

# Housing, Homelessness and Fair Work Committee

10.00am, Thursday 31 October 2019

## The City of Edinburgh Council's Assurance Statement on Housing Services

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### 1. Recommendations

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- 1.1 It is recommended that the Housing, Homelessness and Fair Work Committee:
  - 1.1.1 notes a new requirement for all social landlords to submit an Annual Assurance Statement to the Scottish Housing Regulator (SHR) by 31 October each year; and
  - 1.1.2 approves the first City of Edinburgh Council Assurance Statement on housing services for submission to the SHR.

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Executive Director of Place

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## The City of Edinburgh Council's Assurance Statement on Housing Services

### 2. Executive Summary

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- 2.1 The [Scottish Housing Regulator](#) revised its Regulatory Framework in 2019. This placed a new requirement on all social landlords to submit an Annual Assurance Statement to the SHR by 31 October each year.
- 2.2 The Assurance Statement confirms where the Council meets the standards and outcomes required by the SHR and provides information on areas for improvement and associated management actions. Following approval by committee, the assurance statement will be published on the SHR website.

### 3. Background

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- 3.1 [The Housing \(Scotland\) Act 2010](#) sets out the requirement for a social housing charter and the statutory objectives, functions, duties and powers of the SHR.
- 3.2 The [Scottish Social Housing Charter](#) set the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The SHR monitors, assesses and reports on the Charter. The SHR's statutory objective is to safeguard and promote the interests of current and future tenants, people who are homeless, factored owners and Gypsy/Travellers.
- 3.3 [A Regulatory Framework](#) sets out the approach to regulation. The SHR monitors, assesses, reports and intervenes (as appropriate) in relation to social landlords' performance of housing activities. A new regulatory framework and associated statutory guidance came into force on 1 April 2019.
- 3.4 All social landlords are required to report annual performance by the 31 May each year, through the [Annual Return on the Charter](#) (ARC) and to tenants by 31 October. Based on the analysis of each ARC, the SHR publishes an Engagement Plan for every social landlord in Scotland. These plans focus on areas for improvement. The Council's [Engagement Plan](#) for 2019 notes that the SHR is engaging with the Council on certain performance issues related to services for people who are homeless.

- 3.5 The new regulatory framework also requires all social landlords to submit an Annual Assurance Statement providing assurance that their organisation complies with the relevant requirements of [Chapter Three of Regulatory Framework](#). Detailed [statutory guidance](#) has also been published to accompany the enhanced framework.

## 4. Main report

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- 4.1 In addition to the pre-existing requirements for social landlords to meet the Scottish Social Housing Charter and report performance to the SHR and tenants, social landlords must now also prepare an [Annual Assurance Statement](#) on how the Council meets (or doesn't meet) its statutory and legal obligations. The Statement forms part of the overall regulatory view that the SHR has of the organisation. The Statement must be made available to tenants and other service users. The SHR will publicise all statements on their website.
- 4.2 As governing body, the Housing, Homelessness and Fair Work Committee is required to approve the Assurance Statement. The first City of Edinburgh Council Assurance Statement on housing services is attached (Appendix 1) along with an Assurance Statement Summary of Compliance (Appendix 2).
- 4.3 The Council assures performance continuously and there is regular dialogue with the SHR on areas of challenge and improvement to ensure that services are delivered in accordance with legislation, regulatory standards and take account of best practice guidance.
- 4.4 The Assurance Statement confirms that the Council complies with duties, obligations and responsibilities placed on landlords by legislation and through statutory guidance.
- 4.5 The exception to this is in relation to the duty to offer suitable temporary accommodation for people experiencing homelessness. There are occasions where the Council breaches the unsuitable Accommodation Order (2004), by placing families in bed and breakfast accommodation for longer than 7 days. The number of breaches has reduced significantly over the last year, as the Council has implemented a range of actions to reduce the reliance on this form of accommodation for families.
- 4.6 The Council at times, is also not able to offer accommodation to all people experiencing homelessness, the vast majority of these cases relate to presentations that are made out with normal office hours. To continue to improve the response in this area, the Council has worked in partnership with the Scottish Government and third sector partners to deliver rapid access accommodation, which can be accessed by street-based outreach workers 24 hours per day.
- 4.7 The Council submitted an officer draft of the first Rapid Rehousing Transition Plan (RRTP) to the Scottish Government in December 2018, which aims to

