

**REPORT TO:** Audit and Governance Committee

**MEETING DATE:** 20 September 2022

**BY:** Executive Director for Place

**SUBJECT:** Housing Annual Assurance Statement

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## **1 PURPOSE**

- 1.1 To remind the Audit and Governance Committee of the Scottish Housing Regulator's regulatory framework and in particular, the requirement for East Lothian Council to produce an Annual Assurance Statement, which requires to be signed off by the Senior Internal Auditor on behalf of the Council.
- 1.2 To obtain approval for East Lothian Council's Annual Assurance Statement as laid out in Appendix 1.

## **2 RECOMMENDATIONS**

- 2.1 That Audit and Governance Committee notes the regulatory framework and the requirement for the Senior Internal Auditor to sign-off the Annual Assurance Statement (AAS) on behalf of the Council.
- 2.2 That Audit and Governance Committee note that the regulatory framework requires the submission of the AAS no later than the 31<sup>st</sup> October 2022. The AAS should highlight any areas of non-compliance that relate specifically to the impact of the Covid-19 pandemic.
- 2.3 That Audit and Governance Committee approves the Annual Assurance Statement as detailed in Appendix 1 noting that East Lothian Council was partially compliant with the regulatory requirements for the financial year 2021/22 and was partially compliant for the first quarter of 2022/23. Areas of partial compliance are in relation to gas safety inspections, reporting against all the protected characteristic groups, interlinked fire alarms and electrical safety inspections and meeting the requirements of The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020.

### **3 BACKGROUND**

- 3.1 In 2019, the Scottish Housing Regulator (SHR) revised its regulatory framework following extensive consultation with social landlords, tenants and stakeholders. A summary of the framework is attached at Appendix 3.
- 3.2 This places a requirement on all social landlords to normally submit an Annual Assurance Statement to the SHR by the end of October each year. This statement must either confirm the relevant committee is assured that the landlord is complying with all regulatory requirements and standards or alternatively highlight any areas of material non-compliance and how the landlord will address these.
- 3.3 In many respects the process for gathering evidence to ensure the committee has the necessary level of assurance it needs to sign the statement is more important than the statement itself. Appendix 4 highlights key evidence of where the Council demonstrates compliance with the new regulatory framework.
- 3.4 East Lothian Council has existing scrutiny and performance structures in place to ensure the ongoing review of performance and service delivery. These processes are subject to continuous review and improvement. The Annual Assurance Statement is reviewed by Internal Audit and the findings from Internal Audit's assurance work are detailed in Appendix 2.
- 3.5 It is important to note that the Council also has various arrangements in place to support its governance, finance and controls environment, which are the subject of other regular reports to Audit and Governance.
- 3.6 It is also important to note that the Council's housing services are delivered across various teams in the Council (Community Housing, Property Maintenance, Revenues and Engineering Services being the main ones). In this regard the Community Housing Service has taken a lead and developed quarterly and annual assurance checklists, which all areas of housing service delivery will be asked to sign-off on at service manager level. These checklists once signed will be passed to the Service Manager – Community Housing to check for completeness.
- 3.7 In addition, the Scottish Social Charter and Performance Group will consider evidence gathered from these service areas. In the event of material partial or non-compliance, this group will consider action plans and monitor progress to ensure full compliance. This group comprises staff across the range of these service areas as well as members of East Lothian Tenants and Residents Panel.
- 3.8 The Service Manager – Community Housing will prepare the Annual Assurance Statement with a summary report for Audit and Governance Committee each year for approval before the deadline of 31<sup>st</sup> October.

