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Bob Doris, MSP  
Convener  
Local Government & Communities Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

11 January 2017

Dear Bob

### **Review of the Scottish Social Housing Charter**

The first Scottish Social Housing Charter came into force for five years with effect from 1 April 2017. Working with stakeholders, the Scottish Government has reviewed it. I enclose now a revised Charter covering the period from 1 April 2017 to 31 March 2022 for the Committee to consider and comment upon prior to the Scottish Government inviting the Parliament to approve it.

In line with the provisions of the Housing (Scotland) Act 2010, the revised Charter contains the outcomes and standards that the Scottish Government proposes social landlords should aim to achieve when performing their housing activities.

In addition to a copy of the revised Charter I have also provided a version that shows in tracking where we have made amendments to the original version of the Charter. I also enclose a briefing note which outlines the process by which the Scottish Government has reviewed the current Charter in consultation with stakeholders.

I look forward to discussing the revised Charter with the Committee before inviting the Parliament to approve it.

I am sending a copy of this letter to the Clerk to the Committee.

Kind Regards

**KEVIN STEWART**

# The Scottish Social Housing Charter

Revised January 2017

# THE SCOTTISH SOCIAL HOUSING CHARTER

## Introduction

### 1 Status of the Charter

1.1 As required by section 31 of the Housing (Scotland) Act 2010, the Scottish Ministers, in this Scottish Social Housing Charter, set the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.

1.2 The first Charter came into effect on 1 April 2012 and was reviewed during 2016. The resulting revised Charter was approved by resolution of the Scottish Parliament on ( xx), has effect from 1 April 2017 and continues to apply until the Parliament approves a further revised Charter.

1.3 Before submitting the revised Charter to the Scottish Parliament for approval, and as required by section 33 of the 2010 Act, the Scottish Ministers consulted the Scottish Housing Regulator; tenants in social housing and their representative bodies; social landlords; homeless people; and other stakeholders about the Charter's contents. They have taken account of all their views to ensure that the outcomes in the Charter:

- describe the results that tenants and other customers expect social landlords to achieve
- cover social landlords' housing activities only
- can be monitored, assessed and reported upon by the Scottish Housing Regulator.

1.4 The Charter does not replace any of the legal duties that apply to social landlords, but in several cases the outcomes describe the results social landlords should achieve in meeting their legal duties.

### 2 Purpose of the Charter

2.1 The Charter helps to improve the quality and value of the services that social landlords provide, and supports the Scottish Government's long-term aim of creating a safer and stronger Scotland. It does so by:

- stating clearly what tenants and other customers can expect from social landlords, and helping them to hold landlords to account
- focusing the efforts of social landlords on achieving outcomes that matter to their customers
- providing the basis for the Scottish Housing Regulator to assess and report on how well landlords are performing. This assessment enables the Regulator, social landlords, tenants and other customers to identify areas of strong performance and areas needing improvement.

2.2 The Regulator's reports also help the Scottish Government to ensure that public investment in new social housing goes only to landlords assessed as performing well.

### **3 Scope and content of the outcomes and standards**

3.1 The Charter has seven sections covering: equalities; the customer/landlord relationship; housing quality and maintenance; neighbourhood and community; access to housing and support; getting good value from rents and service charges; and other customers. It contains a total of 16 outcomes and standards that social landlords should aim to achieve. The outcomes and standards apply to all social landlords, except that number 12 applies only to councils in relation to their homelessness duties; and number 16 applies only to councils and registered social landlords that manage sites for gypsy/ travellers.

3.2 Each section is accompanied by a short description of the context of the outcome or standard, including the areas of activity to which it applies and any relevant legal duties connected with it. The description is not part of the outcome, and does not tell social landlords how to achieve it. That is a matter for each landlord to decide in consultation with its tenants and other customers.

3.3 During the Charter review, many stakeholders said that all the standards and outcomes should be reflected across the whole of a landlord's activities. For example, the communication outcome requires landlords to 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. This information would include how and why their landlord makes decisions and provides its services; how it communicates its plans for providing repairs, maintenance and improvements; how it provides information on housing options; and how it helps tenants sustain their tenancy.

