

REPORT TO COMMUNITIES COMMITTEE – 05 NOVEMBER 2020

Housing Annual Assurance Statements Briefing

1 Reason for Report

- 1.1 Aberdeenshire Council is required to submit an Annual Assurance Statement to the Scottish Housing Regulator every year, to provide assurance that we are meeting our obligations under the Scottish Social Housing Charter.

2 Recommendations

The Committee is recommended to:

- 2.1 **Acknowledge the requirement for Aberdeenshire Council to provide a signed Annual Assurance Statement to the Scottish Housing Regulator by the end of November 2020**
- 2.2 **Consider the outcomes required by the Scottish Social Housing Charter and the Scottish Housing Regulator, alongside the discussion of evidence supplied for each outcome in Appendix 3**
- 2.3 **Approve the proposed statement to the SHR (Appendix 2) as an accurate reflection of Aberdeenshire Council's compliance with these requirements**
- 2.4 **Instruct the Director of Infrastructure Services to report to Communities Committee any material change in circumstance that affects Aberdeenshire Council's compliance with these requirements after the submission of the Assurance Statement**

3 Purpose and Decision Making Route

- 3.1 The Scottish Housing Regulator (SHR) was established by the Housing (Scotland) Act 2010 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 registered social landlords (RSLs) and local authorities"
 - 3.2 The Scottish Social Housing Charter (SSHC) was introduced in April 2012, and sets out the standards and outcomes that service users such as tenants, homeless people and Gypsy/Travellers can expect from social housing providers. As part of the regulation process, the Regulator requires social landlords to provide it with an annual performance return, focused on the outcomes of the Charter.
 - 3.3 In February 2019, the Scottish Housing Regulator released an updated Regulatory Framework, setting out how it would regulate social housing
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providers and the reporting requirements for the next five years. This Framework introduced a new requirement for landlords to provide an annual Assurance Statement by the 31st of October each year, starting in October 2019. However, due to the Coronavirus Pandemic, the Regulator has released an updated schedule for 2020, requiring us to submit the Assurance Statement by the end of November 2020.

4 Discussion

- 4.1 For local authorities, the Assurance Statement has to consider whether the authority is meeting the 16 outcomes required by the SSHC (a list of the required outcomes can be found in Appendix 1), and whether it is meeting its legal and statutory obligations (for example, that it is meeting its obligations around statutory homelessness).
- 4.2 The format of the Assurance Statement requires that the landlord formally confirm that it considers itself to meet all of the charter outcomes and other obligations, based upon an evaluation of the evidence available. The Regulator requires that the Assurance Statement for local authorities is approved by the appropriate committee (in this case, Communities Committee), and signed by the Committee Chair before submission.
- 4.3 Appendix 2 contains the proposed Assurance Statement for Aberdeenshire Council, confirming that Aberdeenshire Council meets the required standards, or highlighting where the council doesn't and providing a brief explanation of work underway to rectify this. This statement is based on the templates released by the Scottish Housing Regulator.
- 4.4 The Regulator has provided updated guidance this year to reflect the impact of the Coronavirus Pandemic. This guidance requires landlords to highlight any areas where non-compliance with the required standards is solely as a result of Covid-19 and associated restrictions. This will allow the Regulator to differentiate the reasons for any failures, and will inform the creation of their engagement plan for the coming year.
- 4.5 Appendix 3 contains an evidence statement for each identified outcome and legal obligation, explaining how Aberdeenshire Council performs in comparison to the required standard, and identifying where any improvements are required. This document will not be submitted to the Regulator.
- 4.6 These statements also consider whether any potential failures meet the standard of materiality set out by the Scottish Housing Regulator. Where a failure is relatively minor and does not affect a significant number of service users, it can be considered to be not material, and therefore does not need to be acknowledged in the Assurance Statement. In general, we have taken the approach that a failure is material where it represents a systemic problem or a failure of policy or procedure.
- 4.7 The Regulator will use the Assurance Statements in conjunction with the existing Annual Return on the Charter to guide its engagement with landlords and assist in the production of the annual intervention plans for each landlord.

4.8 The Housing service currently provides updates on progress and improvements in the Housing Action Plan, which is reported to Communities Committee on a six-monthly basis. The Housing Action Plan is based on benchmarking information that includes Aberdeenshire Council’s performance against the Annual Charter Return, and will allow Communities Committee to monitor progress towards achieving the outcomes in the SSHC on an ongoing basis.

5 Council Priorities, Implications and Risk

5.1 This report relates to Aberdeenshire Council’s compliance with regulatory requirements for Social Housing, which contributes to delivery against the three strategic priorities of Our People, Our Environment and Our Economy.

5.2 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed.

Subject	Yes	No	N/A
Financial			X
Staffing			X
Equalities			X
Fairer Scotland Duty			X
Town Centre First			X
Sustainability			X
Children and Young People’s Rights and Wellbeing			X

5.3 An equality impact assessment is not required because the report relates to the fulfilment of a statutory reporting obligation on the Council, and therefore does not have a differential impact on any of the protected characteristics.

5.4 There are no staffing and financial implications.

5.5 The following risks have been identified as relevant to this matter on a corporate level ([Corporate Risk Register](#)):

- ACORP002 Changes in government policy, legislation and regulation
- ACORP006 Reputation Management

Failing to submit an approved Annual Assurance Statement by the deadline would result in a failure on the council’s part to adhere to the new regulatory requirements placed upon it. Failing to submit a report could lead to reputational damage for the council, as the Regulator would be forced to conclude that we are not meeting the outcomes of the Charter and publish an engagement plan that reflects this. Both of these risks can be mitigated by submitting an Annual Assurance Statement by the 30th of November 2020.

6 Scheme of Governance

- 6.1 *The Committee is able to consider this item in terms of Section D 7.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the scrutiny of performance in relation to the Scottish Social Housing Charter.*
- 6.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

Stephen Archer, Director of Infrastructure Services

Report prepared by Neil Watts, Senior Information Officer (Housing)
25th of September 2020

List of Appendices –

Appendix 1: Required Outcomes of the SSHC

Appendix 2: Proposed Annual Assurance Statement to SHR

Appendix 3: Evidence statement supporting proposed submission

2. Charter outcomes and standards

The customer/landlord relationship

1: Equalities

Social landlords perform all aspects of their housing services so that:

- *every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.*

This **outcome** describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation. It includes landlords' responsibility for finding ways of understanding the rights and needs of different customers and delivering services that recognise and meet these.

