

The Highland Council

Agenda Item	10
Report No	HP/25/23

Committee: Housing & Property Committee

Date: 9 November 2023

Report Title: Annual Assurance Statement to the Scottish Housing Regulator

Report By: Executive Chief Officer, Housing & Property

1. Purpose/Executive Summary

- 1.1 This report provides the Council's Annual Assurance Statement for the calendar year 2023 to the Scottish Housing Regulator.

2. Recommendations

2.1 Members are asked to:

- i. **NOTE** the Annual Assurance Statement for 2023 detailed in **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 an Annual Assurance Statement to the Scottish Housing Regulator is a regulatory requirement.

3.3 **Community (Equality, Poverty, Rural and Island)** – There are no equality implications arising from this report.

3.4 **Climate Change / Carbon Clever** – 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 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – There are no health and safety implications arising from this report.

3.7 **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 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 its Annual Engagement Plans for each landlord.
- 4.4 The Regulator verified the Council's Annual Return of Charter in Summer 2023 and the Highland Landlord Report, including the Engagement Plan, is available at: <https://www.housingregulator.gov.scot/landlord-performance/landlords/highland-council>
- 4.5 The Regulator requires that the assurance statement for local authorities is signed by the Committee Chair before the submission date of 31 October and that the statement is reported to the appropriate Council Committee.

5. Highland's Annual Assurance Statement 2023

- 5.1 The Council's draft Annual Assurance Statement for 2023 is attached as **Appendix 1** and is in line with the recommended Regulator guidance.
- 5.2 The content of the Statement was presented to the Highland Tenant Forum on 20 September 2023. The draft Statement was approved at the Tenant Forum.

6. Related Regulatory Reports

- 6.1 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.
- 6.2 The Scottish Housing Regulator has advised all local authorities that homelessness and Gypsy / Traveller site management feature in all individual Engagement Plans to reflect the strategic importance of these issues to the Scottish Government rather than reflecting any specific concerns regarding the Council.
- 6.3 We are continuing to provide monthly updates to the Regulator on the Engagement Plan.

Designation: Executive Chief Officer, Housing & Property

Date: 5 October 2023

Author: Brian Cameron, Interim Head of Housing & Building Maintenance

Background Papers: Scottish Housing Regulator: Statutory Guidance on the Annual Assurance Statement

Appendices: Appendix 1 – Annual Assurance Statement 2023

Annual Assurance Statement 2023

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 2022-23 resulting in intervention by the Health & Safety Executive.

Our compliance with the annual gas servicing requirements specified in the Framework was 99.9% for 2022-23. The figure reflects 3 properties where Highland was unable to carry out the annual gas service within 12 months as a result of tenant safety concerns regarding the coronavirus pandemic. These properties have now received an annual service. Highland also complies with the Gas Safety Advice recommendations issued by the Scottish Housing Regulator to all social landlords during the pandemic.

Highland is progressing works to comply with the new legislation concerning the standards of fire and smoke alarms. As part of the Annual Return of Charter, Highland reported 625 properties which were only partly compliant with the new standards at 31 March 2023 (for example, they had smoke alarms in only some of the rooms). The reason for the non-compliance has been tenant non-access during 2021-22 and 2022-23. Highland achieved full compliance with the new standards in October 2023.

All registered social landlords were notified by the Scottish Housing Regulator on 20 July 2022 that any property which has not had a 5-yearly electrical installation condition report by 31 March 2022 should now be considered as not complying fully with the Scottish Housing Quality Standard. As a result of the Covid-19 work restrictions, the inspection regime in Highland is behind schedule. A monthly update is provided to the Regulator to advise of the number of properties which fall into this category and also to detail plans to increase the number of inspections to deal with the backlog of inspections.

61% of Highland stock was non-compliant with the electrical inspection condition regulations as of 1 October 2023 and contracts have been established to reach compliance in 2024. It is anticipated that there will be a significant number of exemptions as non-access remains a significant challenge to achieving compliance.

Highland will continue to conduct periodic reviews of its health and safety commitments in regard to a number of other issues such as asbestos, water safety and fire safety. A major focus in 2023 has been the review of how Highland tackles reports from tenants of damp and mould in our stock. New guidance has been issued to tenants and officers and a new process is in place to monitor reported damp and

mould and to be more proactive in arranging technical inspections, appropriate works and follow-up reports in our stock when tenants have reported potential damp and mould. Tenants are also encouraged to monitor the situation themselves through advice and referrals to energy advice officers. Further work will be carried out in line with emerging national guidance on the issue.

Committee Reporting

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

- Each of the 11 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 April 2021 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 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 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 has been an opportunity for tenant-nominated tenant representatives at the Strategic Committee and at associated Member Seminars.

Equalities and human rights

Highland has purchased new IT software which will support the collection of additional personal data and information about our tenants and applicants. This will enable us to better understand our customer base and analyse issues and our performance in relation to various equalities aspects. We intend to collect data on each of the equalities aspects recommended in the Regulator guidance. We currently collect limited information enabling monitoring of our housing list and allocations. The hope is that we will be able to start collecting this enhanced information later in 2023-24.

Highland is continuing to review how we can adopt a Human Rights Approach across various remits and policies. We currently carry out a range of impact assessments, including around equalities, and intend to add a Human Rights Approach focus to these.

Annual Customer Report for Tenants

The annual report for tenants was provided to tenants in October 2023 as required by the Scottish Housing Regulator. This includes key performance information which is of interest to tenants.

As part of this annual process the Council asked the views of tenant representatives at the September Tenant Forum 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. The 2021 survey was completed in Spring 2021 and 1,001 tenants provided survey responses.

A new comprehensive survey will take place in Spring 2024.

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:-

- Highland Tenant Forum
- Homelessness client group
- Young tenants focus group
- Value for Money Working Group
- Communications Working Group
- Tenant Scrutiny Panel
- Tenant involvement in the repairs service 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 which will be submitted to Committee for approval in 2024. 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.

Scottish Housing Regulator's Engagement Plan

The Scottish Housing Regulator's Engagement Plan was published on 31 March 2023 and highlighted key issues where they indicated they wished to engage with the Council. The Regulator stated that Highland must:

- provide us with the information we require in relation to its homelessness service;
- make us aware of any emerging issues preventing it from fulfilling its statutory duty to provide temporary accommodation when it should and comply with the Unsuitable Accommodation Order;
- confirm that its Gypsy/Traveller sites comply with all fire safety obligations by the end of August 2023;
- comply with electrical safety and fire detection requirements as soon as possible; and
- provide us with monthly updates on progress on achieving compliance with electrical safety and fire detection requirements.

Discussion on Highland's homelessness services is connected to the Rapid Rehousing Transition Plan Update which Highland submitted to The Scottish Government in October 2023. In 2022-23, Highland demonstrated improvement in terms of the number of households in temporary accommodation which reflects efforts to achieve a sustainable, settled outcome for homeless households. Highland also continues to minimise breaches of the Unsuitable Accommodation Order by converting our stock into temporary furnished accommodation and by minimising the use of bed and breakfast style accommodation.

An internal officer group has been established to progress the fire safety works on the Gypsy/Traveller sites. The long-term improvements at the Longman Park site are ongoing as part of wider site development work. The fire safety works at the Spean Bridge have been developed in consultation with the residents and have resulted in design changes to the site. As a result of the design changes, the works are now scheduled for completion by December 2023.