### **4 Assessing social landlords' achievement of the outcomes**

4.1 Social landlords are responsible for meeting the standards and outcomes set out in the Charter. They are accountable to their tenants and other customers for how well they do so. They should ensure their performance management and reporting systems show how well they are achieving the outcomes; identify any areas where they need to improve; and enable them to report to their tenants and other customers and the Scottish Housing Regulator.

4.2 Under the 2010 Act, the Scottish Housing Regulator is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the Charter's outcomes.

### **5 Reviewing and revising the Charter**

5.1 Unless stakeholders raise urgent and significant concerns about how the Charter is working in practice, the Charter will apply for five years from 1 April 2017. In consultation with stakeholders, the Ministers will review its effect during 2021 on

the quality and value of social landlords' services, and its value to tenants and other customers, social landlords and the Scottish Housing Regulator.

## Charter outcomes and standards

### The customer/landlord relationship

#### 1: Equalities

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.*

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 rights and needs of different customers and delivering services that recognise and meet these.

#### 2: Communication

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.*

This **outcome** covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems and smart-phone applications. 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.

### 3: Participation

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.*

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, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants, other customers and bodies representing them such as registered tenant organisations to become more capable of involvement – this could include supporting them to scrutinise landlord services.

### Housing quality and maintenance

#### 4: Quality of housing

Social landlords manage their businesses so that:

- *tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020.*

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.

If, for social or technical reasons, landlords cannot meet any part of these standards, they should regularly review the situation and ensure they make improvements as soon as possible.

## 5: Repairs, maintenance and improvements

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.*

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.

## Neighbourhood and community

## 6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that:

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

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.

## Access to housing and support

### 7, 8 and 9: Housing options

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.*

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

### 10: Access to social housing

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 on their prospects of being housed.*

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.



## 11: Tenancy sustainment

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.*

This **outcome** covers how landlords on their own, or in partnership with others, 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.

## 12: Homeless people

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.*

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

## Getting good value from rents and service charges

### 13: Value for money

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.*

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; giving better value for money by increasing the quality of services with minimum extra cost to tenants, owners and other customers; and involving tenants and other customers in monitoring and reviewing how landlords give value for money.

## 14 and 15: Rents and service charges

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 service users can afford them*
- *tenants get clear information on how rent and other money is spent, including details of any individual items of expenditure above thresholds agreed between landlords and tenants.*

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. For local councils, this includes meeting the Scottish Government's guidance on housing revenue accounts. 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.

## Other customers

### 16: Gypsy/Travellers

Local councils and social landlords with responsibility for managing sites for Gypsy / Travellers should manage the sites so that:

- *sites are well maintained and managed, and meet the minimum site standards set in Scottish Government guidance.*

This **outcome** includes actions landlords take to ensure that: their sites meet the Scottish Government guidance on minimum standards for Gypsy / Traveller sites, and those living on such sites have occupancy agreements that reflect the rights and responsibilities set out in guidance.

All the standards and outcomes in the Charter apply to Gypsy / Travellers.

## **A note about language**

We use some key phrases throughout the Charter, which we explain below.

### **Housing (Scotland) Act 2010, section 31**

Section 31 of the Act says that:

'Ministers must set out standards and outcomes which social landlords should aim to achieve when performing housing activities.

The document in which those standards and outcomes are set out is to be known as the "Scottish Social Housing Charter".'

### **Long-term aims**

The Scottish Government has five long-term aims, known as the strategic objectives. Everything it does should contribute towards making Scotland:

- wealthier and fairer
- healthier
- safer and stronger
- smarter
- greener.

The Charter supports the aim of creating 'A safer and stronger Scotland'.

### **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 the Scottish Parliament 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.

## **Scottish Housing Quality Standard (SHQS)**

The SHQS is the Scottish Government's main way of measuring the quality of social housing in Scotland.

## **Energy Efficiency Standard for Social Housing (ESSH)**

The ESSH aims to improve social housing's energy efficiency in Scotland. It will help to reduce energy consumption, fuel poverty and greenhouse-gas emissions. The standard will also contribute to reducing carbon emissions by 42% by 2020, and 80% by 2050, in line with what's required by the Climate Change (Scotland) Act 2009.