- 3.9 Relevant managers across the Housing teams are expected to be aware of the regulatory requirements and impacts of non-compliance and immediately advise the Service Manager – Community Housing of any such instances. The SHR has not provided a prescriptive list of material non-compliance examples but it is felt these would be in the areas of Health and Safety breaches reported to the Health and Safety Executive, Data Protection breaches reported to the Information Commissioner's Office, Care Inspectorate or Scottish Social Services Commission interventions or regulatory failures.
- 3.10 Full compliance has not been achieved in the area of gas safety checks. The legal requirement is that the landlord must conduct a gas safety check within 12 months of the previous one. Due to a combination of tenants and engineers testing positive for Covid-19, out of time cases totalled 129 in 2021/22. Covid-19 issues are reducing and as at 9 August 2022 there were only 19 properties out of time. All of these were rescheduled and inspections arranged.
- 3.11 In dealing with the pandemic, both operationally and in developing new ways of working, the Council has been unable to fully advance work around the data capture and reporting against all of the protected characteristic groups under the new regulatory framework. Final guidance on "Collecting equality information: National guidance for Scottish social landlords" was only produced in March 2022, which the service area is currently reviewing. Revisions are being made to the housing application form and the current Housing Management IT system, noting that a new IT system is also being implemented, which will have the ability to collect and hold all required data.
- 3.12 New legislation required all homes in Scotland to have interlinked fire/heat alarms by February 2022 and full electrical safety checks by March 2022. The Council has been undertaking significant work to meet these target dates, however due to the impact of Covid-19 on contractor resourcing, material supply chain issues and high inaccessibility rates, the Council is not yet fully compliant. A letter has been sent to all tenants highlighting the importance of allowing access and staff are continuing to engage with tenants to gain access to such properties, with a particular focus on those properties deemed to be at higher risk. The moratorium on forced entry has been lifted and work is ongoing to develop processes and procedures to allow forced access to be restarted.
- 3.13 The Homeless Person's (Unsuitable Accommodation Order) came into effect on 1<sup>st</sup> October 2021 and from this date the Council was not able to meet its statutory obligations in respect of temporary accommodation provision and remains in breach of the order. The Scottish Government are fully aware of the challenges faced by the Council and there is ongoing and proactive engagement in this regard. The Council has prepared an action plan for submission to the Scottish Government and COSLA, alongside submitting quarterly/monthly RAG status data as part of the Early Warning System as required. The plan and subsequent updates

have contributed to establishing an evidence base around key challenges, steps taken towards compliance and demonstrate positive progress where appropriate. The action plan has been shared with the Scottish Housing Regulator. The Council has also taken cognisance of the Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment (No. 3) Order 2021, which provides further clarity on the extended Order and takes effect from the 1<sup>st</sup> December 2021.

- 3.14 The SHR expectation is that the Annual Assurance Statement is brief confirming compliance or otherwise. In the event of material non-compliance a statement of how this will be addressed must be included.
- 3.15 The statement when signed should be made available to tenants and service users.
- 3.16 In April each year the SHR publishes an engagement plan for each landlord. This is informed by the Annual Return on the Charter (ARC), Scottish Government homeless statistics, previous engagement with the landlord and the new Annual Assurance Statement going forward. East Lothian Council's current engagement plan can be found at: [Engagement plan from 31 March 2022 to 31 March 2023 | Scottish Housing Regulator](#)

#### **4. POLICY IMPLICATIONS**

- 4.1 The new regulatory framework, and in particular the requirement to produce an Annual Assurance Statement will give tenants, service users and stakeholders greater confidence in the delivery of the Council's Housing Services.

#### **5. INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified. The Council already collects data on most of the protected characteristics of existing tenants, new tenants and housing list applicants, which in turn informs housing policy and service delivery notwithstanding the requirement to capture information on all of the protected characteristic groups in line with recently produced SHR guidance with the required development work underway. The IIA will be published on the Council's website and a link to the paper will be circulated to Members in due course.

#### **6. RESOURCE IMPLICATIONS**

- 6.1 Financial – None
- 6.2 Personnel - None
- 6.3 Other - None

## **7 BACKGROUND PAPERS**

- 7.1 Appendix 1 – Annual Assurance Statement
- 7.2 Appendix 2 – Internal Audit Annual Assurance Report
- 7.3 Appendix 3 – Summary requirements for Local Authorities and RSLs
- 7.3 Appendix 4 – Evidence List

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|----------------------|------------------------------|
| <b>AUTHOR'S NAME</b> | Douglas Proudfoot            |
| <b>DESIGNATION</b>   | Executive Director for Place |
| <b>CONTACT INFO</b>  | James Coutts 07770 653162    |
| <b>DATE</b>          | 8 September 2022             |



## **Appendix 1**

Scottish Housing Regulator  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

Date: 22<sup>rd</sup> September 2022

Dear Sir/Madam,

### **East Lothian Council – Annual Assurance Statement**

Subject to the areas detailed below, we can confirm that the Council complies with the regulatory requirements set out in Chapter 3 of the Regulatory Framework. This includes that we:

- ❖ Achieve all of the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services.
- ❖ Comply with our legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.

