

REPORT TO COMMUNITIES COMMITTEE – 8 SEPTEMBER 2022

Housing Annual Assurance Statement Briefing 2022

1 Executive Summary/Recommendations

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

1.2 The Committee is recommended to:

1.2.1 Agree with the requirement for Aberdeenshire Council to provide a signed Annual Assurance Statement to the Scottish Housing Regulator by the end of October 2022

1.2.2 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

1.2.3 Approve the proposed statement to the SHR (Appendix 2) as an accurate reflection of Aberdeenshire Council's compliance with these requirements

1.2.4 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

2 Decision Making Route

2.1 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".

2.2 Since 2019, as part of its regulatory framework, the SHR has required that landlords provide an annual Assurance Statement by the 31st of October each year.

2.3 The SHR requires that each Annual Assurance Statement is approved by the landlord's governing body before being submitted to them. In the case of Aberdeenshire Council Housing Service this is currently the Communities Committee.

3 Discussion

- 3.1 For local authorities, the Assurance Statement has to consider whether the authority is meeting the 16 outcomes required by the Scottish Social Housing Charter (SSHC) and whether it is meeting its legal and statutory obligations, for example, that it is meeting its obligations around statutory homelessness. A list of the SSHC outcomes can be found at Appendix 1.
- 3.2 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.
- 3.3 Appendix 2 contains the proposed Assurance Statement for Aberdeenshire Council, confirming that Aberdeenshire Council meets the required standards, or highlighting where the council does not, and providing a brief explanation of work underway to rectify this. This statement is based on the templates provided by the SHR.
- 3.4 The SHR provided updated guidance in August 2020 to reflect the impact of the Coronavirus Pandemic. This guidance required landlords to highlight any areas where non-compliance with the required standards is solely as a result of Covid-19 and associated restrictions.
- 3.5 The SHR wrote to landlords in July 2022 providing information on preparation of the Annual Assurance Statement (AAS) due to be submitted by 31 October 2022. This letter advised that the temporary guidance referenced at 3.4 has now been removed but that landlords should again identify in this year's AAS any remaining non-compliance with regulatory requirements that is directly due to the pandemic and distinguish this from non-compliance for other reasons.
- 3.6 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 SHR.
- 3.7 These statements also consider whether any potential failures meet the standard of materiality set out by the SHR. 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.
- 3.8 The SHR 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.

3.9 The Housing Service will provide regular updates on performance and progress against actions in the Housing Service Plan regularly. These will include benchmarking information against the Annual Return on the Charter, and will allow Communities Committee to monitor progress towards rectifying any identified issues.

4 Council Priorities, Implications and Risk

4.1 This report relates to Aberdeenshire Council’s compliance with regulatory requirements for Social Housing, which contributes to delivery against the strategic priorities of Health and Wellbeing, and Resilient Communities within the pillars “Our People” and “Our Environment”.

4.2 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 and Fairer Duty Scotland			X
Children and Young People’s Rights and Wellbeing			X
Climate Change and Sustainability			X
Health and Wellbeing			X
Town Centre First			X

4.3 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken.

4.4 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 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 31st of October 2022.

5 Scheme of Governance

- 5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 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

Alan Wood
Director of Environment & Infrastructure Services

Report prepared by Elaine Lothian, Senior Information Analyst (Housing)
17th August 2022

List of Appendices –

- Appendix 1: Required outcomes of the Scottish Social Housing Charter
Appendix 2: Proposed Annual Assurance Statement to the Scottish Housing Regulator
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 was not able to bring all of our properties up to the Energy Efficiency Standard for Social Housing (EESH) by the deadline of December 2020. While the Covid-19 pandemic significantly hampered planned improvements, particularly during 2020-21, this was also a pre-existing issue.

In addition, the 2021-22 changes to the Scottish Housing Quality Standard (SHQS) to include meeting EESH has resulted in a significant reduction in the number of our properties meeting SHQS. EESH compliance is the only material barrier to homes meeting SHQS when they are allocated.

The Housing Service is continuing a schedule of works as part of its Housing Improvement Programme to bring properties up to EESH and continues to work to identify alternative technologies and ways of delivering improvements to ensure that as many properties as possible are brought up to the standard. We are currently forecasting that approximately 800 further properties will be brought up to EESH during 2022-23.

The Council continues to review EESH targets in light of EESH2 2025 and 2032 deadlines and in line with the Scottish Government's guidance on EESH may reschedule investment to ensure compliance with the 2032 milestone. This approach will be for works that are difficult to achieve due to ongoing 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 EESH2. We will also conduct a review to confirm which stock is a viable and sustainable long-term asset. Present assessments are that we are performing well in terms of our EESH2 planning although this remains under review in relation to Net Zero targets.

◆ **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. After the implementation of an updated void procedure last year, Aberdeenshire Council continues to monitor performance closely and explore opportunities for further process improvements. The changes implemented are creating improvements in void turnover times and rent loss, however at this stage current performance still remains at a level that represents a material failure. Relet times and void rent loss in relation to sheltered housing properties were particularly affected by the Pandemic and continue to be a significant factor in overall performance. Aberdeenshire Council has a higher than national average proportion of housing stock in this category and such properties have typically longer relet times than mainstream properties and a disproportionate impact on void rent loss given higher average rent levels. While the Covid-19 pandemic had a significant impact on our ability to relet properties which is still being felt, void performance is a pre-existing issue, and therefore this failure is not solely the result of the Pandemic.

