

**Ariane Burgess MSP**  
**Convener, Local Government, Housing & Planning Committee**

**3 June 2025**

Dear Ariane

Thank you for your letter of 18 March 2025.

We are accountable to the Scottish Parliament. We welcome the important and constructive scrutiny that the Parliamentary Committee brings and thank the Committee for its feedback. We welcome that you have sought views from stakeholders about our work. We also engage regularly with our stakeholders, who directly provide valuable input, which we use to shape our approach and to achieve the statutory objective that Parliament has set us.

We work within a regulatory framework prescribed by the Housing (Scotland) Act 2010 through which Parliament has set out our statutory objective, functions, duties and powers. Our objective is to safeguard and promote the interests of current and future tenants of social landlords, people who are or may become homeless, and people who use housing services provided by social landlords, including Gypsy/ Travellers. This statutory objective is what drives all our actions and decisions. Tenants and service users are at the heart of our work. Over the years, we have developed a range of ways to engage with tenants and their representatives, and we continue to work hard at this with them.

Our relationships with the vast majority of social landlords and their representative bodies are good, as is evidenced in many of the submissions to the Committee, including those from the main landlord representative bodies. We recognise the many positive views presented to the Committee, including those from our principal stakeholders which reflect the feedback we receive directly.

At the same time, while it is normal for us to discuss and take soundings from stakeholders, we also recognise that a small number of landlords or individuals have a different perspective on our work. This is understandable. Being an effective regulator and doing the job set for us by Parliament is difficult. There will be times that our work will not be popular with some individuals or organisations.

As an effective regulator, it is important that we address concerns raised with and about us. We have done that, and will continue to do so, by engaging and considering evidence in line with our published procedures.

We will continue engaging transparently and positively with all our stakeholders, and we will look for new ways to enhance our working relationships with all of our stakeholders building on our current approach.

In Annex A, we set out our response to the Committee's findings, including how we will take forward actions to address the recommendations made. I trust that the evidence we provide, and the actions we propose, assure the Committee about our commitment to being a transparent and effective regulator.

Throughout the coming year, we will ensure that there is a firm focus on the big challenges facing tenants and social landlords, including the cost of living crisis and affordability, the acute problems around homelessness and the number of people in temporary accommodation, emerging requirements on net zero, damp and mould and tenant and resident safety. We will continue to keep the Committee fully updated on all our work.

In all likelihood, this will be my final correspondence with the Committee as my term as SHR Chair finishes in June. I am proud of what we have achieved over the last eight years. I am grateful for the scrutiny work carried out by the Committee and the interest it takes in our work and wish to thank both the current and past members.

Yours sincerely,

**George Walker**  
**Chair**  
**Scottish Housing Regulator**

cc: Minister for Housing  
Convener of the Equalities, Human Rights and Civil Justice Committee  
Convener of the Social Justice and Social Security Committee.

## **Annexe A**

### **SHR's remit and regulatory function**

1. We welcome the many positive comments on our work and approach and are encouraged by the broad and general support from the main stakeholders and the majority of organisations that made submissions to the Committee.
2. Those statements echo much of the feedback we received in responses to our most recent public consultation on the review of the Regulatory Framework. In response to our [discussion paper](#) in June 2023, stakeholders told us that the Regulatory Framework worked well and remained relevant and appropriate. We saw a clear appetite from those involved in social housing for a period of stability, including in our approach to regulation. In October 2024, we launched our formal [consultation](#) on the Regulatory Framework and continued to engage with and listen to feedback from our stakeholders. In February 2024, following further reflection on the responses to the consultation, we published:
  - [analysis of the consultation responses](#), conducted by an independent body;
  - our [response to the consultation](#);
  - the new Regulatory Framework; and
  - updated statutory guidance
3. We implemented the new Framework and associated guidance from 1 April 2024. In response to feedback, we have maintained much from the previous Framework. We introduced a new provision to enable us to request landlords to provide explicit assurance in the Annual Assurance Statement (AAS) on specific issues. We strengthened the emphasis on social landlords listening to tenants and service users, and amended the definitions of regulatory status to make it clearer when a RSL does not comply with regulatory requirements. We also enhanced clarity on the concerns that tenants can bring to us.