## **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.

## **Stakeholder**

A person or organisation with an interest in social housing and the way it is regulated. The following are some examples of stakeholders:

- The Scottish Housing Regulator.
- Tenants of social landlords and bodies representing their interests.
- Homeless people and bodies representing their interests.
- Users of housing services provided by social landlords and bodies representing the interests of those users.
- Social landlords and bodies representing their interests.
- Secured creditors of registered social landlords and bodies representing those secured creditors.
- The Accounts Commission for Scotland.
- The Equalities and Human Rights Commissions and other bodies representing equal opportunities interests.

## **Standard**

A level of quality that every social landlord should achieve.

### **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 Gypsy/Travellers who use sites provided by a social landlord.

# The Scottish Social Housing Charter

Revised version January 2017

# THE SCOTTISH SOCIAL HOUSING CHARTER

## Introduction

### 1 Status of the Charter

1.1 As required by section 31 of the Housing (Scotland) Act 2010, the Scottish Ministers, in this Scottish Social Housing Charter, set the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.

1.2 The ~~first~~ Charter ~~came into effect on 1 April 2012 was approved by resolution of the Scottish Parliament on [ ] and was reviewed during 2016. The resulting is revised Charter 2012-2017 was approved by resolution of the Scottish Parliament on ( xx) .~~ It has effect from 1 April 2012~~7~~ and continues to apply until the Parliament approves a further revised Charter.

1.3 Before submitting ~~the~~ theirs revised Charter to the Scottish Parliament for approval, and as required by section 33 of the 2010 Act, the Scottish Ministers consulted the Scottish Housing Regulator; tenants in social housing and their representative bodies; social landlords; homeless people; and other stakeholders about the Charter's contents. They have taken account of all their views to ensure that the outcomes in the Charter:

- describe the results that tenants and other customers expect social landlords to achieve
- cover social landlords' housing activities only
- can be monitored, assessed and reported upon by the Scottish Housing Regulator.

1.4 The Charter ~~replaces the performance standards set out in the guidance that the Scottish Ministers issued under section 79 of the Housing (Scotland) Act 2001 in November 2006. It~~ does not replace any of the legal duties that apply to social landlords, but in several cases the outcomes describe the results social landlords should achieve in meeting their legal duties.

### 2 Purpose of the Charter

2.1 The Charter ~~will help~~s to improve the quality and value of the services that social landlords provide, and supports the Scottish Government's long-term aim of creating a safer and stronger Scotland. It ~~will do~~es -so by:

- stating clearly what tenants and other customers can expect from social landlords, and helping them to hold landlords to account
- focusing the efforts of social landlords on achieving outcomes that matter to their customers
- ~~establishing a~~ providing the basis for the Scottish Housing Regulator to assess and report on how well landlords are performing. This assessment ~~will~~

enables the Regulator, social landlords, tenants and other customers to identify areas of strong performance and areas needing improvement.

2.2 The Regulator's reports ~~will~~ also help the Scottish Government to ensure that public investment in new social housing goes only to landlords assessed as performing well.

### 3 Scope and content of the outcomes and standards

3.1 The Charter has seven sections covering: equalities; the customer/landlord relationship; housing quality and maintenance; neighbourhood and community; access to housing and support; getting good value from rents and service charges; and other customers. It contains a total of 16 outcomes and standards that social landlords should aim to achieve. The outcomes and standards apply to all social landlords, except that number 12 applies only to ~~local~~ councils in relation to their homelessness duties; and number 16 applies only to councils and registered social landlords that manage sites for Gypsy/-Travellers.

3.2 Each section is accompanied by a short ~~narrative that describes~~ description of the context of the outcome or standard, including the areas of activity to which it applies and any relevant legal duties connected with it. The ~~narrative description~~ is not part of the outcome ~~that social landlords should achieve~~, and does not tell social landlords ~~them~~ how to achieve it. That is a matter for each landlord to decide in consultation with its tenants and other customers.

