



What you need to know about the new Regulatory Framework

Background

The Scottish Housing Regulator (SHR) published a revised regulatory framework and statutory guidance for social landlords on 28 February 2019. The new framework, which was developed following consultation with stakeholders, will go live from 1st April 2019.

The new framework continues to be based on self assurance, with an emphasis on supporting staff and board members to scrutinise performance, making sure information for tenants and other customers is transparent and accessible and a greater focus on equality and human rights.

What's changing?

Annual Assurance Statements

All social landlords will be required to prepare an Annual Assurance Statement which tells the SHR how they are meeting the new regulatory standards and requirements or what they are doing to fix any instances of non-compliance. These statements will be submitted to the SHR on an annual basis and will form part of their risk assessment. Social landlords must also ensure that these are easily accessible for tenants and service users.

Each statement should be approved by the social landlord's governing body or the appropriate local authority Committee and signed off by the Chair or Convener. Landlords must also notify the SHR about any changes in their level of assurance during the year. The focus on self assurance forms a key part of the framework and aims to encourage more openness and transparency between landlords and tenants.

Engagement plans

The new framework requires the SHR to publish an engagement plan for every social landlord in Scotland. Plans will include details of the information required by the SHR, how engagement will take place, details of any areas of non-compliance and the landlord's regulatory status (for RSLs only).

Plans will be kept under continuous review and the level of engagement may vary in response to new information or events.

A regulatory status for all RSLs

Every RSL in Scotland will be assigned a compliance status regarding its governance and financial viability. Landlords will be deemed 'Compliant' if they meet the SHR's standards of governance, financial management and regulatory requirements. Landlords who don't meet these standards but are working to achieve them will be labelled as 'Working towards compliance.' Social landlords which fail to meet the standards will be subject statutory action to address areas of non-compliance.

Equality and human rights

The new framework requires all social landlords to evidence that they consider equality and human rights issues properly when making decisions, in the design and review of internal and external policies, and in their day to day service delivery. In order to comply with this duty, social 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. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these service users and local authorities must also collect data on protected characteristics for people who apply to them as homeless.

Whistleblowing

The new framework requires all social landlords to put in place effective arrangements and a policy to support whistleblowing by staff and governing board/elected members. This information should be easily available and should be promoted by the landlord. Where a concern is raised, the SHR will determine whether this should be addressed with the landlord directly or whether further statutory action is required.

How to find out more

The [new framework and statutory guidance](#) is available on the SHR's website. CIH Scotland is also arranging a series of member briefings with the SHR to allow you to discuss and ask questions about the new framework. Look out for further details in your next Housing Matters member newsletter.