### **SHR's engagement with housing providers**

4. One of the four priorities we set ourselves in our three year [strategy](#) is to work closely with, and listen to, all our stakeholders. It is helpful that the Committee highlights that relationships between SHR and the majority of social landlords are good and that concerns are expressed by only a small minority of RSLs.
5. We engage extensively with our stakeholders, particularly social landlords and their representatives. We regularly meet, and engage with, the Scottish Federation of Housing Associations (SFHA), the Association of Local Authority Chief Housing Officers (ALACHO) and the Glasgow & West of Scotland Forum (GWSF) at Board member and officer level.
6. In 2022, we established [two groups](#) to act as forums of senior people from RSLs to regularly engage with us on the important issues in social housing in Scotland. These groups are:
  - Rural and Islands Landlord Group – which has 9 members

- Urban Landlord Group – which has 13 members

These groups are in addition to the pre-existing group of Systemically Important Landlords – which includes representation from the 24 systemically important RSLs. Participants in the groups represent the range of types of RSLs from across Scotland, and together equate to around a third of all RSLs. We publish [blogs](#) following each meeting of these groups.

At our meeting of the Rural & Islands Landlord Group in May 2025 and at the Systemically Important Landlords in June 2025 we asked about the effectiveness of our engagement and relationship with landlords and what, if anything, we could do to improve this. The landlord members, of whom there were more than 30 in attendance at the two meetings, said that our current approach is broadly the right one and that they valued participating in the Landlord Groups.

7. We also have a group where we meet with advice agencies who work with tenants and people who are homeless. In addition, we also meet regularly with other key stakeholders, including:
  - UK Finance
  - Individual lenders to social landlords
  - Shelter
  - Chartered Institute of Housing (CIH)
  - Tenant representative bodies Tenants Information Service (TIS) and Tenant Participation Advisory Service (TPAS)
8. We host a range of stakeholders at each of our Board meetings to hear directly and provide the opportunity for discussions on priorities and challenges. Recent examples include the Board hearing from Prof Ken Gibb, UK Finance, Scottish Government colleagues, Scottish Ministers, Shelter, OSCR, English Regulator of Social Housing, SFHA, ALACHO, CIH, the Auditor General and TIS.
9. The Committee recognised the differences in our regulatory remit for local authorities and RSLs, and that this has an impact on how we engage with the two types of social landlords. As a transparent regulator, we set out how we work in a published [engagement plan](#) for every social landlord. All of our engagements with social landlords are based on evidence and are in accordance with our published [Regulatory Framework](#) and [statutory guidance](#). We also publish a series of [How We Work](#) guides to provide social landlords with more information and examples of our approach to regulation.
10. We have hundreds of engagements with individual RSLs every year, and, last year, 110 RSLs contacted us with Notifiable Events, and 125 RSLs reported notifiable events in the previous year. The level of notifiable events clearly demonstrates that landlords are coming to us, even when this may relate to some difficult issues. Each social landlord has a named lead regulator who builds and maintains a relationship with them, and we regularly get feedback about the positive nature of these relationships. At our meeting of the Rural & Islands Landlord Group in May 2025 and at the Systemically Important Landlords in June 2025 the landlord members were

particularly positive about their direct engagement with their lead regulator, saying the relationship was effective and that they felt supported and that they were able to discuss any issue with confidence; this feedback was repeated by a number of landlords who were present when we attended the May meeting of the SFHA's Board.

11. To further assure the Committee, we would be happy to share with the Committee evidence of our engagements with any specified social landlord.
12. At 2.4 in its letter of 18 March, the Committee makes reference to “strongly critical views from a number of housing association representatives”; we note that these concerns were not raised by the three representative bodies that together represent all social landlords, and this is not something that we hear from our wider engagement with landlords, including through our landlord groups. We understand that most of the views referred to are those of individuals no longer working for housing associations, relate to cases from a number of years ago, and that many of their views were not supported by the provision of evidence.
13. We do recognise that, when we need to intervene in a troubled social landlord to protect the interests of tenants, it can be a difficult and challenging experience for all those involved. Given our role as Regulator, there are times when we need to have robust conversations with senior officers and governing body members which can be challenging and difficult. We always take great care in conducting these engagements, ensure that our decisions are evidence based and that intervention is always a last resort. We are confident that our people always work in a professional way, to the highest standards, in what can be very difficult situations, and sometimes in the face of very challenging behaviours towards them. Our Board members adhere to our Code of Conduct, and our staff adhere to the Civil Service Code and its standards of behaviour. We provide advice to our staff on the importance of considering carefully the context around our direct engagement with people in regulated bodies, and we recently completed training for our people by an outside body on handling difficult conversations.
14. We have established a clear and appropriate procedure on our [website](#) for anyone who wishes to raise a concern or to complain about how we work; this includes that anyone can complain about the conduct, treatment by or attitude of a SHR member of staff or Board member. Also, anyone aggrieved by our actions has the right to take a complaint about us to the Scottish Public Services Ombudsman, so long as the complaint is made by the aggrieved person or by someone with written permission to act on their behalf, and reside in the United Kingdom when the complaint is made. I can assure the Committee that if anyone raises a concern about how we work, they can feel confident it will be handled in a respectful and appropriate way.
15. We have recognised for some time the need for routes for landlords experiencing difficulty to get support and help to improve as alternatives to regulatory engagement and intervention. We have been speaking with the SFHA and the GWSF about developing a sector-led improvement service. Since initiating those conversations, the SFHA has established a list of volunteers who can provide peer support to RSLs