- **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 9 gas safety certificates within the correct timescale in 2022-23. Of these failures, 7 were due to tenants self-isolating with Covid and 2 were due to new boiler installations where the benchmark certificate was not received by the Housing Service from an external contractor. Additional measures have been introduced to prevent any further issues of this sort and Aberdeenshire Council continue to monitor the efficacy of these.

◆ **Electrical Safety Testing**

As at 3rd August 2022 we did not hold a valid Electrical Installation Condition Report (EICR) certificate for 46 properties. Of these, 7 properties were void at that date and in 13 cases we were awaiting a copy of the completed EICR from the contractor. However, a remaining 26 occupied properties were outstanding for inspection.

Factors that have affected completion of inspections in time include Covid-19 self-isolation, house condition, tenants refusing access, and a small number of cases where the responsible contractor has been unable to complete works on time.

Actions are in place to address all current overdue cases, and the contractor responsible for carrying out inspections has amended their scheduling system to work 2 months ahead of expiry dates. This will allow additional time to deal with delays due to issues such as house condition, tenant mental health and confirmed Covid cases, and where necessary as a last resort for legal entry to be compelled. We anticipate that the above changes will prevent future

failures, and that we will be in a position to report full compliance in our next Assurance Statement.

◆ **Legionella Risk Assessment**

Aberdeenshire Council Housing Service does not currently meet its duty with respect to fully implementing Legionella control measures identified by our risk assessment process. Covid-19 continues to impact 2 yearly Legionella assessments within Sheltered Housing schemes as all flats within the scheme must be inspected as part of the assessment, therefore any instance of self-isolation due to Covid-19 prevents the assessment being completed. As at 11th August 2022, 9 out of 63 2 yearly Legionella assessment inspections were overdue for Sheltered Housing schemes.

In addition, a new subcontractor risk assessment means that some annual disinfections have not been completed due to insufficient walkways and lighting. We are currently arranging for this to be installed to ensure that work can be carried out in a health and safety compliant manner.

Plans are in place to complete all necessary works. Our Asset Management Planned Maintenance team continues to closely monitor this issue and we are currently forecasting that all outstanding issues will be resolved by no later than March 2023.

◆ **LD2 Fire Detection Standards**

As at 17th August 2022 Aberdeenshire Council housing stock was 99.8% compliant with the new fire detection legislation (LD2 Standards). The remaining 28 properties requiring installation of compliant alarms have not been completed due to tenant refusal. Our Asset Management team is working closely with tenants to resolve these outstanding cases and where necessary will ultimately use appropriate legal processes to compel access to the property. This is currently a resolution of last resort and a person-centred approach is being taken to working with tenants to complete works in a way that balances their individual concerns and overall welfare with the requirement to complete this work as soon as possible.

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 8th of September 2022.

I sign this statement on behalf of the Committee.

Chair's Signature:

Date:

Evidence Statement– Annual Assurance Statement 2022

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 all of the requirements of this Charter Outcome.

Aberdeenshire Council currently collects information on protected characteristics from applicants for our social housing, which is a key component of our equalities modelling. At the time of the 2021 Assurance Statement it was identified that there were gaps in relation to collecting information about exFlegionalleisting tenants. The position in relation to this has improved with the rollout of Housing Online system. Proposals have now been developed to utilise Housing Online to collect and manage data on protected characteristics in order to ensure that individual needs are reflected in the delivery of services.

We are considering this as part of a wider Equalities Strategy to ensure that we make best use of the data that we collect with regard to Equalities. Aberdeenshire Council has also started considering the implications of Housing as a Human Right as part of this work, including an assessment of potential indicators put forward by the Association of Local Authority Chief Housing Officers (ALACHO).

In terms of the other requirements of this outcome, the impact of changes required to effectively protect our staff and tenants during the Covid-19 pandemic had a greater effect on particular groups of tenants, such as older people and people with disabilities. However, we followed the relevant guidance and introduced new working practices to ensure that all tenants could continue to access services where possible. In addition, Aberdeenshire Council targeted potentially vulnerable groups for regular contact and additional advice and signposting, as discussed in the Communication section below.

Additional evidence in relation to this outcome 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.
- The Housing Service recognises that a disproportionate number of LGBT people present to homelessness services. To promote an inclusive service, equipped to signpost clients to the most appropriate services, the Options & Homelessness

service completed the Silver Award of the LGBT Charter with LGBT Youth Scotland in April 2021. This involved all staff undergoing training presented by LGBT Youth Scotland or local LGBT charity 4Pillars.

- Aberdeenshire Council operates two Gypsy/Traveller sites and works closely with the Gypsy/Traveller community to listen and respond to feedback in relation to the operation of these sites, particularly through the work of our Gypsy/Traveller Liaison Officer. This feedback informed further work on these sites during 2021-22 to enhance broadband, play, safety and energy efficiency.

