

PERTH AND KINROSS COUNCIL

Housing and Communities Committee

11 November 2020

Annual Assurance Statement 2019/20– Scottish Housing Regulator

Report by Executive Director (Housing & Environment) (Report No. 20/214)

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 an Annual Assurance Statement for approval by Housing and Communities Committee.

1. BACKGROUND

- 1.1 This is the second year that landlords have been required to publish an Annual Assurance Statement in line with the guidance within the Scottish Housing Regulator's (SHR) published Regulatory Framework¹. The Framework details the SHR's statement on performance of functions, and sets out how they regulate Registered Social Landlords, and housing and homelessness services delivered by Local Authorities.
- 1.2 Following the first year's submission, the SHR analysed the Annual Assurance Statements submitted by all landlords, selected and visited 10 landlords across Scotland to determine their self-assurance approach and listened to feedback from these individual landlords. Perth and Kinross Council were not visited by the SHR as part of this process.
- 1.3 The SHR found that:
 - many landlords were in a good place to build on the firm foundation they have put in place in the first year of the Annual Assurance Statements.
 - effective year-round, on-going assurance is good governance and is what should enable Committees to approve the Statement.
 - it is not possible for governing body members and committee members to have absolute knowledge of all aspects of compliance with every regulatory requirement and standard. The important matter is that they have enough assurance to have confidence to sign the Statement. This means seeing enough evidence, including independent assurance where appropriate, and have confidence in the landlord's frameworks to oversee performance and its internal control systems.

¹ [SHR - Regulation of Social Housing in Scotland \(Our Framework\)](#)

- 1.4 Within the Framework, the SHR advise that they will carry out their work in the following four broad ways:
- gathering and publishing data in ways that tenants and other stakeholders can use
 - seeking assurance from landlords
 - taking action where they need to
 - thematic activity, to look in depth at specific areas of work
- 1.5 Central to their approach is landlords assuring themselves, their tenants and the SHR through landlord self-assurance.
- 1.6 Each and every Registered Social Landlord and Local Authority is responsible for delivering good outcomes and services for its 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.
- 1.7 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.

2. ANNUAL ASSURANCE STATEMENTS

- 2.1 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.
- 2.2 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 to improve, and a timeframe for improvement
 - confirmation that the relevant Local Authority Committee have seen and considered appropriate evidence to support the level of assurance
- 2.3 A signed and unsigned version of the Annual Assurance Statement should then be provided to the SHR, who will then make the unsigned version publically available. There is also a requirement for landlords to ensure the Statement is easily and readily available for tenants.

- 2.4 We can advise that, during 2019/20, Perth and Kinross Housing Service complied with all except one regulatory requirement as set out in Chapter 3 of the Scottish Housing Regulator's Framework. This confirms that we:
- achieve all of the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services.
 - comply with our legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.
- 2.5 The Council did not materially comply with gas safety regulations, as the Housing Service did not complete five of its annual gas safety checks in 2019/20 by the anniversary date. Each year the Housing Service undertakes 6519 gas safety checks.
- 2.6 Four of these were a result of Covid-19 restrictions, where access to properties was not provided by tenants, and the other resulted from the transition period between moving from our old to new term contractor.
- 2.7 National industry guidance was issued in relation to gas safety checks during the Covid19 lockdown period and we have continued to carry out our landlord gas safety checks in line with the industry guidance. The health, safety and wellbeing, along with the wishes of our vulnerable tenants, has continued to be our priority. The need to continue with gas safety checks has been balanced with tenant, contractor and property safety.
- 2.8 Some tenants asked us not to undertake gas safety checks due to health concerns relating to the COVID-19 pandemic. We issued communications to tenants encouraging them to allow engineers access and provided reassurances about the robust safety measures along with risk assessments we have in place to protect our tenants and engineers. This includes screening questions before the date of service, use of appropriate Personal Protective Equipment and asking customers to stay in a separate room during the gas safety check.
- 2.9 All five safety checks were satisfactorily completed as soon as possible following the anniversary date. We continue to review our practices in line with current national industry guidance.

Evidence to Support Assurance 2019/20

- 2.10 In addition to the requirement to submit the statement to this Committee, reference has also been made to the Annual Assurance Statement within the the Audited Annual Accounts 2019/20 (Report No 20/180).
- 2.11 Our management and democratic structures and processes are designed to facilitate effective decision making, and the proper scrutiny of decisions and their impact, in terms of performance and the achievement of outcomes.

