

ABERDEEN CITY COUNCIL

COMMITTEE	Operational Delivery Committee
DATE	17 September 2019
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Scottish Housing Regulator – Annual Assurance Statement
REPORT NUMBER	CUS/19/376
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Derek McGowan
REPORT AUTHOR	Neil Carnegie
TERMS OF REFERENCE	1

1. PURPOSE OF REPORT

To seek approval for the Council's Annual Assurance Statement which must be submitted to the Scottish Housing Regulator by 31 October 2019.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Approve the Annual Assurance Statement appended to this report for submission to the Scottish Housing Regulator.

2. BACKGROUND

- 2.1 The Scottish Housing Regulator regulates to protect the interests of people who receive the services of social landlords. Since introduced in 2012/13 we have submitted our Annual Return on the Charter (ARC) which sets out our

performance against the Scottish Social Housing Charter standards and outcomes. From this year the Regulator has introduced a further requirement for all social landlords to complete Assurance Statements. We are required to provide confirmation each year that we meet the [relevant requirements of chapter 3 of the Regulatory Framework](#).

- 2.2 Having reached an objective and evidence-based judgement on compliance, ensuring sufficient evidence and information we are required to submit a signed statement by our Committee Convenor which confirms that we have appropriate assurance that we comply with:
 - all relevant regulatory requirements set out in [section 3 of the Regulatory Framework](#)
 - all relevant standards and outcomes in the Scottish Social Housing Charter
 - all relevant legislative duties
- 2.3 For any areas that we do not materially comply then we must briefly describe these and our plans to improve.
- 2.4 Our proposed Annual Assurance Statement is as appended to this report.
- 2.5 The following sets evidence and information relevant to the requirements that we are required to provide assurance.

3. Assurance and Notification

- 3.1 Our Annual Assurance Statement has been prepared in accordance with the SHR's published guidance. We have also considered published guidance from Scotland's Housing Network.
- 3.2 Our tenant and resident scrutiny panel have contributed to the development of our Annual Assurance Statement. Our agreed AAS will be published on our website and information will be included in the next edition of our Newsbite publication which is sent to all tenants.
- 3.3 We will notify the SHR of any material changes to the assurance following submission.
- 3.4 The Council's system of governance provides assurance on our compliance with legal and statutory obligations at management level and also to elected members.
- 3.5 At elected member level, the following are in place:
 - Operational Delivery Committee is responsible for service delivery in this area. Terms of reference [here](#).
 - Audit, Risk and Scrutiny Committee to which housing and homelessness audits (internal and external) are reported.
- 3.6 At management level, the following are in place:
 - Regular review of risks by housing and homelessness management teams and maintenance of service risk registers.
 - Performance management systems and operation of service improvement groups.

- The Risk Control Team in building services undertakes site visits to ensure compliance with all relevant health and Safety requirements including compliance with the Health and Safety at Work Act 1974, Control of Asbestos Regulations 2012 and Electricity at Work Regulations 1998.
 - A contract log is in place which identifies responsibilities for differing elements of compliance along with contract manager and contractor details whether delivered in house or externally. Regular contract meetings are held to review compliance and for key risks such as asbestos and gas safety; external compliance portals are used. Corgi systems are used for gas compliance and MODUS is being implemented for asbestos management.
 - Strategies, policies and procedures are reviewed on an on-going basis in line with a risk-based Corporate Policy Framework. These include the Local Housing Strategy and Allocations Policy.
 - Corporate Management Team (CMT) signs off on Annual Governance Statement, including any significant issues (control failures) which have occurred over the year. CMT also receives notifications of health and safety contravention, and resulting improvement plans, which would include health and safety issues affecting housing and homelessness.
 - Programme of internal audit which is risk-based and will identify any control failures including legal compliance. The following audits relating to housing have/ are planned for reporting to the Audit, Risk and Scrutiny Committee:
 - Universal Credit and Housing Rent – 25 September 2018
 - Housing Rent – to be reported 25 September 2019
 - Voids – to be reported 4 December 2019
 - Scheme of Governance approved by Council in March 2019 includes reviewed Powers of Delegation stipulating the legal framework in which housing and homelessness must operate, and the level at which decisions must be taken.
- 3.7 In addition we report quarterly to the Scottish Government on homelessness presentations and outcomes for scrutiny.
- 3.8 We deliver a highly acclaimed Tenant Participation Strategy. The Housing Service Review Group comprises tenants and residents and provides scrutiny of our service performance and the Housing Revenue Account. The group also undertake in-depth service reviews and have previously reviewed Housing Repairs, Housing Management and Customer Feedback. At the conclusion of each review a report with recommendations is produced.
- 3.9 We have a corporate system for reporting health and safety incidents and report relevant incidents to agencies such and the Health and Safety Executive if relevant.
- 3.10 Our Health and Safety Team undertake Fire Risk Assessments in our sheltered housing complexes annually and in mainstream multi-storey buildings every three years. Our Health and Safety Team also undertake routine compliance checks of housing related services as part of its corporate programme.

