

Agenda Item	6.
Report No	CLH 62/19

HIGHLAND COUNCIL

Committee: Care, Learning and Housing

Date: 10 October 2019

Report Title: Annual Assurance Statement to the Scottish Housing Regulator

Report By: Interim Chief Officer Resources (Community Services)

1. Purpose/Executive Summary

- 1.1 This report provides the Council's first Annual Assurance Statement to the Scottish Housing Regulator.

2. Recommendations

- 2.1 Members are asked to approve the Annual Assurance Statement 2019/20 at **Appendix 1** of this report.

3. Implications

- 3.1 Resource - There are no resource implications arising from this report.
- 3.2 Legal - There are no legal implications arising from this report. Submitting a Committee-approved Annual Assurance Statement to the Scottish Housing Regulator is a regulatory requirement.
- 3.3 Community (Equality, Poverty and Rural) - There are no equality implications arising from this report.
- 3.4 Climate Change/Carbon Clever - There are no climate change/Carbon Clever implications arising from this report.
- 3.5 Risk - Risk is managed through regular review and reporting to allow corrective action to be taken if necessary.
- 3.6 Gaelic - There are no Gaelic implications arising from this report.

4. Background

- 4.1 The Scottish Social Housing Charter (SSHC) was introduced in April 2012 and sets out the standards and outcomes that service users such as tenants, homeless people and Gypsy/Travellers can expect from social housing providers. As part of the regulation process, the Scottish Housing Regulator requires social landlords to provide it with an annual performance return, focused on the outcomes of the Charter.
- 4.2 In February 2019, the Scottish Housing Regulator published a new Regulatory Framework and associated guidance setting out how it would regulate social housing providers and its reporting requirements for the next 5 years. This Framework introduced a new requirement for landlords to provide an Annual Assurance Statement by the end of October each year, starting in October 2019.
- 4.3 The Regulator will use the Assurance Statements alongside the existing Annual Return on the Charter to guide its engagement with landlords and assist in the production of the annual intervention plans for each landlord.
- 4.4 The Regulator requires that the assurance statement for local authorities is approved by the appropriate committee (in this case, Care, Learning and Housing Committee), and signed by the Committee Chair before submission.

5. Highland's Annual Assurance Statement

- 5.1 The Scottish Housing Regulator has provided guidance on the content of the Annual Assurance Statement, however has not been prescriptive in respect of the structure of the information to accompany this. The Council's draft Statement, which is attached as **Appendix 1**, is in line with the recommended content.
- 5.2 There is no specific guidance as yet as to how tenants are to be consulted in regard of the Annual Assurance Statement. Following discussion with the Regulator, they confirmed that they were satisfied with the proposal that the Council discussed the content of the Statement with the tenant representatives who attend the quarterly Caithness, Sutherland and Easter Ross Tenant Forum and the Inverness Tenant Forum.
- 5.3 Tenant feedback from the forums in Summer 2019 was positive regarding the proposed content of the Highland Statement, with tenants indicating that they wanted it to focus on progress against the performance indicators reported annually to the Regulator and quarterly to both Strategic and Area Committees. Tenants also indicated that they valued the recent tenant participation work in Highland and that future tenant participation plans should feature in the Statement.
- 5.4 It is anticipated that when further guidance is available the format of this consultation may need to be adapted in future years to meet the requirements of the guidance.

6 Related Regulatory Reports

- 6.1 The Annual Assurance Statement should be viewed in the context of the Scottish Housing Regulator's Engagement Plan and the Annual Report on the Scottish Social Housing Charter.
- 6.2 The Engagement Plan in April 2019 highlighted key indicators where they indicated they wished to engage with the Council. These focused on monitoring compliance with

homelessness duties and delivering on the minimum standards for Gypsy/Traveller sites. Information relating to these indicators was provided to the Regulator in May and June 2019, including confirmation that Highland had met the minimum standards for Gypsy/Traveller sites.

6.3 The Regulator provided an updated Engagement Plan in August 2019 which focused on monitoring homelessness initiatives in Highland. In response Highland detailed the recent progress made in terms of mitigating homelessness, including confirmation that Highland has had no breaches of the Unsuitable Accommodation Order to date in 2019-2020.