2: Communication

Social landlords manage their businesses so that:

- *tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.*

This **outcome** covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems and smart-phone applications. It is not just about how clearly and effectively a landlord gives information to those who want it. It also covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback. It does not require landlords to provide legally protected, personal or commercial information.

3: Participation

Social landlords manage their businesses so that:

- *tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.*

This **outcome** describes what landlords should achieve by meeting their statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants, other customers and bodies representing them such as registered tenant organisations to become more capable of involvement – this could include supporting them to scrutinise landlord services.

Housing quality and maintenance

4: Quality of housing

Social landlords manage their businesses so that:

- *tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020.*

This **standard** describes what landlords should be achieving in all their properties. It covers all properties that social landlords let, unless a particular property does not have to meet part of the standard.

If, for social or technical reasons, landlords cannot meet any part of these standards, they should regularly review the situation and ensure they make improvements as soon as possible.

5: Repairs, maintenance and improvements

Social landlords manage their businesses so that:

- *tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.*

This **outcome** describes how landlords should meet their statutory duties on repairs and provide repairs, maintenance and improvement services that safeguard the value of their assets and take account of the wishes and preferences of their tenants. This could include setting repair priorities and timescales; setting repair standards such as getting repairs done right, on time, first time; and assessing tenant satisfaction with the quality of the services they receive.

Neighbourhood and community

6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that:

- *tenants and other customers live in well-maintained neighbourhoods where they feel safe.*

This **outcome** covers a range of actions that social landlords can take on their own and in partnership with others. It covers action to enforce tenancy conditions on estate management and neighbour nuisance, to resolve neighbour disputes, and to arrange or provide tenancy support where this is needed. It also covers the role of landlords in working with others to tackle anti-social behaviour.

Access to housing and support

7, 8 and 9: Housing options

Social landlords work together to ensure that:

- *people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them*
- *tenants and people on housing lists can review their housing options.*

Social landlords ensure that:

- *people at risk of losing their homes get advice on preventing homelessness.*

These **outcomes** cover landlords' duties to provide information to people looking for housing and advice for those at risk of becoming homeless. This could include providing housing 'health checks' for tenants and people on housing lists to help them review their options to move within the social housing sector or to another sector.

10: Access to social housing

Social landlords ensure that:

- *people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed.*

This **outcome** covers what social landlords can do to make it easy for people to apply for the widest choice of social housing that is available and suitable and that meets their needs. It includes actions that social landlords can take on their own and in partnership with others, for example through Common Housing Registers or mutual exchange schemes, or through local information and advice schemes.

11: Tenancy sustainment

Social landlords ensure that:

- *tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.*

This **outcome** covers how landlords on their own, or in partnership with others, can help tenants who may need support to maintain their tenancy. This includes tenants who may be at risk of falling into arrears with their rent, and tenants who may need their home adapted to cope with age, disability, or caring responsibilities.

12: Homeless people

Local councils perform their duties on homelessness so that:

- *homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.*

This **outcome** describes what councils should achieve by meeting their statutory duties to homeless people.

Getting good value from rents and service charges

13: Value for money

Social landlords manage all aspects of their businesses so that:

- *tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.*

This **standard** covers the efficient and effective management of services. It includes minimising the time houses are empty; managing arrears and all resources effectively; controlling costs; getting value out of contracts; giving better value for money by increasing the quality of services with minimum extra cost to tenants, owners and other customers; and involving tenants and other customers in monitoring and reviewing how landlords give value for money.

14 and 15: Rents and service charges

Social landlords set rents and service charges in consultation with their tenants and other customers so that:

- *a balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and service users can afford them*
- *tenants get clear information on how rent and other money is spent, including details of any individual items of expenditure above thresholds agreed between landlords and tenants.*

These **outcomes** reflect a landlord's legal duty to consult tenants about rent setting; the importance of taking account of what current and prospective tenants and other customers are likely to be able to afford; and the importance that many tenants place on being able to find out how their money is spent. For local councils, this includes meeting the Scottish Government's guidance on housing revenue accounts. Each landlord must decide, in discussion with tenants and other customers, whether to publish information about expenditure above a particular level, and in what form and detail. What matters is that discussions take place and the decisions made reflect the views of tenants and other customers.

Other customers

16: Gypsy/Travellers

Local councils and social landlords with responsibility for managing sites for Gypsy/Travellers should manage the sites so that:

- *sites are well maintained and managed, and meet the minimum site standards set in Scottish Government guidance.*

This **outcome** includes actions landlords take to ensure that: their sites meet the Scottish Government guidance on minimum standards for Gypsy/Traveller sites, and those living on such sites have occupancy agreements that reflect the rights and responsibilities set out in guidance.

All the standards and outcomes in the Charter apply to Gypsy/Travellers.



Our Annual Assurance Statement

We comply with the regulatory requirements set out in Chapter 3 of the Scottish Housing Regulator's (SHR) Framework, with the exception of those areas we set out below.

We:

- **Achieve all but the following standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services:**

- ◆ **4. Quality of Housing**

Aberdeenshire Council will not be able to bring all of our properties up to the Energy Efficiency Standard for Social Housing by the deadline of December 2020. The Housing Service is working to identify alternative technologies and ways of delivering improvements to ensure that as many properties as possible are brought up to the standard. While the Covid Pandemic has hampered planned improvements in 2020/21, this was a pre-existing issue.

The Council continues to review EESSH targets in light of EESSH2 2025 and 2032 deadlines and in line with the Scottish Government's guidance on EESSH may reschedule investment to ensure compliance with the 2032 milestone. This approach will be for works that are difficult to achieve due to Covid-19 impacts and are more economically and technically challenging, but which can be demonstrated to be the most cost-effective approach within an overall programme of work to improve the energy efficiency of the landlord's housing stock as part of EESSH2. This approach will also include a review to confirm which stock is a viable and sustainable long-term asset.