3.3 During the Charter review of the Charter, many stakeholders noted that said that all the standards and outcomes should be reflected across all the whole of a landlord's activities. For example, the communication outcome requires landlords to 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. This information would include, how and why their landlord makes decisions and provides its the services it provides,; and. This would include the way how a landlord it communicates its plans for providing repairs, maintenance and improvements,; how it provides information on housing options,; and how it helps tenants sustain their tenancy.

### 4 Assessing social landlords' achievement of the outcomes

4.1 Social landlords are responsible for meeting the standards and outcomes set out in the Charter. They are accountable to their tenants and other customers for how well they do so. They should ensure their performance management and reporting systems show how well they are achieving the outcomes; identify any areas where they need to improve; and enable them to report to their tenants and other customers and the Scottish Housing Regulator.

4.2 Under the 2010 Act, the Scottish Housing Regulator is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the Charter's outcomes. ~~It will consult on and then publish its arrangements for doing so.~~



## 5 Reviewing and revising the Charter

5.1 Unless stakeholders raise urgent and significant concerns about how the Charter is working in practice, ~~the Scottish Ministers intend the~~ theis Charter ~~to will~~ apply for five years from 1 April 2017. In consultation with stakeholders, the Ministers will review its effect during 2021 on the quality and value of social landlords' services, and its value to tenants and other customers, social landlords and the Scottish Housing Regulator. ~~Ministers will start the review within two years of the Charter coming into force, so they can take the review's findings into account in preparing a revised Charter, which will take effect from 1 April 2017.~~

### Charter outcomes and standards

#### The customer/landlord relationship

##### 1: Equalities

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.*

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 rights and needs ~~and rights~~ of different customers and delivering services that recognise and meet these ~~needs~~.

##### 2: Communication

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.*

This **outcome** covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems, and smart-phone applications. 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.

### 3: Participation

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.*

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, other customers, and bodies representing them such as registered tenant organisations and other customers; how they shape their services to reflect these views; and how they help tenants, other customers and bodies representing them such as registered tenant organisations to and ~~other customers to~~ become more capable of involvement ~~–;~~ this could include supporting them to scrutinise landlord services.

## Housing quality and maintenance

### 4: Quality of housing

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; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020.*

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.~~

Where ~~where~~, for social or technical reasons, landlords cannot meet any part of

these standards cannot be met, landlords they should regularly review the situation and ensure that they make improvements are made as soon as possible.

## 5: Repairs, maintenance and improvements

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.*

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.

## Neighbourhood and community

## 6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that:

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

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.

## Access to housing and support

### 7, 8 and 9: Housing options

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.*

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

### 10: Access to social housing

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 on their prospects of being housed.*

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.

## 11: Tenancy sustainment

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.*

This **outcome** covers how landlords on their own, or, in partnership with others, 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.

## 12: Homeless people

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.*

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

## Getting good value from rents and service charges

### 13: Value for money

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.*

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; ~~and involving~~ It also includes how tenants and other customers can get involved in monitoring and reviewing how landlords deliver value for money.

## 14 and 15: Rents and service charges

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 service users can afford them*
- *tenants get clear information on how rent and other money is spent, including details of any individual items of expenditure above thresholds agreed between landlords and tenants.*

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. For local councils, this includes meeting the Scottish Government's guidance on housing revenue accounts. 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.

## Other customers

### 16: Gypsies/travellers

Local councils and social landlords with responsibility for managing sites for Gypsy-/Travellers should manage the sites so that:

- *sites are well maintained and managed, and meet the minimum site standards set in Scottish Government guidance.*

~~This outcome applies only to those councils and other social landlords that are responsible for managing these sites.~~ includes actions a landlord takes to ensure that their sites meet the Scottish Government guidance which covers minimum standards for Gypsy-/Traveller sites, and those living on such sites have occupancy agreements that reflect the rights and responsibilities set out in guidance.

All the standards and outcomes in the Charter apply to Gypsy-/Travellers.