6.4 On 26 September 2019, the Regulator replied back to the Highland response as follows:

“We have reviewed the information in your comprehensive update and are assured that Highland is continuing to make progress in areas such as, unsuitable accommodation, the provision of temporary accommodation and permanent housing outcomes.

Likewise it was good to see that although the Council did not receive all the funding it requested for its Rapid Rehousing Plan it has prioritised key provisions with the allocation received and is putting the monitoring systems in place to track progress.”

6.5 A copy of Highland’s Response to the Engagement Plan is available at **Appendix 2**.

6.6 The Regulator verified the Council’s Annual Return of Charter in September 2019 and the Highland Landlord Report is available at https://www.highland.gov.uk/staffsite/downloads/file/7587/2018-19_landlord_report

Designation: Interim Chief Officer Resources (Community Services)

Date: 30 September 2019

Author: Brian Cameron, Housing Policy & Investment Manager

Background Papers: Scottish Housing Regulator: Statutory Guidance on the Annual Assurance Statement (updated April 2019)

Annual Assurance Statement

Legislative compliance

We can confirm that Highland Council achieves all the following standards and outcomes for tenants, people who are homeless and others who use our services:-

- All relevant regulatory requirements set out in Chapter 3 of the Regulatory Framework;
- All relevant standards and outcomes in the Scottish Social Housing Charter;
- Return on the Energy Efficiency Standard for Social Housing
- All relevant legislative duties.

Further to this, we can confirm that there were no health & safety breaches in 2018-19 resulting in intervention by the Health & Safety Executive. Our compliance with the annual gas servicing requirements specified in the Framework was 100% for 2018-19.

Committee Reporting

We can confirm the following reporting structure within the Council:-

- Each of the 8 Area Committees receives quarterly or bi-annual housing performance reports and also reports on request of the Area Chair/Members;
- The Council's Care, Learning and Housing Committee receives quarterly performance reports on key performance indicators and monitoring reports on other housing policy issues;
- Quarterly financial reports on spend against the Housing Revenue Account and non-Housing Revenue Account housing expenditure are submitted to the Care, Learning and Housing Committee;
- Reports are submitted annually (or on request of Members) to the Care, Learning and Housing Committee on the subjects of the Highland Housing Register; the Council's Rapid Rehousing Transition Plan; and an update on Tenant Participation;
- Reports are submitted on a quarterly basis to the strategic Environment, Development & Infrastructure Committee on financial spend and progress against the Council's Housing Revenue Account Capital Programme;
- Reports relating to housing services will also be subject to full Council and the Council's Audit & Scrutiny Committee as appropriate; and
- Council Members and tenant representatives will also meet as a Policy Development Group 2-3 times a year to identify policy review issues as appropriate.

The Area and Strategic Committee reporting is based almost exclusively on the performance indicators as established by the Scottish Housing Regulator in its Charter and by the Scottish Government in its Quarterly Homelessness Return.

From October 2018 there have been tenant-nominated tenant representatives at Care, Learning and Housing Committee and also at the associated Policy Development Groups.

Annual Customer Report for Tenants

The annual report for tenants will be provided to tenants by 31 October 2019 as

required by the Scottish Housing Regulator. This will include key information which is of interest to tenants.

As part of this annual process the Council asks the views of the tenant groups / fora ahead of publication and their views will be taken into account in producing the final document.

Customer Satisfaction Survey

The Council is required to undertake a wholesale tenants' satisfaction survey every 3 years.

A range of other customer satisfaction surveys are in place across the Service in order to assess the quality of the service on an ongoing basis. These include:-

- New tenants' survey regarding the quality of home and service;
- Repairs Satisfaction survey;
- Capital Improvements satisfaction survey; and
- Homelessness service questionnaire

In addition, information is used from complaints and general feedback as encouraged by footnotes on all correspondence. The information is used to inform the Council of any potential service improvements.

Other forms of tenant feedback include but are not limited to the following:-

- Homelessness client group
- Young tenants focus group
- Tenant Scrutiny Panel
- Tenant involvement in the Trades Redesign
- Gypsy/Traveller client group
- Rate your Estate inspections.