that need it, and the GWSF has established a volunteer support panel as a source of help for RSLs facing difficulties and unforeseen challenges. We very much welcome these initiatives.

16. Following the Committee's evidence sessions, our Chief Executive met with the Director of SHARE to better understand the concerns of some of its members regarding the SHR. SHARE had not raised these concerns with us previously. That discussion has helped to clarify that the concerns expressed relate to a perception amongst some of SHARE's members about what happens when the SHR engages with a landlord. The Director of SHARE clarified that these views were not held universally amongst SHARE's members. We understand the trepidation and hesitancy people may experience in contacting a regulator, particularly where it may be about something that has gone wrong in their organisation. That is why we produced guidance for the sector on how we deal with serious cases so RSLs know what to expect when they have to contact us when something does go wrong. We will look at new ways to get this message out and to look at ways of reassuring landlords about our engagements with them.
17. In our discussion with SHARE, we agreed that we would work together to address these perceptions and aim to dispel any misconceptions around how we engage with landlords that contact us. Shortly after this discussion, we attended and presented at an event organised by SHARE for young housing professionals, and are in discussion with SHARE about jointly developing a "Meet the Regulator" event for later in the year.
18. The Committee references our intervention at Dalmeir Park Housing Association, which began in December 2017 and ended in March 2019, more than six years ago. As a transparent regulator, we published a full account of our intervention at Dalmeir Park in which we set out the evidence around why we intervened and the outcome of the intervention. We have published the accounts for all statutory interventions. The SFHA's research in 2023 highlighted that SHR is the most transparent of the five national regulators. We also provided the Committee, and its predecessor Committee, with extensive information and evidence on our intervention at Dalmeir Park. We would be happy to provide that information and evidence again should that be necessary. We suggest that the views of one individual must be considered in the context of this evidence and the views of the recognised representative bodies. By working constructively with the statutory manager and appointees, Dalmeir Park addressed the issues which led to our intervention within fifteen months. It was able to demonstrate significant improvements in its governance, financial management and improved services for its tenants. Following our intervention, Dalmeir Park remained independent and is now an organisation that complies with regulatory requirements and standards. We would recommend that the Committee speaks directly to Dalmeir Park if it wishes to better understand the RSL's experience of intervention and the journey of improvement it has been on.
19. The Committee referenced feedback in the SFHA's 2023 research about consistency of approach and variations in practice. Our Framework requires that we take a risk based and proportionate approach and our engagement with any social landlord is determined by that approach. We tailor our engagement to each landlord's context



and the issues they face; as a result, we will often have different types of engagement, even where issues may appear similar. We engaged with the SFHA about its research findings – related principally to perceived differences in how we respond to Notifiable Events submitted to us by RSLs. Following that engagement, we introduced the publication of an [annual report](#) on Notifiable Events with the aim of improving transparency around our response to these. We would urge any landlord who believes they are not being treated in accordance with our published framework to contact our Chief Executive or Director of Regulation.

20. The vast majority of governing body members of RSLs are volunteers. We have good, effective engagements with most of them. We have repeatedly highlighted the critically important role of volunteer governing body members and that they are at the forefront of social landlords' work to provide key services to support tenants and sustain thriving communities. We do recognise that it can be unsettling or daunting for volunteers to engage with a regulator, particularly when they may be dealing with problems in their organisation. That is why we publish extensive information about how we engage with landlords. We will aim to highlight this information further and discuss with landlord representatives how we can provide more information about our role for governing body members.
21. The Committee refers to its concerns about ongoing or persistent issues. We take the concerns of the Committee very seriously, which we reviewed again and considered the full body of relevant evidence available to us. Having done so, we do not consider that there are ongoing or persistent issues, but rather persistent complaints raised repeatedly by a small number of individuals about the same cases, often relating to intervention cases that concluded a number of years ago. The issues raised are not reflected in the feedback we get from social landlords in our regular, routine and extensive engagement with them; from the 45 RSLs who participate in our landlord groups; the responses SFHA received in its all member survey, or from the main landlord representative bodies. We want to provide the Committee with appropriate assurance about any of our interventions in landlords or about our handling of any complaint raised with us to demonstrate the appropriate and professional nature of all of our engagements. To that end, we would be happy to disclose to the Committee evidence we hold on our engagements with any specific social landlord.
- 22. We will continue to work hard to foster and maintain good relationships with social landlords and their representative bodies. In response to the feedback from the Committee, and to further enhance our effective relationship with social landlords, we will:**
- **continue to meet with the landlord representative bodies to explore how we might build on our existing methods of engaging with social landlords;**
  - **discuss with the representative bodies and our landlord groups how we might further enhance our transparency and information provision;**
  - **discuss with landlord representatives how we can provide more information about our role for governing body members**
  - **consider how we might expand the landlord groups we host, including to include more smaller, community based housing associations;**