support rapid re-housing for homeless people. The Council is currently consulting on the second iteration of the RRTP with partners and service users and an update on the long-term engagement plan is reported to this Committee. One of the key priorities of the RRTP is to increase the supply of affordable housing in the city. A separate report to this committee on the Strategic Housing Investment Plan (SHIP) 2020/25 outlines a programme over the next five years which would deliver 9,500 homes. Nearly 80% of the grant funded Affordable Housing Supply Programme (AHSP) is for social rent with the remainder being for mid-market rent and low-cost home ownership.

- 4.8 The Assurance Statement guidance includes a requirement for all landlords to collect data relating to the protected characteristics of existing tenants, new tenants, people on waiting lists, governing body members and staff, people who apply to the Council as homeless and those who live on the Gypsy/Traveller site. The current approach will be reviewed in line with data protection regulations to ensure a consistent approach to collection and reasonable and relevant data use. Pending further guidance being issued, compliance with this requirement will not be measured by the SHR until April 2021.
- 4.9 The 2018/19 Annual Return on the Charter (ARC) results were published on 30 August 2019. The ARC shows that 76.7% of Council homes are let to homeless people compared to a local authority average of 43.0% and a Registered Social Landlord average of 27.6%.
- 4.10 The ARC results showed an improving performance on rent collection, with the percentage of rent due being collected increasing by 1.2% to 99.8%, this despite Universal Credit (UC) full service roll out, which began in Edinburgh in November 2018. In contrast the local authority (LA) landlords' average reduced by 0.7% over the same period.
- 4.11 Whilst income collection performance has improved, and the service continues to perform well when letting homes, the overall performance and customer satisfaction across core housing management (repairs, quality of home, neighbourhood and service) is showing signs of flatlining and dipping. A three-year Housing Service Improvement Plan (HSIP) has been put in place to increase satisfaction, improve performance and reduce operating costs. The key HSIP work streams were approved by the Housing and Economy Committee on 6 June 2019 and Committee will receive biannual progress updates. The next update is due to be considered by Committee on 24 January 2020.
- 4.12 The percentage of homes meeting the Scottish Housing Quality Standard (SHQS) and the Energy Efficiency Standards for Social Housing (EESH) have increased by more than 10% over the last two years, but they still lag behind the average for all LA and social landlords. The Mixed Tenure Housing Improvement Strategy was approved by committee on 7 June 2018. Updates were provided to Committee in January 2019 and June 2019, setting out progress to date including plans to set up a dedicated mixed tenure team and develop an

enhanced scheme of assistance to encourage owners to meet their responsibilities for common repairs and to agree to invest in improvements.

- 4.13 The Council's SHQS compliance increased to 86.2% in 2018/19 but is still below the LA average of 94.3% in 2018/19. Homes currently not meeting the SHQS are considered to be in abeyance. The main reason for abeyance is the lack of a door entry system in 1,291 mixed tenure blocks. A plan is underway to ensure the majority of blocks are fully compliant over the next three years.
- 4.14 The repairs workstream of the HSIP aims to deliver a range of service improvements; including the introduction of Total Mobile. Total Mobile is now live and will provide a wealth of data generated by field-based operatives for analysis to identify problems relating to processes, reduce delivery costs and ultimately improve business performance and customer satisfaction.
- 4.15 Other improvement actions include a revised Service Level Agreement (SLA) and Improvement Plan with Repairs Direct to reduce call waiting times and ensure repairs are completed right first time; on-the-spot surveys with tenants to generate valuable real-time feedback and drive forward further service enhancements, automated text and email reminders to tenants of their appointment the day before and alerts when operatives are on their way. In addition, a new customer resolution approach will replace the current complaint handling process; this will place greater emphasis on resolving customers concerns and less emphasis on investigating the viability of the complaint.