Based on the above, we believe that Aberdeenshire Council meets the requirements of this outcome around fairness and respect. Progress in relation to collecting data on the protected characteristics of existing tenants has also improved the position in relation to recognising and meeting the needs of both applicants and existing tenants. As such we believe that Aberdeenshire Council currently meets the requirements of this Charter Outcome. However, ongoing monitoring will be needed of the effectiveness of equalities data collection and use, and on the focus on Housing as a Human Right.

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 continues to follow the steps for developing and improving tenant communication laid out in its Tenant Participation Strategy, both in relation to traditional communication methods and promoting other methods of engagement using IT, social media etc.

In the most recent Tenant Satisfaction Survey, conducted between February and April 2021, 85% of respondents gave a good or very good rating in relation to keeping them informed about services and decisions. In addition to this top line question Aberdeenshire Council took the opportunity to seek information from tenants on their preferred communication methods, and equipment access and ability to use digital based communications, to help inform planning in this area.

In addition to traditional communication avenues such as the Tenant newsletter, housing information has also been added to the myAberdeenshire app and a dedicated part of the corporate website provided updates on what Housing activity could be undertaken through the various stages of the Covid-19 pandemic. The Pandemic also drove improvements in remote working, including software to allow virtual/augmented reality inspections of tenant homes, reducing the need for physical visits. This proved so successful that it continues to be used even after the lifting of most Covid-19 restrictions.

During the pandemic Aberdeenshire Council undertook extensive telephone checks with tenants, with particular focus on over 60's, single parents and single people living alone, to provide Housing advice and information and refer them to the Grampian Assistance Hub where needed.

In relation to digital and telephone contact, both while in-person contact was restricted during Covid-19, and to improve future accessibility, we successfully pursued Connecting Scotland and flexible funding applications. In particular, funding has been secured for mobile phones for persons at risk of homelessness who have no other way to contact services.

During 2021-22 we held our first annual roadshow where we visited 10 communities across Aberdeenshire over a period of 1 week. This was held outdoors in line with Covid guidance at the time. Tenants and residents in communities were able to come by, ask questions, and sign up for more information. This proved successful, and the decision has been made to make this a yearly activity. A further roadshow was held during July 2022.

Our new Housing Online portal has now been launched, which currently allows applicants and tenants to access and update information in relation to their housing application, and will allow other functions in future, including checking rent details such as balance, current charges and rent statement, and reporting repairs.

Based on the activities reported above, 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, including the creation of new tenant’s groups that are able to meet remotely. Although the Covid-19 pandemic impacted on the aims and objectives outlined in the Tenant Participation Strategy, Housing have been successful in establishing alternative methods of engagement with tenants. Successful bids were submitted to each of the Connecting Scotland rounds with the aim of improving methods of communication with the digitally excluded and hard to reach groups.

Housing can demonstrate a focus on Rent Affordability with the introduction of a Rent Strategy Member Officer Working Group during the course of the pandemic and the initial stages of the cost of living crisis. Tenants were represented throughout the 2021-22 group at all meetings and therefore formed part of recommendations for rent levels for the 2022-23 year (together with notional levels set for the following two financial years). Wider tenant engagement was also established through a survey of a representative sample of tenants.

In addition to providing a continuing commitment to support more traditional Registered Tenant Organisations (RTOs), the Tenant Participation Strategy also allows for greater flexibility in how tenants interact with us as a landlord. Participation in the Scottish Government sponsored ‘Next Steps’ Programme has enabled an approach focused on engagement, interaction and empowerment.

We continue to offer a range of participation methods, including the Communication Group and Tenants' Newsletter; local tenant groups; tenant events; tenant working groups; interested tenants lists; focus groups and local tenant voice volunteer opportunities. Covid-19 presented barriers to participation but a wide range of engagement measures continued to be rolled out. Easing of Covid restrictions from Summer 2021 onwards allowed for the resumption of in-person tenant participation, for example with in-person Tenant Participation Roadshows being held in both August 2021 and July 2022. Based on their work to keep tenants involved during the pandemic (e.g. Connecting Scotland and the Roadshow) the Tenant Participation team won an award at the 2022 TPAS Best Practice Awards for "Best Practice Involving All."

We also had a successful project for IT kits for members of the Gypsy/Traveller community and continue to facilitate requests for through flexi and other funding avenues.

In the most recent tenant satisfaction survey conducted in early 2021, 73% of respondents indicated they were very or fairly satisfied with the opportunities given to them to participate in their landlord's decision-making processes. Although still slightly below the national average this represents a significant improvement on the 61% rating in the previous 2018 survey and provides an indicator that the work being carried out in this area has positively impacted performance. To inform future tenant participation planning the survey also gathered information on the issues tenants were most interested in having a say on, and their preferred activities for participating in decision making.

The transition to a new participatory framework has proven challenging, but Aberdeenshire Council continues to make progress in expanding the opportunities for tenants to participate at the level they are comfortable with, particularly with the lifting of lockdown restrictions allowing for face to face meetings again. However, we will continue to provide online options for tenant participation in future, to maximise opportunities for service-users to engage with us.

Given the continuing progress being made with regard to tenant participation, and the greatly improved levels of tenant satisfaction in our most recent survey, Aberdeenshire Council believes that we are currently meeting the requirements around this Charter Outcome. However, we also acknowledge that this is an ongoing process, and that continued work is required to 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.