- 3.11 Our Engagement Plan from the SHR is published on the Council's website.
- 3.12 Our Engagement plan sets out that we are being engaged by the SHR for not complying Gypsy Traveller site standards. We have a plan in place to redevelop the site to meet the required standards.
- 3.13 We are appropriately registered with the Information Commissioners Office and our registration number is Z5018566.

4. Scottish Social Housing Performance

- 4.1 Since 2013, each year we have submitted our ARC in accordance with the published guidance.
- 4.2 The Housing Service Review Group participates in the preparation and scrutiny of performance information. The group meets monthly and receives routine reports on our performance against the Charter outcomes and standards. All reports are published on our website.
- 4.3 The Housing Service Review also participates in developing our annual report on performance. This includes reviewing performance trends, benchmarking with our peers and options for improvements where relevant. The group helps determine report format and proposed using a digital animation in addition to a written report for 2018/19. The annual report is also available in hard copy and is reported in our Newsbite publication.
- 4.4 The monthly and annual reports are available on a dedicated [Housing Performance](#) page on our website.
- 4.5 Reviewing our Annual Return on the Charter for 2018/19 we identify void property and complaints management as performance areas for improvement and we have a range of actions agreed to address this.

5. Whistleblowing

- 5.1 We have a [Whistleblowing policy](#) which is available on the intranet and is periodically publicised.

6. Tenants and Service Users Redress

- 6.1 Information on our Complaints Handling Procedure, including how to make a complaint is published on our website and a complaints leaflet is available at all offices. A person can make a complaint by using our online form or in person at any council office. Alternatively, they may contact us in writing or by telephone.
- 6.2 We have published the SHR's 'Significant Performance Failure' leaflet on our website and the reporting form is also available.
- 6.3 We follow the Model Complaints Handling Procedure set out by the Scottish Public Services Ombudsman (SPSO).
- 6.4 Upon closure of every complaint, responding officers systematically identify any learning points. This is particularly important where complaints are

upheld, but even a complaint which is not upheld can highlight the need for change. For example, complaints have highlighted where we need to improve communications and change some of our internal procedures.

- 6.5 Our performance in concluding responses to complaints is an area for improvement and an action plan is in place which include more robust monitoring. Complaint performance is reported to our Operational Delivery Committee each cycle.
- 6.6 In 2018/19, the Aberdeen Housing Service Review Group undertook a review of feedback in the council. This was a successful collaboration between our staff and our customers, and a number of recommendations were made, including raising the profile of the Customer Feedback Team, amending the annual complaints performance report to make it more customer friendly, using social media to highlight how useful feedback is and ensuring complaints leaflets are available at all Housing Offices and Access Points.

7. Equality and Human Rights

- 7.1 The Council has agreed an Equalities Outcomes and Mainstreaming 2017 - 2021 plan to meet the requirements of the Equalities Act 2010 duty to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. The Council agreed its Equality Outcomes and Mainstreaming 2017 - 2021 progress report at the Council meeting on 16 May 2019.
- 7.2 We operate a standard procedure to assess the impact of new strategies, policies and changes with respect to human rights, equalities and the fairer Scotland duty. Our Equality and Human Rights Impact Assessments are published on our website with relevant committee papers.
- 7.3 We routinely collect and record on our housing management system data on protected characteristics for tenants, applicants, homeless people and people who use our Gypsy Traveller site.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no direct financial implications arising from the recommendations of this report.

9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications arising from the recommendations of this report.

10. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
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Legal	We do not submit our Annual Assurance Statement by 31 October 2019 and therefore do not meet regulatory requirements.	L	Approval to submit the Annual Assurance Statement given by committee.
Reputational	The Annual Assurance Statement identifies TBC areas for improvement.	M	We have identified improvement plans to be implemented.

11. OUTCOMES

The proposals in this report have no impact on the LOIP/ TOM.

12. IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	Full EHRIA not required
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not applicable

13. BACKGROUND PAPERS

Scottish Housing Regulator – Regulation of Social Housing in Scotland
 Scottish Housing Regulator – Statutory Guidance
 Scottish Housing Regulator – Annual Assurance Statement
 Annual Return on the Charter – Aberdeen City Council 2018/19

14. APPENDICES

Draft Annual Assurance Statement

15. REPORT AUTHOR CONTACT DETAILS

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Appendix



Aberdeen City Council complies with the regulatory requirements set out in section 3 of the Regulatory Framework with the following exception of compliance with minimum site standard for our Gypsy Traveller site. We have a plan in place to refurbish the site to meet these standards.

The following performance areas are priorities for improvement with action plans in place:

Void property management – key improvement actions: Additional resourcing for housing management and repairs, digitalisation of processes, and review of letting standards.

Complaint management – key improvement actions: Improved performance management framework and employee training and development.

I confirm Aberdeen City Council has considered appropriate evidence in determining the assurance statement at our Operational Delivery Committee on 17 September 2019.

Councillor John Wheeler
Convenor – Operational Delivery Committee
Aberdeen City Council