The following areas are highlighted:

#### **Annual Gas Safety Inspections**

Due to tenants and engineers testing positive for COVID-19, 129 properties (1.5% of the total) did not get inspected within the annual period between 1 April 2021 and the 31 March 2022. COVID-19 issues are reducing and at the 9 August 2022 there were currently 19 properties with inspections not completed in the appropriate time. All properties are having appointments rescheduled and inspections will be undertaken as soon as possible.

#### **Reporting against all the protected characteristic groupings**

We do not currently collect and hold data for all of the protected characteristics specified by the Equality Act 2010. In dealing with the Covid-19 pandemic, both operationally and in developing new ways of working, the Council had been unable to advance work around the data capture and reporting against all of the protected characteristic groups under the new regulatory framework. Final guidance on “Collecting equality information: National guidance for Scottish social landlords” was produced in March 2022, which the service area is currently reviewing, and the Council is currently implementing a new Housing System, which will have the ability to collect and hold all required data.

#### **Interlinked Fire Alarms and Electrical Safety Inspections**

New legislation required all homes in Scotland to have interlinked fire/heat alarms by February 2022 and full electrical safety checks by March 2022. The Council has been undertaking significant work to meet these target dates, however due to the impact of Covid-19 on contractor resourcing, material supply chain issues and high inaccessibility rates, the Council is not yet fully compliant. A letter has been sent to all tenants highlighting the importance of allowing access and staff are continuing to engage with tenants to gain access to such properties, with a particular focus on those properties deemed to be at higher risk. The moratorium on forced entry has been lifted and work is ongoing to

develop a management arrangement and accompanying procedures to allow forced access to be restarted. At 12 August 2022 a total of 531 properties (6%) had not yet had interlinked fire/heat alarms fitted and 1,794 properties (20%) had not yet had full electrical safety checks completed, from a total housing stock of 9,048.

#### The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020

The Order came into effect on 1 October 2021 and from this date the Council was not able to meet its statutory obligations in respect of temporary accommodation provision and was in breach of the Order. The Scottish Government are fully aware of the challenges faced by East Lothian Council and there is ongoing and proactive engagement in this regard. The Council has prepared an action plan for submission to the Scottish Government and COSLA, alongside submitting quarterly / monthly RAG status data as part of the Early Warning System as required. The plan and subsequent updates have contributed to establishing an evidence base around key challenges, steps taken towards compliance and demonstrate positive progress where appropriate. The action plan has been shared with the Scottish Housing Regulator. The Council has also taken cognisance of the Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order (No. 3) Order 2021, which provides further clarity on the extended Order and came into effect on 1 December 2021. For the period between 1 October 2021 and 31 July 2022 540 new homeless cases had been opened and 134 breaches of the Unsuitable Accommodation Order had been reported.

#### General

Although other services were restricted because of the Scottish Government's response to the Covid-19 pandemic, we do not view these restrictions to be in breach of the regulatory framework.

We confirm that we have seen and considered appropriate evidence to support the level of assurance.

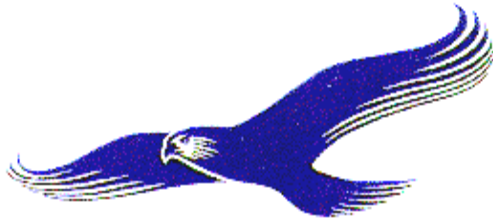
We approved our Annual Assurance Statement at our Audit and Governance Committee on 20 September 2022.