Aberdeenshire Council estimates that 75% of properties will comply with EESSH standards by the end of 2021/22.

- ◆ **5. Repairs, Maintenance and Improvements**

The impact of the Covid-19 Pandemic has prevented us from delivering a significant number of planned upgrades in 2020/21, and resulted in significant slippage in our Housing Improvement Plan (HIP). The HIP programme showed substantial progress before the Pandemic, and we are therefore confident in saying that this is solely the result of Coronavirus.

Aberdeenshire Council otherwise meets the requirements of this Charter Outcome, with repairs teams remaining operational throughout the pandemic with an initial focus on emergency repairs and are currently providing a full repairs and maintenance service.



- ◆ **13. Value for Money**

Aberdeenshire Council is currently performing below expectations with regard to void turnover times and rent loss, although it meets the other requirements of this outcome. Aberdeenshire Council has completed its review of void processes and procedures, and Communities Committee has approved proposals to modify our lettable standard to speed up the turnover of void properties and reduce associated rent loss. While Coronavirus has had a significant impact on our ability to relet properties, void performance is a pre-existing issue, and therefore this failure is not solely the result of Covid-19.
- **Comply with our legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety, with the exception of the areas set out below:**
 - ◆ **Gas Servicing**

Aberdeenshire Council has failed to renew 39 Gas Safety Certificates by their anniversary date in 2020/21 so far. All of these cases were directly due to Covid-19 shielding/self-isolating, and Aberdeenshire Council is otherwise meeting all of its legal obligations with regard to gas servicing.

We confirm that we have seen and considered sufficient evidence to give us this assurance.

We confirm that our Annual Assurance Statement was approved at the meeting of Communities Committee on the 5th of November 2020.

I sign this statement on behalf of the Committee.

Chair's Signature:

Date:

Draft Evidence – Annual Assurance Statement Nov 2020

Outcomes

1. Equalities

“every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services”

Aberdeenshire Council currently meets the requirements of this Charter Outcome, despite the impact of Coronavirus on our activities. While the impact of changes required to effectively protect our staff and tenants has had a greater effect on particular groups of tenants, such as older people and people with disabilities, we have followed the relevant guidance and introduced new working practices to ensure that all tenants can continue to access services where possible.

When lockdown was first announced, Aberdeenshire Council suspended lettings to all properties except for urgent cases (e.g. Homelessness). Aberdeenshire Council has started letting both mainstream and sheltered housing properties again, although mainstream lets recommenced before sheltered housing lets. This means that sheltered housing applicants were unable to access the housing they had applied for over a longer period than other applicants.

However, in the cases highlighted above, all decisions were made in line with the relevant Government guidance around the relaxing of Covid-19 restrictions and prioritises the health and wellbeing of more vulnerable tenants. Additionally, there are exceptions to these restrictions based on appropriate risk assessments, such as for emergency repairs and homeless households, to mitigate the risks to these groups. We believe that this meets the requirement that all customers be treated fairly, and therefore, we do not consider this to be a material breach of this requirement.

Under normal circumstances, Aberdeenshire Council complies fully with the requirements of this Charter outcome. Evidence to support this statement includes the following:

- Aberdeenshire Council requires that all policies and decisions considered by committee are accompanied by an Equality Impact Assessment statement, detailing any potential effects on any of the protected characteristics groups.
- All public documents produced by Aberdeenshire Council are available upon request in large print or Braille versions and can be translated into a variety of languages. Translation services are also available in the main Council offices and by arrangement to tenants/contacting the Housing service by phone or in person.

Based on the above, while Aberdeenshire Council has been forced to treat certain customers differently due to Coronavirus restrictions, we do not believe this constitutes a material failure, and we are therefore not required to report this to the Regulator.

2. Communication

“tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides”

Aberdeenshire Council currently meets the requirements of this Charter Outcome.

Aberdeenshire Council has made significant progress in tenant communications in the last year. The Next Steps programme for tenant participation has increased the pool of tenants involved in consultations. The tenant participation team are also developing engagement opportunities with the wider local community due to the commonality of concerns raised.

Aberdeenshire Council has established a Communications group for tenants which allows tenants to work with officers in drafting the tenant newsletter, with tenants having editorial control. This group has been meeting remotely via Teams since lockdown began. Similarly, our Sheltered Housing Tenant’s Forum is now meeting online, and has continued to work well through the pandemic, providing input into the ongoing Sheltered Housing Review. Aberdeenshire Council has also successfully bid for funding to provide IT equipment (laptops, tablets and wi-fi equipment) for residents in sheltered housing schemes, which will enhance their ability to communicate more generally.

Aberdeenshire Council is also developing a new app, in conjunction with tenants, that will allow more services to be accessed online and provide more options to tenants for finding information and communicating with the council.

Aberdeenshire Council has also adapted how it communicates with tenants during lockdown and the recovery route-map, with an emphasis on maintaining contact with vulnerable tenants and tenants in arrears to signpost to appropriate support. As a result of this, the Housing Service has discovered issues around tenants not claiming all of the benefits they are entitled to, and is working with the Welfare Rights team to enhance the support available to our tenants.

Developing a clearer understanding of issues that matter to tenants and residents in communities is key with a current emphasis placed on working with Community Planning Teams and the Community Safety Partnership in order to develop a coordinated approach to engagement.

Based on the progress reported above, and the ongoing Action Plan to improve tenant participation, we believe that Aberdeenshire Council currently meets the requirements of this Charter Outcome.

3. Participation

“tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with”

Aberdeenshire Council currently meets the requirements of this Charter outcome.

Aberdeenshire Council has an approved Tenant Participation Strategy in place that details the actions it will take to improve engagement with tenants and other service users. This strategy lays out the need to provide additional channels for tenants to make their views heard, rather than relying on traditional models of tenant participation alone. This includes the creation of new tenant’s groups that are able to meet remotely.

The strategy also allows for greater flexibility in how tenants interact with us as a landlord. Although there is funding available for tenants to form a Registered Tenant Organisation (RTO), there appears to be little appetite for this within our tenants. Therefore, Aberdeenshire Council is working with tenants to provide a more informal and flexible approach to tenant participation.

