.
- HC also plan to form a specific focus group of tenants to input and comment on the AAS.

Feedback on the toolkit and other guidance

On looking for suggestions for improvement that could be made by SHR, we noted that:-

- HC did use the guidance and self-assessment questions. The toolkit will be used for year two but due to the council committee cycle it was not available to help the preparation for year one.
- You felt that SHR's guidance was also helpful.

We will soon be publishing a report on the outcomes of all ten visits we undertook with landlords. This report will look at high level findings and will seek to share positive practice and lessons learned. The purpose of the report is to assist all landlords in producing an AAS in the future.

I hope this feedback has been helpful. If you have any questions about our feedback please contact me at nicola.harcus@shr.gov.scot or Janet Buchanan at janet.buchanan@shr.gov.scot.

Yours sincerely



Nicola Harcus
Regulation Manager
Scottish Housing Regulator

Annual Assurance Statement 2020 – Highland Council

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Following approval at Housing & Property Committee on 10 December 2020, the Statement was signed off by Cllr Ben Thompson (Chair):

Signature:

Date: 10 December 2020