



# The Scottish Social Housing Charter Discussion Paper

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# **The Scottish Social Housing Charter Discussion Paper**

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## Introduction

Scotland's first Social Housing Charter will come into force next year. The Charter will set the outcomes and standards that all social landlords should achieve for the customers they serve: their tenants; homeless people; and others who use their housing services.



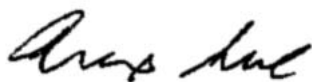
The Scottish Government is working to make sure the Charter reflects the views and priorities of all customers. We began this exercise last autumn, when we held events across the country at which tenants, landlords and others started talking to us – and, just as important, to each other – in a series of conversations about the type of outcomes the Charter might contain.

This discussion paper aims to continue and broaden these conversations by summarising what we learned from the events and suggesting how we might develop the Charter. We are offering these suggestions to encourage social landlords and all their customers to discuss together locally their own ideas for the Charter. Our proposals will also provide the basis for further discussion between landlords, customers and the Government, which we plan to hold in the coming months.

We started this process with a blank sheet of paper, so that everyone would have an equal chance to say what they wanted to see in the Charter, and we remain committed to

that spirit of openness. I hope that landlords, individual tenants, tenant groups and other stakeholders will take this opportunity to hold local debates about what social landlords should be achieving for their customers, and will then pass on their joint views to the Government. We will take account of these views in preparing a draft Charter for formal consultation later in the year.

The Charter will be an important document, defining what landlords should be doing for their customers. Please take the time to help us develop it.



**Alex Neil**

Minister for Housing and Communities

# The Scottish Social Housing Charter Discussion Paper

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# Background to the Charter

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**As a result of new legislation, the Scottish Government must produce a document called the Scottish Social Housing Charter (the Charter).**

The Charter will list the standards and outcomes that social landlords should be aiming to achieve for their customers. It will make it clear what people can expect from a social landlord.

The Charter has not been written yet and the purpose of this paper is to encourage stakeholders to get involved and help us draw it up. By 'stakeholders' we mean people and organisations with a direct interest in social housing, including tenants, homeless people, people on housing registers, landlords, councillors, housing association board members, owners who receive factoring services from social landlords, organisations who provide funding to social landlords, the Scottish Housing Regulator and others.

## **What do we mean by 'social landlord'?**

Social landlords are:

- council landlords; or
- not-for-profit landlords who are registered with the Scottish Housing Regulator (for example, housing associations); or
- councils that do not own any housing but provide housing services (for example, services for homeless people).

The Charter will not apply to landlords in the private sector.

## **What do we mean by an 'outcome'?**

An outcome is a result we want to happen. So the Charter will be defining the results that landlords should be achieving for their customers.

When thinking about the outcomes that the Charter might include, we suggest that every outcome should:

- address issues or services that matter to tenants, homeless people, or other customers of social landlords; and
- be the responsibility of social landlords; and
- be capable of being assessed and reported on by the new Scottish Housing Regulator.

## **The Scottish Housing Regulator and the Charter**

The legislation also means that, from 1 April 2011, there will be a new, independent Scottish Housing Regulator (the Regulator), which must safeguard and promote the interests of people who are, or may become:

- homeless;
- tenants of social landlords; or
- users of housing services provided by social landlords.

In other words, it must safeguard and promote the interests of all customers of social landlords.

At least once a year, the Regulator must publish reports that assess how far social landlords are achieving the Charter outcomes. The Regulator will be consulting later this year on how it will make its assessments. This is likely to include proposals for the role of self assessment by landlords, and how landlords should involve their tenants and other customers in that assessment.

## **When will the Charter come into effect?**

Before preparing the Charter, we must consult stakeholders. Many people have already given us suggestions for the Charter, and we will:

- over the next few months, speak to stakeholders and their representatives about the proposals in this discussion paper;
- in the summer, publish a draft Scottish Social Housing Charter as part of a formal consultation;
- towards the end of 2011, put the draft Charter to the Scottish Parliament for approval.

In April 2012, subject to the Scottish Parliament's approval, the first Charter will come into effect.

