
Report to: Clackmannanshire Council

Date of Meeting: 10th August 2023

Subject: Scottish Housing Regulator Annual Return of the Charter (ARC)/Tenant Participation - Interim Strategy 2023/24

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1 The purpose of this report is to present the Scottish Housing Regulator Annual Return of Charter 2023 asking members to note the performance information contained within the return. Copy of the ARC return has been provided to members as a background paper in advance of this meeting.
- 1.2 This report also asks members to note a proposed Interim Tenant Participation Strategy (contained within Appendix 1) and this to be progressed during the current financial year 2023/24 in advance of a fully recognised Tenant Participation Strategy being introduced in 2024 with implementation through to 2027.

2.0 Recommendations

- 2.1 It is recommended that Council:
- 2.2 Notes the 2022/23 submission of the Annual Return of the Charter, which was submitted to the Scottish Housing Regulator on 31st May 2023, noting the relevant performance results and measures for scrutiny purposes.
- 2.3 Notes the proposed Interim Tenant Participation Strategy for 2023/24 as set out in Appendix 1.

3.0 Considerations

- 3.1 As required by section 31 of the Housing (Scotland) Act 2010, the Scottish Ministers set the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.
- 3.2 The Charter was approved by resolution of the Scottish Parliament in 2012, taking effect from 1 April 2012.

Purpose of the Charter

3.3 The Charter aims to improve the quality and value of the services that social landlords deliver for their tenants and other customers and supports the Scottish Government's strategic objective of a safer and stronger Scotland. It does so in the following ways:

- By providing tenants and other customers with a clear statement of what they can expect from social landlords, and helping them to hold landlords to account.
- Focuses the efforts of social landlords on achieving outcomes that matter to their tenants and other customers.
- Provides the basis for the Scottish Housing Regulator to assess and report on how well landlords are performing. This enables the Regulator, tenants and other customers, and social landlords to identify areas of strong performance and areas where improvement is needed.

3.4 Reporting on performance against the Charter is undertaken via the Annual Return of Charter (ARC) which all social landlords are required to return annually by 31st May. This return is submitted to the Scottish Housing Regulator (SHR) who monitors landlord performance against the Charter. Due to the scheduling of Council meetings (and the volume of information required to be gathered) it was not possible this year to provide final copy of the report in full to Council ahead of the submission deadline. The service will endeavour where possible in future submissions to present the return information to Council ahead of submission to the SHR.

3.5 Comparison will be difficult between performance years given the impact of covid on service performance. However, some key points of note from the return for 2022/23 include;

3 yearly Tenant Satisfaction Survey

3.6 Charter Indicators 1, 2, 5, 7, 12, 13 and 25 all utilise data gathered from the recently commissioned tenants survey on housing service performance, the results gathered show positive tenant perception of Housing Service Delivery with performance improving or remaining steady in all areas since last survey conducted in 2019 –

Scottish Housing Regulator Charter Indicators				
	ARC 21/22 (Scottish Average)	2019	2023	Trend
Indicator 1 Taking everything into account, how satisfied or dissatisfied are you with the overall service provided by Clackmannanshire Council Housing service as your landlord?	88%	91%	93%	➡ 2%
Indicator 2 How good or poor do you feel Clackmannanshire Council Housing service is at keeping you informed about their services and decisions?	91%	96%	97%	➡ 1%
Indicator 5 How satisfied or dissatisfied are you with the opportunities given to you to participate in decision making processes?	87%	88%	98%	⬆ 10%
Indicator 7 Overall, how satisfied or dissatisfied are you with the quality of your home?	85%	91%	93%	➡ 2%
Indicator 12 Thinking about the LAST time you had (day to day) repairs carried out, how satisfied or dissatisfied were you with the repairs service provided by Clackmannanshire Council Housing service?	88%	92%	92%	➡ 0%
Indicator 13 Overall, how satisfied or dissatisfied are you with Clackmannanshire Council Housing service's contribution to the management of the neighbourhood you live in?	85%	91%	95%	⬆ 4%
Indicator 25 Taking into account the accommodation and the services Clackmannanshire Council Housing service provides, do you think that the rent for this property represents good or poor value for money? Is it...	83%	86%	95%	⬆ 9%

Void Property Performance

- 3.7 As reported at June Council we have experienced some challenges in turning around our void properties within an acceptable time period with a plan to recover and improve performance in this area now underway. Our average end to end time for void property turnaround in 22/23 was 47.04 days in total compared to an end to end time in 21/22 of 32.55 days.

