



Scottish Social Housing Charter Response to Scottish Government Consultation

Introduction

- i) **Glasgow and West of Scotland Forum of Housing Associations (GWSF)** represents 56 community-controlled housing associations and co-operatives (CCHAs). CCHAs provide decent, affordable housing for nearly 75,000 households in west central Scotland, while also improving the environmental, social and economic well being of their communities. CCHA governance is based on leadership by local people, with around 800 tenants serving on the management committee of CCHAs in the west of Scotland.
- ii) GWSF has supported the principle of a Scottish Social Housing Charter which would set out a vision of the future quality of Scottish housing and would make clear the outcomes that Registered Social Landlords (RSLs) should seek to achieve.
- iii) Accordingly, we have invested substantial resources in commenting on the Scottish Social Housing Charter at all of the key stages in its development. For example, during the passage of the Housing (Scotland) Act 2010, in our response to the Scottish Government Discussion Paper on the Charter, and through our regular contributions to the Scottish Social Housing Charter Sounding Board.
- iv) We are disappointed about much of the detail contained in the Draft Scottish Housing Charter. And we have serious concerns about the additional reporting burdens that it would create for housing associations, when the Charter proposals are read alongside the concurrent Consultation Document from the Scottish Housing Regulator. The Regulator's proposals on monitoring the Charter show for the first time the full extent of these burdens.
- v) A number of our members have estimated the additional expense for them (and therefore their tenants) of gathering evidence and reporting annually on all the statements included in the Charter. These estimates range from £7,000 to more than £45,000 per annum (dependent principally on the size of the RSL, and whether housing associations anticipate having to employ an additional

staff member to satisfy regulatory information requirements). We estimate that the introduction of the Charter reporting requirements will amount to an additional expenditure running into millions of pounds every year across the whole housing sector. At a time when every attempt is being made to contain rising costs, this is an unnecessary and unjustifiable increase in costs.

- vi) Because of the structure of the consultation document, there is no obvious opportunity to propose a different approach. The questions the Government has asked focus on the detail of the proposed 71 outcomes rather than whether the proposals as a whole will create an effective framework for meeting the objectives the Charter is intended to address. Our response addresses both aspects of what is proposed – both the big picture and the detail.
- vii) We believe that a significantly different approach is required and we have set out our suggestions in the next section of our response under the heading of ‘General comments on the draft Charter’. Thereafter, we respond to each of the specific questions the Government has asked about the 71 outcomes included in the draft Charter under 15 different headings.

General comments on the draft Charter

Weaknesses of the draft Charter

- 1.1 Given our general support for the principle of a Charter, we believe that the current draft:
 - is not visionary;
 - does not give a coherent or logical sense of the Charter’s overall purpose or its guiding principles;
 - does not show clearly what the benefits of the Charter (and the annual reporting cycle which is proposed) will be for anyone – tenants (and future tenants), other customers, RSLs, the Scottish Housing Regulator or the Scottish Government;
 - is not outcomes focused (the words outcomes and standards appear to be assumed to mean the same thing);
 - is poorly drafted;
 - will lead to significant additional costs for RSLs (and, in turn, tenants) in gathering the views of tenants and other customers; and
 - will encourage a ‘tick – box’ approach to performance management rather than a meaningful dialogue between tenants and their landlords.
- 1.2 As we have noted, the consultation on the Charter has to be read in conjunction with Section 3 of the consultation document on the regulation of social housing in Scotland. Taken together, it means that for 71 outcomes and standards (as

well as any additional local outcomes that are agreed with tenants), the following steps will need to be taken every year for each RSL, regardless of its size, resources, operating structure or service delivery performance:

