

REPORT TO: **AUDIT & GOVERNANCE
COMMITTEE**

MEETING DATE: **17 September 2024**

BY: **Executive Director for Place**

SUBJECT: **Housing Annual Assurance Statement**

1 PURPOSE

- 1.1 To advise 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 31st October 2024.
- 2.2 That Audit and Governance 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 2023/24 and partially compliant for the first quarter of 2024/25. Areas of partial compliance are in relation to lead water pipe programme (due to non-access), interlinked fire alarms (one property) 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 Asset 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 31st 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 The Council has determined that it has partially complied with the regulatory framework for the 2023/34 year and for the first quarter of 2024/25. The following paragraphs highlight the areas of partial compliance.
- 3.11 The Council's Lead Pipe Water Programme involves testing the water supply in Council houses for lead content, and enacting replacement of supply pipes where required. We recently established several more recently purchased open market acquisition properties had been missed. A programme was mobilised to address these, and we are all but complete, but there remain 61 properties where we have been unable to gain access. For each of these properties, tenants have been sent at least two access letters (followed up by actual visits), and housing officers have also sought to engage with their tenants but without success. Following some very recent advice from our Legal colleagues, we are in the process of re-engaging with tenants before issuing formal 24-hour notice letters advising we intend to force entry to complete the sampling / tests.
- 3.12 New legislation required all homes in Scotland to have interlinked fire/heat alarms by February 2022. The Council has one property without adequate fire detection provision (SHQS elements 11A and 11B). This represents a very complex case, and Property Maintenance continue to work with relevant internal colleagues (including Legal), the Police and the tenants to have the necessary work undertaken.
- 3.13 The Council continues to be in breach of the Homeless Persons (Unsuitable Accommodation Order), which it regularly reports to the Scottish Government on a monthly basis. The Council continues to work hard to mitigate these breaches as well as respond to homeless pressure generally through new supply, high numbers of allocations to homeless households, conversion of temporary accommodation to permanent accommodation, the use of shared tenancies etc. amongst a range of other initiatives. However, demand continues to outstrip supply and this pressure necessitates the need to source additional accommodation out with the framework, which will often not meet the requirements of the order. Further actions are being proposed, which are the subject of a report to Cabinet in relation to a revised Homelessness Action Plan.
- 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 1 April 2024 to 31 March 2025 | 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 does not affect the wellbeing of the community or have significant impact on equality, the environment or economy. 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.

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
- 7.4 Appendix 4 – Evidence List
- 7.5 Cabinet Report – Homelessness Action Plan – September 2024
- 7.6 Link to SHR web-pages on the Regulatory Framework: [Regulatory Framework | Scottish Housing Regulator](#)

AUTHOR'S NAME	Wendy McGuire
DESIGNATION	Head of Housing
CONTACT INFO	James Coutts 07770 653162
DATE	September 2024

Scottish Housing Regulator
5th Floor
220 High Street
Glasgow
G4 0QW

Appendix 1

Date: XX September 2024

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:

Lead Pipe Water Programme

The Council's Lead Pipe Water Programme involves testing the water supply in Council houses for lead content, and enacting replacement of supply pipes where required. We recently established several more newly purchased open market acquisition properties had been missed. A programme was mobilised to address these, and we are all but complete, but there remain 61 properties where we have been unable to gain access. For each of these properties, tenants have been sent at least two access letters (followed up by actual visits), and housing officers have also sought to engage with their tenants but without success. Following some very recent advice from our Legal colleagues, we are in the process of re-engaging with tenants before issuing formal 24-hour notice letters advising we intend to force entry to complete the sampling / tests.

Interlinked Fire Alarms

The Council has one property without adequate fire detection provision (SHQS elements 11A & 11B). This represents a very complex case, and Property Maintenance continue to work with relevant internal colleagues (including Legal), the Police and the tenants to have the necessary works undertaken.

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

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 suitable temporary accommodation provision and was in breach of the Order. In addition, the Homeless Persons (Suspension of Referrals between Local Authorities) (Scotland) Order 2022 changed the rules on local connection in November 2022 meaning local authorities no longer had the power to refer an applicant to another local authority on the basis of their local connection status. It is in regard to both of these legislative changes that East Lothian Council face challenges regarding the provision of suitable temporary accommodation. The SHR's Engagement Plan in place for East Lothian Council focuses on the Council's provision of temporary accommodation to homeless households and

compliance with the Unsuitable Accommodation Order. The Council continues to work hard to mitigate these breaches through new supply, high numbers of allocations to homeless households, conversion of temporary accommodation to permanent housing, the use of shared tenancies etc. However, demand from predominately single homeless households (over 93% of live breaches are from single homeless households) continues to outstrip supply and this pressure necessitates the need to source additional accommodation out with the framework, which will often breach the order. For the period between 01 April 2023 and 31 March 2024, 810 new homeless cases had been opened and 149 breaches of the Unsuitable Accommodation Order were reported. Actions are ongoing to reduce existing breaches and minimise future breaches of the Unsuitable Accommodation Order.