SHQS Performance

- 3.8 Our percentage compliance with SHQS has taken a significant drop to only 39.3% compliant, this from a previous high of 98.7% compliant in 2020/21 and 59.8% compliant in 2021/22. The reasons for this drop were outlined at Audit and Scrutiny Committee in June and in the main centre around our need to undertake electrical testing catch up works in properties that had this work scheduled but postponed during period of Covid-19. These properties are over-due electrical test and are deemed then SHQS failures.
- 3.9 Similarly our ability to undertake and renew Energy Performance Certification (EPC) within domestic properties was hampered by Covid-19 with this programme postponed, catch up works are ongoing to recover our position and ensure that all domestic dwellings have an adequate and in-date EPC. An out of date EPC constitutes an SHQS failure.
- 3.10 Reduction in SHQS compliance levels is expected across a number of local authorities who have experienced similar challenges to ourselves in delivering maintenance works during period of Covid-19.

- 3.11 Council will note that the ARC return forecasts our recovery to a position of 97.6% compliant with SHQS by 1st April 2024.

Repairs – Emergency and Non-Emergency

- 3.12 Performance in responding to emergency repairs within the permitted 8 hour target time remains high with an average response time of 3.97 hours (3.49 hours in 2021/22).
- 3.13 Performance in non-emergency repairs has dropped slightly when compared to 2021/22 with response time then at an average of 4.9 days and now 5.4 days.
- 3.14 We are currently experiencing some challenge in working through a significant number of non-emergency repairs jobs some of which were postponed during Covid-19 and are now programmed to be undertaken, accommodating these within the works diary has meant that in some cases new non-emergency repairs requests are taking longer for the trades team to attend to. Non-emergency repairs requests are analysed by the repairs team and prioritised as necessary dependant upon the nature of the issue.
- 3.15 The trades workforce will prioritise all available resource capacity on delivery of the capital kitchen programme, housing repairs (emergency/non emergency) and void property refurbishment works with aim of ensuring as best performance as possible is able to be achieved in service delivery within these areas.

4.0 Rent

4.1 The tables below provide a breakdown of current rent arrears and the impact of Universal Credit (UC). It should be noted that the Scottish Housing Regulator (SHR), to allow for comparisons between Councils and Housing Associations, allow for some year-end adjustments to the arrears figures particularly dealing with UC Payments meant for the previous financial year.

4.2 Table 1 below details that overall, in the last financial year, arrears reduced by almost £0.012m. However, the main comparison figure utilised by the SHR (Indicator 31), Gross rent arrears increased by 0.85 percentage points to 11.51%. The table demonstrates that this increase was because of former tenant arrears increasing by 1.16 percentage points.

Table 1

	2019/20	2020/21	2021/22	2022/23	Current / Last Year Increase (Decrease)
Current tenant rent arrears value	£916,696	£848,778	£873,255	£861,742	(£11,513)
Gross rent arrears (current and former tenants) as a % (SHR indicator 31)	10.12%	9.56%	10.66%	11.51%	0.85%
SHR Current Tenant arrears as a %	3.91%	3.33%	3.63%	3.32%	(0.31%)
SHR Former Tenant arrears as a %	6.21%	6.23%	7.03%	8.19%	1.16%

The following table provides a breakdown of arrears cases by value band over the last two financial years and the movement in each of those bands.

Table 2

Breakdown of arrears case load	2021/22	2022/23	Current / Last Year Increase (Decrease)
Total No of current rent accounts in arrears	1,793	1,895	102
Greater than £4,000	15	6	(9)
Between £3,000 & £3,999	17	13	(4)
Between £2,000 & £2,999	39	40	1
Between £1,000 & £1,999	146	172	26
Between £500 & £999	267	257	(10)
Between £0 and £499	1,309	1,407	98
Highest rent account balance	£7,943.57	£7,438.24	£505.33