Aberdeenshire Council is currently reviewing our Housing Allocation Policy and consultation has taken place over lockdown. The review was placed on a dedicated allocation policy review page of the website, advertised on social media and Teams events set up to get feedback. The consultation was also issued to all interested tenants and tenant groups.

In our last tenant satisfaction survey, Aberdeenshire Council scored significantly lower than other social landlords on satisfaction with the opportunities given to them to participate in the landlord’s decision-making process. 61.0% of tenants expressed satisfaction, compared to a national average of 84.6% and a local authority average of 79.6%. This survey was completed over 2 years ago, and therefore is no longer be representative of satisfaction in this area. The Scottish Housing Regulator requires us to complete a tenant satisfaction survey at least every 3 years, with our next survey due by the end of 2020/21. This should provide more up to date information about tenant participation in Aberdeenshire. In addition, work is being undertaken to produce a new framework for the measurement of satisfaction so as to ensure regular and more meaningful feedback is gathered.

The transition to a new participatory framework has proved challenging and the Council is currently engaging with the Scottish Housing Regulator in order to demonstrate improvements in opportunities to engage and improvements in satisfaction levels. Covid-19 has presented additional barriers to participation but a wide range of alternative engagement measures continue to be rolled out. Based on the above, we believe that Aberdeenshire Council currently meets the requirements of this Charter Outcome, although a significant amount of work is still required to improve participation and engage with as broad a range of tenants as possible.

4. Quality of Housing

“tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (ESSH) by December 2020”

Aberdeenshire Council does not currently meet the requirements of this Charter Outcome.

The majority of our stock meets the Scottish Housing Quality Standard (SHQS), with less than 5% of our properties currently being exempt from this standard (this represents around 600 homes). In 2018-19, this figure was around 7% (around 900 homes), demonstrating that Aberdeenshire Council continues to make progress in addressing these properties wherever possible.

While some of our stock does not meet the SHQS, there are mitigating factors that can be taken into account. The outcome allows for stock that cannot be brought up to the required standard for technical or social reasons where these are reviewed regularly. In our case, properties that cannot be brought up to the standard due to tenant refusals are reviewed annually, and work is carried out at change of tenancy to ensure the property is brought up to the standard. Similarly, properties that do not currently meet the SHQS due to disproportionate costs will be addressed as part of the ongoing ESSH (Energy Efficiency Standard for Social Housing) programme. This is also reviewed regularly and in the plans for complying with ESSH2 by the 2025 and 2032 deadlines.

The Scottish Government guidance for both SHQS and ESSH specifically states that properties where a relevant exemption has been applied are not to be counted as a failure to meet the standards, as long as these are regularly reviewed and the council can evidence that it has made every reasonable effort to identify a solution. Therefore, while we have stock that does not currently meet the SHQS standards, we do not consider our performance against the SHQS to be a failure to meet this Charter Outcome as Aberdeenshire Council are following the correct process for rectifying the issue. This is evidenced by the improved proportion of properties meeting the SHQS in 2019/20.

In contrast, around 55% of our stock currently meets the Energy Efficiency Standards in Social Housing (ESSH) standards (47.8% met the standard at the end of 2018/19), and Aberdeenshire Council are working hard to bring the remaining properties up to the required standard. However, due to delays in implementing our Housing Improvement Programme (HIP) and technical limitations this will not be possible for all properties by the deadline of December 2020.

The Coronavirus pandemic has had a significant impact on our ability to conduct improvement and upgrade works. This is due to factors such as limitations on the number of operatives able to work in a property at any one time to limit the likelihood of transmission, contractors furloughing staff during the Pandemic, and restrictions on accessing occupied properties, particularly where the tenant was Shielding/Self-isolating. While some works continued throughout the lockdown period, such as Interior Wall Insulation works, Covid-19 has further limited progress towards compliance with ESSH.

Therefore, Aberdeenshire Council will not meet the requirements of this outcome due to the challenge of bringing all eligible properties up to the EESSH standard by December 2020. As noted above, it will be possible to claim exemptions for properties where it is not feasible to bring them up to the required standard, but this will still leave a significant number of properties that will not reach the required standard by the deadline.

Given that it is likely that a significant number of properties will not be brought up to the EESSH standard by December 2020, we consider that this represents a material failure to meet the required Outcome, and therefore should be reported as such to the Regulator. While our performance on this Outcome has been adversely affected by the Coronavirus Pandemic, we cannot claim that this is the only factor.

On completion of the current HIP program and the bringing forward of EESSH works, Aberdeenshire Council's current plan is for 75% compliance by the end of 2021/22. Aberdeenshire Council is currently considering its approach to compliance with EESSH2 by the 2032 deadline.

5. Repairs, Maintenance and Improvements

“tenants’ homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done”

Aberdeenshire Council does not currently meet the requirements of this Charter Outcome, although this is due solely to the impact of Covid-19.

The Repairs and Planned Maintenance Management (RPMM) system has been in place in all depots for over a year, and gives all tenants the opportunity to specify an appointment slot convenient to them, and we are currently procuring an online repairs system that will improve service-users’ ability to report repairs in a way that is convenient for them.

Overall repairs performance remains similar to last year, with 91.5% of tenants expressing satisfaction with the repairs service during 2019/20, compared to 93% in 2018/19. Meanwhile, the average hours to complete an emergency repair has improved from 5.61 hours in 2018/19 to 4.48 hours in 2019/20.

The Coronavirus Pandemic has had a significant impact on Aberdeenshire Council’s ability to deliver a repairs and maintenance service, with only emergency and essential maintenance repairs being carried out during the lockdown period. Lockdown restrictions have also limited our ability to deliver maintenance and servicing in some cases, due to factors such as tenants shielding or self-isolating. It has also had a significant impact on the Housing Improvement Programme, with all works being paused in March 2020 and unable to restart until July 2020.

Despite the ongoing challenges presented by Covid-19, Aberdeenshire Council has returned to providing a full repairs and maintenance service to all tenants. Coronavirus has also driven improvements, such as the introduction of virtual inspections using new software to minimise the need for staff to visit on-site. This has proved so successful that we intend to continue with this approach as part of our standard procedures going forward.