As of 31 March 2022, 67.70% of Aberdeenshire Council housing stock met the Scottish Housing Quality Standard (SHQS). While this does represent progress from the 2020-21 year-end position of 59.94% compliance a significant proportion of stock clearly does not yet meet the standard. Of the stock not meeting the standard at present 2041 properties (15.6%

of housing stock) are classed as 'exempt' or 'in abeyance' in terms of Scottish Government Guidance but this leaves 2,185 properties currently failing the SHQS. Work is ongoing in relation to these properties and further progress in the region of 800 additional properties brought to SHQS is currently forecast for 2022-23.

Progress towards full SHQS compliance was impacted by a change in requirements in 2020-21, so that in order to meet the SHQS properties must now also meet the Energy Efficiency Standards in Social Housing (ESSH) standards. ESSH non-compliance is the major reason for properties failing to meet the SHQS. For the small number of properties (less than 0.5%) that do not meet the standard independent of ESSH, 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.

Due to technical limitations and previous delays in implementing our Housing Improvement Programme (HIP), it had already been identified that Aberdeenshire Council would not be able to achieve ESSH standards for all housing by the deadline of December 2020. In addition, the Covid-19 pandemic had a significant impact on work to meet ESSH in 2020-21, due to lockdown restrictions on entering homes for non-essential works, and tenants shielding or self-isolating. However, by 31 March 2022 68% of properties in scope met the required energy efficiency standards, up from 60% at the end of 2020-21. Work continues on our Housing Improvement Programme, and on the backlog of work delayed due to the pandemic. Good progress is being made, although there are on-going challenges in terms of materials and labour availability. A further issue of note in relation to ESSH is that while we have already installed photovoltaic panels on 3234 properties to date, electricity grid constraints outwith our control severely limit how many panels can be installed across our stock.

Aberdeenshire Council currently anticipates that around 2000 properties will require an exemption from the ESSH standard (mainly on technical grounds), which accounts for around 15% of our housing stock. This means that upon completion of the current HIP and ESSH plan, approximately 85% of our stock will fully comply with ESSH, and therefore with the SHQS. The Scottish Government are currently reviewing requirements for the next phase of energy efficiency works (ESSH2). During this pause, Aberdeenshire Council is currently considering its approach to compliance with ESSH2 by both the interim 2025 and 2032 deadlines. Present assessments are that we are performing well in terms of ESSH2 although this remains under review in relation to Net Zero targets.

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. However, it remains the case that a significant number of non-exempt properties have not yet been brought up to the ESSH standard, and therefore to the SHQS. Despite continued progress during 2021-22 we consider that this still represents a material failure to meet the required Outcome, and therefore should be reported as such to the Regulator.

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 currently meets the requirements of this Charter Outcome.

Following restrictions during the Covid-19 pandemic Aberdeenshire Council has now returned to providing a full repairs and maintenance service to all tenants. Aberdeenshire Council’s Repairs and Maintenance service continues to incorporate improvements identified during the pandemic into current operations, such as the introduction of virtual inspections using new software to minimise the need for staff to visit on-site. Other innovations planned include the adoption of new Photobook software to support staff in assessing properties at void, and the rollout of repairs reporting and progress monitoring via the Housing Online portal.

After restrictions during the Covid-19 pandemic the number of non-emergency repairs completed in 2021-22 returned to pre-Pandemic levels. Despite on-going challenges from staffing pressures and material shortages the average completion time also decreased and returned close to the 2019-20 average. Aberdeenshire Council continues to operate a Repairs and Planned Maintenance Management (RPMM) system in all depots, giving tenants the opportunity to specify an appointment slot convenient to them.

In the most recent Tenant Satisfaction Survey 83% of respondents who had had a repair carried out in the previous 12 months expressed that they were satisfied with it, up from 81% in 2018. In addition, during 2022-23 IBP will be undertaking in-depth telephone surveys of tenant satisfaction following repairs to ensure on-going repairs satisfaction and to identify improvement areas where necessary.

The Pandemic had a significant impact on our ability to deliver the upgrades planned as part of our Housing Improvement Programme (HIP). However, there is now an improving picture in relation to HIP with progress being made towards revised completion targets. Data gathered through IBP also indicates that tenant satisfaction levels with HIP choices and capital upgrades to kitchens and bathrooms remains high, with a 94% overall satisfaction rate and 98% satisfaction with the choices available.

Aberdeenshire Council does continue to face challenges in relation to both response repairs and upgrades due to ongoing staffing pressures and the availability and cost of materials. These issues are not unique to Aberdeenshire and are being experienced by local authorities across the country. This is an area of on-going concern and monitoring but is not currently materially affecting our ability to meet this Charter Outcome.

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

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.

In the Tenant Satisfaction survey conducted between February and April 2021 94% of respondents expressed satisfaction with their neighbourhood as a place to live, compared to an overall positive figure of 87% in 2018. In addition, 88% expressed satisfaction with Aberdeenshire Council Housing Service's contribution to the management of the neighbourhood that they live in.

With regard to antisocial behaviour (ASB), the level of ASB cases relating to Aberdeenshire Council tenancies is well below the national average for local authorities of similar size at 3.88 cases per 100 homes in 2021-22, compared to a Medium LA average of 5.33 cases per 100 homes based on Scottish Housing Network benchmarking data.