## **5. Next Steps**

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- 5.1 The approved Assurance Statement will be submitted to the SHR and made available to tenants (online and hard copy provided on request). The SHR will publicise the statement on its website.
- 5.2 The SHR will be updated on progress on the improvement actions at regular quarterly meetings held between the Council and SHR.
- 5.3 The SHR is currently developing a toolkit to support consistency with annual assurance reporting across all landlords. The guidance is aimed at local authority committees and members of governing bodies and will help to strengthen the approach over time. The experience of both landlords and SHR following the first submissions will inform further refinement of the toolkit.
- 5.4 An update on the HSIP will be provided for the Housing, Homelessness and Fair Work Committee on 24 January 2020.

## **6. Financial impact**

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- 6.1 There are no adverse financial impacts arising from this report. Work on assurance will assist with ensuring best value for tenants and other service users.

## **7. Stakeholder/Community Impact**

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- 7.1 There are no adverse stakeholder/community impact implications arising from this report. Work on assurance will strengthen tenant scrutiny and approaches to involving tenants and other service users.
- 7.2 The Council's SHR Landlord Performance Report, Engagement Plan and Assurance Statement are available online. The Housing Service's newsletter, the Tenants' Courier, delivered to every tenant, advises where the documents can be found and that hard copies can be provided on request.

## **8. Background reading/external references**

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- 8.1 [www.scottishhousingregulator.gov.uk/for-landlords/regulatory-framework](http://www.scottishhousingregulator.gov.uk/for-landlords/regulatory-framework)
- 8.2 [www.scottishhousingregulator.gov.uk/for-landlords/statutory-guidance/annual-assurance-statement](http://www.scottishhousingregulator.gov.uk/for-landlords/statutory-guidance/annual-assurance-statement)

## **9. Appendices**

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- 9.1 Appendix 1 - City of Edinburgh Council Assurance Statement 2019
- 9.2 Appendix 2 - Assurance Statement Assessment Summary

## APPENDIX 1

### City of Edinburgh Council Assurance Statement

31 October 2019

The City of Edinburgh Council complies with duties, obligations and responsibilities placed on landlords by legislation and through statutory guidance.

The Council is working towards delivering the outcomes set out in the Scottish Social Housing Charter for tenants, people who are homeless and others service users.

The Council has put in place a Rapid Rehousing Transition Plan (RRTP) and is engaging with the Scottish Government and the Scottish Housing Regulator (SHR) to ensure compliance with the duty to offer temporary or emergency accommodation for people experiencing homelessness.

A three-year Housing Service Improvement Plan (HSIP) has been put in place to increase satisfaction, improve performance and reduce operating costs. The repairs workstream of the plan aims to deliver improved data for analysis to identify problems relating to processes and improve business performance and customer satisfaction. “

As Convenor of the City of Edinburgh Council Housing, Homelessness and Fair Work Committee, I can confirm that the appropriate evidence to support the level of assurance has been considered and confirmed.

Signed \_\_\_\_\_

Date of signing \_\_\_\_\_

Councillor Kate Campbell, Convenor of the Housing, Homelessness and Fair Work Committee

