



The Social Housing Safety Network Scotland E-bulletin

Round up of Scottish Housing Regulator information, focusing on tenant and resident safety

In this round up, our Director Vicki Cutler has pulled together a summary of the recent published information from the Scottish Housing Regulator (SHR) with a focus on tenant and resident safety.

Each year, the SHR assesses risk in social landlords to determine what assurance they need from them and what they may need to improve.

The statutory objective of the SHR is to safeguard and promote the interests of tenants and others who use the services of social landlords. They do this by monitoring, assessing and reporting on all landlords' performance of housing activities and the financial wellbeing and standards of governance of Registered Social Landlords (RSLs).

To open this round-up, we'll look at the most recent information published by SHR before refreshing your memory...



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Our risk assessment of social landlords: summary outcomes - April 2024

On 2nd April 2024 the SHR published a summary of the outcomes of their annual risk assessment and work with social landlords including the main risks and challenges they will engage with social landlords on during 2024 to 2025.

The annual risk assessment is one of the principal ways in which the SHR carries out its statutory functions including how they plan the engagement needed with social landlords.

The SHR set out their approach and the risks that they would focus on in their annual risk assessment in published in November 2023.

They included quality of homes, tenant and resident safety and data accuracy in the other strategic risk areas, which we summarise below.

Other strategic risk areas

The SHR annual risk assessment identified a number of notable risk areas, some of which have been evident for a while and others which have arisen more recently.

- **Quality of homes, and tenant and resident safety**

Most homes provided by social landlords meet the Scottish Housing Quality Standard (SHQS) and statutory requirements on tenant and resident safety. SHR also considered the extent to which landlords were complying with requirements in relation to **electrical safety testing and the installation of linked heat and smoke detectors** which came into force in early 2022.

Some homes provided by some social landlords are failing or are in abeyance from the SHQS. Landlords report that this is mainly due to some homes not yet fully complying with requirements in relation to electrical safety testing and the installation of linked heat and smoke detectors.

For some social landlords, local authorities in particular, there are still a significant number of their tenants' homes where these requirements remain outstanding. SHR will engage with these social landlords to seek assurance that they address the backlog as a matter of priority and have regular and clear communication with their tenants about the importance of providing access for this work.

SHR wrote to all social landlords in December 2022 about **mould and damp** and they are engaging with one landlord about their management of mould and damp.

SHR also wrote to all social landlords in October 2023 to request information about **reinforced autoclaved aerated concrete (RAAC)**. The information was requested to help provide a clear national assessment of RAAC in social housing in Scotland and to assist in the development of an appropriate policy response. Updates were published in December 2023 and March 2024. SHR will engage with social landlords who have RAAC in some of their homes to seek assurance about their management of that RAAC.

- **Data accuracy**

It is critical that social landlords have good quality data on their performance, their compliance with obligations and on the condition of their homes. SHR continues to find that some social landlords had not accurately reported their compliance with the SHQS in the Annual Return on the Charter or have a clear record of their compliance with their tenant and resident safety obligations.

To enable social landlords to make the best decisions for their tenants and other service users, it is essential that they have robust and accurate data.

[Link to the full published information on the SHR website is here](#)

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The risks we will focus on - November 2023

In the information published in November 2023, the SHR describes which risks they will focus on. They predict that the coming period looks like it will remain unpredictable, volatile and difficult for those who rely on social housing and for those who provide it. Cost inflation, higher interest rates, and increasing requirements on the quality of homes mean that landlords face increasing and sometimes competing pressures on resources, whilst aiming to keep homes as affordable as possible.

The SHR recognise that the current context means that social landlords are likely to have to prioritise their attention and resources on the most critical and immediate issues, including tackling the acute problems in homelessness, decarbonising homes and alleviating fuel poverty, **and maintaining tenant and resident safety**.

Amongst the main risks being focused on in the coming year, the following is key:

- **Quality of homes** – how local authorities and RSLs ensure that the homes they provide to tenants meet the Scottish Housing Quality Standard (SHQS), and whether they have a good understanding of the condition of those homes
- **Tenant and resident safety** – how local authorities and RSLs meet their statutory obligations on tenant and resident safety.

Quality of Homes

Quality of homes and tenant and resident safety are intrinsically linked. The criteria in the SHQS covers a range of standards on quality of homes and tenant and resident safety.

Compliance with SHQS improved between 2021/22 and 2022/23, from 73% to 79%. However, this is still below the compliance rate at the end of 2020/21, which was 87%. The decline in compliance since then has primarily been because of the amendment to SHQS to include the requirement for electrical installation condition reports (EICRs) to be carried out every five years, and for interlinked smoke and heat detectors to be installed in every home. SHR knows that some landlords continue to work to catch up on these inspections and installations, and they are engaging with them about this.

As part of this year's risk assessment, SHR will consider:

- How landlords are addressing houses which fail SHQS; and
- Whether landlords have good quality, up-to-date information about the quality of their existing homes and future stock condition survey plans.