- RSL agrees with tenants how they will be involved in self-assessment;
- Publish a statement on how homeless people; owners and Gypsies/ Travellers will be involved in the self-assessment;
- Performance self-assessed by RSL throughout the year (which the Regulator requires to cover all of the applicable Charter outcomes as well as local outcomes);
- Evidence gathered from tenants' surveys and other satisfaction measures;
- Undertake comparisons with previous years; other landlords; and sector performance;
- 'Key measures' gathered into an Annual Return on the Charter (ARC);
- ARC submitted to the Regulator;
- ARC validated by the Regulator, on a sample basis;
- ARC data prepared into a report for each RSL by the Regulator;
- Report on each landlord published on the Regulator's website;
- Performance and satisfaction information gathered into an Annual Charter Performance Report (ACPR), developed by the landlord and its tenants;
- ARC and ACPR provided in hard copy to all tenants by the RSL;
- ACPR provided to the Regulator by the RSL;
- ACPR published by the Regulator;
- Regulator forms view on the quality of landlord's service delivery;
- Regulator identifies further scrutiny required;
- Review by Regulator of the approaches taken to self-assessment;
- Issue by the Regulator of additional guidance;
- Regulator publishes regulation plans for RSLs in the 'medium' and 'high' engagement categories;
- Regulator publishes a report on the sector's performance in achieving the Charter.

1.3 This is completely disproportionate, when the intention was to create a regulatory regime that minimises the burden on good landlords and concentrates efforts on improving performance.¹

¹ Draft Housing (Scotland) Bill: A Consultation, Scottish Government, 2009

- 1.4 It is also out of step with the direction proposed in the Crerar Review² – and supported by the Scottish Government. This review concluded that ‘the volume of performance reporting and external scrutiny had become disproportionate to the benefit delivered and to the risk it was set up to overcome, and was distracting resources from front-line delivery’.
- 1.5 Proportionality was identified in the Crerar Review as a key principle of regulation – ‘the use of external scrutiny within the wider public accountability system must be proportionate to the particular issue, policy context or environment. Proportionality must apply at two levels. Firstly, in deciding whether it is appropriate to use scrutiny, and secondly in deciding its nature, scope and duration.’
- 1.6 In a report published earlier this year³, Ipsos Mori recommended that Scottish landlords should be required to focus on four key indicators related to the Charter:
- overall satisfaction with landlord;
 - satisfaction with the repairs service;
 - satisfaction with customer service;
 - satisfaction with opportunities to participate in decision making.
- 1.7 The report noted that a ‘relatively simple, inexpensive approach’ should be adopted. And they recommended that a national survey of tenants should be conducted, allied to the Scottish Household Survey.
- 1.8 We believe that between them the Scottish Government and the Regulator need to rethink the link between standards; reporting; and assessment. We do not believe that the current proposals for the continuous and burdensome reporting of performance against 71 outcomes and standards (as well as any locally agreed outcomes) are in the best interests of tenants or are sustainable.

² The Report of the Independent Review of Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland, Professor Lorene Crerar, 2007

³ Capturing Better Information on Tenant Satisfaction, Ipsos Mori, 2011

Our proposals for improving the draft Charter

1.9 We suggest a different approach that would work with the grain of the draft Charter without tying RSLs into substantial annual evidence gathering, assessment and reporting against such a wide range of outcomes and standards. We propose some significant re-ordering of the Charter is undertaken which would:

- focus on **five overarching outcomes**;
- encourage **a more landlord/tenant focused** (rather than regulator/landlord focused) **approach to performance assessment**;
- allow **a more proportionate approach to assessment**;
- **dramatically reduce the additional costs for RSLs and tenants** (and the Regulator) of managing and reporting performance;
- **build performance management into the day to day work of RSLs** – rather than it being seen as an obtrusive ‘add-on’.

1.10 As a **first step**, we propose that the Charter should be redrafted to have five overarching outcomes covering:

- **the customer/ landlord relationship**;
- **quality of housing**;
- **neighbourhood and community**;
- **access to housing and support**; and
- **getting good value from rents and service charges**.

