

# PERTH AND KINROSS COUNCIL

## Housing & Social Wellbeing Committee

25 October 2023

### Annual Assurance Statement 2022/2023 – Scottish Housing Regulator

#### Report by Executive Director (Communities) (Report No. 23/277)

#### 1. PURPOSE

- 1.1 To comply with the Scottish Housing Regulator's Regulatory Framework, the Council must approve and submit an Annual Assurance Statement, giving assurance that it is meeting legislative and regulatory standards for social housing in Scotland. This report provides a brief overview of the Framework and appends the Annual Assurance Statement 2022/23 for approval by Committee.

#### 2. RECOMMENDATIONS

- 2.1. It is recommended that Committee:
- (i) notes the requirement to submit an Annual Assurance Statement
  - (ii) approves the Annual Assurance Statement as detailed in Appendix 2

#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background
  - Section 5: Annual Assurance Statement Overview
  - Section 6: Improvement Actions
  - Section 7: Evidence to Support the Annual Assurance Statement
  - Section 8: Tenant Assurance
  - Section 9: Self- Assessment
  - Section 10: Conclusion
  - Appendices

#### 4. BACKGROUND

- 4.1 All social housing landlords are required to publish an Annual Assurance Statement in line with guidance within the Scottish Housing Regulator's (SHR) published Regulatory Framework. The Framework details the SHR's statement on performance of functions and sets out how they regulate Registered Social Landlords, as well as housing and homelessness services delivered by Local Authorities.

- 4.2 Within the Framework, the SHR carry out their work in the following broad ways:
- gathering and publishing data in ways that tenants and other stakeholders can use
  - seeking assurance from landlords and acting where they need to
  - undertaking thematic activity and scrutiny on specific areas of work and performance
- 4.3 Central to their approach is landlords assuring themselves, their tenants and the SHR through landlord self-assurance.
- 4.4 Every Registered Social Landlord and Local Authority is responsible for delivering good outcomes and services for their tenants and service users. The SHR is clear that landlords must be self-aware, analytical, open and honest about their performance and identify and drive improvement activities.
- 4.5 When considering whether to engage with landlords, the SHR will initially consider what they have done to assure themselves that they are meeting regulatory requirements. In line with this requirement, all landlords must prepare an Annual Assurance Statement to confirm to their tenants and the SHR that they are meeting regulatory requirements.

## **5. ANNUAL ASSURANCE STATEMENT OVERVIEW**

- 5.1 Since April 2019, there has been a requirement for all Local Authorities and Registered Social Landlords to submit an Annual Assurance Statement which must be agreed by the relevant Local Authority Committee. Statements should confirm the landlord's level of compliance with the requirements detailed within the Framework, including:
- all relevant standards and outcomes in the Scottish Social Housing Charter
  - all relevant legislative duties
  - details of any areas of material non-compliance, briefly describing plans and a time frame to improve
  - confirmation that the relevant Local Authority Committee have seen and considered appropriate evidence to support the level of assurance.
- 5.2 A signed and unsigned copy of the Annual Assurance Statement must then be provided to the SHR, who will then make the unsigned version publicly available. There is also a requirement for landlords to ensure the Statement is easily and readily available for tenants.
- 5.3 During 2022/23, Perth and Kinross Housing Service complied with all, but one regulatory requirement as set out in Chapter 3 of the Scottish Housing Regulator's Framework. This confirms that we:
- achieved all the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services.

- complied with our legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.

5.4 However, we did not meet all our legal obligations around tenant and resident safety. We did not fully comply with gas safety legislation for 3 properties during 2022/23. These failures represent 0.04% of the 6,583 domestic gas services carried out in 2022/23 by the Service.

5.5 Two of these failures resulted from tenants shielding or self-isolating, and one was due to a miscommunication with our Gas contractor regarding a commercial boiler which provides heating to a communal lounge. All three were addressed immediately but not attended to within the statutory timescale.

5.6 Due to new legislation introduced, we were also non-compliant with regards to not having an Electrical Inspection Certificate Report (EICR) for 159 properties and upgraded smoke detection equipment in 9 properties. These failures resulted in 2% of properties without a valid EICR and 0.1% of properties without upgraded smoke detection equipment out of a total property portfolio of 7,960 properties.

5.7 The above non-compliance is largely due to the labour shortages and capacity within the electrical industry, which has had a significant impact on the testing and installation programme. The ongoing reluctance by some tenants to grant access to their property to allow testing to be completed or equipment to be installed has also had an impact on our ability to be fully compliant with our legal obligations.