# Scottish Housing Regulator (SHR) – Annual Assurance Statement (AAS) Assessment of Compliance

## Requirements for All Local Authorities

SHR Requirements	Status	Evidence	Action
Prepare an Annual Assurance Statement in accordance with published guidance, submit it to the SHR between April and the end of October each year, and make it available to tenants and other service users.		<p>The Council submits an Annual Return on the Charter (ARC) that sets out performance in delivering the standards and outcomes in the Scottish Social Housing Charter.</p> <p>There is ongoing regular dialogue with the SHR on areas for improvement and the plans in place to address these.</p>	<p>The Assurance Statement is scheduled to be signed off by Committee on 31 October 2019.</p> <p>The Autumn tenant newsletter advises tenants how to access the AAS.</p>
Notify the SHR during the year of any material changes to the assurance in our Assurance Statement.		Notification cannot be made until after the first AAS is produced.	The Council meets the regulator on a quarterly basis to provide regular updates on areas for improvement.
Have assurance and evidence that we are meeting all our legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.		<p>Services are delivered in accordance with legislation, regulatory standards and taking account of best practice guidance:</p> <ul style="list-style-type: none"> <li>Internal Audit reviews are carried out on the housing service, most recently on contract management arrangements and processes within Housing Property and Homelessness Services. Audits are reported to Governance Risk and Best Value and Improvement Plans implemented.</li> <li>The housing service itself carries out annual reviews on key housing and homeless policies. Assurance is reported to Committee.</li> </ul>	<p>At times the Council does not currently comply with its duty to offer temporary or emergency accommodation for people experiencing homelessness, due to the continued reliance on the use of bed and breakfast accommodation.</p> <p>The number of instances of non-compliance are reducing as actions are being taken to reduce the reliance on this type of accommodation. The Council has also worked in partnership with Scottish Government and third sector partners to</p>

		<ul style="list-style-type: none"> <li>• Benchmarking of services via Housemark, the Scottish Rent Forum, and Scotland’s Housing Network. The wider Council is carrying out a self-assessment in advance of a planned Best Value audit in 2020/21.</li> <li>• Regular engagement with Scottish Government is taking place on actions being taken by the Council to ensure compliance with the duty to offer temporary or emergency accommodation.</li> <li>• Strategy and policy reports are approved by relevant committees in accordance with the Council’s Governance Framework.</li> <li>• An Equality, Diversity and Rights Framework 2017-21 was agreed by Corporate Policy and Strategy Committee in February 2019; Integrated Impact Assessments (IIAs) are required for projects and policy changes.</li> <li>• Partnership working in Localities model with Police Scotland, including participation in Multi-Agency Risk Assessment Conferences.</li> </ul>	<p>deliver 24/7 rapid access accommodation.</p> <p>Action plans are in place and work ongoing to providing appropriate accommodation for homeless families (through the Rapid Rehousing Plan and informed by the Homelessness Taskforce. Regular reports are provided to Committee).</p>
Notify the SHR of any tenant and resident safety matters which have		No health and safety matters have been reported to the Health and Safety Executive in the last 12 months.	None

<p>been reported to or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.</p>			
<p>Make our Engagement Plan easily available and accessible to our tenants and service users, including online.</p>		<p>The SHR Engagement Plan for the Council is available online (from 31 October 2019).</p>	<p>The autumn edition of the tenants' newsletter (issued by 31 October 2019) will notify tenants how they can access the Engagement Plan.</p>
<p>Register all requirements for providing data to the SHR with the ICO's as a purpose for which they are acquiring data under the Data Protection Act 2018.</p>		<ul style="list-style-type: none"> <li>• By law, data controllers must pay a fee to register with the UK Information Commissioner who is the data protection regulator within the UK.</li> <li>• The City of Edinburgh Council data controller registration number is Z5545409.</li> </ul>	<p>None</p>
<p>Submit an Annual Return on the Charter to the SHR each year in accordance with the SHR published guidance.</p>		<ul style="list-style-type: none"> <li>• The ARC has been completed and returned to the Scottish Housing Regulator each year since 2013/14.</li> <li>• Last ARC return submitted by service on 31 May 2019 and published by the SHR on 30 August 2019.</li> </ul>	<p>A degradation of ICT systems over the past three years has led to an over reliance on paper-based systems and a reduction in repairs data collection.</p> <p>Improvements in data collection on repairs through introduction of Total Mobile will support service improvement and inform future service planning and reporting; including the 2020 ARC.</p>
<p>Involve tenants, and where relevant, other service users, in the preparation and scrutiny of performance information. We must:</p>		<ul style="list-style-type: none"> <li>• Annual funding provided to ETF and the Neighbourhood Alliance to support tenant participation and engagement - SLAs in place until 31 March 2020.</li> <li>• Nine RTOs funded in 2018/19. Start up and running cost grants provided.</li> </ul>	<p>Finalise updated Tenant Participation Strategy and Scrutiny Framework</p> <p>Ongoing discussion with tenants and other service users to ensure that their</p>

