

Consultation response

Consultation on Scottish Social Housing Charter Indicators

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Shelter
Scotland

Summary

- Shelter Scotland welcomes the opportunity to respond to this Scottish Housing Regulator (SHR) consultation on the indicators that will be used to assess performance against the Scottish Social Housing Charter (SSHC).
- Shelter Scotland believes that effective, proportionate regulation is a fundamental part of ensuring tenants, people waiting for social housing and all other service users receive the best possible service. It is important that the move away from cyclical inspections does not translate into relaxed scrutiny of services and statutory duties and that where there are potential failings, action is taken promptly to help landlords improve their services.
- The Scottish Social Housing Charter which came into effect from the 1 April 2012, clearly lays out the 16 'outcomes' that all social landlords must deliver to their service users. This consultation lays out the Regulators 'indicators' that will sit below those outcomes and the evidence that will need to be submitted annually to show compliance. It is critical that these indicators capture the right information and provide a useful mechanism for recognising both good and bad practice.
- While this is a satisfactory framework for measuring housing management services, there are significant failings in the proposed framework for regulating homelessness and housing advice services. It is critical that homelessness services are given equal weighting in the indicator framework and that statutory duties and good practice continues to be monitored and measured closely.
- The indicators focusing on Housing Options advice services are also very weak. Given the emphasis being placed on Housing Options advice and information services by the Scottish Government and local authorities, the Regulator must ensure they are equipped to monitor performance, measure outcomes and ensure consistency.
- Homelessness and Housing Options advice should not be two separate processes. Making a homelessness application should be **one of the options** discussed in housing options interviews this legal safety net should be an integral part of all Housing Options services rather than 'another' route. Shelter Scotland would like to see a clearer statement from the Regulator on how the continuous improvement of services to homeless households, including housing options advice and information will be monitored and how failings will be identified and acted on.

- The information for tenants and other service users is informative and clearly laid out, although there are some instances where providing comparative data would make it even more helpful for gauging that landlord's performance. The greatest challenge will be getting this information out to **all** service users particularly those who are not already tenants.

Introduction

Shelter Scotland welcomes the opportunity to respond to this consultation by the Scottish Housing Regulator (SHR) on the indicators it will use to monitor the performance of social landlords against the Scottish Government's Scottish Social Housing Charter (SSHC). The Charter came into effect on the 1 April 2012 and describes the results that tenants and other service users can expect from social landlords. As laid out in the Housing (Scotland) Act 2010, the Scottish Housing Regulator (SHR) has a statutory duty to monitor, assess and report on how landlords are achieving the outcomes in the Charter and, where necessary, to intervene where landlords are failing to achieve the outcomes.

This consultation lays out the information that the Regulator will require all social landlords to provide annually and also the information that must be made available for tenants and other service users on an annual basis. Shelter Scotland believes that effective, proportionate regulation is fundamental to ensure social landlords deliver the best possible service for their customers. It is important that the move away from cyclical inspections does not translate into relaxed scrutiny of services and statutory duties and that where there are potential failings, action is taken promptly.

Shelter Scotland was involved in the Social Housing Charter consultations and believes that the Charter is potentially a valuable tool for landlords and customers to improve standards and communication. It will only be a valued tool however, if the right framework is put in place to ensure landlords meet the required outcomes, and services are being delivered consistently for **all** customers. This is an opportunity to ask some fundamental questions to ensure that this regulatory process achieves the *right* outcomes and consistency for service users, and the best value for money for tax payers. That means clearly identifying how we want these services to look and then working out what quantitative and qualitative information needs to be collected to ensure that it is being delivered.

We have provided some detailed comments below, but it is clear from the proposed indicators that there is a significant gap in the measurements for homelessness services and housing options advice. These indicators do not cover the areas identified in the Charter and as they stand, are inadequate. Through a series of cyclical inspections over

the past 8 years, the Regulator has played a vital role in the evolution of local authority homelessness services and their culture change and improvement. Having said that, only one 'A' grade has been awarded, suggesting that most local authorities need to make some improvements. This stream of work is very important and there are statutory duties that must continue to be met. Standards should not be allowed to slip because of a change in approach. Shelter Scotland would like to see a clearer statement from the Regulator on the provision of homelessness services and Housing Options advice and information. The significant failings in this consultation need to be addressed, and homelessness and housing options advice services need to be given a higher priority in the indicator framework.