Aberdeenshire Council closed 89.94% of cases within 2021-22, an increased closure rate compared to 2019-20 and 2021-22. Although this remains below the Scottish LA average (94.31%) it compares well to LAs of similar size, with the average for Medium LAs sitting at 86.31% for 2020-22. In addition, we would note that 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, an approach which we believe leads to improved overall ASB outcomes.

The number of Anti-Social Behaviour cases reported remains at a lower level than pre-Pandemic. Although in line with 2020-21, and the experience of other landlords during the Pandemic, 2021-22 saw a continuing higher than usual proportion of noise related complaints. Whilst the overall number of cases continues to fall, the impact of antisocial behaviour on communities remains an important issue. A revised and updated Community Safety Strategy has been developed in conjunction with partner agencies to ensure that incidences of antisocial behaviour are monitored and appropriate support provided.

Whilst Covid-19 restrictions significantly impacted on estate management activities, other means of communicating with tenants were established with an emphasis on vulnerable groups. Housing have continued to work in close partnership with the Police and other partners to combat anti-social behaviour with Community Safety Hub and Tactical Groups functioning well. Increased risks to vulnerable groups through serious organised crime, 'cuckooing' and 'county lines drug trafficking' has resulted in the 'Days of Action' initiative involving wide range of partners to ensure the targeting of perpetrators and support to victims.

Support offered through mediation services continues to deliver positive outcomes in respect of neighbour disputes and mediation services continued throughout the pandemic.

Therefore, we consider that Aberdeenshire Council is meeting the requirements of this outcome.

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.

In 2020-21 Aberdeenshire Council completed a review of its allocations policy and associated procedures and has now transitioned to a choice-based lettings approach to housing allocations. This gives greater choice and control to applicant households, as it allows them to 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 has also reduced the number of housing offers refused from 37.43% to 35.22% which has reduced staff time spent on re-offering properties.

Procedures are in place to assist vulnerable applicants to ensure that they can apply for suitable housing, and to ensure appropriate priority for homeless applicants where relevant. The choice-based letting system is operated via Housing Online, a new ‘one stop’ online housing portal, which will allow applicants to view and update their application, as well as to bid on vacant properties. Following the first year of implementation, applicants are being contacted and asked to review their housing applications to ensure waiting lists are current and up to date.

Aberdeenshire Council provides information and advice to people about their housing options on request, and offers housing support to prevent homelessness, with 532 households receiving homeless prevention advice and assistance in 2021-22. This is a significant increase on 2020-21 but is likely to have been influenced by recording and the impact of the Pandemic where restrictions on evictions were in place. In addition to the above, Aberdeenshire Council's RRTP (Rapid Rehousing Transition Plan) is currently in year 4. 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.

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 2021-22, this scheme supported 40 households to access housing in the private rented sector. This was up from 34 in 2020-21. 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.

Based on the information above, we consider that Aberdeenshire Council is meeting the requirements of this outcome

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.

Aberdeenshire Council has implemented a Choice-Based Lettings system (CBL), which changes the way properties are allocated. Rather than waiting to be allocated a property, applicants can enter a bid on any vacant property that meets their requirements, which is then be allocated to the bidder with the highest priority. This change places more responsibility on applicants but gives them greater control over the properties they are matched with and allows them to consider properties that they might not have done before. It should also reduce staff workload by reducing the number of offers and refusals that need to be processed, since someone bidding for a property will naturally be interested in it. This is a significant change from the previous method of allocating properties, and has required extensive communication with prospective tenants to explain the changes and support applicants in making their application and bidding for properties. In particular, it remains important to provide additional support to applicants who require assistance, to ensure that they are able to access our housing as easily as anyone else.

In partnership with North East of Scotland local authorities and Registered Social Landlords (RSLs) we continue to offer a mutual exchange portal that covers all social landlords in the North East. Additionally, Aberdeenshire Council continues to meet with our RSL partners to improve links and performance around nominations and homelessness, to increase the options available to applicants. We have regular meetings that look at ways to engage with our RSL partners and are looking at innovative ways in assisting with specific cases in order to resolve housing need.

Based on the information above, we consider that Aberdeenshire Council is meeting the requirements of this 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.

87.63% of tenants who started a new tenancy with Aberdeenshire Council in 2020-21 sustained their tenancy for at least a year. While this is below the national average for local authorities of comparable size (91.04%) it is also important to consider that this Indicator considers all tenancies that do not last a full year, regardless of the cause. It is therefore worth noting that only 15% of tenancies that ended within a year did so due to Eviction or Abandonment. In 2021-22 Aberdeenshire Council had only 3 evictions and the overall abandonment rate was lower than the national Local Authority average (0.41% of lettable stock in 2021-22, compared to a national average of 0.49%). The overall percentage of tenancies sustained for over a year dropped slightly this year as a result of lower sustainment among tenancies arising from existing tenants and the direct housing list. This may reflect greater opportunities for moves to alternative accommodation with the easing of Covid-19 related restrictions. In relation to our potentially most vulnerable tenants however, tenancy sustainment for tenancies from applicants assessed as statutorily homeless increased in the year.

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. In particular, the scope of our Housing First team has increased to support additional clients with significant and multiple disadvantage to sustain their new tenancies.