5.8 However, to help minimise failures and provide reassurance to our tenants, we issued communications encouraging tenants to allow engineers access. We also provided information about the robust safety measures and risk assessments in place to protect both tenants and engineers.

5.9 In line with Health and Safety Executive guidance, the repair history of boilers with failures were analysed, and the electrical history checked for properties where an EICR had not been completed. Checks were also carried out on the previous fire safety equipment provided in non-compliant properties to ensure there was no immediate danger to tenants.

## **6. IMPROVEMENT ACTIONS**

6.1 To ensure continuous improvement, the Service has an Action Plan in place to build on progress, implement improvement actions and ensure ongoing compliance with the Regulatory Framework. As a clear sign of our commitment to ensuring that tenant and resident safety remains a key priority for the Service, this year we have established a Housing Compliance Team to ensure key areas such as gas, electrical, water, fire and asbestos safety are closely monitored, and that appropriate checks and governance arrangements are in place to provide the reassurance that we are meeting our legal obligations.

- 6.2 During 2022/23, we also reviewed our approach to responding to and treating mould, damp and condensation within our properties and we delivered various masterclasses to other local authorities on our approach. We also invested in new technology through the Internet of Things (IoT) project to allow us to monitor properties where tenants had reported issues in order to find a resolution the first time around. We are looking to include this technology in as many properties as possible.
- 6.3 We have continued to build on our work regarding the collection of equalities information, which we have used to help us inform service delivery. As a result, we are examining how we can use this information, along with other measures, to ensure we continue to adopt a human rights approach in the services we provide to tenants and service users.

## **7. EVIDENCE TO SUPPORT ASSURANCE 2022/23**

- 7.1 Alongside our Improvement Action Plan, our management and democratic structures are all designed to facilitate effective decision making, and the proper scrutiny of decisions and their impact, in terms of performance and the achievement of outcomes.
- 7.2 This is supported by a range of planning processes, ensuring we meet the needs of tenants and service users, and that targets for quality improvements are set and monitored. Individual Business Management & Improvement Plans previously set out detailed actions and outcomes for each Service and include performance indicators. This is underpinned by the statutory requirement on local authorities to produce a Local Housing Strategy and provide regular progress updates. This sets out our priorities and plans for the delivery of Scottish Housing Regulator Outcomes.
- 7.3 Service performance is reported regularly to the Housing Management Team, Communities Senior Management Team, Executive Leadership Team and publicly through the Council's themed Committees and the Scrutiny and Performance Committee. Financial performance is publicly reported through the Finance and Resources Committee.
- 7.4 The evidence required by the SHR forms part of the self-assessment process, which informs in part, the Council's Annual Governance Statement. Appendix 1 details an overview of information that supports the Annual Assurance Statement.
- 7.5 On 1 April 2023, the SHR published its plans for engagement with all social landlords based on 2021/22 performance, including all 32 Local Authorities across Scotland. Due to the ongoing impacts of Covid and the cost-of-living pressures on households facing or experiencing homelessness, the SHR are again engaging with all Local Authorities this year to seek reassurance on their delivery of services for people facing homelessness. The SHR have noted that nationally Covid continues to have a significant impact on services provided by social landlords in 2023, which has been heightened by the cost-of-living pressures. Therefore, the SHR will closely monitor and assess how Local Authorities responds to these challenges. Unlike many other local

authorities, this is the only area that the SHR will monitor Perth and Kinross Housing Service on.

## **8. TENANT AND SERVICE USERS ASSURANCE**

- 8.1 The SHR has indicated that it is the responsibility of Committee to consider and approve the Annual Assurance Statement. There is no requirement for this to be approved by tenants or service users.
- 8.2 However, we held several interactive in-person sessions with the tenants and service users during July 2023. The Housing Management team and the Tenant & Resident Engagement Team presented an overview of the Service's performance for 2022/23. This was to enable tenants to assess the Service's performance and provide feedback on potential areas for improvement. This feedback is used to support our Annual Landlord Performance Report and the Annual Assurance Statement.
- 8.3 We also commissioned an independent market research company, Knowledge Partnership, to complete a tenant satisfaction survey on our behalf. The Knowledge Partnership carried out a mixture of face-to-face and telephone interviews with a selected sample of tenants.
- 8.4 The survey was carried out between June 2022 and March 2023 and over 1,190 (14.9%) tenants were interviewed. The survey was conducted by Knowledge Partnership on behalf of the Council using a mixed telephone and face to face survey methodology. Tenants were asked how satisfied they were with housing services against all the national key indicators set by the Scottish Housing Regulator.
- 8.5 The survey results were largely positive, and a significant majority of our tenants (78.4%) were satisfied overall with the service they received from Perth & Kinross Council as their landlord. This is marginally below the Scottish Local Authority average of 83.2% for 2022/23. However, the feedback from dissatisfied tenants mainly related to non-landlord areas such as dog fouling and litter issues. While these are areas that the Housing Service has no direct control over, however the team work with other services in terms of issues identified.
- 8.6 To improve tenant satisfaction, a number of improvement actions have been put in place, such as developing a menu of options for tenants to engage and undertaking monthly surveys to help address areas of improvement quicker. Our approach to providing services that meet the needs of service users and tenants were recognised through a Housing Award by the Chartered Institute of Housing for excellence in tackling and preventing homelessness. This, together with our enhanced methods of external scrutiny by tenants, provides a level of engagement with tenants and service users to ensure their voices influence and shape service delivery.