I sign this statement on behalf of East Lothian Council's Audit and Governance Committee.

Yours sincerely

Duncan Stainbank  
Service Manager – Internal Audit





## Appendix 2

### East Lothian Council Internal Audit Assurance Report

|       |   |
|-------|---|
| From: | Duncan Stainbank, Service Manager – Internal Audit<br>Peter Moore, Senior Auditor   |
| To:   | Douglas Proudfoot, Executive Director for Place<br>Wendy McGuire, Head of Housing<br>James Coutts, Service Manager – Community Housing and Homelessness |
| Date: | 08 September 2022   |

#### **SHR Annual Assurance Statement**

##### **1. Background**

The Council is required to provide the Scottish Housing Regulator (SHR) with an Annual Assurance Statement (AAS) to confirm its compliance with the regulatory requirements set out in Chapter 3 of the SHR's Regulatory Framework. This includes that the Council:

- achieves all of the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services; and
- complies with all legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.

This is the fourth year that the Council has been required to prepare an Annual Assurance Statement and submit it to the SHR. We note that on 31 August 2020, the SHR made further adjustments to its regulatory approach in response to Covid-19, including allowing landlords more time to complete their Annual Assurance Statement by extending the deadline from October 2020 to November 2020. The SHR also published new advice for landlords on completing Annual Assurance Statements and noted that the landlord should "have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services. Covid-19 has had a profound effect upon landlords' ability to meet its legal obligations across a range of activities. Where a landlord is unable to meet a legal obligation, the landlord should note the non-compliance and specify whether the failure to comply is due to Covid-19 or not. Where the landlord judges the non-compliance to be material it should be specifically disclosed in the AAS." We note that the deadline for submission for the Annual Assurance Statement reverted back to 31 October from last year and that the deadline for submission of this year's report is 31 October 2022.

The scope of the audit is to obtain, review and consider the adequacy of the evidence available to support the Council's compliance with the regulatory requirements set out in Chapter 3 of the SHR's Regulatory Framework. The audit covers compliance with the following five areas of regulatory compliance as set out in Chapter 3:

- Assurance and Notification – the Council is required to prepare an Annual Assurance Statement, submit it to the SHR and make it available to tenants and other service users; have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights and tenant and resident safety; notify the SHR of any tenant and resident safety matters; and make its Engagement Plan easily available and accessible to its tenants and service users;
- Scottish Social Housing Charter Performance – the Council is required to report its performance in achieving or progressing towards the Charter outcomes and standards;
- Tenants and Service Users Redress – the Council provides tenants and other service users with the information they need to exercise their right to complain and seek redress;
- Whistleblowing – the Council has effective arrangements and a policy for whistleblowing by staff and elected members, which it makes easily available and which it promotes;
- Equality and Human Rights – there is assurance and evidence that the Council considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies and in its day-to-day service delivery.

## 2. Findings

### 2.1 Assurance and Notification

Key findings are:

- The Council prepares an Annual Assurance Statement, which it submits to the SHR and makes available to tenants and service users.
- The service area has introduced a quarterly Assurance and Notification Self-Assessment Checklist, which requires to be signed off by appropriate managers/representatives and is included as part of the evidence gathering regarding regulatory compliance. Three areas of non-compliance have been highlighted:
  - Annual Gas Safety Inspections – 129 properties (1.5% of the total) did not get inspected within the annual period between 1 April 2021 and the 31 March 2022, with rescheduling due to tenants and engineers testing positive for COVID-19 particularly high in the period January to March 2022. COVID-19 issues are reducing and at the 9 August 2022 there were currently 19 properties with inspections not completed in the appropriate time. All properties are having appointments rescheduled and inspections will be undertaken as soon as possible.
  - Interlinked Fire Alarms and Electrical Safety Inspections – New legislation required all homes in Scotland to have interlinked fire/heat alarms by February 2022 and full electrical safety checks by March 2022. The Council has been undertaking significant work to meet these target dates, however due to the impact of Covid-19 on contractor resourcing, material supply chain issues and high inaccessibility rates, the Council is not yet fully compliant. A letter has been sent to all tenants highlighting the importance of allowing access and staff are continuing to engage with tenants to gain access to such properties, with a particular focus on those properties deemed to be at higher risk. The moratorium on forced entry has been lifted and work is ongoing to develop a management arrangement and accompanying procedures to allow forced access to be restarted. At 12 August 2022 a total of 531 properties (6%) had not yet had interlinked fire/heat alarms fitted and 1,794 properties (20%) had not yet had full electrical safety checks completed, from a total housing stock of 9,048.
  - The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020 came into effect on 1 October 2021 and from this date the Council was not able to meet its statutory obligations in respect of temporary accommodation provision and was in breach of the