Aberdeenshire Council has been working hard to maintain contact with and provide support to tenants who have fallen into arrears, and in most cases this has been successful in tackling arrears issues. This is evidenced by our continuing low level of arrears compared to other local authorities, with current tenant arrears representing 2.70% of total rent due at the end of 2021-22 by SHR methodology, compared to a national local authority average of 5.63%. While it is extremely likely that some evictions will occur over the next year, this work supports the goal of maximising tenancy sustainment wherever possible and will help to minimise any increase in evictions.

Our Tenancy Services team maintain contact with tenants in arrears, with a focus on signposting and supporting struggling tenants. This includes assisting them with referrals to grants to reduce energy costs/assist with energy debts by partnering with Home Heating

Advice Scotland and Fuel Bank Foundation. They have also partnered with Good Things Foundation's Online Centres Network Databank which assists in giving access to data plans on three major mobile phone networks, allowing tenants access to digital methods of shopping (which can reduce spend), access to their online housing accounts, and the ability to regularly interact with any benefit claim requirements. In turn this can assist in tenancy sustainment and payment of rent due to reduced costs elsewhere in the household budget.

We recognise that our initial (first year) tenancy sustainment rates are lower than the national Local Authority average and the Housing Service has prioritised an examination of tenancy sustainment levels with a particular focus on the impact of vulnerability, support provided and the particular challenges faced within smaller rural communities. However, given the small proportion of tenancy terminations that are for clearly negative reasons (eviction and abandonment) and the range of support provided to tenants who may be experiencing difficulties in relation to arrears or other barriers to tenancy sustainment 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 532 households receiving advice and assistance to prevent homelessness in 2021-22.

Aberdeenshire Council received a similar level of homeless applications in 2021-22, with 908 homeless presentations made in the year, compared to 898 presentations made in 2020-21. In the same period, Aberdeenshire Council completed 930 cases, compared to 1035 in 2020-21. This has allowed us to continue to reduce our backlog of homeless cases, and the average time taken to complete a homeless case fell to 95 days, compared to 137 days in 2020-21.

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 set several targets for improving performance in 2021-22 to help manage and reduce the backlog of open cases. Performance in most of these areas has improved over the year, including a reduction in the number of households occupying temporary accommodation, a reduction in the backlog of open homeless cases, and a reduction in the average time to resolve homeless cases. Therefore, given the consistent improvements achieved to date, we do not consider such cases to represent a material failure on the part of the council.

As noted above, Aberdeenshire Council did not face an increase in homeless cases like some other local authorities during 2020-21. This picture continued into 2021-22, with presentation levels continuing at a similar rate.

Some homeless households may have had to wait longer to be housed permanently in high-demand areas where turnover did not match demand. Given that all such households were housed in high-quality temporary accommodation, and that Aberdeenshire Council is currently within tolerance for our targets for letting properties to homeless households, we do not consider this to be a failure to meet the requirements of this Charter Outcome.

The introduction of the extended Unsuitable Accommodation Order makes Bed and Breakfast accommodation unsuitable for all households, rather than just those with a pregnant woman or children. Aberdeenshire Council has not made use of this type of accommodation in the last year. At the moment, there is no intention to use Bed and Breakfast accommodation in future, although it may be required in exceptional circumstances. Any such use will be closely monitored, and not exceed 7 days in all cases, to avoid any breaches of the Unsuitable Accommodation order. Aberdeenshire Council has not recorded any breaches of the Unsuitable Accommodation order in the last year.

Aberdeenshire Council continues to provide other 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.

The significant area of concern in relation to this outcome is void relet times and void rent loss. In both these areas Aberdeenshire Council continues to perform below average for Scotland. In 2021-22, Aberdeenshire Council reported an average relet period of 94.87 days, compared to a national average for Scottish local authorities of 55.52 days and to our 2020-21 of average of 80.3 days. To some extent the increase in the 2021-22 average reflects the success of on-going work to relet properties that had been void for long periods, including mainstream low demand properties and shelter housing properties that had been subject to lettings restrictions during the pandemic. The nature of this indicator means that properties are only included in the calculation at the point they are let, and this means that while reletting properties after a long void will ultimately have a positive effect on void rent loss it does have an initial impact in increasing average relet times.

In terms of void rent loss, the percentage of rent due lost through properties being empty during 2021-22 was 2.76%, compared to a Scottish local authority average of 1.51%. Indications are that on-going work in relation to void turnaround times is leading to improvements in void rent loss with the 2022-23 figure to the end of quarter 1 having dropped to 2.34%. However, at this stage our performance remains considerably below most Scottish local authorities. Relet times and void rent loss in relation to sheltered housing properties continues to be an area of particular concern. While improvement is

being seen in relation to mainstream housing stock void times are also being negatively impacted by properties that are otherwise ready for relet but that cannot be let as they have no electricity supplies, due to utility companies refusing to install new meters. This is an on-going issue and while discussions with energy suppliers have taken place around 50 properties are currently unable to be let for this reason. Current void turnaround is also being impacted by the increased IWI (Internal Wall Insulation)-Net Zero funding from Scottish Government which has resulted in more voids being held to permit deep retrofit works. These works are essential to meet EESSH2 and Net Zero and although this does negatively impact relet times and void rent loss this income loss is offset by the income received through the grant, leading to a net gain for the HRA.