- **work with SHARE to jointly develop a “Meet the Regulator” event for later in the year, with a particular focus on engaging with volunteer governing body members;**
- **continue to emphasise the importance of effective and respectful engagements with landlords; and,**
- **continue to secure effective relationship management training for our people.**

## **Self-assessment by housing providers**

23. Our approach to regulation is underpinned by the statutory powers and duties in the Housing (Scotland) Act 2010. When the 2010 Act was introduced, Parliament removed the Regulator’s powers of inspection that were in the 2001 Housing (Scotland) Act. Consequentially, we do not have the power to carry out cyclical inspections of social landlords. Our approach to regulation is risk-based, proportionate and assurance-based, and is consistent with the principles in the Scottish Regulators’ Strategic Code of Practice and those set by the [Scottish Government](#) following the [Crerar Review](#).
24. We welcome that the Committee recognised the robust and appropriate nature of the assessments associated with the Annual Assurance Statements. We emphasise the importance of landlords being self-aware, analytical, open and honest about their performance and that they are able to identify and drive improvement. When we engage with landlords, we look first at what they have done to assure yourselves that they are meeting regulatory requirements.
25. Our requirement for Annual Assurance Statements from landlords is now firmly embedded as a key strand of assurance. The Annual Assurance Statements support openness and a culture of continuous assurance and improvement. A social landlord’s Annual Assurance Statement must confirm that they meet regulatory requirements or how they will address any areas of non-compliance. We require that social landlords make the Annual Assurance Statement available to their tenants and other service users. We have published [guidance](#) on how social landlords should prepare their Annual Assurance Statement and submit it to us. We [write](#) to landlords in March each year to supplement this guidance with specific requirements for the coming year’s Annual Assurance Statement; this year, we asked all landlords to provide us with specific assurance that they meet all duties in relation to tenant and resident safety, including on damp and mould. We worked with the SFHA, ALACHO and GWSF to develop an extensive toolkit to help landlords to get assurance across the full range of their activities. Each year, we publish all of the [Annual Assurance Statements](#) submitted to us by social landlords.
26. The Annual Assurance Statement is only one piece of evidence we consider in our [annual risk assessment](#) to determine the regulatory engagement we will have with social landlords and which results in an [engagement plan](#) for each social landlord. We also consider the information and intelligence we get from:
- our engagement over the year with the landlord, including the annual structured conversation we have with every local authority;



- our analysis of the landlord's performance in meeting the standards and outcomes in the Scottish Social Housing Charter, including the performance information it provides to us in the [Annual Return on the Charter](#);
- the financial information provided to us by RSLs in their annual accounts, loan portfolio return and five year financial projections;
- information from each RSL's external auditors;
- information from Notifiable Events submitted to us by the landlord;
- any whistleblowing about the landlord;
- information from Serious Concerns raised with us by tenants;
- information from complaints about the landlord raised with the SPSO;
- findings from any thematic inquiry which involved the landlord; and
- information from other regulators, including OSCR and Audit Scotland.

27. Each year, we carry out a programme of visits to landlords to discuss their Annual Assurance Statements. During the visits, we asked how landlords had assured themselves about compliance with their statutory duties and regulatory requirements. In 2023, we visited 11 landlords, and, in 2024, we visited 13 landlords; this year we will visit 10 landlords. We published reports on the findings from the [2023 visits](#) and from [2024 visits](#) to share lessons learned. As part of the 2023 visits, our Tenant Advisors examined the landlords' Annual Assurance Statements to review their accessibility and clarity from a tenant's perspective. Our published reports include full details of the approach we took to the visits, which can be summarised as:

- reviewing key information from the landlord in advance of a visit;
- considering the landlord's self-assessment of compliance with regulatory requirements;
- meeting the landlord's Chair or relevant convenor, senior officers and key staff to discuss its approach to self-assessment, the involvement of the governing body / committee, the level of tenant involvement and any resulting improvements;
- providing the landlord with a written response to the visit; and
- using findings from the visit in our annual risk assessment.