Order. The Scottish Government are fully aware of the challenges faced by East Lothian Council and there is ongoing and proactive engagement in this regard. The Council has prepared an action plan for submission to the Scottish Government and COSLA, alongside submitting quarterly / monthly RAG status data as part of the Early Warning System as required. The plan and subsequent updates have contributed to establishing an evidence base around key challenges, steps taken towards compliance and demonstrate positive progress where appropriate. The action plan has been shared with the Scottish Housing Regulator. The Council has also taken cognisance of the Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order (No. 3) Order 2021, which provides further clarity on the extended Order and came into effect on 1 December 2021. For the period between 1 October 2021 and 31 July 2022 540 new homeless cases had been opened and 134 (25%) breaches of the Unsuitable Accommodation Order had been reported.

- Confirmation was sought from the Council's Health & Safety Adviser and Insurance Officer and we were advised that they do not have a record of any HSE investigations relating to tenant or resident safety, nor have the Council had any notification from our insurers of any concerns.
- The SHR's Engagement Plan for East Lothian Council can be accessed on the Council's website.

## **2.2 Scottish Social Housing Charter Performance**

Key findings are:

- The Council submitted the 2021/22 Annual Return on the Charter to the SHR on 31 May 2022 and the Council has involved tenants, and where relevant other service users, in the preparation and scrutiny of performance information through the East Lothian Tenants and Residents Panel (ELTRP), the umbrella organisation for tenants and residents in East Lothian.
- The deadline for landlords to report to their tenants and service users on their performance against the Scottish Social Housing Charter is 31 October 2022. We are advised that the draft of the Landlord Report to Tenants 2021/22, providing information on the performance of the Council as a housing provider has recently been consulted on. The responses from the consultation with stakeholders was due by 26 August 2022 and that the final report will be published prior to the October 2021 deadline.
- The 2020-23 Tenant Participation Strategy was approved by Cabinet on 10 November 2020.

## **2.3 Tenants and Service Users Redress**

Key findings are:

- The Council provides tenants and other service users with the information they need to exercise their right to complain and seek redress, and responds to tenants within the timescales outlined in its service standards, in accordance with guidance from the Scottish Public Services Ombudsman (SPSO).
- Full details of the Council's Complaints Procedure are provided on the Council's website including the online Complaints, Compliments and Comments form; a link to the pages providing full details of the Council's Complaints Handling Procedure; advice on what to do if the person making the complaint remains dissatisfied with how the Council has handled their complaint; links to the SPSO and SHR; and details of the Council's complaints performance.

## **2.4 Whistleblowing**

Key findings are:

- The Council has a Whistleblowing Policy in place, which is available to employees in the Human Resources section of the Council’s intranet. The Policy has recently been refreshed and the updated Whistleblowing Policy will be presented to Cabinet on 13 September 2022 for approval.
- A dedicated whistleblowing hotline and whistleblowing email address are both in place.

