



Item: 15

Education, Leisure and Housing Committee: 11 September 2024.

Housing Service – Annual Assurance Statement.

Report by Corporate Director for Education, Leisure and Housing.

1. Overview

- 1.1. The Council is required to submit an Annual Assurance Statement to the Scottish Housing Regulator by 31 October. The Annual Assurance Statement must provide assurance that the Council, in delivering its services in relation to social housing, is compliant with all aspects of legislation, including housing and also health and safety and meets appropriate performance and quality assurance standards.
- 1.2. The Scottish Housing Regulator enhanced its requirements in respect of assurance in relation to equalities, as well as tenant and resident safety, for Assurance Statements to be submitted after 31 October 2023.

2. Recommendations

- 2.1. It is recommended that members of the Committee:
 - i. Approve the Annual Assurance Statement, together with supporting Annexes, attached as Appendix 1 to this report, for submission to the Scottish Housing Regulator.

3. Background

- 3.1. The Scottish Housing Regulator has published its Regulatory Framework and associated guidance relating to housing services' performance.
- 3.2. From April 2019, there has been a requirement for all local authorities and registered social landlords to prepare an Annual Assurance Statement covering housing services' performance and submit it to the Scottish Housing Regulator between April and October.
- 3.3. Accordingly, in order to meet the Scottish Housing Regulator's requirements in respect of publication of an Annual Assurance Statement, on 3 April 2019, the Education, Leisure and Housing Committee noted that a report on the Housing Service's performance would be submitted annually.

4. Background on Performance Structures

4.1. Members have previously been advised of the broad range of performance measures that are in place across Housing Services, with the following performance reports presented annually to the Education, Leisure and Housing Committee:

- Homelessness update.
- Energy Efficiency Standard for Social Housing.
- Housing Performance.

4.2. A broad range of returns are submitted by Housing Services including:

- Quarterly submission of homelessness returns to Scottish Government (HL1, HL2, HL3 and Prevent 1).
- Completion of quarterly and annual returns for Scotland's Housing Network.
- Completion of annual return to Scottish Government "Housing Statistics Annual Return".
- Membership of Scotland's Housing Network and benchmarking against peer authorities and also national benchmarking.

4.3. Housing Services undergo a range of inspections including:

- Care Inspectorate – Sheltered Housing.
- Care Inspectorate – Homelessness and Housing Support Services.
- National Standards for Information and Advice Providers (nationally recognised accreditation).
- Until 2019, Housing Services, in common with other Council Services, undertook How Good is our Council Self-Assessment. This process will be replaced with a suitable corporate alternative following approval by the Council's Corporate Leadership Team.

4.4. The outcome of inspections, together with action plans where required, are reported to the relevant committee.

4.5. Additionally, the following are in place across Housing Services:

- Housing Services is subject to an annual assessment against eight specific criteria to determine the level of risk posed by relevant services and consequently any need for an internal audit.
- An annual pre-submission audit of the Council's Annual Return against the Charter is undertaken by an independent organisation.

- A quarterly meeting of key staff to consider, analyse and discuss improvements relating to the performance across Housing Services in relation to the indicators underpinning the Annual Return against the Charter.
- 4.6. The above are in addition to corporate processes such as the monitoring of indicators through the Council's corporate performance monitoring system, Pentana.
- 4.7. Some areas of Housing Services' performance are regulated and required by the Scottish Housing Regulator, including:
- Submission of Annual Return against the Charter.
 - Publication of Annual Report for Tenants.
 - Three Yearly Customer Satisfaction Survey with specific questions and requires a 40% return rate.
- 4.8. While required on a three yearly basis, the Council undertakes its Customer Satisfaction Survey every two years in order to ensure views collected are representative of the current tenant base. This was undertaken in April 2024 and is the topic of another report to this committee.
- 4.9. From the beginning of the pandemic in March 2020 until April 2022, in common with all social housing providers across Scotland, the Council was required to provide additional performance information to the Scottish Housing Regulator, Scottish Government and COSLA so that the impact of COVID-19 could be appropriately quantified on key indicators including homelessness, repairs, allocations and re-lets. A specific staffing return continues to be provided to the Care Inspectorate for all registered services.
- 4.10. The Scottish Housing Regulator has produced an engagement plan for all social housing providers. Individual engagement plans highlight performance indicators which the Scottish Housing Regulator has identified as being areas where they may initiate some engagement with the organisation concerned. The engagement plan for Orkney Islands Council is available <https://www.housingregulator.gov.scot/landlord-performance/landlords/orkney-islands-council/engagement-plan-from-1-april-2024-to-31-march-2025/>