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 2021-22, with arrears levels increasing by only 0.1% from 4.88% to 4.98%, despite the challenges presented by the Pandemic. This contrasts with a 2021-22 Scottish local authority average of 8.21%, up from 7.76% in 2020-21. While it is anticipated that 2022-23 will present significant challenges in relation to arrears due to the on-going cost of living increases, Aberdeenshire Council is in a strong starting position to maintain a performance level well above the national average.

Aberdeenshire Council set up a member-officer working group in 2020 to consider our longer-term rent strategy in light of the Covid-19 pandemic. This group continued to meet in 2021-22, with the remit of identifying a rent strategy for 2022-23 that balances the ongoing challenges facing tenants with the need to fund improvements and services from the Housing Revenue Account.

During 2021-22 Housing have improved the level of information supplied to tenant representatives regarding value for money and the development of an HRA Scrutiny Group, in line with the objectives of the Tenant Participation Strategy (2019-2022) has led to training in order that tenants can benefit from a greater understanding of value for money. Based on the evidence above, it is reasonable to say that Aberdeenshire Council meets all of the other requirements of this Outcome.

Despite examples of positive performance in several aspects of this indicator, Aberdeenshire Council's void turnaround times and void rent loss remain significant enough that we cannot say it is not material, and therefore Aberdeenshire Council does not meet all of the requirements of this Outcome.

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.

In the past, Aberdeenshire Council consulted our tenants every 3 years when reviewing our rent levels. In light of the ongoing economic impact of the Covid-19 pandemic, Aberdeenshire Council formed a Member-Officer working group to consider our rent strategy on an annual basis, to ensure that we can respond to changing circumstances during the Pandemic recovery period. Tenants were represented throughout the 2021-22 at all meetings and therefore formed part of recommendations for rent levels for the 2022-23 year (together with notional levels set for the following two financial years).

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. The final decision will also take account of the affordability of our rent levels, and the sustainability of this in future years.

Rent levels for Aberdeenshire Council houses are relatively high according to the Regulator's measure, but it is important to note that these figures include Sheltered Housing charges and Aberdeenshire Council has a significantly higher proportion of these property types than most landlords. Taking this into account, our rent levels are comparable to other local authorities in the north-east of Scotland and are lower than most Registered Social Landlords in the area. Rent affordability continues to be an important consideration for Aberdeenshire Council and forms a significant part of the decision-making process.

Aberdeenshire Council continued to work with tenants to provide scrutiny of the Housing Revenue Account through the Covid-19 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 continued to meet remotely throughout the pandemic and is currently working with Finance colleagues to gain a better understanding of rent setting and rental income. Tenants from this group have also joined 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 the 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, Maud and Greenbanks in Banff, which are managed in accordance with Scottish Government guidance and other service standards.

As noted in previous Assurance Statements, the site at Greenbanks was brought up to the required standard in July 2020 and was opened on the 7th of August 2020. This means that both of our Gypsy/Traveller sites now meet the site standards set by the Scottish Government guidance, and therefore meet the requirements laid out in this outcome.

In additional further investment in both Greenbanks and Aikey Brae sites took place during 2021/22 to enhance broadband, play, safety and energy efficiency. Resident feedback is regularly sought by visible on-site managers.

Aberdeenshire Council is also 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.

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

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.

Aberdeenshire Council failed to renew a gas safety certificate within 1 year 9 times in 2021-22. Of these failures, 7 were due to tenants self-isolating with Covid and 2 were due to new boiler installation where the benchmark certificate was not received by the Housing Service and therefore the renewal date was not recorded. In all cases the certificate was subsequently renewed before the end of the reporting year.

The 2 failures due to new boilers relate to installations carried out in 2020-21 where the certificate was not received until 2021-22. Following a previous failure due to issues with receipt of a benchmarking certificate, quarterly validation cross checks were implemented between our Property Information database and Repairs and Maintenance database systems. However, on these 2 occasions certificates were received so late that this was not sufficient to identify the issue prior to the renewal date. Additional measures have therefore been introduced to prevent any further issues of this sort. A notification is being created on the FastDraft Construction Contract management platform whereby as soon as a contractor carrying out a heating upgrade uploads the LGSR to the platform a notification is sent to the Planned Maintenance team, who are responsible for scheduling and monitoring gas safety checks, to advise them that the documents are there and ready to download. Staff training on Fastdraft is being arranged. In addition, the Technical Team who manage the upgrade programme are carrying out additional checks on any heating upgrades that were confirmed as going ahead but for which no certificate has yet been received.

Although the majority of failures were directly due to Covid-19 restrictions and vulnerabilities, and where this is not the case safeguards have been put in place to prevent further failure, given the emphasis the Regulator places on gas safety we feel that this should still be reported to the Regulator as a failure to meet the required standard.

Electrical Safety Checks

Aberdeenshire Council does not currently fully meet its obligations in relation to electrical safety checks.

Our properties are checked at change of tenancy, except for Temporary Accommodation properties which are checked annually. The remainder of properties are scheduled to be checked on a cyclical basis in line with the required legislative timescales. However, as at 3rd August 2022 we did not hold a valid Electrical Installation Condition Report (EICR) certificate for 46 properties.

