

## PERTH AND KINROSS COUNCIL

## Housing and Health Committee – 13 March 2013

UPDATE ON THE PROGRESS OF THE IMPLEMENTATION OF THE SCOTTISH  
SOCIAL HOUSING CHARTER

## Report by Executive Director (Housing and Community Care)

**ABSTRACT**

The purpose of this report is to update Housing and Health Committee on the progress in implementing the Scottish Social Housing Charter.

**1. RECOMMENDATION(S)**

Housing and Health Committee are asked to:

- 1.1 Note the range of indicators set by Scottish Housing Regulator to help them monitor landlords' achievement of the Charter outcomes and standards.
- 1.2 Note the activities that are being progressed to support implementation of the Scottish Social Housing Charter and the activities of the short life Steering Group to develop the Council's scrutiny approach which has involved tenants, residents and staff.
- 1.2 Approve, in principle the Scrutiny Framework proposal. (Appendix 1).

**2. BACKGROUND**

- 2.1 The Scottish Government's Social Housing Charter came into effect on 1 April 2012. The Charter sets standards and outcomes that tenants and others who use their services can expect from social landlords.
- 2.2 The Housing (Scotland) Act 2010 ("the Act") gives the Scottish Housing Regulator (The Regulator) the role to monitor, assess and report on how landlords are achieving the Charter's outcomes and standards and, if necessary, to intervene where landlords are not achieving them.
- 2.3 The Act requires The Regulator to consult on and set indicators that will be used to help monitor landlords' achievement of the Charter outcomes and standards. This was undertaken in August 2012, with a set of indicators and preliminary technical guidance being issued in October 2012.

**3. THE CHARTER INDICATORS**

- 3.1 The Regulator has set a framework of Charter indicators that will:
  - Help tenants to understand their landlord's performance, and so help them to hold their landlord to account.

- Allow The Regulator to report on landlords' achievement of the Charter outcomes and standards; provide useful information for landlords and others to help them compare performance.
- Allow The Regulator to form a view of the risk for each landlord not achieving the Charter outcomes and standards.

3.2 The areas covered by the indicators are summarised below:

- Equalities
- Communication
- Participation
- Quality of housing
- Repairs, maintenance and improvements
- Estate management, anti-social behaviour etc
- Housing options and access to social housing
- Tenancy sustainment
- Homeless people
- Value for money, rents and service charges
- Gypsies/Travellers

3.3 In addition to the indicators The Regulator also proposes to use the homelessness data that local authorities send to the Scottish Government to inform scrutiny of the Charter; contextual information to enable it to understand the landlord; and information on landlord expenditure so they can report this to tenants to help them to come to a view on whether their landlord's performance, when viewed with information on its spending, represents value for money. The Regulator proposes to report each landlord's total annual expenditure split over the following four categories:

- Repairing and improving tenants' homes
- Running the landlord's organisation
- Servicing and repaying its loans
- Other expenditure

3.4 The information gathered from the indicators will support the self evaluation process that each landlord will be required to develop, based on the organisation's existing models ('How Good is Our Council?'), to demonstrate and evidence the landlords' continuous improvement culture. Information from self evaluation will inform the Council's Annual Performance Report on the Charter that needs to be validated by tenants and other customers of its services. This is required to be first submitted to the Regulator by October 2014.

3.5 The Regulator has made it clear that the indicators they have set will not form the entirety of their scrutiny of the Charter. They may lead The Regulator to look further at a landlord's performance and will be an important part of their proportionate risk-based approach to regulation.

- 3.6 Charter indicator data will be submitted to the Regulator in the Annual Return on the Charter, the first of which is required by May 2014.