General

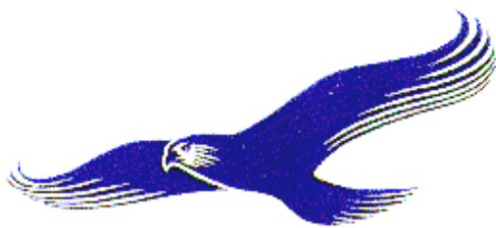
We confirm that we have seen and considered appropriate evidence to support the level of assurance.

We approved our Annual Assurance Statement at our Audit and Governance Committee meeting on 17 September 2024.

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 Stuart Allan, Senior Auditor
To:	Lesley Brown, Executive Director for Education & Children’s Services Wendy McGuire, Head of Housing James Coutts, Service Manager – Community Housing and Homelessness
Date:	04 September 2024

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.

The deadline for submission of this year’s Annual Assurance Statement to the Scottish Housing Regulator (SHR) is 31 October 2024.

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/officers and is included as part of the evidence gathering regarding regulatory compliance. The following areas are highlighted:
 - Annual Gas Safety Inspections – at the year end, all properties were fully compliant with Gas Safety Regulations.
 - 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 continued to dedicate increased resource and spend to the respective fire and electrical safety programmes. At the end of 2022/23, the council had 84 non-compliant properties in respect of fire safety (SHQS elements 11A & 11B) and 155 non-compliant properties for electrical installation inspections known as EICRs (SHQS element 45). These non-compliant properties represented the council’s most challenging stock both in terms of tenancy management and/or technical issues i.e. illegally bypassed meters, no incoming earth, no power in quantum, hoarders etc. Over the last year, the wider housing division worked alongside social workers, Police Scotland and SPEN to complete the necessary works. At 2023/24 year-end, all properties were fully compliant in respect of EICRs. The Council’s access procedure for EICRs now aligns to that of the well-established gas safety programme, which will ensure no new properties fall out of time. The Council do however still have one property without adequate fire detection provision (SHQS elements 11A & 11B). This represents a very complex case, and Property Maintenance continue to work with relevant internal colleagues (including Legal), the Police and the tenants to have the necessary works undertaken.
 - 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 suitable temporary accommodation provision and was in breach of the Order. In addition, the Homeless Persons (Suspension of Referrals between Local Authorities) (Scotland) Order 2022 changed the rules on local connection in November 2022 meaning local authorities no longer had the power to refer an applicant to another local authority on the basis of their local connection status. It is in regard to both of these legislative changes that East Lothian Council face challenges regarding the provision of suitable temporary accommodation. The SHR’s Engagement Plan in place for East Lothian Council focuses on the Council’s provision of temporary accommodation to homeless households and compliance with the Unsuitable Accommodation Order. The Council continues to work hard to mitigate these breaches through new supply, high numbers of allocations to homeless households, conversion of temporary accommodation to permanent housing, the use of shared tenancies etc. However, demand from predominately single homeless households (over 93% of live breaches are from single homeless households) continues to outstrip supply and this pressure necessitates the need to source additional accommodation out with the framework, which will often breach the order. For the period

between 01 April 2023 and 31 March 2024, 810 new homeless cases had been opened and 149 breaches of the Unsuitable Accommodation Order were reported. Actions are ongoing to reduce existing breaches and minimise future breaches of the Unsuitable Accommodation Order.

- Revised guidance issued by the Scottish Housing Regulator in February 2024 requires the Council to confirm that it meets all duties in relation to tenant resident and safety, including in respect of damp and mould, water safety, lift safety and asbestos. In this regard, the following points are noted:
 - Damp and Mould – as part of our cyclical stock condition survey programme, the Council conducts mould, and damp checks as according to SHQS (element 2) guidance. Further, a cross service working group was established last year to implement the conclusions set out in the joint SHR, ALACHO, SFHA and CIH ‘Putting Safety First’ briefing note. The group oversaw staff training, a revised process in dealing with mould cases (which included a rapid response to mould removal) and the development of a new booklet “Don’t let condensation and mould ruin your home” a guide for tenants on minimising condensation, which has been found to be the cause of mould growth in the majority of cases.
 - Water Safety – the Council’s Lead Pipe Water Programme involves testing the water supply in Council houses for lead content, and enacting replacement of supply pipes where required. This programme was established some years ago; however, we recently established several more newly purchased open market acquisition properties had been missed. A programme was mobilised to address these, and we are all but complete, but there remain 61 properties where we have been unable to gain access. For each of these properties, tenants have been sent at least two access letters (followed up by actual visits), and housing officers have also sought to engage with their tenants but without success. Following some very recent advice from our Legal colleagues, we are in the process of re-engaging with tenants before issuing formal 24-hour notice letters advising we intend to force entry to complete the sampling / tests. This risk is also included and monitored through the housing services risk register. In terms of Legionella, the Council has management arrangements in place, which define responsible persons who are trained accordingly. Housing services are currently developing operating arrangements for the control of Legionella in Council housing, but we anticipate that further guidance from the Regulator is required around the specific measures that should be taken in this area.
 - Lift Safety – the Council has an adequate safety compliance regime in place for lifts in Council housing stock, including communal areas of sheltered complexes.
 - Asbestos – the Council has robust asbestos management arrangements with associated operating procedures, and Housing Services have a comprehensive asbestos register specifically covering all of our housing stock.
- In respect of RAAC (Reinforced Autoclave Aerated Concrete) the Council implemented a clear plan to manage all risks, which has now concluded.
- Confirmation was sought from the Council’s Health & Safety Adviser and Insurance Manager 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 from 01 April 2024 to 31 March 2025 can be accessed via the Council’s website.