SHR will also look at a landlord's ability to meet its maintenance obligations in general. Where a landlord is not meeting the requirements of the SHQS or there are other potential issues highlighted from the stock quality risk assessment, SHR may seek additional assurance from the landlord.

SHR proposes to analyse the following Charter indicators:

- The level of SHQS fails, abeyances and exemptions;
- Stock condition survey – coverage; and
- Stock condition survey – age of information.

Tenant & resident safety

Landlords have a range of statutory obligations in this area so the SHR will continue with their focus on tenant and resident safety. Tenant and resident safety can cover a wide range of issues from the physical condition of properties through to issues around homelessness.

Given the importance of gas safety, the SHR again carried out a detailed exercise in July 2023 looking at the Annual Return on the Charter (ARC) data for every landlord with any fails to meet the statutory duty to complete a gas safety check in 2022/23. Landlords were contacted to follow up on fails to get assurance that all fails had subsequently been addressed.

In July 2023, [SHR wrote to social landlords](#) to ask them to include a specific statement on their compliance with all tenant and resident safety duties in this year's Annual Assurance Statement. SHR said in the letter that this should include gas, electric, water, fire and lift safety, asbestos and damp and mould. SHR will include this intelligence in the risk assessment.

In December 2022, SHR also [wrote to social landlords](#) about **damp and mould** specifically; they provided advice on the importance of timely and effective action on damp and mould for tenant safety. Here's a summary:



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Letter to landlords - advice on tenant safety, damp and mould

The case of the tragic death of Awaab Ishak who died of a respiratory condition caused by mould in his home highlighted the clear link between mould and damp in houses and serious health conditions.

Landlords were encouraged to read the [full coroners report](#)

Ensuring tenant and resident safety is a critical part of the work of social landlords in Scotland. The Scottish Housing Quality Standard was developed by the Scottish Government and requires that the homes provided by social landlords:

- Meet the Tolerable Standards;
- Be free from serious disrepair;
- Be energy efficient;
- Have modern facilities and services; and
- Be healthy, safe and secure.

All governing bodies and committees were asked to consider the systems they have in place to ensure their tenants' homes are not affected by mould and dampness and that they have appropriate, proactive systems to identify and deal with any reported cases of mould and damp timeously and effectively.

The current cost of living crisis, and in particular rising energy costs, mean that many tenants face difficulties in heating their homes; it is more important than ever that all social landlords have robust procedures for managing reports and instances of mould and dampness.

There is also a potential emerging risk around Reinforced Autoclaved Aerated Concrete (RAAC) in homes which SHR may factor into their risk assessment once they have fully considered the information social landlords provided at the end of October on the number of properties which had RAAC.

We've included the SHR published information at the end of this document.

The quality of homes for tenant and resident is key and the Scottish Housing Quality Standards set out what landlords must do to ensure the homes they provide meet the standard and whether they have a good understanding of the condition of those homes.

Joined-up approach

SHR's approach joins up with their other key work/priorities; for example, their risk assessment will consider the findings and outcomes of the:

- Homelessness thematic;
- Annual Assurance Statement visits thematic;
- Report on RSL finances;
- Structured conversations with all local authorities about their homelessness services with a focus on temporary accommodation and outcomes for homeless people;
- Findings from their National Report, Tenant Panel Report and work by their Tenant Advisors;
- Wider intelligence gathered from their on-going engagement with landlords and other stakeholders; and
- Lessons learned from their intensive cases and earlier statutory interventions.

SHR will continue to moderate the outcomes of the risk assessment considering what they already know about landlords.

Strategic context and risk landscape

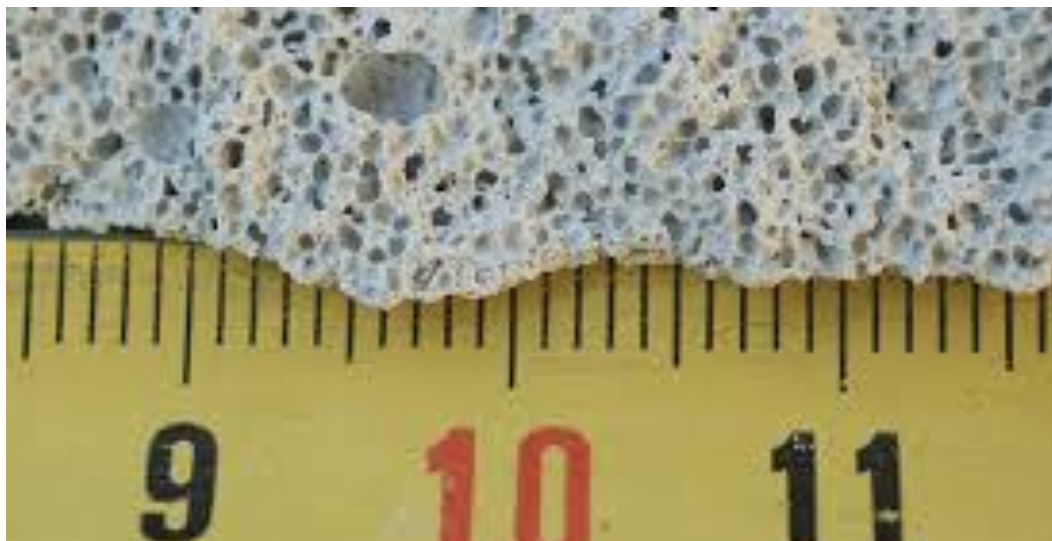
There is an extremely challenging and uncertain environment for social landlords, tenants and other service users and the SHR risk assessment this year reflects these challenges. Specifically in relation to the quality of homes and tenant and resident safety, the following are highlighted.