## **Revised Scottish Social Housing Charter**

### **Briefing Note by the Scottish Government for Local Government and Communities Committee**

#### **Introduction**

1. This note describes how, in consultation with stakeholders, we have revised the Scottish Social Housing Charter that we now submit to the Local Government and Communities Committee of the Scottish Parliament.
2. The Housing (Scotland) Act 2010 introduced the Scottish Social Housing Charter. It requires Ministers, through the Charter, to set the standards and outcomes that social landlords should achieve for tenants and other customers through their housing activities. The purpose of the Charter is to, give tenants, homeless people and other customers of social landlords a clear understanding of what they should expect from a social landlord; give social landlords a clear understanding of what they should be delivering through their housing activities; and provide the basis for the Scottish Housing Regulator to monitor, assess and report on landlords' performance.
3. The first Charter came into effect on 1 April 2012. At that time we undertook to review it and put a revised Charter to Parliament for approval by April 2017. We worked with our stakeholders to carry out the review between May and December 2016. The review considered the impact of the current Charter, how landlord performance in meeting the Charter is reported on, and whether the 16 outcomes and standards needed to be changed, updated or added to.

#### **Consultation with stakeholders**

4. We established a Charter stakeholder group to advise us on what the review should include and how to involve the widest range of stakeholders in reviewing the Charter. Following consultation with stakeholders, we shared the revised Charter with the group and asked them to consider the changes we proposed making to it.
5. Between May and July 2016, with the assistance of landlords who provided venues and facilities, we held 12 Charter events across Scotland. These enabled over 400 tenants, housing professionals and others to discuss what the Charter has achieved and to seek views on what changes should be made to it. We also attended the annual general meetings of most of the Registered Tenant Organisation Regional Networks, and talked to stakeholders about the Charter at local events organised by tenants and landlords across the country, and at the Tenant Information Scotland (TIS) and Tenant Participation Advisory Service Scotland (TPAS) Annual conferences.
6. To encourage harder-to-reach groups to join the conversation about the Charter review, TIS and TPAS undertook an "involving all" consultation on our behalf with young people, tenants with learning or support needs, tenants in remote and rural communities, and homeless people, BME tenants, sheltered housing tenants



and tenants with disabilities. Between them they engaged with some 500 participants.

7. We also asked the Scottish Housing Regulator, which has responsibility for monitoring and reporting on social landlords' performance against the Charter, to provide an evidence paper to help us with the review. The paper brought together publicly available evidence from a range of the Regulator's publications about how landlords have performed against the Charter. The evidence highlighted strong and improving performance by most social landlords. It highlighted a broad and modest improvement across most Charter outcomes in 2015/16, which is positive given the already strong performance recorded for 2013/14 and 2014/15. Tenant satisfaction remains high with 9 out of 10 social housing tenants satisfied with the overall service their landlord provides. For local authorities overall tenant satisfaction is at 83% and for RSLs 91%.

8. These initiatives helped us reach a wide range of stakeholders across the country and to involve them in discussions about the Charter review. Views on the current Charter from all these activities were generally positive, with the majority of those taking part largely in favour of keeping the current outcomes and standards unchanged.

## **Formal Consultation**

9. We published a formal Charter Review consultation on 1 June 2016. The consultation ran for 12 weeks to 24th August.

10. We received a total of 106 responses to the consultation. 33 from individuals and 73 from organisations, some of which represented the views of their wider membership. Most of those who provided a view considered that the quality of landlord services had improved because of the Charter. An extract from the executive summary of the analysis of responses is attached as Annex A. The full analysis can be found at: [www.gov.scot/Publications/2016/11/1336](http://www.gov.scot/Publications/2016/11/1336)

11. The analysis reinforced the strong view that emerged from our discussions with stakeholders that;

- they did not wish any fundamental changes to be made to the Charter at this relatively early stage of its existence;
- the outcomes and standards should remain largely the same and;
- to alter the Charter substantially would reduce the positive impact it has made on the services landlords provide to their tenants and other customers.

