

# Report

Report to:	<b>Housing and Technical Resources Committee</b>
Date of Meeting:	<b>29 September 2021</b>
Report by:	<b>Executive Director (Housing and Technical Resources)</b>

Subject:	<b>Scottish Housing Regulator – Annual Assurance Statement 2020/2021</b>
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## **1. Purpose of Report**

1.1. The purpose of the report is to: -

- ♦ seek approval to submit the Annual Assurance Statement for South Lanarkshire Council to the Scottish Housing Regulator.

## **2. Recommendation(s)**

2.1. The Committee is asked to approve the following recommendation(s): -

- (1) that the South Lanarkshire Council Annual Assurance Statement 2020/2021 be approved and submitted to the Scottish Housing Regulator.

## **3. Background**

- 3.1. The Scottish Housing Regulator (SHR) was established in 2011 as an independent body directly accountable to the Scottish Government to regulate registered social landlords (RSLs) and local authority housing and homelessness services. The SHR does this by assessing and reporting on social landlords' delivery of services, RSLs financial wellbeing and standards of governance and, where necessary, the SHR will intervene to secure improvements.
- 3.2. Following a consultation process, the SHR published a revised Regulatory Framework in February 2019.
- 3.3. The most significant change to regulatory requirements for local authority landlords was the requirement to submit an Annual Assurance Statement confirming compliance with regulatory requirements which should also, if appropriate identify any material breaches. Examples of such material breaches specific to Local Authorities include those that seriously affect the interests and safety of tenants, people who are homeless or other service users; threaten the stability, efficient running or viability of service delivery arrangements and bring the landlord into disrepute or raise public or stakeholder concern about your organisation or the social housing sector.
- 3.4. South Lanarkshire Council's second Annual Assurance Statement for 2019/2020 was approved by Committee on 25 November 2020 and subsequently submitted to the SHR.

#### **4. South Lanarkshire Council Annual Assurance Statement**

- 4.1. The Annual Assurance Statement 2020/2021 for the Council is attached as Appendix 1. As recommended by SHR guidance, this is short, succinct, and based upon the format provided by the regulator.
- 4.2. The key requirement of the Annual Assurance Statement is for the Committee to confirm that it is confident that appropriate systems, evidence, relationships and channels of communication are in place to ensure the effective planning, delivery and monitoring of relevant services against statutory and regulatory requirements.
- 4.3. Within South Lanarkshire, the assurance required is provided through a wide range of arrangements which are in place, at a Council and Resource wide level. A summary of the key requirements for assurance and how these are addressed is attached as Appendix 2.
- 4.4. As a result of the COVID-19 pandemic, the SHR issued revised guidance for landlords in relation to the publication of Annual Assurance Statements on 31 August 2020. Although the regulator has indicated that standard timescales have been reinstated for completion of this year's Annual Assurance Statement, it continues to recognise that the pandemic is likely to have affected each landlord's ability to comply fully with all regulatory requirements and requires the landlord to acknowledge where this is the case. The SHR has advised this will be taken into account when assessing each landlord's performance and risk, and subsequently inform the level of engagement that will be required with each landlord.
- 4.5. Provided that tenant and resident safety is not compromised, the SHR continues to indicate they will not engage with a landlord where it does not fully comply with regulatory requirements, specifically where the non-compliance is exclusively, or largely, a consequence of the pandemic, and the landlord has effective plans to return to full compliance. In relation to this year's statement there is one point, highlighted below, where the Council is partially compliant: -
  - Fire safety for Gypsy/Traveller sites.
- 4.6. In relation to the Council's two Gypsy/Traveller sites, a programme of improvement work has progressed and compliance in terms of the fire safety standards has been met at one of the sites, with partial compliance at the other. Compliance with fire safety guidance continues to be a key focus of activity for the Council.
- 4.7. In addition to the requirements relating to the COVID-19 pandemic, SHR guidance published on 24 June 2021 has asked landlords to include within their assurance statements, an update on their position in relation to equalities and human rights. While landlord and homelessness services already reflect the well-established processes and policies which the Council has in place in these areas, appropriate steps will be taken to progress any changes required stemming from regulatory guidance which the SHR is scheduled to publish in relation to equalities and human rights.

#### **5. Next Steps**

- 5.1. Subject to approval, the Annual Assurance Statement will be signed off by the Chair of Housing and Technical Resources Committee and returned, as required, to the Scottish Housing Regulator to confirm the required assurance.
- 5.2. The results of the Annual Return on the Charter 2020/2021 are presented as a separate report to this Committee.

## **6. Employee Implications**

- 6.1. There are no employee implications associated with this report.

## **7. Financial Implications**

- 7.1. There are no financial implications associated with this report.

## **8 Climate Change, Sustainability and Environmental Implications**

- 8.1. There are no implications for climate change, sustainability or the environment in terms of the information contained in this report.

## **9. Other Implications**

- 9.1. There are no additional risks associated with this report.

