



## Scottish Housing Regulator's consultation on Charter Indicators

### GWSF response, November 2024

On behalf of our 64 member associations, GWSF welcomes the opportunity to respond to SHR's [consultation on Charter Indicators](#)

#### General comment

Our most significant 'ask' in this response is for more time to be allowed for consideration, with sector bodies, of the most effective and meaningful way of monitoring how damp and mould are dealt with by social landlords. It is a complex area, and we are concerned that stark, numerical indicators may not be helpful and could indeed present a misleading picture of how the issue is being managed.

#### Indicators being removed

We welcome the intention behind removing some indicators, namely to allow new indicators to be introduced without increasing the overall number. But in some cases, the data may be more helpful than SHR has perhaps appreciated. Whilst landlords could continue to collect the data, the obvious advantage of SHR collecting it is its subsequent availability as a sector-wide figure which can inform understanding of key trends.

- Indicator 14 on offers refused: **This can be a useful indicator which aids understanding of applicants' needs and aspirations. Often there is an assumption among the public that, especially in the context of a housing emergency, almost all offers of a lifetime tenancy are gratefully accepted, when the data shows this is far from the truth. This indicator should be retained.**
- However, we believe it makes sense not to restrict this to written offers only. Most offers are made over the phone first, to gauge interest, and are either refused at that point or a written offer follows if the applicant wants to proceed (it is generally inefficient to make a written offer in the first instance). With the current guidance asking only for written offers to be recorded, the true refusal figure is under-represented.

- Indicator 20 on cost of adaptations by source of funding: **Removing this indicator would be especially unfortunate at a time when grant allocations to associations to carry out adaptations have been falling sharply. Monitoring the increasing resources being invested in allocations from rental income would seem especially relevant at the current time. This indicator is more meaningful than measuring 'time taken', as the latter is often influenced by factors outwith the landlord's control and so ends up telling us very little. This indicator should be retained.**
- Indicators 23 and 24 on homelessness referrals: **We agree with removing these**, noting that homelessness lets are to be recorded for each LA area in which a housing association operates. [See also our comment under C2 below.]
- Indicator C3 on general needs v supported lets: **We agree with removing this** as sufficient information on lets is already covered by Indicator C2.
- Indicator C4 on abandonments: **We do not want to see this indicator removed.** Data on court actions and evictions does not cover abandonments, and with abandonments generally being responsible for more tenancy failures than evictions, this is an important factor to monitor. **This indicator should be retained.**

### **Indicators being amended**

- Indicator 10 – repairs right first time – being simplified to report how many completed repairs were reported again: **The sector recognises that whilst 'right first time' was a well-intended attempt to measure something that is really important to tenants, it is an indicator which is subject to too many varying interpretations and, therefore, has not been a meaningful measure of performance.**
- There may still be some differing interpretations of what constitutes a 'repair', and clarification is needed too on whether 'reported again' relates only to repairs originally done in the reporting year (and, therefore, does not include a repair reported again in May but originally carried out in March). **We agree that this indicator should be amended.**
- **The proposed new indicator 10 should be reviewed after its first year** to assess its usefulness, and whether a better or tighter definition might be needed.
- Indicator 15 – ASB cases resolved – being amended to include cases opened in the previous reporting year AND to record the number of cases per 100 homes: **Whilst this indicator too is open to interpretation around when a case can be deemed to be closed, we agree it makes sense to include cases**

opened in the previous year and to show cases as a proportion of stock. **We agree that this indicator should be amended.**

- A further and long-standing issue with this indicator is the reference to locally agreed targets, as this obviously means there is not a like-with-like comparison, albeit we recognise that the aim of this was to avoid appearing prescriptive about timescales.
- Indicator C2 – lets by source of let: The proposal that homelessness lets should be recorded for each LA area in which the association operates is welcome, but should be accompanied by also collecting 'all lets' too by LA area, so that it can be seen what percentage of all of a landlord's lets have gone to homeless households in each LA. **We agree that this indicator should be amended, and have suggested a further amendment.**

### **Indicators being reintroduced**

- Voids not in use for more than six months: We recognise that the issue of longer term voids has become higher profile in the current housing emergency, and so **we agree that this indicator should be reintroduced.** It will be important that, as a measure, it differentiates between cases where (a) there has been a significant delay (for example meter-related) in reletting, and (b) genuinely long term voids awaiting investment or with no clear programme of action in place etc.
- Discussion around voids always brings requests from members that void relet times should be able to be reported as net of meter and other issues outwith the landlord's control. We can appreciate that including such periods does give a truer picture of the length of void periods but not of a landlord's performance on processes it has full control over. But we do believe **there is scope for the technical guidance to better explain what is included/excluded in the calculation of void periods.**

### **New tenant safety indicators – electrical safety and fire safety**

- New indicator on EICRs, mirroring existing indicator on gas safety This was fully expected by the sector. However, for clarity, we feel that the reference to this being a 'requirement' should be adjusted to refer to it as a '*regulatory* requirement', so as to clarify that, unlike gas safety checks, this is not a statutory duty. **We agree this should be collected.**
- New indicator on homes without satisfactory smoke and heat alarms installed **We agree that this should be collected.**

## **New tenant safety indicators - damp and mould**

As an overall comment on this issue, whilst we understand the pressure on SHR itself to demonstrate how it is reacting to the heightened interest in this issue, damp and mould can be complex to deal with, and we do not think the use of very basic numerical indicators can really provide the full context needed when assessing the extent of the issue and how landlords are managing it.