All decisions with regards to repairs and maintenance have been made in line with the appropriate Government guidance, and with our own safety and risk assessments. While Aberdeenshire Council was not able to deliver the full service normally expected by our tenants during the lockdown period, the exceptional circumstances and potential risk to our tenants had to be our overriding concern at the time. Since Aberdeenshire Council is currently providing a full repairs service to our tenants, and is meeting its obligations to our tenants and staff in terms of their health and safety, we consider ourselves to meet the requirements of this outcome with regards to repairs and maintenance.

However, Aberdeenshire Council will not be able to deliver the upgrade program that was planned for 2020/21, due solely to the impact of Coronavirus. Therefore, while we are not currently meeting the requirements of this outcome with regard to improvements and upgrades, and will have to report this to the Regulator, we believe that this is justified by the circumstances and the need to prioritise the safety of our tenants.

6. Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

“tenants and other customers live in well-maintained neighbourhoods where they feel safe”

Aberdeenshire Council currently meets the requirements of this Charter outcome.

As noted previously, Aberdeenshire Council has not conducted a satisfaction survey of our tenants for over 2 years, so we do not have up to date data regarding tenant satisfaction with the management of their neighbourhood. As noted in the last Assurance Statement, tenant dissatisfaction was often linked to failures outwith the control of the Housing Department (e.g. road gritting or waste collection). A new Tenant Satisfaction survey will be conducted this year, and the Housing Service is planning to use a telephone-based model to allow greater engagement with respondents to explore the reasons for their dissatisfaction.

With regard to antisocial behaviour (ASB), while Aberdeenshire Council performs relatively poorly compared to other councils based on the Annual Charter returns, the measure used does not allow meaningful comparisons to be drawn and does not reflect the outcomes achieved. The Charter indicator was updated this year, and now only measures the number of cases closed in the year as a proportion of those opened in the year, regardless of the target timescales of the action.

Based on this measure, Aberdeenshire Council closed 82.6% of cases within 2019/20. The average unweighted figure reported for local authorities in 2019/20 was 90%. However, there is no information about how each authority defines closure in this case, or what the target time for doing this is. Aberdeenshire Council's target for resolving an ASB complaint is 3 months, which allows for a monitoring period to ensure that no further complaints are received. As in previous years, the available data from other landlords does not allow a meaningful appraisal of Aberdeenshire Council's performance with regard to ASB.

Therefore, Aberdeenshire Council does not consider this to be a material failure to meet the standards of this Charter Outcome. While satisfaction was relatively low in our last tenant satisfaction survey, it was conducted over 2 years ago, and almost 75% of our tenants were satisfied or very satisfied with the management of their neighbourhood at that time. Meanwhile, the antisocial behaviour indicator used by the Scottish Housing Regulator is flawed and does not accurately reflect ASB performance in Aberdeenshire.

The Council is currently engaged in improving links within individual communities and is working with Community Safety Partners and others to ensure that a comprehensive and coordinated approach is offered particularly where criminal and anti-social activities are evident.

While Coronavirus has had a significant impact on the delivery of face to face services, Tenancy Services teams have used alternative methods to keep in contact with tenants and deliver services. Therefore, we consider that Aberdeenshire Council is still meeting the requirements of this outcome, despite the challenges imposed by the Covid-19 crisis.

7, 8 and 9: Housing Options

“people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them”

“tenants and people on housing lists can review their housing options”

“people at risk of losing their homes get advice on preventing homelessness”

Aberdeenshire Council currently meets the requirements of this charter indicator.

Aberdeenshire Council provides information and advice to people about their housing options on request, and offers housing support to prevent homelessness, with 879 households receiving homeless prevention advice and assistance in 2019/20. This represents a significant reduction compared to 2018/19, as a result of changes to the guidance for recording prevention activities. Housing applicants are required to review their application every year to ensure that is up to date and reflects their housing need, and that they can be matched to the housing they need.

Aberdeenshire Council also operates a flexible Rent Deposit Guarantee Scheme to support applicants to rent in the private sector where this is appropriate for them. In 2019/20, this scheme supported 78 households to access housing in the private rented sector, up from 62 in 2018/19. As well as allowing homeless households to access the private rented sector where they would otherwise struggle to do so, this also helps to reduce the pressure of homelessness on Aberdeenshire Council's own housing stock. We are also looking at access to the Private Rented Sector (PRS) in a wider sense, with the intention of working effectively with private landlords, and linking vacancies in the PRS from our housing and homeless pages, and via the app being developed.

Aberdeenshire Council is currently reviewing its allocations policy and associated procedures, with a view to potentially introducing a choice-based lettings approach to housing allocations. This would give greater choice and control to applicant households, as it would allow them to only bid on properties that they are interested in living in, rather than being allocated a property by the Housing Service. Aside from giving applicants more choice, it should also reduce the number of housing offers refused and reduce staff time spent on re-offering properties. Aberdeenshire Council will also provide appropriate support to vulnerable applicants to ensure that they can apply for suitable housing, and do not miss out on opportunities for housing.

In addition to the above, Aberdeenshire Council's RRTP (Rapid Rehousing Transition Plan) is currently in year 2. This identifies the opportunity to enhance the information available to those who provide Housing Options advice through promotion of the Housing Options Toolkit and joint training opportunities with partners including RSLs. We are reviewing and developing homeless prevention pathways for those who are at highest risk of homelessness.

Homeless prevention activities featured heavily within year 1 of the RRTP. Within year 2 we are consolidating these and working with colleagues within the housing service, other landlords and those at risk of homelessness to ensure appropriate advice and assistance is available at an early stage. This includes developing joint training opportunities and

communicating effectively with each other and with other services to promote awareness of homeless prevention and an understanding of the wider costs of homelessness.

10: Access to social housing

“people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed”

Aberdeenshire Council currently meets the requirements of this Charter outcome.

Aberdeenshire Council's allocation policy is publicly available, and an explanation of how our houses are allocated is available on our website, and from staff. Our allocation policy uses a banding system to award priority to households, which is easier to understand than the previous system of awarding points.

