



**Scottish Housing
Regulator**

Performance Matters

**Edition 2
July 2014**

About us

We are the independent regulator of social landlords in Scotland. We regulate around 180 registered social landlords (RSLs) and the housing activities of Scotland's 32 local authorities.

Our statutory objective is to safeguard and promote the interests of current and future tenants, homeless people and others who use services provided by social landlords.

We were set up by the Housing (Scotland) Act 2010 and are accountable directly to the Scottish Parliament. Our [Regulatory Framework](#) explains how we regulate social landlords. You can download our Regulatory Framework and find out more about us on our website at www.scottishhousingregulator.gov.uk.

We have a panel of Tenant Assessors who undertake a variety of work on our behalf; to provide us with a tenant's perspective and to help us assess and understand how social landlords are undertaking their housing and homelessness duties.



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1 Introduction

Welcome to the second edition in our series of 'Performance Matters' reports. These reports are about sharing positive practice and action points which social landlords (Registered Social Landlords (RSLs) and local authorities) can consider in terms of their own performance in delivering services.

In this report we present the findings from a recent exercise that our Tenant Assessors conducted on our behalf. This exercise focused on how social landlords are promoting Significant Performance Failures and providing related information to tenants. The Tenant Assessors also helped us confirm whether social landlords were maintaining and allowing access to their register of tenant organisations.

The results from this exercise were positive overall; we found that most landlords were making this information available to their tenants. This means most tenants would be able to report a significant performance failure by their landlord to the regulator if they needed to.

Thanks to all landlords' staff who met with and assisted our Tenant Assessors during the visits to your offices.

1.1 Positive practice and action points

This report:

- highlights positive practice from the landlords we visited;
- identifies action points for other social landlords and their governing bodies to consider and act on; and
- also identifies action points for us to take forward in our future work.

1.2 Significant performance failures

The Housing (Scotland) Act 2010, section 47(1) requires us to make arrangements to enable tenants to give us information about significant performance failures (SPF) by social landlords. We have set out in our Regulatory Framework what we consider to be a SPF. Our SPF leaflet gives further information for tenants and describes the process for reporting a suspected SPF to us.

The Housing (Scotland) Act 2001 section 53(3) requires social landlords to maintain a register of tenant organisations and keep it open for public inspection at all reasonable times.

In August 2013, we wrote to all social landlords to:

- tell them about our new SPF information leaflet and enclosed copies;
- ask them to make our leaflets available in their housing offices for tenants; and
- ask them to give a copy to all groups representing tenants' interests, including any registered tenant organisations (RTO).

Through this exercise we wanted to find out whether landlords had done what we had asked them to and if they were maintaining and making available on request a register of their tenant organisations.

2 Our main findings

2.1 What we looked at

Our Tenant Assessors visited the offices of 53 social landlords across Scotland (42 RSLs and 11 local authorities) during February and March 2014. We asked them to:

- find out if our SPF information leaflet was available at the landlord's housing offices;
- ask the staff at reception for a copy if it wasn't available;
- look at the landlord's register of tenant organisations; and
- ask tenant organisations whether their landlord had told them about our information leaflet.

The social landlords we asked them to visit included a mix of RSLs and local authorities of various sizes and types of operation. Our Tenant Assessors conducted the visits as 'mystery shoppers' however they did identify themselves and explain the reason for their visit if they were asked for this information by the landlord's staff.

We do not name all the social landlords visited, but we have noted the names of some landlords where we found positive practice to share.

2.2 The findings

Overall, the results from this exercise were positive; we found that most landlords were making the SPF information available to their tenants.

Our Tenant Assessors told us that, generally, they were satisfied with the reception, information and the assistance they received from social landlords' staff.

The exercise has demonstrated that the large majority of social landlords visited:

- do have our SPF information leaflets available, or make these available on request, at their offices;
- do maintain and have available, or on request, a register of their tenant organisations; and
- had told their tenant organisations about our SPF information leaflet.

However, a small minority of the social landlords visited:

- did not know about the letter we sent in August 2013 or the information leaflet we enclosed;
- did not have information about SPFs available to tenants at their offices;
- did not know that they need to make their register of tenant organisations available to the public; and
- had not given a copy of our SPF information leaflet to all groups representing tenants' interests, including any registered tenant organisations.

A small number of social landlords initially told our Tenant Assessors that they could not show them their register of tenant organisations as this was data protected. However, when our Assessors explained that the register must be available for public inspection, the information was subsequently provided. Also in a small number of landlords the staff at reception did not know about our SPF information leaflet.

2.3 Positive practice

In the course of this work our Tenant Assessors identified the following examples of positive practice.

Positive Practice:

- **Waverley Housing:**
includes advice about Significant Performance Failures in its complaints procedure and has a link to our SPF leaflet on its website.
- **East Lothian Housing Association:**
included a detailed article about Significant Performance Failures and our leaflet was included in an edition of its regular tenant newsletter.
- **Aberdeenshire Council:**
makes contact details of its RTOs available to public view in all its local offices, and also publicises this information on its website and in its regular newsletters, which are routinely circulated to all tenants.

Action points for landlords

Most landlords have done everything we asked for to publicise the new SPF leaflet but for the small number who did not they should:

- make sure that copies of our Significant Performance Failure information leaflets are always available in the reception areas of all offices. Copies can be downloaded from our website;
- tell all reception staff about Significant Performance Failures;
- make sure that the register of tenant organisations is kept up to date and all reception staff know that it has to be made available for public inspection; and
- give a copy of our Significant Performance Failure information leaflet to all groups representing tenants' interests, including any registered tenant organisations.

Action points for us

We will:

- consider conducting similar Tenant Assessor exercises in future where we identify a need to review social landlords' services and websites;
- make clear in our letters to landlords what actions we expect them to take in their organisations; and
- give our Tenant Assessors a letter which explains what we have asked them to do, which they can give to landlords on request.

2.4 Assurance

This exercise has given us assurance that the large majority of social landlords are providing tenants with our information leaflets about Significant Performance Failures, although there is a need for some landlords to make sure leaflet stocks are maintained in their offices and their reception staff have the information they need. We may carry out a similar exercise in the future, to find out if social landlords are still publicising Significant Performance Failures among tenants and making their register of tenant organisations available to the public.

3 Your feedback

We do expect to publish further reports in the future. We are keen to know whether governing bodies and staff find them useful. Please let us know if there is anything we could change in the way we present our findings, positive practice and action points, which would make them more helpful.



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