#### **4. IMPLEMENTATION ACTIVITIES**

- 4.1 To prepare, staff Charter briefing sessions took place in June 2012 and were attended by staff from all sections Housing Services and support staff. The sessions were delivered by the Tenant Participation Advisory Service (TPAS) focusing on the Charter and the role of the new Scottish Housing Regulator.
- 4.2 An audit has been undertaken by support staff to ensure services and systems are in place for the collection of data required by the 1 of April 2013 which demonstrates high compliance with the current technical guidance from the Scottish Housing Regulator. From the 66 indicators required, 4 are not applicable to the Council, 5 are partially compliant and 5 do not meet the compliance guidance. Work is underway to address areas of non-compliance by the 31 March 2013..
- 4.3 We are developing a self evaluation framework based on the 'How Good is Our Council?' toolkit and encompassing the 16 Charter Outcomes. This was tested in January 2013 with representatives from across Housing Teams and support services. This work is being reviewed to ensure a robust framework, develop the How Good is Our Housing Services Pack and to refine the report format.
- 4.4 To respond to the emphasis on the collection of customer satisfaction data, work is underway to review these activities across Housing Services. Data collection needs to be consistent in relation to sample size, frequency of reporting, how the data is used and how this is communicated to tenants and other customers. This work will be complete by 31 March 2013.

#### **5. SCRUTINY APPROACH STEERING GROUP**

- 5.1 Implementation of the Charter requires a new relationship between the Regulator, landlord, tenants and other customers to carry out an assessment of the landlords' performance and develop plans for service improvements. To do this, new and enhanced mechanisms need to be developed to enable tenants and other customers to scrutinise service performance and decision making. Such a framework will enable the council to demonstrate to the regulator that tenants are fully engaged in the scrutiny of housing services.
- 5.2 A short life Scrutiny Approach Steering Group, has been tasked to develop a proposal for a Scrutiny Framework. This group is made up of 12 members of staff from sections of Housing Services and 11 tenants and other customers. The sessions have been facilitated with support from Learning and Organisational Development Team and by the Tenant Information Service.
- 5.3 The Steering Group sessions have included presentation of representatives from Salix Homes, Salford, who are recognised as sector leading in the development of scrutiny within their organisation. Information was also presented from Croydon Council on the development of their scrutiny

approach and examples of tenant involvement in Scotland. Perth and Kinross Council's Democratic Services have presented information to the Steering Group on the role and process of the Council Committees. Members of the Steering Group have also been given the opportunity to take part in national seminar sessions in relation to the development of scrutiny activities.

- 5.4 The Scrutiny Approach Steering Group have proposed a Scrutiny Framework that will help tenants and other customers to understand their landlord's performance and enable them to hold Perth and Kinross Council (PKC), as a landlord, to account. The framework outlined in Appendix 1 proposes the creation of an independent Scrutiny Panel whose role will be to:
- Scrutinise the performance of Housing Services to support improvement of services
  - Commission and review scrutiny activities through an annual programme and development of action/improvement plans
  - Make recommendations and report progress on actions to Housing and Community Care Senior Management Team and appropriate Council Committees
  - Report to tenants and other customers
  - Approve/validate the Annual Performance Report on the Charter
- 5.5 The Scrutiny Panel will be open to up to 12 tenants or other customers from across housing, which will be supported by a Council Officer in a liaison and facilitation role and by an independent expert. There will be a range of training opportunities to support potential Scrutiny Panel members who will need to be willing to commit to two years service on the Panel and agree to abide by the Tenant Participation and Councillor's Code of Conduct.
- 5.6 The selection process for the Scrutiny Panel needs to be agreed, but good practice suggests a combination of recruitment by self assessment to meet the requirements of a Scrutiny Panel Member, interviews and progression of opportunities based on the skills and experience of participants.
- 5.7 If approval in principle is received from this Committee further work with staff and tenants will create a Scrutiny Framework Implementation Action Plan which will be monitored through the Joint Tenant Participation Strategy Monitoring and Implementation Group and reported back to this Committee through progress updates on the Tenant Participation Strategy.

## **6. CONSULTATION**

- 6.1 The Scrutiny Approach Steering Group who developed the Scrutiny Framework proposal is made of 12 staff from across Housing Services and 11 tenants from Registered Tenant and Resident Organisations, including the Perth and Kinross Tenants' and Residents' Federation and people who are part of our registered person lists. Housing Management Team, PKC Democratic Services and the Perth and Kinross Tenants' and Residents' Federation and its members have been consulted on the contents of this report. Members of the PKTRF Executive Committee are looking forward to meeting the challenge of scrutiny that lies ahead.