The Council has been participating in the Scottish Government's Next Steps Programme and tenants have been actively involved in drafting a Tenant Participation Action Plan which will be made available to Members later this calendar year. The Tenant Participation Advisory Service has commended Highland staff and tenants for their ability to work together to identify how tenant participation can be progressed in Highland.

Scottish Housing Regulator's Engagement Plan

The Scottish Housing Regulator's Engagement Plan in April 2019 highlighted key indicators, relating to service quality, where they indicated they wished to engage with the Council. These are: -

- monitoring compliance with the Council's statutory duties in relation to offers of temporary accommodation and the unsuitable accommodation order;
- reviewing engagement with the Council following submission of its Rapid Rehousing Transition Plan;
- monitor delivery of the minimum standards for Gypsy/Traveller sites;
 - review Charter performance in regard to the following indicators:
 - overall satisfaction;

- satisfaction with the Council keeping tenants informed about services and decisions;
- satisfaction with opportunities to participate;
- satisfaction with the quality of home;
- complaints' management; and
- factored owners' satisfaction with the factoring service.

Updated information relating to these indicators was provided to the Regulator in May and June 2019.

The Regulator provided an updated Engagement Plan in August 2019. In response Highland detailed the recent progress made in terms of mitigating homelessness in Highland, including confirmation that Highland has had no breaches of the Unsuitable Accommodation Order to date in 2019-2020.

Scottish Housing Regulator – Highland response to SHR Engagement Plan
September 2019

What the Engagement Plan says Highland must do

Highland will:

- provide us with assurance that it is delivering the necessary improvements to its homelessness service; and
- demonstrate to us it is complying with its duty to offer temporary or emergency accommodation and the unsuitable accommodation order.

Highland context and profile of homelessness in Highland

In Highland, the number of people presenting as homeless has been relatively stable at around 1,100 cases a year over the last 5 years, but the number of households in temporary accommodation has increased largely due to the lack of suitable housing available to make offers of permanent accommodation.

Currently over 550 households are in temporary accommodation in Highland. The average time households spend in temporary accommodation is 9 months for families and 11 months for single people /couples without children. This waiting time increases to 12 and 17 months for the Inverness City area.

Highland Rapid Rehousing Transition Plan (RRTP)

Highland’s redrafted RRTP was the first in Scotland to be submitted to the Scottish Government in April 2019. The accompanying Equalities Impact Assessment was submitted in May 2019.

Highland’s RRTP estimated an annual allocation of £632k per year to fund homelessness measures which were agreed in principle by the Scottish Government:

Measure	Year 1	Year 2	Year 3	Year 4	Year 5
Homeless Family Mediation	£4,000	£4,000			
Digital Housing Support for Young People	£13,500				
Rapid Rehousing Officers	£124,000	£124,000	£124,000	£124,000	£124,000
Shared TFA - Inner Moray Firth	£262,389	£262,389	£262,389	£262,389	£262,389
Skye Temporary Accommodation Provision	£44,165	£44,165	£44,165	£44,165	£44,165
Private Rented Sector Housing Coach	£41,556	£41,556	£41,556	£41,556	£41,556
Housing First	£122,403	£122,403	£122,403	£122,403	£122,403
Homeless Service User Engagement	£20,569	£20,569			
	£632,582	£619,082	£594,513	£594,513	£594,513

The Scottish Government announced RRTP funding levels for 2019-20 and £280k was awarded for Highland. The local authority funding split was based on 3 year

average of homeless presentation levels rather than prioritised using RRTPs. Funding for 2020-21 and 2021-22 has yet to be agreed.

The funding for 2019-20 has been reviewed and Highland intend to resource 3 Rapid Rehousing Officers to target clients who have been in temporary accommodation the longest. Highland is also planning to use the funding to progress the shared tenancy model which has worked well in the Inner Moray Firth area on a trial basis.

Housing First

A joint project is in place with the Highland Alcohol & Drug Partnership with funding of £128k per annum received from HADP for 2019-20 & 2020-21. Development of the Highland Housing First model is on-going, seeking to learn from experiences of Pathfinder projects, staff recruitment underway. Anticipated project will be operational in Inner Moray Firth area from 01 October 2019. This is the only Housing First project in Scotland to have obtained financial support from the NHS ADP.