1.11 We have drafted text for each of these overarching outcomes. This is to allow you to properly consider the general approach we propose, rather than to provide formal recommendations about the final wording of the outcomes.

The customer/ landlord relationship

All tenants and other customers find it easy to communicate with their landlord and have the opportunity to influence the quality of services that the landlord provides.

Quality of housing

All tenants’ homes are well maintained and have improvements and repairs carried out when these are required. As a minimum, by April 2015, all tenants’ homes will meet the Scottish Housing Quality Standard.

Neighbourhood and community

Tenants and other customers live in well-designed and sustainable neighbourhoods, where they feel safe. Communities are strong, resilient and supportive and people take responsibility for their own actions and how they affect others.

Access to housing and support

People looking for housing get the information they need to make informed housing choices. Homeless people get prompt and easy access to help and advice, and get accommodation that meets their needs.

Getting good value from rents and service charges

Tenants and other customers feel that they get value for money from the services provided by landlords.

1.12 As a **second step**, and subject to the comments that we make in our detailed responses to your questions about each of your proposed ‘outcomes’, we suggest that the remaining statements in the charter are clearly described as **standards**.

1.13 So, for example all the statements made in the ‘Participation’ and ‘Communication and customer services’ sections would become standards supporting the delivery of the single Customer/ Landlord Relationship outcome. By and large the statements would remain in the sections where they currently appear, with the following exceptions:

- ‘Estate management’ would move to the neighbourhood and community outcome;
- ‘Anti-social behaviour, neighbour nuisance and tenancy disputes would also move to the neighbourhood and community outcome;
- Additional standards would be added to the neighbourhood and community outcome;
- ‘Services for Gypsies/ Travellers’ would be slightly amended and would move in part to the customer / landlord relationship outcome and in part to the quality of housing outcome; and
- ‘Other customers’ would be repositioned as appropriate in the customer/ landlord relationship; quality of housing; and getting good value from rents and service charges.

- 1.14 As a **third step**, we suggest that a limited number of **key indicators** should be agreed which all landlords would require to report on, as part of their ARC each year. The requirement for every landlord to submit an Annual Charter Performance Report to the Regulator would be removed. Instead, the focus would be on **reporting by landlords to tenants** on standards in the Charter that are agreed to be locally important.
- 1.15 To support this, measures would be prepared, covering all the standards in the Charter. Landlords and tenants would be able to draw on this wider list of measures, to identify those that were appropriate for that RSL. This approach would be similar to the basket of indicators provided by the Improvement Service to assist each council (and their community partners) identify a number of appropriate indicators in their Single Outcome Agreement. This approach would allow consistent use of indicators and measures by RSLs and encourage benchmarking and peer performance review.
- 1.16 So, on an annual basis, each RSL would agree with its tenants and other customers a small number of standards (and accompanying indicators) which would be the focus of their detailed annual gathering of views to support the reporting of performance to tenants. These would be standards that were particularly appropriate and relevant for that RSL and its customers. Reports on progress against the agreed standards would be provided to tenants. The standards that an RSL used as the focus of performance reviews could change from year to year. The Regulator would require all RSLs to report only on a carefully selected range of indicators in the Annual Return on the Charter.
- 1.17 In addition, there may be exceptional cases where the Regulator had particular concerns about an individual RSL (for example, as a result of the ARC data or complaints from tenants). In these cases, the Regulator could use its powers to require additional information where more detailed investigation or action may be needed.
- 1.18 This leaner and more targeted approach would considerably reduce the significant cost of requiring to report annually against 71 outcomes and standards and would provide a focal point for the agreement between customers and RSLs of the most significant issues for the RSL at that time. It would also avoid the requirement on RSLs to gather significant volumes of information from customers on an annual basis to indicate the progress made on all 71 outcomes and standards. We have a concern that tenants and other customers would quite quickly become fatigued with responding annually to questions on all 71 outcomes and standards.
- 1.19 We believe that this approach builds on the work that you have already done to identify the pan-Scotland issues for tenants and other customers. It retains the

shape of the draft Charter. But it responds to landlords' serious concerns about the cost of gathering significant volumes of information about performance and satisfaction every year. It encourages an active dialogue between tenants (and other customers) and landlords. And it provides the Regulator with a basis for designing a better approach to performance monitoring and reporting.