Covid-19 had a significant effect on our ability to meet this Charter Outcome. During the initial lockdown phase, we were unable to accept new applications or let houses except in urgent circumstances. These restrictions have now relaxed, and we are providing a normal service to most applicants. While sheltered housing were unable to access social housing for longer than other applicants due to Covid-related lettings restrictions, they were able to make applications and access information regarding allocations at the same time as other applicants, meaning that we meet the requirements of this Charter Outcome.

As noted above, Aberdeenshire Council is currently reviewing the way that houses are allocated to make better use of resources and make the process easier to understand and more transparent, which will significantly change how houses are allocated in future. We are currently considering a move to choice-based lettings, which will see applicants bidding for the properties they are interested in, rather than waiting for the council to allocate a house to them. While this will place more responsibility on applicants, there will be additional support available to any applicant who needs it, mitigating any challenges created by this change.

Unfortunately, the common applications partnership with Moray Council and local Registered Social Landlords (RSL) will end soon, which will reduce the range of properties available to applicants when making a single application. It is the intention that a housing options landing page will be created to enable applicants to access links and apply for housing with all relevant landlords in the North East. In addition to this, Aberdeenshire Council is meeting regularly with our RSL partners to improve links around nominations and homelessness, which mitigates the impact of this change on our compliance with the Charter Outcome.

11. Tenancy Sustainment

“tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations”

Aberdeenshire Council currently meets the requirements of this Charter outcome.

89% of new tenants in 2018-19 sustained their tenancy for at least a year in Aberdeenshire, which is equal to the Scottish local authority average of 89% sustainment, and slightly higher than our local authority peer group average of 88.3%. It is also worth noting that the proportion of tenancies ended for negative reasons (e.g. Eviction/Abandonment) remains low in Aberdeenshire, with less than 15% of new tenancies ending for these reasons.

Aberdeenshire Council has a Pre-Tenancy Support team to provide advice and support to tenants in advance of taking up their tenancy, and any tenant can be referred to our Housing Support team (or self-refer) if they need help. In addition to meeting our statutory duty to provide housing support, the Housing Support Service provides outreach housing support to meet the needs of people who request help to prevent homelessness and keep people living independently in their tenancies

As part of Aberdeenshire Council's work towards implementing our Rapid Rehousing Transition Plan, our Tenancy Services and Options and Homeless teams continue to work together to improve outcomes for homeless households and implement new ways of sustaining tenancies and minimising evictions and abandonments, which can otherwise lead to homeless applications in future.

Overall levels of Abandonments and Evictions in 2019/20 remained consistent with the previous year, although within this figure the proportion ended for Abandonments increased while the proportion evicted decreased. As part of its response to the Coronavirus Pandemic, the Scottish Government increased the notice period for evictions from Social Housing to 6 months until the end of September, with an extension to March 2021. This means that Aberdeenshire Council has not evicted any tenants this year. Covid-19 has also reduced the number of Abandonments for the year to date.

The extended notice period is likely to lead to higher arrears levels at pre- court enrolment stage and also higher balances when cases finally reach court and eviction stage. However, Aberdeenshire Council has been working hard to maintain contact with and provide support to tenants who have fallen into arrears during this period. This work supports the goal of maximising tenancy sustainment wherever possible and will help to minimise any increase in Evictions next year. The links to Information and Advice services has also proved a vital element to the Covid-19 response.

Based on the information above, we believe that Aberdeenshire Council meets the requirements of this Charter Outcome.

12. Homeless People

“homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to”

Aberdeenshire Council currently meets the requirements of this Charter outcome.

Homeless applications, prevention services and housing advice is available to everyone in Aberdeenshire, with 879 households receiving advice and assistance to maintain their current housing in 2019/20. Aberdeenshire Council experienced a small increase in homeless applications in 2019/20, with 1228 homeless presentations made, and 1274 cases completed in the same period. While there are cases where the council does not meet the required standards, there is no pattern to suggest that these represent systemic failings. Aberdeenshire Council has set several targets for improving performance in 2020/21, in order to help manage and reduce the backlog of open cases. Therefore, we do not consider such cases to represent a material failure on the part of the council.

Coronavirus has had a significant impact on our homeless services, with an overall reduction of around 25% in homeless presentations compared to last year as a result of the moratorium on eviction actions in the private sector. This means that Aberdeenshire Council did not face an increase in homeless cases like some other local authorities, and was able to deal with cases effectively and allocate properties to homeless households during lockdown. However, the Coronavirus lockdown did significantly reduce the turnover of housing stock, which means that some homeless households may have to wait longer to be housed permanently in high-demand areas. Given that all such households are housed in high-quality temporary accommodation, and that Aberdeenshire Council is letting as many properties as possible to homeless households, we do not consider this to be a failure to meet the requirements of this Charter Outcome.

The Scottish Government has introduced the Unsuitable Accommodation Order, which makes Bed and Breakfast accommodation unsuitable for all households, rather than just those with a pregnant woman or children. Aberdeenshire Council has only used Bed and Breakfast accommodation in particular situations since the start of lockdown, and intends to maintain this position wherever possible in future. Any future use will be closely monitored, and not exceed 7 days in all cases, to avoid any breaches of the Unsuitable Accommodation order. This will require some changes to our temporary accommodation provision in future, in line with the alternative accommodation options considered as part of the Rapid Rehousing Transition Plan.

Aberdeenshire Council continues to provide other temporary accommodation options through the Housing First model, and the provision of shared temporary accommodation for single people. Aberdeenshire Council has also been successful in ‘flipping’ temporary accommodation, where an applicant can convert their temporary tenancy to a secure tenancy where they are happy that their temporary accommodation meets their needs.

13. Value for money

“tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay”

Aberdeenshire Council does not currently meet all of the requirements of this Charter outcome.

Aberdeenshire Council's void relet times continue to be poor compared to the rest of Scotland, with an average turnover time in 2019/20 of 56.2 days, compared to 54.9 days in 2018/19. This compares to an average of 35.3 days for all local authorities in Scotland, and 40.9 days for our local authority peer group. However, the average days to relet for Scottish local authorities has also worsened slightly in 2019/20, so our performance has changed in line with the national average. Also, our figures are more in line with the average for local authorities in the North-East of Scotland, with Moray and Angus councils reporting an average of 46.1 and 47.2 days respectively, and Aberdeen City Council reporting 69.6 days. This suggests that there may be a geographical component to the challenges currently being faced by Aberdeenshire Council.