## **Use of statutory intervention powers**

28. We set out in the Regulatory Framework that our approach to regulation is: proportionate; consistent; accountable; transparent; and targeted. We engage with landlords in the least intrusive way possible to get the assurance we need, and we give landlords the opportunity to improve where there are problems, unless we need to act quickly to safeguard the interests of tenants and other service users. We will not normally need to intervene if we are satisfied that the landlord is able and willing to investigate and resolve any issues, and it engages constructively with us.

29. In most cases, well-run landlords take swift and effective action to tackle any problems they find; they tell us when they find a problem and tell us what they are doing to fix the problem. Where a landlord faces challenges, we will in the first instance seek assurance that it has the capacity and capability to address these issues. Where that is not the case, we will work with the organisation to ensure that it has the right support to tackle the issues that have been identified.

30. As we set out above at 15, we very much welcome the initiatives by SFHA and GWSF to develop ways for landlords experiencing difficulty to get support and help to improve as alternatives to regulatory engagement and intervention.
31. Intervention is always a last resort. This approach has meant that we have used our statutory intervention powers in only 12 landlords in 13 years and we have not initiated a statutory intervention in more than six years. We ended our last statutory intervention in December 2021. We will of course continue to consider use of our powers when it is appropriate to do so to safeguard the interests of tenants. As a transparent regulator, we have published accounts of all of our statutory interventions, including the direct costs of each intervention:
- [Muirhouse Housing Association](#)
  - [Wellhouse Housing Association](#)
  - [Molendinar Park Housing Association](#)
  - [Ferguslie Park Housing Association](#)
  - [Antonine Housing Association](#)
  - [Kincardine Housing Cooperative](#)
  - [Dalmuir Park Housing Association](#)
  - [Wishaw and District Housing Association](#)
  - [Arklet Housing Association](#)
  - [Ruchazie Housing Association](#)
  - [Thistle Housing Association](#)
  - [Fairfield Housing Association](#)
32. We have also published a [report on lessons learned from statutory interventions](#). In 2020, our auditors tested our governance arrangements for regulatory interventions and reported that they are effective, and commended our openness and transparency around statutory interventions.
33. Failures which lead to statutory intervention have serious implications for a social landlord. There can be costs to fix the things that have gone wrong, which can be in addition to the direct costs of intervention. This is why we stress the importance of social landlords acting in a way which avoids the need for us to intervene, including engaging quickly and constructively with us when they find problems. The costs associated with the appointment of statutory managers have ranged from £42,000 to £387,000, with an average cost of £178,000. The direct cost of our intervention at Dalmuir Park for the appointment of a statutory manager for the period from December 2017 to 31 March 2019 amounted to £118,722.15.
34. We are confident that our approach to statutory intervention is appropriate, is consistent with the statutory provisions, and that we use these powers proportionately and only when necessary. We are mindful of the fact that, in accordance with section 59(2) of the 2010 Act, the costs of the appointment of a statutory manager must be met by the landlord. That means that the costs of the appointment of a statutory manager will be met through the landlord's income from tenants, and so must represent value for money. We establish the list of suitable statutory managers through an open and competitive recruitment process which we rerun every three years. We advertise for applicants and then a panel of senior

Scottish Housing Regulator staff assesses each application against defined criteria and scored on 80% quality and 20% price. The average daily rate of those on the list is £700.

35. The cost for statutory appointments are often off-set or exceeded by improvements in financial management, productivity gains and value for money for the tenants in the longer term. We keep interventions under regular review and intervene no longer than is necessary. We may reduce the level of support as improvements are made by the landlord, and so the cost of providing that support will also reduce.
36. We have always been mindful of the potential cost of statutory intervention to tenants and, where appropriate, would support measures to minimise the cost. We are unclear on how a proposal to cap intervention costs could be implemented, or how the level of a cap would be set and how this would take account of the different types and sizes of landlord and of differences in the nature and scale of the problems that require the use of statutory appointments. Setting an expenditure limit at an arbitrary figure would risk our ability to effectively use the intervention powers set out in the 2010 Act and fulfil our statutory objectives to safeguard the interests of current and future tenants of social landlords, people who are or may become homeless, and people who use services provided by social landlords. The Committee may wish to explore other mechanisms to ensure that the cost to tenants is contained, including a statutory mechanism to facilitate the funding of such costs along with a relevant funding provision, such as a Scottish Government-backed contingency fund for statutory interventions or a levy on the wider sector.
37. We will continue to look at how we can build on the effective processes we have in place to ensure value for money in statutory interventions, with a particular eye to how we can reduce the potential costs of intervention. That said, the best way to avoid costs for tenants is for landlords to ensure that they met the regulatory requirements, avoid the potential for regulatory involvement, and engage constructively with us when problems are identified within their organisation.