5.0 Tenant Participation – Interim Strategy

- 5.1 Tenant participation aims to improve the standard of housing conditions and services. The introduction of the Housing (Scotland) Act 2001 created a legal requirement for social landlords, councils and housing associations, to actively develop and support tenant participation.
- 5.2 All Registered Social Landlords (RSLs) and local authorities in Scotland must have a Tenant Participation Strategy which ultimately will enable "continuous improvement in landlords' performance in supporting and enabling tenants to participate."
- 5.3 The Annual Assurance Statement submitted by the Housing Service to the Scottish Housing Regulator (SHR) on 31st October last year noted the Council's continued non-compliance with our statutory duties in Tenant Participation, principally that we currently do not have a recognised and agreed Tenant Participation Strategy.
- 5.4 The Service recognises the need for a robust Tenant Participation Strategy to be put in place and we are working toward procuring a suitable partner to assist in the undertaking of this work with a view to fully commencing the task from 1st April 2024. A recruitment process is underway currently to fill the vacant post of Tenant Participation Officer and this role will be pivotal to ensuring meaningful progression of the new Tenant Participation Strategy.
- 5.5 The new Strategy will be consulted on with members, the Clackmannanshire Tenants and Residents Federation (CTRF) and tenants with aim of highlighting the range of opportunities available to tenants, service users and other customers to become involved. It will also explain how tenant participation will be supported and resourced, the actions that will be taken to ensure the continual development of effective participation and how these will be monitored.
- 5.6 Until the new Tenant Participation Strategy is able to be taken forward and realised the Housing Service are keen to progress just now with an interim Tenant Participation Strategy and in doing so demonstrate to members, the SHR and our principal tenants and residents group the Clackmannanshire Tenants and Residents Federation (CTRF) that we are serious about tenant participation.
- 5.7 The Interim Strategy seeks to encourage meaningful tenant participation and engagement in key Housing Service priorities for 2023/24 with collaborative working and agreement on key outcomes. Appendix 1 provides overview of these.

5.8 The Annual Assurance Statement to be submitted to the SHR on 31st October 2023 will highlight our Interim Strategy for Tenant Participation as being a key place marker ahead of implementation of a full Tenant Participation Strategy in 2024/25.

6.0 Sustainability Implications

6.1 The information contained within the ARC demonstrates that housing priorities contribute positively to sustainability.

7.0 Resource Implications

7.1 Financial Details

7.2 Finance have been consulted and have agreed the financial implications as set out in the report. Yes

8.0 Exempt Reports

8.1 Is this report exempt?

Yes (please detail the reasons for exemption below)

No

9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please click on the check box)

Clackmannanshire will be attractive to businesses and people and ensure fair opportunities for all

Our families, children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

Scottish Housing Regulator Annual Assurance Statement (31st October 22)

Scottish Housing Regulator Annual Return of Charter 2022

Scottish Housing Regulator Annual Return of Charter 2023

10.0 Equalities Impact

Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes

No

11.0 Legality

11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

12.0 Appendices

Appendix 1 – Interim Tenant Participation Strategy 2023/24

13.0 Background Papers

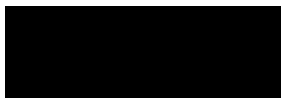
13.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered).

Yes

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
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Approved by

NAME	DESIGNATION	SIGNATURE
Pete Leonard	Strategic Director - Place	

Appendix 1

Tenant Participation – Interim Strategy 2023-24 – Overview of Key Engagement Priorities

Key Priority	Activity	Task	Timeline to Engagement
1	HRA Business Plan and Capacity Review 2023/24	Tenant Scrutiny and engagement in HRA Business Planning Process working in conjunction with relevant officers, the CTRF and the appointed consultant undertaking the works	Works to commence in August 2023 running until November 2023
2	HRA Accounts and Charges	As a part of the HRA Business Plan and Capacity Review 2023/24 an opportunity for tenants and the CTRF to scrutinise the HRA budget and the various charges made to the HRA from internal and external sources in line with the Housing (Scotland) Act 1987. This with a view to HRA budget setting in 2024/25	Works to commence in August 2023 running until November 2023
3	Rent Consultation	As part of the HRA Business Plan and Capacity Review a fully worked and costed rent review and consultation to take place with scrutiny from the CTRF and tenants	Works to commence in October 2023 running until January 2024
4	Housing Policy Review	There are a number of Housing Policies requiring to be reviewed in 2023/24 all of which will seek to consult the CTRF where appropriate	September 2023 and ongoing

		ahead of presentation to Council to request Policy approval	
5	Training Opportunity	Potential following appointment of TP Officer to post to upskill staff and tenants in learning and understanding around Tenant Participation requirements and their relationship with the 2001 and 2010 Housing (Scotland) Act	From October 2023 and ongoing
6	Tenant Led Scrutiny	Development of scoping requirements necessary to re-establish the Tenant Led Scrutiny Board as part of Council Reporting process, initial discussion to be had on this following appointment of the TP Officer to post	Initial discussion to be had on this following appointment of TP Officer to post, anticipated October 2023.
7	Development of Full Tenant Participation Strategy	Development of the full Tenant Participation Strategy to be progressed with procurement of suitable works partner undertaken and completed. Early consultation to take place with tenants to consult on key priorities.	To commence from October 2023
8	Council approval of Tenant Participation Strategy	The developed Tenant Participation Strategy once consulted and agreed upon to go to Council for approval to allow	By August 2024

		implementation. Council approval will also be sought to re- establish the Tenant Led Scrutiny Board	
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