## **7. RESOURCE IMPLICATIONS**

- 7.1 The costs of the activities outlined in the Charter Implementation Plan will be contained within the Tenant Participation budget for 2013/14 of £131,000. This will be reviewed in subsequent years.

## **8. COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012**

- 8.1 The Council's Corporate Plan 2009-2012 lays out five objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. The following are relevant to this report:-

- (i) A Safe, Secure and Welcoming Environment
- (ii) Healthy, Caring Communities
- (iii) A Prosperous, Sustainable and Inclusive Economy
- (iv) Educated, Responsible and Informed Citizens
- (v) Confident, Active and Inclusive Communities

## **9. EQUALITIES IMPACT ASSESSMENT (EqIA)**

- 9.1 The Council's Corporate Equalities Assessment Framework requires an equality impact assessment of functions, policies, procedures or strategies in relation to race, gender and disability and other relevant protected characteristics. This supports the Council's legal requirement to comply with the duty to assess and consult on relevant new and existing policies.
- 9.2 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

Assessed as relevant and the following positive outcomes expected following implementation:

- Promotion of equality of opportunities for minority groups.
- Meeting the needs of our service users who may be members of a minority group.

## **10. STRATEGIC ENVIRONMENTAL ASSESSMENT**

Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all plans, programmes and strategies, including policies (PPS). The plan, programme or strategy presented in this report was considered under the Environmental Assessment (Scotland) Act 2005 and the determination was made that the items summarised in this report are unlikely to have any significant effect on any of the areas defined in the SEA guidance.

## 11. CONCLUSION

This report highlights the range of indicators set by Scottish Housing Regulator to help them monitor landlords' achievement of the Charter outcomes and standards. It updates Committee on the activities being progressed to support implementation of the Scottish Social Housing Charter and proposes a new approach to scrutiny which will involve tenants, residents and staff.

**DAVID BURKE**  
**Executive Director (Housing and Community Care)**

**Note:** Declaration regarding background papers  
No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

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**PROPOSAL FOR PERTH AND KINROSS HOUSING SCRUTINY FRAMEWORK  
MARCH 2013**

**PREPARED ON BEHALF OF THE SCRUTINY APPROACH STEERING GROUP**

**Background**

The Scottish Government's Social Housing Charter came into effect on 1 April 2012. The Charter sets standards and outcomes that describe the results that tenants and others who use their services can expect from social landlords. The Housing (Scotland) Act 2010 ("the Act") gives the Scottish Housing Regulator (The Regulator) the role to monitor, assess and report on how landlords are achieving the Charter's outcomes and standards and, if necessary, to intervene where landlords are not achieving them. The Regulator has set a framework of Charter indicators that will help tenants to understand their landlord's performance, and so help them to hold their landlord to account.

Implementation of the Charter requires a new relationship between the regulator, landlord, tenants and other customers to carry out an assessment of the landlords' performance and develop plans for service improvements. To do these new and enhanced mechanisms need to be developed to enable tenants and other customers to scrutinise service performance and decision making. Such a framework will enable the Council to demonstrate to the Regulator that tenants are fully engaged in the scrutiny of housing services.

A short life working group, The Scrutiny Approach Steering Group, has been tasked to develop a proposal for a Scrutiny Framework. This group is made up of 12 members of staff from sections of Housing Services and 11 tenants and other customers. The sessions have been facilitated with support from Learning and Organisational Development Team and the Tenant Information Service.

The Scrutiny Approach Steering Group has worked to draft these proposals which have been developed with reference to guidance produced by the Tenant Information Service, the Scottish Government and an examination of good practice from other housing providers.

**Proposal**

Perth and Kinross Council has good track record for in involving its tenants in monitoring and reviewing its housing services. There are already a number of tenant groups, performance monitoring, service review and inspection mechanisms in place. These include the following:

- Registered and non registered Tenant Organisations – Tulloch , Letham, Stanley, Alyth, Blairgowrie and Rattray, Double Dykes and the Perth and Kinross Tenants' and Residents' Federation.