## **Appeals process**

38. We voluntarily implemented an appeals process in 2016 to meet the principles set out in the Scottish Regulators' Strategic Code of Practice. The appeals process is as independent and has as much objectivity as it is possible for us to deliver with our current legislation. This includes the appeal panel having an independent member.
39. We would welcome a well-designed, appropriate, objective and independent appeals process, not least because we are confident in our decision-making around the use of statutory intervention powers. We understand that this is likely to feature in the Housing Bill, with the intention to replicate our voluntary appeals process in statute. We do recognise that there would be a cost to a statutory appeals process.

## **Concerns about community-based housing associations**

40. We have consistently publicly recognised the hugely important work that RSLs, including community-based housing associations, do in their local communities. They are community anchors, providing key services for a significant part of Scotland's population right across the country, in supporting tenants and sustaining thriving communities.
41. The 2010 Act sets the same requirements for all social landlords with the only distinction being between RSLs and local authorities. All RSLs are required to meet the same statutory and regulatory requirements and standards. Our regulatory approach is entirely neutral on the constitutional form of an RSL.
42. At paragraph 6.5 of its letter dated 18 March 2025, the Committee touches on the suggestion that SHR overlooked Reidvale Housing Association's failure to comply with Regulatory Standards in the way it consulted tenants during its proposal to transfer tenants' homes to another RSL. We previously [wrote](#) to the Committee in February 2025 setting out the position in relation to statutory and regulatory requirements for RSLs consulting tenants affected by a proposed disposal of land which will result in a tenant under a Scottish secure tenancy ceasing to be a tenant of the landlord making the disposal. We clarified that there is no requirement in legislation, the Regulatory Framework, Regulatory Standards or statutory guidance for an RSL's governing body to consult with tenants prior to it deciding to propose a transfer of engagements; the Regulatory Framework does not place on RSLs any requirements of consultation beyond those that the Scottish Parliament has set in legislation. The governing body of an RSL can decide to effect a transfer of tenanted homes only after it has complied with the statutory requirements to consult / ballot tenants and with its own constitutional requirements. In meeting the legislative requirements on balloting tenants, Reidvale Housing Association did comply with statutory guidance and so complied with the Regulatory Standards.
43. We would consider any consultation with tenants undertaken by an RSL in advance of it making a decision to propose a transfer to be good practice.
44. Since the introduction of the Housing (Amendment) (Scotland) Act 2018, we have limited powers in relation to transfers of engagements. RSLs are no longer required to obtain our consent for the disposal of land or assets (including a transfer of tenants' homes). As a result, our regulatory role in a voluntary transfer of engagements does not extend beyond ensuring that a transferring RSL complies with the statutory requirements on consulting and balloting tenants. That said, we would be keen to work with the landlord representative bodies as they develop guidance for their members on how both transferring and receiving landlords manage transfers.
45. We are committed to the better regulation principles enshrined in the Scottish Regulators' Strategic Code of Practice. While the Code does not define community interests or set out how regulators should "be alive to" them, we believe that by working to safeguard the interests of tenants, people who are homeless, factored

owners and Gypsy/Travellers, we will also safeguard the interests of local communities. We are of the view that those interests will almost always be aligned; indeed, it is difficult to conceive of circumstances where these interests would not align. Having said that, we are very open to discussing with the Scottish Government, SFHA, ALACHO and GWSF the relationship between our statutory objective and community interests. We would also welcome the views of the Committee on how to take account of community interests, and in particular how this should relate to our statutory objective.