There is a completely understandable concern in the sector that collecting bare, non-contextualised figures on damp and mould will lead to inappropriate use and interpretation of the data, for example by the press/media, when every landlord will have cases caused solely by tenant behaviours rather than purely property-related issues and not, therefore, a 'fault' of the landlord (even though the problem will still need to be addressed). Great care will be needed in drawing conclusions and making judgements about a landlord's performance, based on the proposed indicators.

One comment from a member association reinforces the complexities and nuances of this issue:

*'Damp and mould are not problems that can be easily or uniformly resolved within a set timeframe. Our experiences show that these cases often have lifestyle-related causes, such as tenants not ventilating their homes properly or drying clothes indoors, which complicates resolution. For example, while we may take swift remedial actions such as installing fans or repairing structural damage, these measures are often only part of the solution. In many cases, sustained behavioural change from tenants is necessary to ensure long-term effectiveness. This requires continuous monitoring through sensor technology, ongoing tenant education, and multiple follow-up appointments. Given these dynamics, measuring the 'average time taken to resolve' becomes ambiguous. Does the clock stop when remedial work is completed, or only when tenant lifestyle has demonstrably changed over time? It should be noted, too, that there are no standardised monitoring methods across the country, and some RSLs have developed complex systems at great cost, which may keep cases open for monitoring on a much longer timescale than others.'*

**Overall we believe there would be merit in giving further consideration to this issue rather than rushing into introducing new indicators**, and in this respect we note that no damp and mould indicators have yet been signalled by the English Regulator of Social Housing.

We would want to explore with SHR and other bodies whether we can either (a) identify more nuanced indicators that reflect the complexities of managing damp and mould, or (b) consider whether an alternative approach is needed in place of indicators, such as using thematic studies, which would provide greater depth of

insight into this issue than stark, numerical indicators. We should aim to be able to capture areas such as the nature of post-remediation monitoring, the range of educational interventions with tenants, and the effectiveness of follow-up actions. This would provide a more comprehensive and realistic picture of how landlords are addressing the issue.

Our comments below apply to the proposals as they are.

#### Number of cases resolved during the year and average time taken to resolve cases

- The usefulness of this measure is tied up with how social landlords assess reports of damp and mould and how they decide that a case has been 'resolved'. Associations may well want to monitor cases over a longer period: for example, if a complaint is received in early spring, it would be challenging to evaluate the effectiveness of any measures taken until the following winter, as dampness and mould can manifest differently based on weather patterns and humidity levels.
- Additionally, damp and mould issues often return despite successful interventions. This could be due to changing environmental factors or evolving tenant habits. Keeping cases open for ongoing monitoring, as is likely to be common practice, ensures that any recurrences are addressed, but it raises questions about when a case is truly closed. If a case is prematurely closed to meet reporting timelines, this could lead to incorrect conclusions about long-term solutions and outcomes.
- We note SHR asking if *median* time is better than average, presumably because a single case could skew the mean/average figure. At least on a trial basis, **it may make sense to record both figures** to show as full a position as possible.
- There may be instances where requests may not generate works orders and only advice is given. **The Technical Guidance should clarify whether these are to be included.**
- It may be helpful for the Technical Guidance to clarify too whether these repairs should still be recorded as reactive repairs or whether they should be taken out of that indicator and recorded solely within the damp and mould indicator to avoid duplication.

#### % of resolved cases that were reopened

- Again caution is needed on how data from such an indicator might be used or misused. A case could be reopened for a variety of reasons, and so context is everything here. This is an obvious example of an issue which lends itself to a thematic review, which looks more deeply at an issue, highlighting complexities as well as drawing attention to good practice.

- Some clarity may be required, particularly given that the principle of resolution is to be decided by the landlord. Can a landlord decide that a case merits being not being labelled as re-opened despite requests from a tenant? One member gave the example of a case where all measures have been completed, but the tenant still claims there is a damp smell which the association's operatives are unable to detect.
- **Clarity will be needed on tenancy changes:** if new tenants adopt lifestyles that cause damp and mould issues to recur, should this be classified as a reopened case for the same address? We believe this would not fairly represent the efforts taken by landlords, as it would place undue emphasis on the property rather than considering tenant lifestyle and accountability.
- **Clarification may be needed on timescales here** – does this indicator relate only to cases resolved in the reporting year (and then reopened), or also to cases resolved in one or more previous years and then reopened in the reporting year?

#### Number of open cases at year end

- We are unsure about what this indicator would really tell us. It will not distinguish between different types of cases – for example newer cases, cases involving recurring issues, and those under continued monitoring. Many cases require extended observation due to the nature of the remediation and the need to track long-term improvements. We would want to avoid any indicator which could create an exaggerated picture of the extent of unresolved cases and give no sense of the extensive work being done to manage damp and mould and engage with tenants.
- Just as the ASB indicator (noted above) is to be recorded per 100 properties owned, **this should helpfully be replicated for this indicator too** if it is to be introduced.

#### Next steps

GWSF would be happy to discuss, and work with SHR on, any of the proposed changes, including influencing technical guidance. And in particular, we would welcome more time being taken to consider – with GWSF and other membership bodies – the most meaningful way of monitoring how damp and mould are addressed.