1.20 We have included on the next page a worked example, which illustrates how an overarching outcome on the tenant/landlord relationship could be accompanied by clear supporting standards and possible reporting measures. We suggest that this modified approach has the potential to deliver the aims of the Charter in a more efficient and proportionate way.

Comments on the introduction to the Charter

1.21 The first two pages of the draft Charter (pages 14 and 15 of the consultation document) are an introduction. We have three comments on this.

1.22 In Section 3 of the consultation document, there is a note about language. We think that it would be helpful to include an amended version of this in the Charter itself. You do not define standards in this section. We think that this would be helpful. And, on page 8, the reference should be to the Equality and Human Rights Commission.

1.23 In paragraph 4.15, you make clear that an outcome is a clear description of what landlords should be achieving, not what they should be doing. But the second bullet point talks about the Charter giving an understanding of what landlords should be **delivering**. We think that it would be helpful if this were amended to **achieving**.

1.24 You state at the foot of page 14 that the Charter does not add any new duties to social landlords. But the Charter **will** add new duties – including repairs by appointment; providing information on expenditure; giving information on the range of housing options available in the area; and reporting annually on 71 outcomes and standards to the Regulator.

Table 1: An example of outcomes, standards and possible measures

OUTCOME: The Customer/ Landlord Relationship	
All tenants and other customers find it easy to communicate with their landlord and have the opportunity to influence the quality of services that the landlord provides.	
Standards	Possible Measures – selection of these to be agreed locally
Participation and influence	
Tenants and other customers can participate in their landlord's decisions	<ul style="list-style-type: none"> • Evidence of the range of ways that tenants and other customers can participate. • Evidence of engaging people who have not traditionally taken part. • Evidence of capacity building to support engagement. • Satisfaction of tenants and other customers with opportunities to get involved. • Satisfaction of tenants and other customers with the level of that involvement (for example where tenants have wished to be involved in developing, monitoring, assessing and reporting on the quality of services).
The views and priorities of tenants and other customers are reflected in the services the landlord provides	<ul style="list-style-type: none"> • Satisfaction of tenants and other customers with how the landlord takes account of customer views when making decisions about services. • Satisfaction of tenants and other customers with the services the landlord provides.
Communication and customer services	
Tenants and other customers are treated with respect for their individuality and diversity.	<ul style="list-style-type: none"> • Evidence of use of equality impact assessments or similar methods • Tenants and other customers are satisfied that they are treated with respect. • Tenants and other customers are satisfied that their landlord is responsive to their individual needs and circumstances
Tenants and other customers receive and can easily get the information that they need from the landlord.	<ul style="list-style-type: none"> • Evidence that relevant information is produced in appropriate formats where necessary (including plain English; translations; Braille or audio). • Tenant satisfaction with the information received.
The views of tenants and other customers influence the services provided .	<ul style="list-style-type: none"> • Evidence that there are efficient and effective procedures for dealing with complaints. • Satisfaction with how the landlord handles views, enquiries and complaints

Scottish Government Consultation Questions

1. Have we missed out any areas that the Charter should cover? If so, please tell us.

The Charter focuses on housing services – and says little about wider neighbourhood and community issues. Our proposal to introduce an outcome on Neighbourhood and Community (see paragraphs 1.10 and 1.11 of our General Comments) would rectify this omission.

The customer/landlord relationship

We want the outcomes in this section to cover the important aspects of the customer/landlord relationship. We would like to know if you agree with the outcomes in the draft charter, and if the wording is clear and understandable.