**46. In response to the feedback from the Committee we will:**

- **work with the landlord representative bodies as they develop guidance for their members on the management of transfers, and we will keep the Committee updated as this progresses; and**
- **engage with key stakeholders to consider further how we can take account of community interests in our work, and we will keep the Committee updated as this progresses.**

## **Engagement with tenants**

47. We value engagement with, and feedback from, tenants, and we work hard to have as much of that as we can. While it is not possible for us to engage directly with all tenants of social landlords in Scotland – of which there are over 600,000 – our strategy for [How we include tenants and service users in our work](#) sets out the range of ways for us to engage with tenants, and to get our messages out to tenants:

- our [Tenants Together Scotland / SHR liaison group](#), where we meet with representatives from Tenants Together Scotland every quarter to discuss issues of priority for them;
- our [Tenant Advisors](#) work with us to directly scrutinise the performance of landlords, and can play an important role in the thematic inquiries we undertake;
- our [National Panel of Tenants & Service Users](#), with nearly 500 members, including tenants, people who have been homeless, Gypsy/Traveller site residents and factored owners. Since 2013 we have worked with the Panel through surveys and focus groups to better understand the priorities and experiences of tenants and service users;
- the [For Tenants](#) section of our website to help them find the information they want, including a tenant focused version of our [Framework](#) and [videos](#) about us and on how to raise a concern about a social landlord; and
- we attend and speak regularly at tenant conferences and tenant groups.

48. We aim to maximise our visibility to tenants and recognise that social landlords have a key role to play as the medium for that. We require each landlord to make our report on its performance easily available to its tenants, including online. We ask all landlords to promote our role to their tenants, including through their websites; this is particularly important to ensure that tenants and service users have good information on how they can complain and seek redress, including on when and how they can bring these matters to the Ombudsman and SHR.



49. It is also worth highlighting that two of our Board members are tenants of social landlords, one board member chairs our liaison group with Tenants Together Scotland and the other is the Chair of Tenants Together Scotland. We have always had tenants on our Board, and we hope that continues.
50. We produce our Annual Report and Accounts in the format prescribed in the [Scottish Publish Finance Manual](#) and the [Financial Reporting Manual](#). This includes as required by the Manual, an overview section, which is a full summary of the report narrative. We also ensure that our published Annual Report and Accounts meet statutory requirements on accessibility. We note the feedback from tenant representatives about presenting information in an engaging and informative way. We will review our communications strategy later this year. We have recently sought feedback on communications preferences from our National Panel, and, as part of our communications review, we will engage with Tenants Together Scotland to explore ideas. We will also consider the approach highlighted by the Edinburgh Tenants Federation.
51. It is vitally important that tenants and service users can raise any concerns they may have and have access to good information on how to do so. We require landlords to:
- provide tenants and service users with easy and effective ways to provide feedback and raise concerns, and provide quick and effective responses;
  - make available to tenants information on raising serious concerns with us, including our [leaflet](#);
  - provide tenants and service users with information to exercise their right to complain and seek redress, and respond to tenants in accordance with guidance from the Scottish Public Services Ombudsman (SPSO); and
  - ensure they learn from complaints and tenant and service user feedback.
52. We cannot consider complaints from individual tenants or service users; Parliament has given that role to the SPSO. In 2023/24 the SPSO received 476 complaints about RSLs and 354 housing related complaints about local authorities.
53. We do provide a route for tenants to bring [serious concerns](#) to us, thereby discharging our duty under section 47 of the Housing (Scotland) Act 2010 to make arrangements to enable and assist tenants of social landlords to provide us with information on significant performance failures by social landlords. We set out in our [factsheet](#) for tenants that serious concerns are issues that affect a group, or all, of a landlord's tenants and is something that the landlord has not put right. In our recent consultation on the Regulatory Framework, almost all respondents – including tenant groups – supported our proposed changes to these arrangements to make it clearer when and what tenants can bring to us and how this fits with the other routes for tenants to complain to their landlord and the SPSO. Our aim was to set out a clear, plain language statement of the routes of redress available to tenants, to include:
- complaining to their landlord;
  - complaining to the SPSO; and,
  - what, how and when to bring to us.