## **2.5 Equality and Human Rights**

Key findings are:

- The Council has a detailed “East Lothian Equality Plan 2021-2025” in place, dated November 2021.
- All Council, Cabinet and Committee reports require an Integrated Impact Assessment to be carried out if the subject of the report affects the wellbeing of the community or has a significant impact on equality, the environment or economy.
- The SHR states that to comply with its duties in respect of equality and human rights “landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. Local authorities must also collect data on protected characteristics for people who apply to them as homeless. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these service users.” The nine protected characteristics, as per the Equality Act 2010, are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We note that the Community Housing and Homelessness section do hold some relevant data, however they do not currently collect and hold data for all of the protected characteristics detailed in the legislation.
- We are advised by the service area that in dealing with the Covid-19 pandemic, both operationally and in developing new ways of working, the Council had been unable to advance work around the data capture and reporting against all of the protected characteristic groups under the new regulatory framework. Final guidance on “Collecting equality information: National guidance for Scottish social landlords” was produced in March 2022, which the service area is currently reviewing, and the Council is currently implementing a new Housing System, which will have the ability to collect and hold all required data.

## **3. Conclusions**

3.1 Subject to the exceptions detailed in paragraph 3.2 below, we can confirm that the Council complies with the regulatory requirements set out in Chapter 3 of the Regulatory Framework. This includes that the Council:

- achieves all of the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services;
- complies with all legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.

3.2 The areas of non-compliance that require to be highlighted in the Annual Assurance Statement are:

- Annual Gas Safety Inspections 129 properties (1.5% of the total) did not get inspected within the annual period between 1 April 2021 and the 31 March 2022, with rescheduling due to tenants and engineers testing positive for COVID-19 particularly high in the period January to March 2022. COVID-19 issues are reducing and at the 9 August 2022 there were currently 19

properties with inspections not completed in the appropriate time. All properties are having appointments rescheduled and inspections will be undertaken as soon as possible.

- Reporting against all the protected characteristic groupings – we do not currently collect and hold data for all of the protected characteristics specified by the Equality Act 2010. In dealing with the Covid-19 pandemic, both operationally and in developing new ways of working, the Council had been unable to advance work around the data capture and reporting against all of the protected characteristic groups under the new regulatory framework. Final guidance on “Collecting equality information: National guidance for Scottish social landlords” was produced in March 2022, which the service area is currently reviewing, and the Council is currently implementing a new Housing System, which will have the ability to collect and hold all required data.
- Interlinked Fire Alarms and Electrical Safety Inspections – new legislation required all homes in Scotland to have interlinked fire alarms by February 2022 and full electrical safety checks by March 2022. The Council has been undertaking significant work to meet these target dates, however due to the impact of Covid-19 on contractor resourcing, material supply chain issues and high inaccessibility rates, the Council is not yet fully compliant. A letter has been sent to all tenants highlighting the importance of allowing access and staff are continuing to engage with tenants to gain access to such properties, with a particular focus on those properties deemed to be at higher risk. The moratorium on forced entry has been lifted and work is ongoing to develop a management arrangement and accompanying procedures to allow forced access to be restarted.
- The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020 came into effect on 1 October 2021 and from this date the Council was not able to meet its statutory obligations in respect of temporary accommodation provision and was in breach of the Order. The Scottish Government are fully aware of the challenges faced by East Lothian Council and there is ongoing and proactive engagement in this regard. The Council has prepared an action plan for submission to the Scottish Government and COSLA, alongside submitting quarterly / monthly RAG status data as part of the Early Warning System as required. The plan and subsequent updates have contributed to establishing an evidence base around key challenges, steps taken towards compliance and demonstrate positive progress where appropriate. The action plan has been shared with the Scottish Housing Regulator. The Council has also taken cognisance of the Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order (No. 3) Order 2021, which provides further clarity on the extended Order and came into effect on 1 December 2021

# REQUIREMENTS FOR LOCAL AUTHORITIES AND RSLs

EACH LANDLORD MUST:

## ASSURANCE & NOTIFICATION

- ✓ Prepare an Annual Assurance Statement in accordance with our [published guidance](#), submit it to us between April and the end of October each year, and make it available to tenants and other service users.
- ✓ Notify us during the year of any material changes to the assurance in its Assurance Statement.
- ✓ Have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.
- ✓ Notify us of any tenant and resident safety matters which have been reported to, or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.
- ✓ Make its Engagement Plan easily available and accessible to its tenants and service users, including online.
- ✓ Register all requirements for providing data to us with the Information Commissioner's Office as a purpose for which they are acquiring data under the Data Protection Act 2018.