<ul style="list-style-type: none"> <li>• agree our approach with tenants</li> <li>• ensure that it is effective and meaningful – that the chosen approach gives tenants a real and demonstrable say in the assessment of performance</li> <li>• publicise the approach to tenants</li> <li>• ensure that it can be verified and be able to show that the agreed approach to involving tenants has happened</li> <li>• involve other service users in an appropriate way, having asked and had regard to their needs and wishes.</li> </ul>		<ul style="list-style-type: none"> <li>• HRA Scrutiny Group and a programme of tenant led inspections delivered by ETF.</li> <li>• The Rent Matters Working Group advises on the Housing Budget Consultation.</li> <li>• Consultation is ongoing to update the Tenant Participation Strategy and Scrutiny Framework.</li> <li>• A programme of market research with tenants and other service users is in place to ensure customer insight, this includes an annual tenant survey and regular targeted focus groups.</li> <li>• Homelessness service users have been heavily involved in informing changes to the services they receive, especially the introduction of shared housing and a move away from traditional bed and breakfast temporary accommodation.</li> <li>• Consultation is carried out with owners in multi-storey blocks on a regular basis and particularly where major investment work is required. Regular meetings held, and newsletters provided as required.</li> <li>• Service user group established at Gypsy Traveller site. Extensive consultation on site redevelopment. Plans now in place for a site that will meet the needs of Gypsy Travellers as identified by the community themselves.</li> </ul>	<p>views inform the development of housing services.</p>
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<p>Report our performance in achieving or progressing towards the Charter outcomes and standards to our tenants and other service users (no later than 31 October each year). We must agree the format of performance reporting with tenants, ensuring that it is accessible for tenants and other service users, with plain and jargon free language.</p>		<ul style="list-style-type: none"> <li>• Initial consultation carried out with tenants before the first report in 2014.</li> <li>• An annual performance report is included in the autumn Tenants' Courier (a newsletter for Council tenants that is delivered to every Council home).</li> <li>• This report is made available online along with the SHR Landlord Report, Assurance Statement and Engagement Plan.</li> </ul>	<p>Autumn edition of the Tenants' Courier (issued by 31 October 2019) includes performance information, improvement actions and consultation on how tenants want performance to be reported to them in future. The Courier is posted to all tenants and available online.</p>
<p>When reporting our performance to tenants and other service users we must:</p> <ul style="list-style-type: none"> <li>• provide them with an assessment of performance in delivering each of the Charter outcomes and standards which are relevant to the Council</li> <li>• include relevant comparisons – these should include comparisons with previous years, with other landlords and with national performance</li> <li>• set out how and when we intend to address areas for improvement</li> <li>• give tenants and other service users a way to feed back their views on the style and form of the reporting.</li> </ul>		<ul style="list-style-type: none"> <li>• The annual performance report is included in the autumn editions of the Tenants' Courier newsletter, which is posted to all tenants and available online.</li> </ul>	<p>Autumn edition of the Tenants' Courier (issued by 31 October 2019) includes performance information, improvement actions and consultation on how tenants want performance to be reported to them in future. The Courier is posted to all tenants and available online.</p>