Coronavirus has also had a significant effect on void performance in 2020/21. As noted above, lockdown restrictions prevented us from letting properties except in urgent circumstances, although void works continued throughout the period. This has led to both a backlog of void properties, and a significant increase in void rent loss during the period. Although lettings have mostly returned to normal now, performance is measured by the Regulator at the point properties are let, meaning that these delays will feed into void performance figures for most of the rest of 2020/21.

Despite the challenges presented by Covid-19, Aberdeenshire Council has made progress towards addressing our void performance. For example, the Interior Wall Insulation (IWI) team has significantly reduced the number of properties that are currently being held for work, and the ongoing program of IWI works will have a substantially smaller impact on void loss going forward. Aberdeenshire Council is also in the process of introducing a new void standard and procedure, with a staggered roll-out starting on the 1st of October in Formartine.

Void performance forms only one part of the overall picture – Aberdeenshire Council generally performs well in other services covered by this outcome, such as arrears management, where Aberdeenshire Council consistently performs better than both the national average and most other local authorities. This trend continued in 2019/20 with Aberdeenshire Council reporting gross rent arrears of 4.85% compared to the local authority average of 7% and the average for our peer group of 6.5%.

As with voids, Coronavirus has had a significant impact on our arrears levels, with a substantial shortfall in payments received in May 2020 particularly. However, current tenant arrears have stabilised since then, and officers have worked hard to maintain contact with and support tenants who may be struggling due to the economic effect of coronavirus. Additionally, Aberdeenshire Council has set up a member-officer working group to consider our longer-term rent strategy in light of the Coronavirus Pandemic, including the option of introducing an inflation-only rent increase in 2021/22.

Furthermore, we continue to work with tenants to deliver effective and meaningful tenant scrutiny of both the management of the Housing Revenue Account and the services it funds. Based on the evidence above, it is reasonable to say that Aberdeenshire Council meets all of the other requirements of this Outcome.

Despite these examples of positive performance, Aberdeenshire Council's current poor void performance is significant enough that we cannot say it is not material, and therefore Aberdeenshire Council does not meet all of the requirements of this Outcome.

Aberdeenshire Council commissioned a review of our voids process and procedures in August 2019, which was completed this year. While implementation has been delayed by the Coronavirus Outbreak, proposals have now been approved by Committee for changing our void standard and completing more work after the property is occupied, which should help to improve our performance in future years.

14 and 15. Rents and Service Charges

“a balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and service users can afford them”

“tenants get clear information on how rent and other money is spent, including details of any individual items of expenditure above thresholds agreed between landlords and tenants”

Aberdeenshire Council currently meets the requirements of this Charter outcome.

Aberdeenshire Council consults all of our tenants every 3 years when reviewing our rent levels, and presents tenants with a clear range of options explaining what can be delivered based on different levels of rent, such as the number of new build homes that could be completed. As the legal requirement is to consult on rent levels annually, this could be interpreted as a failure to meet the required standard. However, we do not consider this to be a material failure as it matches the business plan we agreed with tenants to decide rent changes at 3-yearly intervals.

In light of the economic impact of Covid-19 on our tenants, Aberdeenshire Council has formed a Member-Officer working group to evaluate rent affordability and consider whether our current rent strategy needs to change to reflect the ongoing challenging brought about by Coronavirus. Options being considered include changing the planned rent increase in 2021/22 from 4.9% to an inflation-only increase. This work is being conducted alongside the regular 30-year HRA business plan review, which evaluates the affordability of our business plan with regard to factors such as the cost of energy efficiency works and capital upgrades.

Rent levels for Aberdeenshire Council houses are comparable to other local authorities in the north-east of Scotland and are lower than most Registered Social Landlords in the area. Unfortunately, Coronavirus has delayed the Annual Charter return and the Regulator has not yet released information on landlord's rent levels, so we are unable to provide a direct comparison with other providers for 2019-20. However, Aberdeenshire council's rent levels

have historically been comparable to other local authorities in the North East of Scotland and significantly lower than the Private Sector, and we have no evidence to suggest that this has changed in the last year.

Aberdeenshire Council continues to work with tenants to provide scrutiny of the Housing Revenue Account through the Covid Pandemic, with the creation of a Tenant Scrutiny Group in January 2020 to monitor rent levels and expenditure. The tenant members of the group decide on the areas they wish to investigate, and on those where they feel more information/training is required. This group has continued to meet remotely through the Coronavirus Pandemic, and is currently working with Finance colleagues to gain a better understanding of rent setting and rental income. Tenants will also be fully consulted on the final recommendations of the Rent Strategy Member Officer Working Group mentioned above.

The Council has worked to ensure regular and proactive contact with tenants experiencing problems with rent payments throughout Covid 19 and will continue to offer support and advice given challenging economic conditions forecast. The council also provides a simple breakdown for all tenants on where and how rental income is spent, although this is another area to be expanded in future. The council's procurement process seeks to balance affordability and quality of service to ensure that both the council and tenants receive good value for money.

Based on the above, Aberdeenshire Council currently meets the requirements of this Charter Outcome.

16. Gypsy/Travellers/Other Customers

“sites are well maintained and managed, and meet the minimum site standards set in Scottish Government guidance”

Aberdeenshire Council currently meets the requirements for this Charter outcome.

Aberdeenshire Council is currently responsible for two gypsy/traveller sites, at Aikey Brae and Greenbanks in Banff, which are managed in accordance with Scottish Government guidance and other service standards.

As noted in the previous Annual Assurance Statement, the site at Greenbanks did not meet the new minimum standards introduced by the Scottish Government at the time the Statement was submitted. The required works were due to have been completed by March 2020, in time for the opening of the seasonal site. Unfortunately, due to restrictions imposed as a result of the Coronavirus lockdown, it was not possible to complete the scheduled works at Greenbanks at that time. However, this did not significantly impact on traveller families at the time, as lockdown restrictions also restricted their ability to travel to the site.