## SCOTTISH SOCIAL HOUSING CHARTER PERFORMANCE

- ✓ Submit an Annual Return on the Charter to us each year in accordance with our [published guidance](#).
- ✓ Involve tenants, and where relevant other service users, in the preparation and scrutiny of performance information. It must:
  - agree its approach with tenants
  - ensure that it is effective and meaningful – that the chosen approach gives tenants a real and demonstrable say in the assessment of performance
  - publicise the approach to tenants
  - ensure that it can be verified and be able to show that the agreed approach to involving tenants has happened
  - involve other service users in an appropriate way, having asked and had regard to their needs and wishes.
- ✓ Report its performance in achieving or progressing towards the Charter outcomes and standards to its tenants and other service users (no later than October each year). It must agree the format of performance reporting with tenants, ensuring that it is accessible for tenants and other service users, with plain and jargon-free language.

## SCOTTISH SOCIAL HOUSING CHARTER PERFORMANCE (CONTINUED)

- ✓ When reporting its performance to tenants and other service users it must:
  - provide them with an assessment of performance in delivering each of the Charter outcomes and standards which are relevant to the landlord
  - include relevant comparisons – these should include comparisons with previous years, with other landlords and with national performance
  - set out how and when the landlord intends to address areas for improvement
  - give tenants and other service users a way to feed back their views on the style and form of the reporting.
- ✓ Make our report on its performance easily available to its tenants, including online.

## WHISTLEBLOWING

- ✓ Have effective arrangements and a policy for whistleblowing by staff and governing body/elected members which it makes easily available and which it promotes.

## TENANTS AND SERVICE USERS REDRESS

- ✓ Make information on reporting significant performance failures, including our [leaflet](#), available to its tenants.
- ✓ Provide tenants and other service users with the information they need to exercise their right to complain and seek redress, and respond to tenants within the timescales outlined in its service standards, in accordance with guidance from the Scottish Public Services Ombudsman (SPSO).
- ✓ Ensure it has effective arrangements to learn from complaints and from other tenant and service user feedback, in accordance with SPSO guidance.

## EQUALITY AND HUMAN RIGHTS

- ✓ Have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery.
- ✓ To comply with these duties, landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. Local authorities must also collect data on protected characteristics for people who apply to them as homeless. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these service users.

## AAS 2022 - EVIDENCE LIST

- Submission of the Annual Return of the Charter (ARC) and Energy Efficiency Standards for Social Housing (EESH) reports each year to the Scottish Housing Regulator (SHR)
- Production of an Annual Landlord Report based on the ARC return in conjunction with the East Lothian Tenants and Residents Panel (ELTRP)
- Statutory returns to the Scottish Government
- Non-statutory benchmarking exercises with Scottish Housing Network
- Regular internal performance monitoring and reporting of key indicators to PPRC
- Regular transactional customer surveys and three yearly comprehensive tenant satisfaction survey
- Complaints monitoring and handling
- Regular reviews of housing policies and procedures in tandem with ELTRP, including integrated impact assessments where appropriate
- Social Housing Charter project group
- Financial monitoring and reporting
- HRA project board
- Adherence to Council Standing Orders
- Care Inspectorate reviews and reports
- Internal and external audit reviews and reports
- Management of public protection matters through the MAPPA process
- Detailed process mapping and procedures within all parts of the Service
- Formalised committee reporting cycles and submission of relevant reports
- Production of our Strategic Housing Investment Plan (SHIP)
- Regular contractor review meetings
- Compliance with procurement legislation and policies
- Business Continuity Plans
- Development Risk Register
- Service Plans
- Data Protection/GDPR reporting and monitoring framework in place
- Tenant Participation Strategy, including Tenant scrutiny framework
- Quarterly and Annual Assurance checklists
- Rapid Rehousing Transition Plan 2019-24
- Spheracloud Health and Safety incident reporting and risk assessments
- SHR Engagement Plan publically available
- Information on reporting Significant Performance Failures to SHR publically available
- Data collection of protected characteristics (partial)