2.2 Scottish Social Housing Charter Performance

Key findings are:

- The Council submitted the 2023/24 Annual Return on the Charter to the SHR on 31 May 2024 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 2024. We are advised that a draft of the Landlord Report to Tenants 2023/24 is in place, providing information on the performance of the Council as a housing provider. The Council is currently awaiting Scottish average figures from the SHR and homeless data, both of which should be available very soon, and the final report will be published prior to the 31 October 2024 deadline.
- A 2024-27 Tenant Participation Strategy is in place and was approved by Cabinet on 14 May 2024.

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 was last updated in 2022 and the updated version was approved by Cabinet on 27 September 2022.
- 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." 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 Council previously collected and held data for some, but not all, of the protected characteristics detailed in the legislation. Final guidance on “Collecting equality information: National guidance for Scottish social landlords” was produced in March 2022. A Project for Protected Characteristics was instigated, and significant progress has been made in this regard. The new Housing Application Form, which is available on the Council’s website, now collects data on all nine protected characteristics (with additional sections being added for the six protected characteristics for which data was not previously collected); the nine protected characteristics have been set up on Orchard; and training has been provided to Housing staff on how to complete the new characteristics with the updated applications. In addition, for existing tenants and applicants who were on the waiting list prior to the new Housing Application Form being introduced, Housing Officers are updating records with protected characteristics as they become aware of them. All homeless households are required to complete a housing application covering the nine protected characteristics, and in addition, some of these characteristics are noted on the Council’s homelessness system.

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; and
- 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:

- The Council’s Lead Pipe Water Programme involves testing the water supply in Council houses for lead content, and enacting replacement of supply pipes where required. We recently established several more newly purchased open market acquisition properties had been missed. A programme was mobilised to address these, and we are all but complete, but there remain 61 properties where we have been unable to gain access. For each of these properties, tenants have been sent at least two access letters (followed up by actual visits), and housing officers have also sought to engage with their tenants but without success. Following some very recent advice from our Legal colleagues, we are in the process of re-engaging with tenants before issuing formal 24-hour notice letters advising we intend to force entry to complete the sampling / tests.
- The Council has one property without adequate fire detection provision (SHQS elements 11A & 11B). This represents a very complex case, and Property Maintenance continue to work with relevant internal colleagues (including Legal), the Police and the tenants to have the necessary works undertaken.
- 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 suitable temporary accommodation provision and was in breach of the Order. In addition, the Homeless Persons (Suspension of Referrals between Local Authorities) (Scotland) Order 2022 changed the rules on local connection in November 2022 meaning local authorities no longer had the power to refer an applicant to another local authority on the basis of their local connection status. It is in regard to both of these legislative changes that East Lothian Council face challenges regarding the provision of suitable temporary accommodation. The SHR’s Engagement Plan in place for East Lothian Council

focuses on the Council's provision of temporary accommodation to homeless households and compliance with the Unsuitable Accommodation Order. The Council continues to work hard to mitigate these breaches through new supply, high numbers of allocations to homeless households, conversion of temporary accommodation to permanent housing, the use of shared tenancies etc. However, demand from predominately single homeless households (over 93% of live breaches are from single homeless households) continues to outstrip supply and this pressure necessitates the need to source additional accommodation out with the framework, which will often breach the order. For the period between 01 April 2023 and 31 March 2024, 810 new homeless cases had been opened and 149 breaches of the Unsuitable Accommodation Order were reported. Actions are ongoing to reduce existing breaches and minimise future breaches of the Unsuitable Accommodation Order.

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.

Appendix 4 - AAS 2024 - 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
- Corporate Development Risk Register – that also contains several risks owned by Housing
- Housing 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
- Sphaercloud Health and Safety incident reporting and risk assessments
- SHR Engagement Plan publicly available
- Information on reporting Significant Performance Failures to SHR publicly available
- Data collection of protected characteristics