- 2.12 This is supported by a range of planning processes, ensuring we meet the needs of customers, and that targets for quality improvements are set and monitored. Individual Business Management & Improvement Plans 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.
- 2.13 Service performance is reported regularly to the Housing and Environment Senior Management Team, Executive Officer Team and publicly through the Council's themed committees and the Scrutiny committee. Financial performance is publicly reported through the Strategic Policy & Resources Committee.
- 2.14 The evidence required by the SHR forms part of the self-assessment process, which informs in part, the Council's Annual Governance Statement. This is scrutinised and reviewed through the Policy and Governance Group with a final Annual Governance Statement being submitted annually to Scrutiny Committee. Appendix 1 details an overview of information that supports the Annual Assurance Statement.
- 2.15 Committee will recall that on 1 April 2019, the SHR published its plans for engagement for every social landlord across Scotland. Of the 32 Scottish Local Authorities, Perth and Kinross was one of two local authorities where the SHR indicated there was no requirement for any further engagement. No Engagement Plans were produced in 2020 because of the Covid19 pandemic. In accordance with the Regulatory Framework however, SHR will begin publishing updated Engagement Plans at the end of March 2021.

Tenant Assurance

- 2.16 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.
- 2.17 The Annual Performance Report, and the gradings within this by the Service User Review and Evaluation (SURE) Team also support our Tenant Assurance Statement. Due to Covid19 restrictions, we are unable to deliver face to face interactive presentations to the SURE Team, which is our preferred method of engagement. Digital connectivity/inclusion has been a barrier to virtual sessions. We have, therefore, communicated hard copy presentations and scheduled teleconferencing sessions, where appropriate, for further discussions and feedback.
- 2.18 Final feedback from the SURE Team is expected by 2 November 2020. A verbal update on this will be provided to Committee. This, together with our sector leading tenant satisfaction results, is expected to provide Committee with the required level of assurance from the tenants who receive and experience the services we deliver.

Self-Assessment

- 2.19 During 2019/20, an exercise was conducted to identify the best model of self-assessment for the Housing Service. The chosen model was developed by Scotland's Housing Network and used by other Local Authorities throughout Scotland. The model is based on thirteen self-assessment frameworks that support performance improvement relative to the outcomes of the Scottish Social Housing Charter.
- 2.20 The Housing Service conducted the Scotland's Housing Network (SHN) self-assessment exercise which forms the basis of the Annual Assurance Statement, on 18 February 2020. An action plan was developed and included:
- development of a housing support performance management framework to inform service improvement
 - analysis of works eligible for right to repair to ensure tenants are more aware of qualifying repairs
 - analysis to be undertaken on the learnings from complaints to inform future service improvements
- 2.21 Following the completion of the Self-Assessment Workshop, feedback was received from SHN who stated that they were confident of Perth and Kinross Council's approach to the exercise and the consequent performance improvements identified. The Annual Assurance Statement is attached as Appendix 2.

3. CONCLUSION AND RECOMMENDATIONS

- 3.1 The Council's Housing Service continues to deliver high levels of service delivery, with strong performance across all areas and ongoing high levels of tenant satisfaction. This is achieved in the context of maintaining our rents at affordable levels as one of the 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).
- 3.2 It is recommended that Housing and Communities Committee:
- (i) notes the requirement to submit an Annual Assurance Statement
 - (ii) approves the Annual Assurance Statement as detailed in Appendix 2

Author

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Approved

Name	Designation	Date
Barbara Renton	Executive Director – (Housing & Environment)	30 October 2020

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

1. Strategic Implications

Community Plan

1.1 This report and proposals support the delivery of the Perth and Kinross Community Plan in terms of the following priorities:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

Corporate Plan

1.2 This report and proposals support the achievement of the Council's Corporate Plan Priorities:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

2. Resource Implications

Financial

- 2.1 The Head of Finance has been consulted on this report. 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 land or property implications arising from this report.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

Legal and Governance

- 3.4 Head of Legal and Governance has been consulted and is supportive of the approach taken in respect of the Annual Assurance Statement.

4. Consultation

Internal

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

5. Communication

- 5.1 The Annual Assurance Statement will be made publicly available.

2. BACKGROUND PAPERS

2.1 None.

3. APPENDICES

3.1 Appendix 1 Overview of information that supports the Annual Assurance Statement

3.2 Appendix 2 Annual Assurance Statement.