<p>Make the SHR report on our performance easily available to our tenants, including online.</p>		<ul style="list-style-type: none"> <li>• Report for 2017/18 is currently online.</li> <li>• 2018/19 report will be available online from 31 October 2019</li> </ul>	<p>Report available online from 31 October 2019. The Tenants' Courier, delivered to every Council home and available online, includes information on how to access the Performance Report, the Landlord Engagement Plan and the Assurance Statement.</p>
<p>Have effective arrangements and a policy for whistleblowing by staff and elected members, which it makes easily available and which we promote.</p>		<ul style="list-style-type: none"> <li>• The Council's current whistleblowing policy was agreed in March 2018.</li> <li>• Details are available for staff on the Council's intranet site.</li> </ul>	<p>Continue to include in the annual mandatory policy refresh for all staff.</p>
<p>Make information on reporting significant performance failures, including the SHR leaflet, available to its tenants.</p>		<ul style="list-style-type: none"> <li>• Information is included in the autumn edition of the Tenants' Courier (issued by 31 October 2019), which is delivered to every council home.</li> <li>• The Courier is also published and advertised online.</li> </ul>	<p>Provide direct link on the website to how to report significant performance failures. Distribute the SHR leaflet.</p>
<p>Provide tenants and other service users with the information they need to exercise their right to complain and seek redress and respond to tenants within the timescales outlined in our service standards, in accordance with guidance from the Scottish Public Services Ombudsman (SPSO).</p>		<ul style="list-style-type: none"> <li>• Details on how to complain are available on the Council's website and in Locality offices.</li> <li>• Housing Property hold focus groups with tenants who have made a complaint about a repair.</li> <li>• Complaints processes are reviewed regularly to ensure compliance with SPSO requirements.</li> </ul>	<p>Provide complaint information for all new tenants via tenancy start up packs.</p>
<p>Ensure we have effective arrangements to learn from complaints and from other tenant and service user feedback, in accordance with SPSO guidance.</p>		<ul style="list-style-type: none"> <li>• Complaints performance data is used to inform service improvement, e.g. the Stair Cleaning Board reviews complaints quarterly to inform discussions and Housing Property hold regular workshops with tenants who have made a recent repair complaint to help with assessing improvements required.</li> </ul>	<p>The introduction of Total Mobile will enable further in-depth analysis on the types of complaints being made and actions required on recurring issues. A further update will be provided through</p>

		<ul style="list-style-type: none"> <li>• Biannual Updates are provided to committee on the Housing Service Improvement Programme.</li> </ul>	the HSIP to Committee in January 2019.
Have assurance and evidence that we consider equality and human rights issues properly when making all of our decisions, in the design and review of internal and external policies, and in day-to-day service delivery.		Integrated Impact assessments are required when introducing new policies or changes to existing policies. IIAs are published online.	Audit of reports to be carried out to ensure compliance.
To comply with these duties, we must collect data relating to each of the protected characteristics of our existing tenants, new tenants, people on waiting lists, governing body members and staff. We must also collect data on protected characteristics for people who apply to us as homeless and those who live on our Gypsy/Traveller site.		<ul style="list-style-type: none"> <li>• Information on all the protected characteristics is not asked for in all cases. E.g. applicants are asked about age, ethnicity and gender of involved parties only. Annually information on the ethnicity of EdIndex applicants is shared with the Edinburgh Partnership Board. In contrast additional data is collected on those who are homeless, but not CEC tenants.</li> <li>• Information sharing Protocols are in place for sharing sensitive data (EdIndex, SAVOLO).</li> <li>• GDPR/DPIA is considered for projects. A Council Data Privacy Statement is in place. Use of Mandates for individual cases.</li> <li>• An Equality, Diversity and Rights Framework 201/21 was agreed by Corporate Policy and Strategy Committee in February 2019; Integrated Impact Assessments (IIAs) are required for projects and policy changes.</li> </ul>	<p>The Council will review requirements in line with data protection regulations to ensure a consistent approach to collection, that is both reasonable and relevant.</p> <p>Pending further guidance being issued, compliance with this requirement will not be measured by the SHR until April 2021.</p>