2a. Do you agree with the ‘participation’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

2b. Is the ‘participation’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1).

3a. Do you agree with the ‘communication and customer services’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

3b. Is the ‘communication and customer services’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the 'outcomes' on participation and communication and customer services (see Table 1).

Quality of housing and the environment

We want the outcomes in this section to cover the important aspects of the quality of housing and the environment. We would like to know if you agree with the outcomes in the draft charter, and if the wording is clear and understandable.

4a. Do you agree with the 'housing quality' outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

4b. Is the 'housing quality' outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the 'outcomes' on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When considering standards on housing quality we suggest that you take account of the following points arising from the present draft of the Charter:

- Tenants (as well as landlords) have a responsibility in terms of health and safety in their homes.
- Standards should not duplicate the statutory functions of the Health and Safety Executive or Social Care and Social Work Improvement Scotland.
- The third statement refers to locally agreed standards. If this is to be included, there are probably many other places where locally agreed standards could also be mentioned. But this would add to the complexity of the Charter.
- This is a further reason to consider our proposed differentiation between a much smaller number of overarching outcomes, and a

broader set of standards that allow landlords and tenants to discuss in a flexible way what the local priorities are for making changes or improvements.

5a. Do you agree with the ‘repairs, maintenance and improvements’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

5b. Is the ‘repairs, maintenance and improvements’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When considering standards on repairs, maintenance and improvements we would suggest that you take account of the following points arising from the present draft of the Charter:

- More than the other sections, this begins to get into what landlords should be **doing** – rather than the stated purpose of the Charter, which is to be clear about what landlords should be **achieving**.
- The need to focus on tenant satisfaction as a measure of achieving overall outcomes. A new initial statement should be introduced – along the lines of ‘Tenants are satisfied with the repairs and maintenance service for their home’.
- We understand the sentiment behind the third statement – but believe that it may have unintended consequences if it is not redrafted (or removed). For example it implies that a tenant could decide that an urgent repair in their home (which is impacting on other tenants) should not be done. It also implies that there must be a universal entitlement to appointments out of working hours – which

will lead to increased costs for RSLs (and for tenants). This seems to us to be a clear example of getting into 'how' things are done - rather than the outcomes for tenants.

- In statement 6 it is not clear what 'choice about improvements' means. Is this a choice of having (or not having) improvements; a choice of what improvements are done and when; or a choice of kitchen units/ bathroom colours when improvement is being undertaken? This should be clarified.

6a. Do you agree with the 'estate management' outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

6b. Is the 'estate management' outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the 'outcomes' on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When considering standards on estate management we would suggest that you take account of the following points arising from the present draft of the Charter:

- The need to focus on:
 - landlord performance in keeping estates well-maintained; and
 - the performance of other public services in creating an attractive and safe environment.
- The different responsibilities of local partners – statement 2 implies that landlords should be held to account for the performance of all local agencies. This is unhelpful, as there is no mechanism by which the Regulator could intervene with other public agencies (like councils and the police) who were felt not to be meeting locally

agreed standards and which impacted on estate management.

- Statement 1 is not readily measurable – not least because aspirations rise as quickly as the standard of the neighbourhood rises. And ‘pride’ is a difficult concept.
- Care needs to be taken in statement 3 about whether this relates to estate management – or wider anti-social behaviour.

Access to housing and support

We want the outcomes in this section to cover the important aspects of access to housing and support. We would like to know if you agree with the outcomes in the draft charter, and if the wording is clear and understandable.

7a. Do you agree with the ‘housing options’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

7b. Is the ‘housing options’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When considering standards on housing options we would suggest that you take account of the following points arising from the present draft of the Charter:

- Statement 1 is about something broader than the outcomes that an individual landlord can deliver. It is important to balance the role played in housing information and advice by councils, other landlords, and other advice providers.