Response

Questions 1-3

These first 3 questions relate specifically to the information that landlords will be required to publish every August for tenants and other service users. The consultation states that this information is designed to be easy to access and understand and should be distributed to tenants and made readily available to other service users. As highlighted in previous consultations on the Charter, while tenants are relatively easy to get communications out to, other service users, including homeless people/those on waiting lists and gypsy/traveller communities can be more difficult to identify and keep in contact with. It is, therefore, important that this information for 'other service users' is relevant and available in a number of formats to make it as accessible as possible.

1. In general do you find the format for the report we are proposing to be clear and easy to understand?

In general, the proposed layout of the information for tenants and other service users is clear and well presented. The information highlighted would be helpful for tenants trying to gauge the quality of a landlord's services and where one landlord sits in relation to the national picture.

Some of the information is quite specialist however, and may not mean anything to say, new tenants or other service users with no former knowledge of how social landlords work. For example, in the proposal, the information is given: 'Total number of houses – 600', average weekly rent - £45' which may be accurate but is that a lot of houses, very few or about average? With the rent, does that make this landlord's rent on the cheaper

scale or one of the most expensive in the country? It may be more useful to show this information comparatively (as with other parts), if the purpose is to help tenants and other service users appraise their landlords' performance.

While some users might find the house 'ranking' pictogram informative, others may find this imagery over-simplified. This should be tested as part of the Scottish Housing Regulator's consultation. As with the example given above, some of the information given might be better if there was a comparative rather than simply a progress arrow. For example, 'Average time taken to let empty houses – 28 days, ↓' (and second 'floor' of the 'national ranking' house). This shows performance has got 'worse' since the previous year and that this landlord is 'in the second quarter' but this doesn't give you an indication of the number of days the 'best' and 'worst' landlords take to let a property i.e. 2 days or 100? The point here, is that if tenants or other service users are going to be engaged and want to actually use this information, it should be as helpful as possible.

2. Have we included the right indicators? If not what alternatives do you suggest?
3. Are there any other changes or improvements you would like to see? If so, what are these?

Clearly, given this information is supposed to be a summary for customers, there is a limit to how much information can be included.

The final version of the information to tenants and other service users should include contact information for the landlord, for the Scottish Housing Regulator and links to further information online.

Questions 4-9

Shelter Scotland agrees with the broad regulatory approach laid out in the Regulatory Framework published in February 2012 and with the approach taken in this consultation. The scrutiny of social landlords should be independent, thorough, and robust whilst also being proportionate to risk and scale and most importantly, responsive to poor practice. What is **most** important however, is how policy translates into practice and what improvements are seen on the ground for service users. That is why it is important that the indicators in this consultation are part of a wider programme of scrutiny activity and inspection.

It is important that landlords, service users and other stakeholders have a clear understanding of how the new regulatory framework will be used to diagnose and then remedy problems. There are three basic criteria that we feel the new Regulator should be

using to inform their approach and our comments on these specific indicators reflect these priorities:

- Can the SHR quickly identify failings in housing management and homelessness practice?
- Can the SHR take swift and meaningful action where these failings are identified?
- Can the SHR support and guide organisations into improved practice?

4. Are there any indicators that you feel are not appropriate and, if so, why?

5. If you think that any of our proposed indicators are not appropriate, what alternatives would you suggest?

The indicators in the consultation cover the wide spectrum of social landlord responsibilities and go some way to proving they are meeting the outcomes of the Charter. Many of these indicators are quantitative and social landlords will already be reporting on things such as: properties meeting the SHQS, number of properties that require gas safety certificates etc.

There are however, a number of serious failings in the proposed indicator framework and these must be addressed to ensure landlords continue to develop and improve their performance across housing management **and** homelessness services and advice.

There are a number of gaps where there are no specific indicators that correlate with Charter outcomes which means it will be difficult to make judgements on how well social landlords are delivering for tenants and service users. This is particularly apparent around Housing Options and Access to Social Housing where the only indicators listed are on Section 11 referrals. Instead of specific indicators, the consultation paper says that “context data” will be considered alongside indicators for ‘tenancy sustainment’ and ‘homelessness’. The Charter however, details landlord activity around advice and information, reviewing housing options, advice on preventing homelessness, allocations and the speed with which homeless people get the services they need. None of these are explicitly addressed in these indicators, possibly because these outcomes are difficult to measure. It is, however, not sufficient to leave these key areas out and as important parts of a landlords responsibilities, there must be some indicators that ensure standards are maintained.