## Consultation – what we've done so far

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- In 2009, we carried out a research project involving telephone and written surveys to help us understand what's important to tenants.
- Over the past few months, we've been asking people to tell us what they think makes a good landlord and what they think should be included in the Charter.
- We set up a dedicated Housing Charter website at: <http://housingcharter.scotland.gov.uk>, which is a source of up-to-date information about the Charter. Visitors can add their own ideas or comment on the views of others. Written comment forms are also available for people who cannot or prefer not to comment online.
- We held 12 Charter 'roadshow' events across Scotland, from Dumfries to Inverness. Our thanks go to the landlords who provided the venues, their staff and the many tenant representatives who helped with the arrangements, and everyone who took part.

Our aim was to inform people about the Charter and to encourage landlords, tenants and others to talk to each other about what should be in it. The 12 events were attended by over 650 stakeholders. Details are available on the Housing Charter website.

- We established a Charter Sounding Board to:
  - advise the Government on how to involve the widest range of stakeholders in developing the Charter;
  - consider, and advise the Government on, the views emerging from consultations with stakeholders;
  - develop its own ideas on what the Charter should include.

Details of the Sounding Board membership and minutes of their meetings are available on the Housing Charter website.

- The Tenants Information Service (TIS) and the Tenant Participation Advisory Service (TPAS) held small focus groups on our behalf with harder-to-reach groups, including young people, tenants in supported housing, tenants in remote and rural communities, and homeless people.
- Staff from the Scottish Government's Tenant Priorities Team have been talking about the Charter at local events organised by tenants and landlords.
- The Regional Network of Registered Tenant Organisations and several other organisations, including Inclusion Scotland and the Glasgow Homelessness Network, have been conducting their own consultations and have submitted comments on behalf of the people they represent.

All these initiatives have helped us reach thousands of stakeholders across the country. Our thanks go to all for helping to raise awareness of the Charter. Your contributions have been published on the Housing Charter website for others to see.

## What people have been telling us

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We wanted the consultation to start with a blank sheet of paper and to ask stakeholders to set the development process going by telling us what matters to them.

Tenants have generally welcomed this approach and the opportunity to help shape policy from the start. A few found it difficult initially and would have preferred the Government to set out ideas they could comment on. However, there were lively discussions at the roadshow events, generating lots of ideas.

Most landlords have been supportive, but some have questioned why it needs to take so long when there are already performance standards in place for social landlords. We appreciate these concerns, but the legislation requires us to consult on the content of the Charter. We want to take the opportunity to think seriously about what landlords should achieve and to involve as many landlords and their customers as possible in that exercise.

# Stakeholders' suggestions for the Charter

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Many landlords already provide good-quality services. We believe the Charter should challenge all landlords to match what the best are achieving already. Over the past few months, landlords, customers and other stakeholders have been telling us what they think a good landlord should be achieving and what type of outcomes they would like to see in the Charter. These are some of the suggestions:

**Customer participation** – People want to see a range of participation options to enable all types of customer, including those who are seldom heard or hard to reach, to get involved at a level they feel comfortable with. This might range from completing brief surveys to getting involved in local tenant and resident organisations. Or they might work in partnership with landlords to agree local priorities, draw up local service standards, and plan and monitor the delivery of local services. Some landlords already do this well, as the comments on the Housing Charter website suggest, but this is not the case everywhere.

Both tenants and landlords tell us it can often be difficult to get tenants involved, especially younger tenants. Many landlords see the need for more imaginative approaches to encourage tenants and residents to take an interest in making their neighbourhoods attractive places to live.

**Communication** – People told us that two-way communication is essential. Effective communication has to become part of the culture of an organisation. If a landlord and its staff can communicate well with tenants and others, and listen and respond to what they are being told, levels of customer satisfaction with almost every service the landlord provides can be improved. Many tenants told us their landlord fails to keep them informed, or fails to give them feedback on issues they raise. This leads tenants to think “there’s no point in contacting them; they’ll do nothing about it”. Getting communication right will go a long way to persuading tenants that getting involved is worth the effort.