We believe that housing information and advice should be led and coordinated by councils – and that RSLs should play their part in

supporting agreed local strategies. Since housing options policy and service development are still at the formative stage in many parts of Scotland, we believe that this statement is premature – and may lead to a ‘one size fits all’ approach.

- Statement 2 as currently drafted is vague – and it is difficult to see how it could be measured.
- It would be wise to remove this section from the Charter at present – and introduce it at a later date when the basis of (and responsibility for) housing support, information and advice has been agreed.

8a. Do you agree with the ‘access to social housing’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

8b. Is the ‘access to social housing’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When considering standards on access to social housing we would suggest that you take account of the following points arising from the present draft of the Charter:

- In statement 1, this is not within the gift of a single landlord.
- Statements 2 and 3 cover the same point – statement 3 is considerably better. So we suggest that statement 2 is deleted.
- Statements 4, 5 and 6 are about process rather than outcomes. It is hard to see how meaningful feedback from tenants generally could be gathered on these points.
- The use of tenant satisfaction measures in this area also needs to take account of the fact that allocations policies and practice cannot

create houses that are not available, because of the shortage of affordable housing of certain types and in certain places.

9a. Do you agree with the ‘homeless people’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

9b. Is the ‘homeless people’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to homelessness people, we would suggest you take account of the following points arising from the present draft of the Charter:

- It is important to set standards that address the satisfaction of homeless people with the service they receive.
- Satisfaction of homeless people with the housing outcome they receive will also be increasingly important in future, given that increasing numbers of homeless people are being directed towards “settled accommodation” in the private rented sector, rather than permanent accommodation provided by social landlords.
- The different roles played by RSLs and local authorities
- The need to consider potentially homeless people.

10a. Do you agree with the ‘tenancy sustainment’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on

annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

10b. Is the ‘tenancy sustainment’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to tenancy sustainment, we would suggest you take account of the following points arising from the present draft of the Charter:

- The likelihood of most tenants having a view on this topic
- The responsibilities of Social Work Departments (and others) for support to stay in the home
- The Government’s own responsibilities for ensuring that clear and equitable funding arrangements are in place for adaptations relating to tenants’ health or disabilities.

11a. Do you agree with the ‘anti-social behaviour, neighbour nuisance and tenancy disputes’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

11b. Is the ‘anti-social behaviour, neighbour nuisance and tenancy disputes’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this

approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to anti-social behaviour, neighbour nuisance and tenancy disputes, we would suggest you take account of the following points arising from the present draft of the Charter:

- The balance of responsibility between RSLs and others (notably councils and Police) in relation to anti- social behaviour. We believe that the current Performance Standards capture this well – “We (the landlord) deal appropriately with antisocial behaviour. Where appropriate we work in partnership with others to prevent and manage such behaviour.
- The feasibility of most tenants being able to respond to some of the suggested satisfaction measures for anti-social behaviour.

Getting good value from rents and service charges

We want the outcomes in this section to cover the important aspects of getting good value from rents and service charges. We would like to know if you agree with the outcomes in the draft charter, and if the wording is clear and understandable.

12a. Do you agree with the ‘value for money’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

12b. Is the ‘value for money’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to value for money, we would suggest you take account of the following points arising from the present draft of the Charter:

- The way that rents are set by many RSLs – this may relate to a business planning or other period rather than detailed reviews carried out on a continuous basis.
- The language used – ‘benefit from continually improving services’ could be phrased better. Tenant satisfaction with the value for money of the rents they pay is a more meaningful measure than the abstract form of wording that is used in the draft.
- This appears to be a theme where locally agreed standards may be more important than national outcomes.

13a. Do you agree with the ‘rents and service charges’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

13b. Is the ‘rents and service charges’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to rents and service charges, we would suggest you take account of the following points arising from the present draft of the Charter:

- The issues that are most important for tenants – measured through value for money and quality of service. Some of the suggested ‘outcomes and standards’ in the draft Charter seem overly complicated.