## **10. Equality Impact Assessment and Consultation Arrangements**

- 10.1. This report does not introduce a new policy, strategy or plan and is not subject to impact assessment requirements.
- 10.2. In addition to regular discussion with the Tenant Participation Co-ordination Group on performance and Charter reporting, specific engagement has taken place to confirm arrangements for the development and submission of the Annual Assurance Statement

**Daniel Lowe**

**Executive Director (Housing and Technical Resources)**

1 September 2021

### **Link(s) to Council Values/Objectives/Ambitions**

- ◆ Accountable, effective, efficient, and transparent

### **Previous References**

- ◆ Our regulation of Scottish Housing – Committee Report 23 January 2019
- ◆ Scottish Housing Regulator - Regulation of Social Housing in Scotland – Committee Report 4 September 2019
- ◆ Scottish Housing Regulator – Annual Assurance Statement – Committee Report 25 November 2020

### **List of Background Papers**

- ◆ Our Regulation of Scottish Housing – a discussion Paper January 2018
- ◆ Our Regulation of Scottish Housing – a Consultation October 2018
- ◆ Our Regulation of Scottish Housing – Final Framework 2019

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact: -

Annette Finnan, Head of Housing Services

Tel: 01698-455611

E-mail: [annette.finnan@southlanarkshire.gov.uk](mailto:annette.finnan@southlanarkshire.gov.uk)

## Appendix 1



**Housing and Technical Resources**  
Executive Director **Daniel Lowe**

### **Our Annual Assurance Statement**

South Lanarkshire Council complies with the regulatory requirements set out in Chapter 3 of the Scottish Housing Regulator's Framework. This includes that we:

- achieve all standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services
- comply with all our legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety with the exception of the following: -
  - In relation to the Council's two Gypsy/Traveller sites, a programme of improvement work has progressed and compliance in terms of the fire safety standards has been met at one of the sites, with partial compliance at the other. Compliance with fire safety guidance continues to be a key focus of activity for the Council.

In relation to equalities data collection and human rights, the Council has well established processes and policies in these areas, with consideration already embedded in how we deliver services. Appropriate plans have been made to review and adjust our existing approach in the collection of equalities and human rights information along with any other changes as required by the forthcoming regulatory guidance.

On an ongoing basis, the Committee consider the information and evidence necessary to provide the required assurance.

The Annual Assurance Statement for 2020/21 was approved at the meeting of our Housing and Technical Resources Committee on 29 September 2021.

**Chair's signature:**

**Date:**

## Assurance Requirements

What	Assurance required	How assurance is evidenced
Monitor and report performance	Performance Management Framework in place and appropriately reported	On an annual basis a report is provided to Housing and Technical Resources Committee on performance against Scottish Social Housing Charter requirements. Performance against the charter requirements for 2020/2021 will be reported to Housing and Technical Resources Committee on 29 September 2021.
	Effective Resource and Service planning arrangements are in place.	Resource and Service plans are in place to monitor progress at different levels of the planning hierarchy i.e., the Community Plan, the Council Plan (Connect), Resource and Service Plan actions and measures.  Progress against Connect and Resource Plan objectives are reported to Housing and Technical Resources and Executive Committee on a twice-yearly basis.
	Appropriate Internal Audit arrangements are in place	A comprehensive internal audit programme is reviewed and implemented yearly in line with service requirements.  Progress against the audit programme is reported to Finance and Corporate Resources Committee.
Equality and Diversity	Equality and diversity issues are effectively considered when making decisions.	Work within the Resource in relation to equality and diversity is reported to Housing and Technical Resources Committee on an annual basis. The last report was presented on 17 February 2021 and is next scheduled to be presented on 8 December 2021.
Involve tenants and other relevant service users	Council and Resource Customer satisfaction levels	The Resource has a rolling programme of customer satisfaction surveys in place. These are used to inform policy and service development. Key results from the survey programme are reported to the Housing and Technical Resources Committee as part of the annual report on performance against the Scottish Social Housing Charter.

What	Assurance required	How assurance is evidenced
	Customer Involvement and Scrutiny Programme in place and being delivered	An update on the Customer Involvement Strategy will be reported to Housing and Technical Resources Committee on 29 September 2021.
Legal obligations	Ensure that all legal obligations associated with housing and homelessness are adhered too.	<p>The Resource Strategy and Policy Review Framework ensures policies and strategies are reviewed on a cyclical basis to confirm that they are delivering the intended outcomes, reflect changes in policy/service context and are consistent with legal and regulatory requirements.</p> <p>An update on the framework is presented to Housing and Technical Resources Committee on an annual basis. This was last reported to Committee on 17 February 2021.</p>
		<p>Risk Management Strategy is reported to the Housing and Technical Resource Committee on an annual basis. This will be reported to Housing and Technical Resources Committee on 29 September 2021.</p> <p>This corporate approach to risk management promotes consideration of risk in service delivery, planning and decision-making processes. The strategy requires Resources to record and review risks and control actions regularly.</p>
Tenant and resident safety	Have evidence to ensure that all legal obligations associated with tenant and resident safety are met.	Effective systems for monitoring and reporting health and safety issues are in place within the Resource and monitored through the Corporate Management Team. Any proposals to address emerging health and safety requirements would be reported to Housing and Technical Resources Committee.