People would also like to see good communication practices within a landlord’s organisation and between landlords and other agencies.

Tenants also made it clear that they want landlords and the Scottish Government to communicate with them in plain English, without using jargon that only housing professionals can understand.

**Customer service** – Customers want to deal with friendly, knowledgeable, well-trained staff who are accessible, who treat customers with respect and without discrimination, who understand their varying needs, and who listen and respond accordingly. Many tenants have suggested they would find it helpful to have a single point of contact so they don’t get passed from department to department.

**Housing quality** – People want good-quality, well-maintained homes, which will meet the Scottish Housing Quality Standard (SHQS) by 2015 at the latest and continue to do so beyond that date.

**Value for money** – Customers want good value for the rent and other charges they pay, and honest and accurate reporting of how money is spent and the value it is achieving for them.

**Repairs and maintenance** – Tenants want a customer-focused service achieving standards that have been set in consultation with them. Ideally, this should offer an appointments system, good-quality workmanship, a first-time fix wherever possible, and good communications throughout the process.

**Estate management** – People want common areas that are well maintained, and neighbourhoods that are clean, safe, attractive places to live. Many suggested that housing officers should be more visible and should hold regular neighbourhood walkabouts.

**Allocations** – People want to see a fair, easy-to-understand allocations policy that reflects the needs of the local community. Houses should be clean and tidy at the point of allocation.

**Homelessness** – Homeless people and their representatives want advice on housing options to be available and accessible; temporary accommodation to be of decent quality; and good-quality information and support for those who need it.

**Tenancy support** – Tenants and landlords recognise the value of providing support and information to new or vulnerable tenants to help them keep their tenancies, meet their tenancy obligations and become valued members of their local community.

**Anti-social behaviour** – Tenants feel very strongly that landlords should take swift and effective action against anti-social behaviour, and should work in partnership with other agencies where this is necessary to deal with a particular problem. They say landlords should be firmer in enforcing the tenancy agreements of those committing anti-social behaviour.

**Transparency** – People want to be able to access information about their homes and neighbourhoods; how rent money is being spent; and how decisions are taken. In particular, many council tenants want more transparency in housing revenue account transactions, for example by publishing all records of spending over £500.

# Other issues raised by stakeholders during the consultation

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Several other issues came up regularly during the roadshow events.

Some tenants said that building good neighbourhoods was not solely the responsibility of the landlord. Tenants have a part to play and the Charter should address their responsibility to fulfil their duties under their tenancy agreements. As the Charter is about the housing service being provided by landlords, we cannot include this as a separate outcome as suggested. However, these comments perhaps indicate that some landlords are not doing enough to remind tenants of their tenancy obligations, or to enforce tenancy agreements. One of the outcomes could cover this.

People said the Scottish Government and landlords need to increase the supply of affordable homes across the country.

Many also said it would help create more stable communities if all new tenants were given a probationary tenancy for a set time, during which they would have to show they were able to meet their tenancy conditions (with support if needed).

While these two suggestions fall outside the Charter's scope, they were matters for the recent wider review of housing policy in Scotland and were considered as part of that discussion. The policy paper 'Homes Fit for the 21st Century' is available on the Scottish Government website at [www.scotland.gov.uk/housing/21stcentury/](http://www.scotland.gov.uk/housing/21stcentury/)

# So how do we turn your suggestions into Charter outcomes?

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The law allows us to set outcomes and standards that will apply to all social landlords. It also allows us to set separate outcomes and standards for different kinds of landlords and for different areas. For example, we could have a separate outcome for landlords who manage supported housing. It could be argued, however, that with good communication, participation, customer service and tenancy support, individual landlords will get to know the particular needs of their own customers and develop services that meet them.

So, at this stage, we suggest there should be a single set of outcomes that all landlords, of any size, type, location or customer base, should be aiming to achieve for the full range of their tenants, for homeless people and for other customers.