Allocations Policy Review

A review of the Highland Housing Register Allocations Policy is underway and is taking account of RRTP challenges in Highland. Consultation is being planned with tenants, applicants and relevant landlord Boards and Committees with the intention that a revised HHR Allocations Policy will be implemented during 2020-21.

Service User Consultation/Engagement

Our RRTP contains actions in relation to homeless service user engagement which will be developed and implemented during the lifetime of our RRTP.

Highland has carried out a service user consultation exercise with Engage Scotland in Summer 2019. This was part of the Scottish Housing Regulator's work with their National Panel of Tenants and Service Users.

A mix of temporary accommodation service providers and service users were consulted in the form of 10-15 interviews. A mix of services users in dispersed and supported temporary accommodation in Highland as well as some who have been re-housed via the homeless service were involved. During this process a group of Homeless Service User representatives was identified to take part in further work on engagement with this service user group. Discussion was held with this group on the benefits of implementing a regular drop in peer support group. This idea was widely welcomed by all service users asked.

A wider Housing Options service user engagement exercise will now commence, coordinated by our Tenant and Customer Engagement Team which will:

- Review existing Temporary accommodation Satisfaction Survey and widen it to cover experiences of housing options and homeless prevention measures as well as housing support provision.
- Review the timing and method of carrying out the survey, the current survey is completed with housing staff when a service user signs up for permanent allocation. In future this will be carried out face to face by the Tenant

Participation team 2 to 4 weeks after a service user moves into temporary accommodation. This will allow referrals for housing support, money advice and signposting to other support organisations to have been made.

- Develop regular drop in sessions for homeless clients with a Third Sector Partner, in an informal setting where service users can come in for a hot drink or a bowl of soup and discuss any issues they may have. These sessions will be led by the Tenant Participation team involving tenants who have come through homelessness. Partnership attendance at these drop-in sessions will be developed to include Health & Social Care professionals, CAB, Money Advice and the NHS harm reduction team. The purpose of this will be to provide a point of access for homeless service users to seek assistance from partner agencies.
- Initially this approach will be piloted in the Inverness area during a 6 – 12 month period, following evaluation consideration will be given to rolling the approach out Highland wide.

It is intended that the results of these consultation and engagement exercises will help inform ongoing transformation within temporary accommodation in Highland as well as inform the development of housing options and homeless prevention measures contained within this RRTP.

Temporary Accommodation use & Unsuitable Order Breaches

The Scottish Government recently published consultation proposals to widen the Order so that it applies to all homeless households not just those containing children or pregnant females. The consultation also considered standards of temporary accommodation and the potential for sanctions for local authorities that breach the Order.

Highland is keen to comply with any revisions to the Unsuitable Accommodation Order and agreed in principal to the proposals to widen the Order. However future RRTP funding is essential to assist Highland in transforming its temporary accommodation and ending its reliance on B&B-type /HMO accommodation.

During 2018-19 there were 21 breaches of the Unsuitable Accommodation Order in Highland. Presently there are in the region of 200 homeless households per night accommodated in B&B-type/HMO accommodation.

Since April 2019 improved management tools have been put in place to provide managers with daily and weekly performance data which helps them to identify data quality issues. This improvement has eradicated the data quality issues which had been identified during 2018-19 in relation to offers of temporary accommodation, breaches of the Unsuitable Accommodation Order and HL3 reporting.

A number of practical processes have also been implemented:

- Temporary furnished accommodation placements are prioritised to ensure that breaches do not occur;
- The Inverness Principal Housing Officer has full responsibility now for co-ordinating these offers and refusals of accommodation and ensuring these are accurately updated;

- Temporary accommodation is made outwith the Inverness Area in Highland for clients where it has been identified that this would constitute a reasonable offer;
- Void works have been prioritised for temporary furnished accommodation;
- A stock of furniture and white goods is available to ensure that temporary furnished accommodation can be occupied as soon as possible.

In 2019-20 to date there have been no recorded breaches of the Unsuitable Accommodation Order in Highland.

Brian Cameron
Housing Policy & Investment Manager
Highland Council
13th September 2019