Work to bring the site up to the required standard was completed in July 2020, and it was opened on the 7th of August 2020. Given the delays in completing the required work, it could be argued that Aberdeenshire Council has not met its obligations for this Charter Outcome. However, given that the delay had little impact on the traveller community due to restrictions on travel, we do not consider this to be a material failure, and therefore it does not require to be reported to the Regulator. The site at Aikey Brae already complied with the relevant standards and has been open throughout 2020.

Aberdeenshire Council meets the requirements of this outcome in other respects. We are registered as a property factor where we provide such services to owners in shared blocks and provide them with a written statement each year as required by legislation.

Legal Obligations

Gas Servicing and Maintenance

Aberdeenshire Council does not currently meet the legal requirement to have an annual gas safety certificate in place for each property. 5 properties were not completed in time in 2019/20, 3 due to errors in passing information about new installations to the relevant team, and 2 due to tenants being unable to provide access due to Coronavirus Shielding/Self-isolating. Since then, there have been 39 failures to complete annual servicing in time in 2020/21 to date, all as a result of Coronavirus.

The Scottish Housing Regulator has endorsed guidance from the Health and Safety Executive regarding Gas Safety checks during the Covid-19 Pandemic, which advises that landlords should take all reasonable measures to gain access, but accepts that there will be cases where it is not possible to complete the safety checks by the anniversary date. In these cases, landlords are required to keep evidence of their contact with tenants and their attempts to arrange an appointment as soon as any restriction was lifted.

Aberdeenshire Council has complied with these requirements, and has the necessary evidence to prove that these failures are directly due to Coronavirus. Despite this, given the emphasis the Regulator places on gas safety and their updated guidance regarding reporting the impacts of Coronavirus, we feel that this should still be reported to the Regulator as a failure to meet the required standard, albeit purely as a result of Covid-19.

Electrical Safety Checks

Aberdeenshire Council currently meets the legal requirement to complete an electrical safety check on all properties on a regular basis. New legislation has been introduced that requires landlords to complete checks 5-yearly in future. This is a new requirement (previously, such checks were required every ten years) and the legislation allows for a transition period. All of our properties are checked at change of tenancy, and the remainder are checked on a cyclical basis. Therefore, it will be some time before all Aberdeenshire Council properties meet the new 5-yearly schedule.

Coronavirus has also impacted on our ability to complete the required safety checks due to restrictions on access to tenant's homes. However, Aberdeenshire Council does not consider this to be a failure to meet the required standard, as we comply with the current transition arrangements, the risk to our tenants is low and Aberdeenshire Council is working with our Facilities Management contractor to agree a schedule that complies with the new requirements.

Legionella Testing

Aberdeenshire Council currently meets the legal requirement to ensure that appropriate measures are in place to prevent Legionella. These include regular inspections and cleaning by a specialist company, supported by checks by staff within sheltered housing schemes.

Health and Safety

Aberdeenshire Council currently complies with all current legislation regarding the health and safety of both our tenants and our staff. In the case of tenants, all of our properties have the appropriate fire, smoke and carbon monoxide alarms in place where required, and Aberdeenshire Council will find alternative accommodation for tenants in any situation where there is a serious risk to their health.

Aberdeenshire Council also meets health and safety requirements with regard to our staff, both in general terms and in specifics such as suitable personal protective equipment, safe working practices and appropriate support and training. We also have appropriate measures in place to identify and manage asbestos found in our properties, and to dispose of it appropriately where this is the safest outcome.

Coronavirus has changed the Health and Safety requirements around working in our properties and face to face contact with our tenants, both from the point of view of tenant safety and that of front-line staff such as repairs operatives and housing officers. Aberdeenshire Council has carefully assessed the risks of spreading Covid-19 against the risks to our tenants and properties from reducing services, and has struck a balance between the two.

Aberdeenshire Council is currently working to ensure that all of our properties meet new fire detection legislation (LD2 standards) by the 2021 deadline. Our target for full compliance remains February 2021, although due to Covid19 this will be a significant challenge. Cases where tenants have refused access to allow this work will be addressed between February and May 2021.

Homelessness

Aberdeenshire currently complies with the relevant legislation around providing homeless services. For example, all homeless applicants in need of temporary accommodation receive an offer of accommodation when they need it, and no households were housed in breach of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2004 in 2019/20.

However, the Scottish Government brought forward changes to the Unsuitable Accommodation order in May 2020, which means that some of our temporary accommodation properties may now be considered unsuitable, and we are currently reviewing the use of our hostel provision in light of these changes. We are also awaiting guidance from the Scottish Government concerning the permanent and temporary exemptions identified, some of which are extended until January 2021. Until this guidance is released, we will not be able to say whether any of our temporary accommodation stays since May were in breach of the Order. Therefore, we believe that Aberdeenshire Council is currently meeting its obligations to homeless people.

Complaints

Aberdeenshire Council currently complies with the relevant legislation. Aberdeenshire Council has appropriate policies and procedures in place to deal with complaints, and the Scottish Public Services Ombudsman did not uphold any complaints against the Housing Service in 2019/20. Aberdeenshire Council responded to 98.2% of all first stage complaints received in the year in full, compared to the local authority average of 96.5% and our peer

group average of 95.7%. Similarly, Aberdeenshire Council responded to 97.1% of second stage complaints in full, compared to the Scottish local authority average of 89.7%, and our peer group average of 88%.

Personal Data

Aberdeenshire Council has appropriate measures in place to protect the personal data of its tenants and staff, as required by the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. These include technical security measures such as encrypted, password-protected databases and devices, as well as mandatory training for all Housing staff on GDPR.

Equalities

Aberdeenshire Council complies with all of its legal obligations with regards to equalities. All Aberdeenshire Council policies and procedures require an Equalities Impact Assessment before they can be approved by Committee. Staff receive training and support to identify cases where tenants and other service users may require additional help to access Housing Services. Aberdeenshire Council's successful work on the Syrian Vulnerable Person's Relocation Scheme is a good example of the Housing Service's work in this regard.

Aberdeenshire Council's pre-tenancy support project is another example of work being undertaken to support potentially vulnerable service users and assist them in maintaining their tenancy. The Housing Service are also currently working towards earning the silver award with LGBT Youth Scotland to ensure that staff are aware of issues and to identify and address any perceived barriers to accessing homeless advice and assistance.