The Charter won't tell landlords how to achieve those outcomes; it won't describe any processes or actions. These are business decisions for landlords themselves in consultation with their customers. Indeed, we suggest that the Scottish Government should set the Charter outcomes in broad terms. This would allow individual landlords to discuss with their customers how to achieve them in light of the customers' needs and priorities.

Landlords have certain legal duties, for example on health and safety, equalities and tenant participation. These duties will continue to apply; and in some cases, the Charter outcomes may well describe the actual results that good landlords will achieve by carrying out their legal duties.

## Some examples of possible outcomes

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Taking everyone's comments into account, we set out below **some possible outcomes that might go into the Charter**. Some of these overlap. For example, good **customer participation** and **communication** are key outcomes that together will affect almost every service a landlord provides. Judging by what people have told us, if a landlord can get those two activities right, this could improve the levels of customer satisfaction across the whole range of landlord services.

We have tried to focus these suggested outcomes on customers. Wherever possible, we have drafted them in terms of customers' experience of the service received, so as to involve customers in setting the standards their landlord should achieve and also in providing evidence on whether they have done so.

Here are our suggested outcomes:

### **Customer participation**

**All types of tenants, their representatives and other customers can participate in decision making about the type and standard of local services that their landlord provides.**

**Their views and priorities are reflected in the landlord's services.**

**They can be involved in monitoring, assessing and reporting on the quality of services they receive from their landlord.**

Participation is about involving people in developing and improving services, and good landlords will already be creating opportunities and encouraging people to get involved. They will be discussing with tenants, their representatives and other customers the range of opportunities for involving them in planning and monitoring services. This outcome should enable people to get involved at a level and in a manner they feel comfortable with; giving them a say in setting local priorities and shaping how individual services are provided locally, within available budgets. These could include all the key landlord services, including the local repairs service.

## Communication

Tenants are aware of developments in their landlord's business that affect them and their neighbourhood.

Tenants and other customers are able to contact staff with suggestions or concerns, or for advice.

Customers are content with the way their landlord deals with enquiries and provides them with feedback.

## Customer service

Individual tenants, homeless people and other customers have access to their landlord's staff and find the staff responsive to their needs.

Customers are treated with respect and without unfair or unlawful discrimination.

Customers are content with the way their complaints are handled.

## Housing quality

After April 2015, all homes that are let, or available for let, meet the Scottish Housing Quality Standard.

Homes are clean and tidy at the point of allocation.

Homes meet all legal requirements for their occupants' health and safety.

## Access to housing

**People looking for housing understand how landlords prioritise access to social rented housing.**

**People looking for housing understand the range of tenure and accommodation options available in the area.**

**People looking for social rented housing can apply easily for the widest choice of housing in the area that would meet their needs.**

**Allocations are made transparently.**

**Landlords understand current demand for housing in their area, and this is reflected in a fair, easy-to-understand and accessible allocations policy.**

**Temporary accommodation meets the needs of those receiving it.**

**Landlords understand likely future demand for housing in their area, and plan to help meet that demand.**

This suggested outcome recognises that people looking for housing have the greatest access to it when they have information about their options and when landlords work together to widen the amount of available housing, for example in a common housing register or mutual exchange scheme.

## Homelessness

**Homeless people receive information about housing options, accommodation and support that reflects their needs.**

## Tenancy support

Vulnerable tenants and tenants at risk of losing their tenancy through rent arrears are helped to sustain their tenancies.

## Rents

Rent levels are set in consultation with tenants and take account of how far current and prospective tenants could afford them.

Rent structures are consistent and easy to understand, with rent levels reflecting the size and other features of the properties.

## Value for money

In all areas of their operation, landlords use their resources economically, efficiently and effectively to achieve value for money – for tenants, other customers and tax payers – and the value they achieve is improving over time.

## Anti-social behaviour

Residents are content with how their landlord is dealing with anti-social behaviour problems on its estates.

Residents are content with the way their landlord works with others to tackle wider issues of anti-social behaviour.