- Thematic Forum Groups – The Us and the Housing Group (Learning Disabled Tenants) and the Homeless Voice Group
- The Quality Panel – volunteers trained in Resident Inspection and Community Research
- Working Groups – short life working groups developed to engage tenants and other customers in strategy and policy reviews.
- Tenant Participation Strategy Implementation and Monitoring Group
- Safer Communities Group
- Tenant Network Events – to engage tenants annually in setting rent levels and cascade information about services
- Tenant Satisfaction Surveys – a range of the surveys undertaken by housing services teams and bi-annual survey across all tenants in Perth and Kinross.

Although these activities have all independently engaged tenants in service improvement and monitoring, they all operate independently of each other and, in the main, apart from the registered and non-registered tenant Organisations, are all Council led. Therefore any proposal should enable these activities to be co-ordinated and overseen by tenants.

The proposal suggests the development of a scrutiny panel consisting of 10 to 12 members consisting of tenants or other customers from across the 4 geographic housing areas in Perth and Kinross and thematic groups. It is also proposed an independent expert be recruited to support the Scrutiny Panel especially in its initial development.

The role of the panel will be to commission and review scrutiny activities. This may involve a detailed audit of a service, an inspection, or a combination of scrutiny activities. The panel would then examine the evidence provided by these activities and propose recommendations to improve the service. These recommendations would be presented to team/division or Senior Management Teams to agree action plans and progress reported to Housing and Community Care Senior Management Team and/or appropriate Council Committees.

The Steering Group have agreed members of the Scrutiny Panel, ideally, should be able to demonstrate the following:

- good basic literacy, numeracy and IT skills
- good communication skills and an ability to negotiate
- willing to commit to two years membership of the panel
- willing to undertake training as required
- be objective, impartial and open-minded
- be able to challenge non-confrontationally
- be able to work individually and as part of a team
- have knowledge and experience of housing services

Resources should be available to the Scrutiny Panel in relation to support, training and access to information and this would be provided from existing Tenant Participation Budget. Housing Teams will support with expert advice and information in relation to services being delivered when requested and may support job shadowing by Scrutiny Panel members if required.

The Scrutiny Panel will be serviced by a council officer who will arrange meetings, take minutes, support the preparation of reports, co-ordinate scrutiny activities and liaise with housing teams and management. It is proposed this role will be an existing officer from the Customer and Community Engagement Team. Other Council officers will only attend by invitation of the Scrutiny Panel.

The role and remit of the Scrutiny Panel will clearly defined in its terms of reference which will developed if this proposal is agreed in principle, however the Steering Group have agreed that it should based on the following:

- Scrutinise the performance of Housing Services to support improvement of services
- Commission and review scrutiny activities through an annual programme and development of action/improvement plans
- Make recommendations and report progress on actions to Housing and Community Care Senior Management Team and appropriate Council Committees
- Report to tenants and other customers
- Approve/validate the Annual Performance Report on the Charter

Agreed action plans will be reviewed and monitored by the scrutiny panel and they will be published on the Council's website, the 'On the House' Magazine, Tenant Participation updates, Tenant Network Events and summarised in the annual report to tenants.

If this proposal is agreed in principle by Housing and Health Committee, further work will be undertaken by the Scrutiny Approach Steering Group to create a Scrutiny Framework Implementation Action Plan which will be monitored through the Joint Tenant Participation Strategy Monitoring and Implementation Group and reported back to Committee through progress updates on the Tenant Participation Strategy. The Scrutiny Framework Implementation Action Plan will cover details including:

- Terms of Reference developed to explain the role and remit of the Scrutiny Panel and the Scrutiny Framework
- Equality impact assessment
- Recruitment methods and process for Scrutiny Panel members agreed
- Appointment of an independent expert to the Scrutiny Panel
- Training programme identified and set in place for potential Scrutiny Panel members
- Support needs identified for panel members including access to information
- Work with Democratic Services to ensure induction to the Committee process for Scrutiny Panel members and other tenant representatives

- Further consultation with tenants and other customers on the development of the Scrutiny Panel
- Scrutiny Panel Members recruited with meetings and programme of activities set in place.

It is envisaged that it will take up to 12 months for these activities to be complete, with a Scrutiny Panel being in place to validate the first submission of an Annual Performance Report on the Charter by 2014. To ensure objectivity and transparency, the development work will be supported by staff from the Tenant Information Service. All costs can be contained within existing budgets and staffing within existing resources.