54. We recently worked with Tenants Together Scotland to help us promote the routes available to tenants to raise concerns about their landlord. The Tenants Together Scotland [website](#) now includes this information and links to our tenant guide to how we regulate and to our guidance on making complaints about landlords.
55. **In last three years, we have received 29 Serious Concerns submissions from tenants. In 2024/25, we received three Serious Concerns that were raised by residents of Gypsy/ Traveller sites, the first time residents of Gypsy/ Traveller sites have used this route to bring concerns to us. We recently published the outcome of our investigations of the Serious Concern raised by the residents of a site provided by [Fife Council](#) and from residents of two Gypsy Travellers sites in [Perth & Kinross Council](#) area.**
56. The Committee raises the issue of a receiving landlord in a transfer consulting with its tenants about any proposal to participate in the transfer. Parliament has not set any statutory requirements for a receiving landlord to consult its tenants on a proposed transfer and, as we set out above at 44, in amending the 2010 Act to remove our powers of consent, Parliament limited the role of the Regulator to ensuring that a transferring RSL complies with the statutory requirements on consulting and balloting tenants. We would be happy to discuss with the Scottish Government and the Committee whether there needs to be a strengthening of provisions around transfers and tenant consultation.
57. **In response to the Committee's feedback we will:**
- **be happy to provide the Committee with more information on Serious Concerns brought to us;**
  - **continue to look for ways to promote the Serious Concerns approach to tenants, including residents of Gypsy Traveller sites;**
  - **discuss with Tenants Together Scotland, and review the material produced by the Edinburgh Tenants Federation, to identify ways to further enhance our direct engagement and visibility with tenants; and**
  - **discuss with the Scottish Government whether there needs to be a strengthening of provisions around transfers and tenant consultation relating to the tenants of receiving landlords.**

## **Important work over the last year**

58. Over the last year we have kept our focus on the big challenges facing tenants and social landlords, including the cost of living crisis and affordability, the acute problems around homelessness and the number of people in temporary accommodation, emerging requirements on net zero, damp and mould and tenant and resident safety. We have kept the Committee fully updated on all our work over the last year.
59. Throughout the year we delivered effective regulation of social landlords through the work we set out in the [Engagement Plan](#) for each landlord. We set out below some highlights from our work over the year from April 2024 to March 2025:

- We published the [outcome of our 2023/24 risk assessment](#), including [engagement plans](#) setting out our requirements for every social landlord as well as a [summary of the outcome](#) of our annual risk assessment;
- We launched our [new three year Strategy](#)
- We published our report on our [contribution towards gender equality on public boards in Scotland](#)
- We published updated [business planning advisory guidance](#) for social landlords.
- We published the 2024 [report](#) on the work of the National Panel of Tenants & Service Users included a qualitative strand of engagement with people with lived-experience of homelessness services and temporary accommodation, including a focus on those with children. The findings featured qualitative feedback from 38 households with experience of homelessness services across 6 local authority areas. This also included an exercise to seek tenants' feedback on the ease of finding and quality of information on our website.
- We published our thematic analysis on [new homes, empty homes and lettings](#)
- We [moved to a new office](#), thereby realising significant annual savings on our accommodation costs.
- We updated the [For Tenants](#) section of our website to publish an up-to-date suite of performance information, including individual landlord reports, an online landlord performance comparison tool, our National Report on the Charter and all of the statistical information landlords provided under the Charter.  
[Read our National Report on the Scottish Housing Charter](#)  
[Read all landlord reports and use our comparison tool](#)  
[See all the statistical information about landlord performance](#)
- We reviewed all landlords' websites to find out what sort of information landlords make available to tenants and service users digitally in addition to the direct communications that they have in place, and we wrote to landlords to remind them of the key information we expect them to make available to tenants and service users.
- We published a [thematic review](#) of the provision of British Sign Language services by social landlords that we worked on with the British Deaf Association.
- We published our [analysis of RSL loan portfolio returns](#) in which we highlighted that RSLs in general have maintained sufficient liquidity to manage the effects of increased interest payments and operating costs during recent years.
- We published a [thematic review](#) of tenant and Gypsy/Traveller participation in Scottish social housing.
- We welcomed a [new Board member](#)
- We published our first annual report on [Notifiable Events](#) detailing the type of events RSLs reported to us and how we dealt with them.
- We engaged with the landlords that have identified RAAC in their homes, seeking assurance that they have management plans for the affected homes and monitoring landlords' management of RAAC, and we published [information on the extent of RAAC in social housing in Scotland](#).
- We carried out structured conversations with every council to gather further information and assurance about their services for people who are homeless.
- We published [a summary of the aggregated financial plans of RSLs](#) for the next five years.

- We publishing the [outcome of our consultation](#) on the indicators we use to monitor landlord performance against the Scottish Social Housing Charter. This included the introduction of new indicators on tenant and resident safety and damp and mould.
- We published the [risks we would focus](#) on in our annual risk assessment.
- We published the summary [outcome](#) and update [engagement plans](#) for the 2024/25 risk assessment.
- We [collected data](#) for the Scottish Government on empty homes and voids, which we went on to publish in [a report](#).
- We published our [analysis of RSLs' Audited Financial Statements](#) in which we flagged the overall financial position of RSLs weakened in 2023/24 with reduced financial headroom.
- We launched our second [British Sign Language \(BSL\) Plan](#).
- We promoted the campaign to [recruit new members](#) to SHR's Board.