Concerns about anti-social behaviour were raised regularly at the consultation events. These ranged from frustration at the noise caused by neighbours walking on laminate flooring to fear of neighbours apparently involved in criminal activity. However, anti-social behaviour is not just a housing issue and it doesn't affect only tenants in the social rented sector; it also affects households in the private rented sector and owner occupiers. Therefore, not all aspects of anti-social behaviour are the landlord's responsibility to remedy. We have tried to reflect that fact in this suggested outcome.

### **Repairs and maintenance**

**Tenants can access an efficient and effective repairs service that is responsive to their needs and priorities.**

### **Estate management**

**Residents are content that estates and common areas within a landlord's responsibility are well maintained and safe places to live.**

### **Transparency/access to information**

**Customers and other stakeholders are able to obtain information about a landlord's organisation, management, performance and finances, and how it makes and implements decisions, in a way that meets their needs.**

## Services for Gypsies/Travellers

The council is assessing the accommodation needs of Gypsies/Travellers.

The council's development plan identifies suitable locations for sites, where there is evidence of need.

## Other customers

Owners and residents receiving factoring and other services are content that they receive a fair, effective, efficient service.

## Equalities

Many of those who spoke to us suggested there ought to be a separate equalities outcome. On the other hand, if landlords are fulfilling their legal obligations and their obligations under the outcomes on participation, communication and customer service, they will already know and understand the specific needs of their own customers and the particular barriers and problems they face. They will be communicating with them in a format that suits their needs, and providing services in a way that meets those needs. If not, the Regulator will see they are failing to meet those outcomes.

What do you think? Should there be a separate equalities outcome, or will the participation, communication and customer service outcomes help to make equal opportunities part of all aspects of a landlord's work?

## Next steps

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The outcomes we have suggested in this paper are intended to stimulate further discussion, particularly among landlords and their customers. If you can let us have your views on them by 16 May 2011, we will take them into account when we prepare a draft Charter for formal consultation later in the year.

The draft Charter will probably contain more detail about each outcome to ensure that landlords are clear about what they should be doing; customers know what to expect from their landlords; and the Regulator understands what it should be assessing.

For example, we have suggested in this paper a fairly simple outcome on housing repairs:

- Tenants can access an efficient and effective repairs service that is responsive to their needs and priorities.

This should enable tenants to sit down with their landlord and discuss local priorities for repairs and how, within available budgets, these priorities can be reflected in the repairs service that the landlord provides.

To make sure this is clear, we might have to add a description of the kinds of issues we would expect to see discussed locally. Or we could make the actual outcome more detailed by including examples like:

- tenants can report repairs easily and when they need to;
- tenants are given choices on when repairs can be done, at convenient times for them;
- repairs and improvements are done right first time.

We'd welcome your views on the level of detail that we need to include in the draft Charter.

# Our questions to you

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We now need you to tell us:

- Have we missed anything?
- Is there anything you are particularly concerned about that would not fall within one of the above outcomes? Remember that the participation and communication outcomes, in particular, should give customers a say in how housing services are provided locally.
- Is the wording of any these outcomes likely to cause problems? Do you have any suggestions that you would like us to consider?
- Is the level of detail about right, or do we need more detail, or less?
- Are there too many outcomes? Are any unnecessary? Are there any we should drop, and why?

# How to comment

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Please let us have your comments by 16 May 2011. You can:

- post them to: The Housing Charter Team  
Social Housing Division  
The Scottish Government  
Edinburgh  
EH6 6QQ
- send them by email to:  
**[housingcharter@scotland.gsi.gov.uk](mailto:housingcharter@scotland.gsi.gov.uk)**, or
- go on to the Housing Charter website at:  
**<http://housingcharter.scotland.gov.uk>**  
and submit them online.

We are particularly keen to receive responses that have been agreed jointly by tenants and landlords.

This discussion paper is part of the early informal consultation on the Charter. As such we don't intend to publish an analysis or report on the comments received, but we will publish them on our website [if you give us your permission](#).

The Charter team will consider all comments and will bear them in mind in our further discussions with stakeholders over the coming months. We will ultimately use them in drafting the first Charter, which will undergo formal consultation in the summer of 2011.

Thank you.





**The Scottish  
Government**

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