12. Tenants, Registered Tenant Organisations, the 9 Regional Networks and tenant representative bodies generally supported the Charter and were of the view that it had improved the quality of services and had provided more opportunities for tenants to get involved with their landlord in monitoring performance and helped them to hold their landlord to account. A number of stakeholders – the Chartered Institute of Housing, Scottish Federation of Housing Associations (SFHA) and the Glasgow and West of Scotland Forum (GWSF) highlighted the positive impact the

Charter has had on services. They said that they did not see a need for any significant changes, or additions, to the current outcomes.

### **The revised Charter**

13. We were pleased, during the extensive consultation, to learn of stakeholders' support for the Charter, with many examples of the positive impact it has had over the last five years. In light of this very strong and generally held view, we have confined changes to those few that stakeholders suggested to us would help to improve the quality of services that social landlords deliver. The changes, which represent fine-tuning of the original Charter, rather than anything more substantial, are:

- Highlighting all of the standards and outcomes should be reflected across the whole of a landlord's activities;
- Updating the brief narrative, which describes the scope of the standard or outcome, to reflect recent developments in best practice, including the impact of digital developments on the delivery of housing services;
- Adding the new requirement that landlords should meet the Energy Efficiency Standard for Social Housing by December 2020 ;
- Amending the Neighbourhood and Community outcome to recognise more explicitly that meeting this outcome requires landlords to work with other agencies to achieve it;
- Strengthening the Gypsies / Travellers outcome by adding that those local councils and registered social landlords with responsibility for managing sites meet the minimum site standards set in guidance on standards that the Scottish Government issued in May 2015.

14. In the continuing spirit of producing clear and jargon-free Charter documents, we have secured Plain Language Commission accreditation for the revised Charter.

### **Conclusion**

15. We are grateful to the many stakeholders who have participated in the review of the Scottish Social Housing Charter. We have taken account of their views in producing a revised Charter that continues to identify the standards and outcomes that matter to tenants and other customers of social landlords; that are the responsibility of social landlords to deliver; and that can be assessed by the Scottish Housing Regulator.

16. We look forward to the Local Government and Communities Committee scrutiny of the revised Charter before we invite the Scottish Parliament to approve the Charter for the next five years.

**Scottish Government**  
**January 2017**

## **Annex A – Extract from Executive Summary – Main Findings**

### **Impact of the current Charter**

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

Most of those who provided a view considered that the quality of landlord services had improved because of the Charter. They identified six key ways in which the Charter had improved services: better communication between landlords and tenants; landlords more accountable for their service quality; general quality improvements; greater focus on tenant priorities; encouragement of tenant-led scrutiny; and enabling landlords to plan their services more effectively.

### **Reporting of the Charter**

**Question 2: Does the way the Charter is reported on help you judge whether landlords are meeting the Charter outcomes and standards?**

Around half of those who provided a view considered that the way in which the Charter is reported on helped them to judge whether landlords are meeting the Charter outcomes and standards. A general view amongst them was that the way the Charter is reported enabled comparisons to be made across landlords, and provided landlords and tenants with the information required to challenge poor performance and identify areas for improvement.

### **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**

Most of those providing a view considered that this outcome should remain unchanged. The outcome was perceived as being clear, explicit and easy to understand by landlords and tenants alike. Suggestions were made for additional characteristics to be added to the supporting narrative: location; mental health; mental and physical ability; looked-after children and care-leavers; pregnancy and maternity; and minority groups.

### **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.**

Most of those providing a view considered that this outcome should remain unchanged. Whilst the vast majority of Registered Social Landlords (RSLs) and their representative bodies and most local authorities were in favour of keeping the outcome, Tenants' and Residents' Groups and their representative bodies (TRGs) were relatively mixed in view.

Some respondents felt that was that the outcome as currently framed is too open and enables too much lee-way in interpretation; others considered that the supporting narrative should convey more explicitly what they felt was the importance of this outcome.

### **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 decision at a level they feel comfortable with.**

Around half of those providing a view considered that this outcome should remain unchanged. The majority of RSLs and local authorities were in favour of keeping the outcome unchanged; most of the TRGs recommended amending it.