## **9. Self-Assessment**

- 9.1 During 2023, the Service carried out a self-assessment, using the framework "How Good is our Service" to assess service delivery against the outcomes of

the Scottish Social Housing Charter. This assessment forms the basis of the Annual Assurance Statement, which is attached as Appendix 2.

- 9.2 The Scottish Housing Network also carried out a desktop review of our Annual Return Charter (ARC) performance prior to submission to the SHR. The feedback received was very positive regarding our performance and compliance with the Scottish Housing Charter indicators. The findings of both assessments have been included within the overall Action Plan for the Service. This Plan will enable the Service to focus on areas of performance that have reduced in 2022/23, such as tenant satisfaction, time taken to resolve anti-social behaviour cases and rent arrears.

## 10. CONCLUSION

- 10.1 The Council's Housing Service continues to deliver high levels of service, with strong performance across all areas and ongoing high levels of tenant satisfaction despite the ongoing impact and challenges faced by the legacy of Covid and the cost-of-living pressures. This has also been achieved in the context of maintaining our rents at affordable levels by having the seventh lowest local authority rents in Scotland, demonstrating our commitment to delivering a value for money service for our tenants. Throughout the year, Committee has received several key reports providing assurance that we are delivering and exceeding the standards required by the SHR (Appendix 1).

### Author

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### Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	5 October 2023

## APPENDICES

- Appendix 1 – Overview of information to support the Annual Assurance Statement.
- Appendix 2 - Annual Assurance Statement.

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## ANNEX

### 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>None</b>
Strategic Environmental Assessment	<b>None</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

#### 1. Strategic Implications

##### Community Plan/Single Outcome Agreement

1.1 This report supports all of the priorities within the Community Plan 2022-27.

- (i) *Reducing Poverty (including child poverty, fuel poverty and food poverty)*
- (ii) *Mental and physical wellbeing*
- (iii) *Digital participation*
- (iv) *Skills, learning and development*
- (v) *Employability*

##### Corporate Plan

1.2 This report supports the objectives within the draft new Corporate Plan: -

- (i) *Children and young people grow up safe, respected, well-educated, and confident in their ability to realise their full potential;*
- (ii) *People and businesses are increasingly able to prosper in a local economy which support low carbon ambitions and offers opportunities for all;*
- (iii) *People can achieve their best physical and mental health and have access to quality care and support when they need it;*
- (iv) *Communities are resilient and physically, digital and socially connected;*
- (v) *Perth and Kinross is a safe and vibrant place, mitigating the impact of climate and environmental change for this and future generations.*

## 2. Resource Implications

### Financial

2.1 There are no financial implications arising from this report.

### Workforce

2.2 There are no workforce implications arising from this report.

### Asset Management (land, property, IT)

2.3 There are no asset management implications arising from this report.

## 3. Assessments

### Equality Impact Assessment

3.1 This report has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

### Strategic Environmental Assessment

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:

- in the way best calculated to delivery of the Act's emissions reduction targets;
- in the way best calculated to deliver any statutory adaptation programmes; and
- in a way that it considers most sustainable.

3.4 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

### Legal and Governance

3.5 Not applicable.



### Risk

3.6 Not applicable.

## **4. Consultation**

### Internal

4.1 Heads of Service and senior managers from Communities have been consulted on the content of this report.

### External

4.2 Tenant Reports Panel noted that given all the challenges of the past few years, we would like to congratulate the Service on such a good assessment. The challenges are noted and area adequately explained. Hoping the Service will be able to deal with the outstanding EICRs in the current year.

## **5. Communication**

5.1 The Annual Assurance Statement will be made publicly available.

## **6. BACKGROUND PAPERS**

6.1 No background papers were relied upon during the preparation of this report.