This is particularly important as local authorities are in the process of redesigning their services to deliver housing options advice. This emphasis on early intervention and homelessness prevention is timely and important but it does not replace the statutory

safety net for those who are homeless or threatened with homelessness. Making a homelessness application should be a fully integrated part of delivering Housing Options advice and **not a separate process**. It is important that we have a clear information – both qualitative and quantitative - on who is receiving Housing Options advice and information, what options (including homelessness) are being discussed and chosen and whether that person requires further assistance in the short, medium or long-term. Currently, the HL1 data on homelessness which is published each year by the Scottish Government gives a very detailed picture of everyone who makes a homeless application across Scotland, but there is no equivalent data for the delivery of Housing Options advice which means we are only able to appraise part of the picture.

The Charter makes it clear that social landlords should be delivering advice and information to help people assess their housing options, and it is critical that the Regulator establishes indicators that help to build a picture of how successfully a service is being delivered, what homelessness prevention activity is happening/working and how many people continue on to make a homeless application. These indicators should be less about numerical targets and more about understanding what service is being delivered and if people are getting the right information and advice they need and value.

Possible indicators:

- How many people receive housing options information and advice
- How many of those go on to:
 - Make a homelessness application
 - Make an application to a rent deposit guarantee scheme
 - Are referred to family mediation services
 - Are referred to another form of internal/external housing support
 - Get a private rented sector home

Given the move by local authorities and some RSL partners towards a 'Housing Options' advice and information service as an integrated part of the homelessness service, it is critical that the regulatory framework keeps pace with the service that is actually being delivered and doesn't focus on traditional (and quantitative) parts of the homelessness response. It is not acceptable that there are no indicators around: repeat homelessness, housing support needs identified, housing support referrals made and this must be addressed in the next draft indicators.

Some of these areas *may* be addressed through the ‘context data’ also being collected, but it is critical that the Scottish Housing Regulator identifies the core elements of homelessness services and housing options advice and information and puts down clear markers to landlords on what they should be delivering. It does not reflect the range of some landlord’s services to have 14 indicators covering repairs, anti-social behaviour and quality of housing and 2 on homeless services.

Areas that should be addressed explicitly in these indicators are:

11 - Tenancy Sustainment:

- Number of orders for recovery of possession granted in the last year where tenancy was maintained

12 – Homeless People:

- An indicator to measure repeat homelessness/effectiveness of homelessness prevention and tenancy sustainment measures. Possible indicator: *Number of people who have registered as homeless within the previous 6 months & 12 months*
- *Number of people threatened with homelessness seeking advice*
- In light of the housing support duty brought in by the Housing (Scotland) Act 2010, there should be some indicators on support to gauge demand and take-up. Possible indicator: *Number of homeless people offered housing support/length of housing support engagement* and something to monitor the number of housing support referrals made to other agencies.

**6. Is the proposed approach to reporting landlord spending sensible?
7. If not, what alternatives would you suggest?**

Shelter Scotland does not see any problem with the proposed approach to reporting landlord spending.

8. Is the contextual information we propose to collect appropriate?

The contextual information that the Regulator will require each social landlord to report on annually is very comprehensive. This context information covers many of the measures previously captured through other mechanisms and should not be onerous for landlords.

The consultation paper explains that the Regulator will use other sources to ensure it has a complete picture of landlord performance. It is important that sources such as the ‘HL1’ homelessness statistics that the Scottish Government publishes annually, are a key part

of the Regulators risk assessment measurement. Given the concerns raised above about the gaps in the proposed indicators, this context data will be critical to making a judgement on how well social landlords are delivering, amongst other things, homelessness services.

9. Are there any pieces of information we have identified that you feel do not need to be included or have been missed?

A significant proportion of indicators are based on customer satisfaction data which will be carried out by landlords themselves which can be difficult to get a high response rate to and an accurate reading across all tenants. It is even more problematic trying to get customer satisfaction data from homeless people, those on waiting lists and 'other' service users and the Regulator should consider carrying out service user consultation through the thematic reports. More information is also required on how landlords should be carrying out customer surveys to get the most effective results, and how these should be targeted.

While meaningful qualitative data can be difficult to collect, for some service delivery areas it is the only way to really measure performance and whether customers are getting the services they need and want.

In addition, there are a few performance measures that Shelter Scotland feel could be included that give an important indication of performance.

- Number/proportion of tenants in arrears
- % of houses with 1, 2, 3+ bedrooms
- Number of complaints per 100 tenants (or equivalent)

Shelter Scotland is pleased to see the Regulator will continue to carry out thematic inspections. Areas we would like to see covered include: housing options, homelessness prevention and eviction best practice.

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