14a. Do you agree with the ‘transparency’ outcome?

If yes, please use the box to provide any comments. If no, please tell us why.

Yes No

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

14b. Is the ‘transparency’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

We recommend that you re-consider the need for this part of the Charter in relation to RSLs, since it duplicates the Scottish Housing Regulator’s proposed governance standards for RSLs.

Other customers

We want the outcomes in this section to cover the important aspects of other customers. We would like to know if you agree with the outcomes in the draft charter, and if the wording is clear and understandable.

15a. Do you agree with the ‘services for Gypsies/Travellers’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

15b. Is the ‘services for Gypsies/Travellers’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to services for Gypsies/Travellers, we would suggest you take account of the following points arising from the present draft of the Charter:

- The application of other sections of the Charter to Gypsies/ Travellers is unclear – a stand-alone section with a single statement feels a bit like a late add-on.
- To address this, services for Gypsies/Travellers could be covered in the standards for the outcomes relating to the customer/landlord relationship and the quality of housing.
- What role user satisfaction with services should play for Gypsies/ Travellers, as a way of measuring outcomes achieved.

16a. Do you agree with the ‘other customers’ outcome?

Yes No

If yes, please use the box to provide any comments. If no, please tell us why.

In our General Comments on the Charter, we set out a revised approach which would make clear the overarching Charter outcome (reported on annually to the Regulator) and would provide supporting standards and measures (reporting on these would be agreed between landlords and tenants, depending on local priorities).

16b. Is the ‘other customers’ outcome clear and understandable?

Yes No

If no, please tell us why.

We have prepared a revised version of the ‘outcomes’ on participation and communication and customer services (see Table 1). We suggest that this approach is adopted throughout the Charter.

On this basis, the content of this part of the draft Charter would be

presented as supporting standards, to be prioritised and reported on at local level in the way we have suggested.

When setting standards relating to other customers, we suggest that you take account of the following points arising from the present draft of the Charter:

- The need for a stand alone set of outcomes, given that standards relating to factoring services could be incorporated in some of the overarching outcomes elsewhere in the Charter (the customer/ landlord relationship; quality of housing; and getting good value from rents and service charges)
- Standards on maintenance and improvements need to reflect the legal framework for buildings in multiple ownership, in particular the voting rights of owners in determining whether or not work goes ahead. Factoring service providers do not have the level of control that is implied by the wording in the draft Charter.

In conclusion

17. Do you think that a good landlord should be able to achieve these outcomes?

Yes No

Neither

Please explain your answer.

The premise of our response is that the draft Charter muddles outcomes, standards and measures throughout. We have proposed a way that this could be resolved at high level – with a focus on 5 overarching outcomes.

Drafting of the standards supporting each of these outcomes could be improved in some places. In particular, we believe that some are not clear and could lead tenants to have expectations that would not be met.

We would support a focus on tenant satisfaction as an indicator for many standards. Because of this it is important that the standards focus on things that tenants generally have an interest in.

We believe that our members generally would meet the standards required. However there are some wider responsibilities included in the Charter which are beyond the direct control of RSLs (such as anti-social behaviour; partnership working; and certain aspects of homelessness).

We also have serious reservations about the link between the draft Charter and the draft regulatory and reporting framework set out in the Scottish

Housing Regulator's consultation paper on the regulation of social housing in Scotland.

We believe that an unreasonable and disproportionate amount of time (and money) would be spent by RSLs and the Regulator in reporting annually on the 71 'outcomes and standards' included in the draft Charter. While the subject of this consultation is the Charter rather than the regulatory framework, we think that the main interest of both tenants and landlords will lie in how the two elements fit together.

18. Do you wish to add anything that is not covered by the questions above?

Please refer to our General Comments on the draft Charter, which describe the need to fundamentally review the content of the Charter and how it links to the Scottish Housing Regulator's proposals for assessing and reporting on performance.