Of these, 7 properties are currently void and in a further 13 cases we are awaiting a copy of the completed EICR from the contractor. However, 26 properties are still overdue for inspection. Factors that have affected completion of inspections in time include Covid-19 self-isolation, house condition, tenants refusing access, and a small number of cases where the responsible contractor has been unable to complete works on time.

Actions are in place to address all current overdue cases, and the contractor responsible for carrying out inspections has amended their scheduling system to work 2 months ahead of expiry dates. This will allow additional time to deal with delays due to issues such as house condition, tenant mental health and confirmed Covid cases, and where necessary as a last

resort for legal entry to be compelled. While there are plans in place to address both current overdue cases and to improve future compliance, the Regulator has provided guidance to clarify that if a landlord has not carried out EICR's for all of its properties at the point of submitting the Annual Assurance Statement (AAS) it should identify this in the AAS. As such this should still be reported to the Regulator as a failure to meet the required standard.

Legionella Risk Assessment

Aberdeenshire Council Housing Service does not currently fully meet its duty with respect to Legionella. In line with our legal duty, risk assessments are in place to assess the risk from exposure to Legionella within our housing stock and these assessments have identified proportionate and appropriate control measures to ensure the risk remains low. These include inspections and cleaning by a specialist company, assessment of mainstream stock at void by Clerks of Works and checks by staff within sheltered housing schemes.

However, Covid-19 impacted our ability to fully implement control measures, particularly within Sheltered Housing schemes. During lockdown appropriate variations to control measures were implemented, for example in place of the quarterly showerhead cleans normally carried out by a specialist contractor advice was issued to customers in relation to regular showerhead cleaning and arrangements made for heads to be left with Sheltered Housing Officers so they could be cleaned and returned to tenants. Since restrictions have lifted contractors have resumed quarterly cleans, as well as planned 2 yearly assessment inspections and annual disinfection works.

However, Covid-19 continues to impact 2 yearly Legionella assessments within Sheltered Housing schemes as all flats within the scheme must be inspected as part of the assessment. Therefore any instance of self-isolation due to Covid-19 prevents the assessment being completed. As at 11th August 2022 the 2 yearly Legionella assessment inspections were overdue for 9 out of 63 Sheltered Housing schemes. In addition, a new subcontractor risk assessment means that some annual disinfections have not been completed due to insufficient walkways and lighting. We are currently arranging for this to be installed to ensure that work can be carried out in a health and safety compliant manner.

Plans are in place to complete all necessary works, and the Asset Management Planned Maintenance team continues to closely monitor this issue and we are currently forecasting that all outstanding issues will be resolved by no later than March 2023. However, given the outstanding works at this stage we believe it is prudent to report this to the Regulator as a short-term failure to meet the required standard.

LD2 Fire Detection Standards

Aberdeenshire Council housing stock is currently 99.8% compliant with the new fire detection legislation (LD2 Standards) which came into effect at the end of January 2022. The remaining properties requiring installation of compliant alarms have not completed due to tenant refusal. The Asset Management team is working with tenants to resolve these outstanding cases, some of which involve tenants with mental health and other vulnerabilities which would be negatively impacted by forcing access to complete works. If necessary, the appropriate legal processes to compel access to the property for works to be carried out will ultimately be used. However, this is currently reserved as a resolution of last resort and a person-centred approach is being taken working with tenants to complete works

in a way that balances their individual needs and overall welfare considerations with the requirement to complete this work as soon as possible.

Full compliance is forecast during the current reporting year. However, given the Regulator's emphasis on reporting all gaps in relation to gas and electrical safety we believe it would be appropriate to take a similar approach in relation to this issue and highlight this small number of outstanding cases to them.

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 (with the exception of the cases identified above where tenants are refusing access to fit new alarms), 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.

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 have been housed in breach of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2004 in 2022 to date.

As previously noted, the Scottish Government brought forward changes to the Unsuitable Accommodation order in May 2020, which meant that some of our temporary accommodation usage would be considered unsuitable for all households (specifically Bed and Breakfast accommodation). Aberdeenshire Council therefore no longer uses Bed and Breakfast accommodation except in exceptional circumstances. We have also reviewed our usage of hostel accommodation in light of these changes, and while we consider that our hostels do not breach the order, we have changed their emphasis to providing shorter-term accommodation while cases are assessed, and more suitable temporary accommodation is identified for the household.

Therefore, we believe that Aberdeenshire Council is currently meeting its obligations to homeless people.

Complaints

Aberdeenshire Council currently complies with the relevant legislation and meets its obligations in relation to complaints. 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 2021-22. Aberdeenshire Council responded to 97.3% of all first stage complaints received in 2021-22 in full,

compared to the local authority average of 95.2% and our peer group average of 94.5%. In relation to Stage 2 complaints, we responded to 95.3% of second stage complaints in full, compared to the Scottish local authority average of 92.9%, and our peer group average of 90.5%. This represented an improved performance for stage 2 complaints compared to 2020/21. We consider that Aberdeenshire Council is still meeting its obligations with regard to complaints.

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. Our Housing Options team has achieved silver accreditation from LGBT Youth Scotland in recognition of their work to ensure that staff are aware of the issues facing these groups and to identify and address any perceived barriers to accessing homeless advice and assistance.