• RAAC

SHR worked closely with SG Building Standards colleagues, the SFHA and ALACHO to develop a survey for social landlords to identify the extent of RAAC in social housing and undertook an information return from social landlords to get greater clarity on the extent of the issue.

SHR are assessing the data and note that several landlords are still investigating the extent to which RAAC is present in their stock. It is expected that the numbers investigating will change over time as landlords complete inspections. It is important that landlords are communicating directly with their tenants during this time to reassure them that if RAAC is found, there is no immediate risk, or the required action is taken where there is.

SHR will continue to update the figures as landlords complete their outstanding investigations and will engage with those landlords who have RAAC in homes to get appropriate assurance about their management of that RAAC.



- **Damp and mould**

In December 2022 SHR wrote to all social landlords with advice on the importance of timely and effective action on damp and mould for tenant safety. In that letter SHR asked all governing bodies and committees to consider the systems they have in place to ensure their tenants' homes are not affected by damp and mould and that they have appropriate, proactive systems to identify and deal with any reported cases timeously and effectively.

SHR asked their tenant advisors to review the online information and advice that a small number of landlords published on damp and mould. The outcomes of this work will be taken into account in the risk assessment.

- **Other tenant and resident safety obligations**

Some landlords continue to face challenges in meeting the obligations in relation to connected fire alarms and smoke detectors, and electrical safety compliance checks. This impacts on the overall level of compliance with SHQS.

- **Data accuracy**

Landlords must have complete and accurate information about the homes they provide to tenants, their performance and their finances to comply with regulatory standards and the Scottish Social Housing Charter.

Landlords should seek to assure themselves that their decisions are based on good quality data and that they are providing complete and accurate information to the Regulator. This is particularly the case for issues relating to tenant and resident safety where some landlords have reported not having a full understanding of whether and the extent to which they comply or otherwise with their statutory obligations.

[Link to the full published information on the SHR website is here](#)

[For landlords](#) > [Advisory guidance](#) > [Recommended practice](#)

Letter to landlords - Reinforced autoclaved aerated concrete (RAAC) - request for information

A letter sent by the Chief Executive of SHR (13 October 2023)

SHR are working with the Scottish Government to help in the dissemination of information on the risks arising from the presence of RAAC in buildings and to gather better information on its presence in domestic buildings. Data is being gathered across the public sector in Scotland to understand the extent of the issue. RAAC is a lightweight structural construction material used between the 1950s and 1990s in the floors, walls and roofs of some buildings in Scotland, including some residential properties.

It is no longer used in buildings in Scotland. While it is likely that RAAC is not widespread in homes provided by social landlords, several landlords have identified the presence of RAAC in some of the homes they provide. The age of the property and its construction type are good initial indicators of the potential for RAAC to be present, although it may be in other homes where original building components have been replaced, for example where flat roofs have been replaced during the time when RAAC was in use.

The presence of RAAC does not necessarily present an immediate risk. However, the safety of tenants and residents is of paramount importance, and so it is critical that landlords have a good understanding of the presence and condition of RAAC in the homes they provide and that they have an appropriate plan for its management. This good understanding is also important to enable landlords to communicate effectively with their tenants to provide appropriate reassurance and information about any action that the landlord may need to take.

SHR are aware that some landlords are well-advanced in their work to identify and manage the risks around RAAC.

Landlords will also need to consider their responsibilities in the role as the factor of homes with RAAC and should consider the potential for the presence of RAAC in non-housing buildings they own or manage.

A RAAC return was provided for landlords to complete and upload to the social landlord portal.

SHR will use this information to help provide a clear national assessment of RAAC in social housing in Scotland and to assist in the development of an appropriate policy response.

The SHR requires that, if in your return you indicate that RAAC is not present in any of your homes, but you subsequently identify that it is, please inform SHR immediately. [You can view the letter here.](#)

Updates

Regulator publishes further update from Reinforced Autoclaved Aerated Concrete (RAAC) survey

(11 December 2023)

<https://www.housingregulator.gov.scot/about-us/news/regulator-publishes-further-update-from-reinforced-autoclaved-aerated-concrete-raac-survey/>

(28 March 2024)

<https://www.housingregulator.gov.scot/about-us/news/regulator-publishes-further-update-on-reinforced-autoclaved-aerated-concrete-raac-in-social-housing/>