The outcome was perceived by many to be clear and straightforward, working well and expressing commitment to participation without being overly prescriptive. Other, however, viewed the outcome as lacking in clarity over what constitutes "participation", and its relationship with "engagement" and "involvement". Some felt that the wording may raise tenants' expectations unduly as to the level of influence they could exert.

### **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.**

Just over half of those providing a view considered the standard should be changed. Most, however, did so on the basis that the standard should be revised to reflect the introduction of the Energy Efficiency Standard for Social Housing (EESH), rather than requesting broader changes. Several respondents highlighted that the reference to April 2015 for meeting the Scottish Housing Quality Standard (SHQS) should be updated along with the supporting narrative to reflect the current position regarding SHQS and EESH.

## **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.**

Most of those providing a view considered that this outcome should remain unchanged. TRGs and local authorities in particular were supportive of the Charter outcome remaining as it is; RSLs had more mixed views.

Those in favour of keeping the outcome unchanged considered that it worked well and reflected a reasonable approach to giving tenants what they wanted. A prevailing theme amongst those recommending change was that tenants should be encouraged to be more pro-active in highlighting when preventative maintenance work should be done. Another recurring view was that the outcome should incorporate an aspect of customer satisfaction with the quality of service received.

## **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.**

Views were mixed on whether this outcome should be amended. There were differences in view between categories of respondent, with most of the RSLs in favour of change but other categories being more evenly balanced in view.

Whilst some respondents welcomed what they perceived to be the outcome's emphasis on partnership working, others considered that the outcome does not acknowledge the inter-reliance on different partners and the influence this has on landlords achieving the outcome.

## **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.**

Most of those providing a view considered that these outcomes should remain unchanged. They were perceived to be clear, easy to understand, and explained concisely a social landlord's responsibility.

Several respondents considered that there may be a better way of grouping the outcomes. Some respondents called for grouping them with outcome 10 on access to housing; others advocated combining them into one overarching outcome.

### **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.**

Most of those providing a view considered that this outcome should remain unchanged. The outcome was seen by many to represent common sense, be straightforward, concise, easy to understand and it appeared to be working in practice.

A recurring view was that the outcome could be broadened to provide an approach to empowering people looking for housing, by giving them full information on allocations and prospects of being housed. Another theme was that landlords should broaden the options for people seeking housing to include housing offered by other landlords, in order to find the most suitable housing in each case.

### **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.**

Most of those providing a view considered that this outcome should remain unchanged. Whilst most of the TRGs and local authorities were in favour of keeping the outcome as it is, only four out of 12 RSLs providing a view recommended keeping the outcome unchanged.

The most common issue raised, particularly amongst RSLs, was that they operate in a wider context of policy and they are not able to “ensure” suitable support is available as this may be out of their control.

### **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.**

Most of those providing a view considered that this outcome should remain unchanged. The outcome was perceived to be relevant, clear, concise and easy to understand.

Amongst those suggesting change, a few thought that the outcome should not be limited to the statutory duties of councils, but be broadened to reflect the role all social landlords play in helping homeless households access permanent accommodation.

### **Value for money (Charter standard 13)**

**Social landlords manage all aspects of their business so that tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.**

Most of those providing a view considered that this standard should remain unchanged. Whereas most of the TRGs perceived the standard to be acceptable as it is, less than half of RSLs agreed.

The standard was viewed by many to be straightforward and clear, reflect what social landlords and tenants want, and provide encouragement to landlords to be innovative. One recurring view was that achieving “continual improvement” is impossible and reference to this may raise tenants’ expectations unduly.

The most common suggestion relating to the supporting narrative was that it should include reference to tenants in their role in contributing to decisions on value for money.

### **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.**

Just over half of those providing a view considered that these outcomes should remain unchanged. The issue of rents and services charges was perceived as being very important with these outcomes seen as detailed and clear.

Several TRGs, however, felt that landlords were not involving tenants sufficiently in consultation on rents and service charges in a meaningful way.

### **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.**

Just over half of those who provided a view considered that this outcome should remain unchanged. Several respondents, however, questioned the need for this outcome, recommending that instead of standing alone, it should be incorporated into the outcome on equalities or simply addressed across all outcomes.