5. Annual Assurance Statement

- 5.1. The Annual Assurance Statement requires to be submitted annually between April and October and it is necessary for the Education, Leisure and Housing Committee to be assured that performance structures and assessments are appropriately robust.
- 5.2. The Scottish Housing Regulator has produced [guidance](#) which requires that the Annual Assurance Statement should be completed and agreed by the relevant local authority committee and should:

“Confirm that you have appropriate assurance that you comply with:

 - All relevant regulatory requirements set out in Chapter 3 of the Regulatory Framework.
 - All relevant standards and outcomes in the Scottish Social Housing Charter.
 - All relevant legislative duties”.
- 5.3. Although the Scottish Housing Regulator has provided a prescriptive template to be submitted, the Regulator has not been prescriptive in respect of the structure of the information to accompany this. Attached as Appendix 1 to this report is the completed template.
- 5.4. Given that the appropriate Council committee is required to issue assurance on the performance of the Housing Service to the Scottish Housing Regulator, it is crucial that Elected Members are provided with information to be satisfied that performance processes are sufficient.
- 5.5. Annex 1 draws out the salient points in respect of performance areas, highlighting where performance has declined or would warrant additional explanation.
- 5.6. The onus is on the Council to highlight areas where it recognises its performance could be improved or where there are contextual factors which would limit its ability to compete at a national level. This information is also contained in Annex 1.
- 5.7. Scotland's Housing Network, the organisation which provides benchmarking services and good practice guidance to the housing sector has developed an action plan which organisations may choose to complete as part of their assurance process, ahead of submission. Attached as Annex 2 to this report is the action plan completed with local statistics and comments.

- 5.8. Annual Assurance Statements are required by the Scottish Housing Regulator for all social housing providers, namely both local authorities and registered social landlords. Consequently, some areas covered in Annex 2 are corporate responsibilities as opposed to being limited to those within Housing Services.

For Further Information please contact:

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Implications of Report

1. **Financial:** None arising directly from this report.
2. **Legal:** None arising directly from this report.
3. **Corporate Governance:** None arising directly from this report.
4. **Human Resources:** None arising directly from this report.
5. **Equalities:** Equality Impact Assessment is not required for performance reporting.
6. **Island Communities Impact:** Island Communities Impact Assessment is not required for performance reporting.
7. **Links to Council Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
 - Growing our economy.
 - Strengthening our Communities.
 - Developing our Infrastructure.
 - Transforming our Council.
8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:
 - Cost of Living.
 - Sustainable Development.
 - Local Equality.
9. **Environmental and Climate Risk:** None arising directly from this report.
10. **Risk:** None arising directly from this report.
11. **Procurement:** None arising directly from this report.
12. **Health and Safety:** Compliance with legislation including health and safety legislation is central to this report. Appendix 1, Annex 2, clearly states the Council's position in relation to compliance with health and safety legislation in Council properties.
13. **Property and Assets:** This report relates directly to Council housing.
14. **Information Technology:** None arising directly from this report.

15. Cost of Living: None arising directly from this report.

Background Papers

None

Appendix

Appendix 1: Annual Assurance Statement

Appendix 1 to Annual Assurance Statement Report

Orkney Islands Council's Housing Service

School Place

Kirkwall

Orkney

KW15 1NY

Annual Assurance Statement

We achieve all of the following standards and outcomes for tenants, people who are homeless and others who use our services:

- All relevant regulatory requirements set out in Chapter 3 of the Regulatory Framework.
- All relevant standards and outcomes in the Scottish Social Housing Charter.
- All relevant legislative duties.

Where additional explanatory information is required, this is included in annex 1 of the attached report and will be reproduced in the contextual information provided with the Annual Return against the Charter to the Scottish Housing Regulator.

I confirm that the Council's Education, Leisure and Housing Committee have seen and considered appropriate evidence to support the level of assurance we have at the meeting held on 11 September 2024.

Signed

Chair of Education, Leisure and Housing Committee.

Annex 1 – Key points relating to the Council’s performance

Explanatory information has been provided to explain either a change in performance or areas where Orkney’s context is particularly important.

Annual Return Against the Charter

The Annual Return against the Charter (ARC) for financial year 2023/24 has been completed for Orkney Islands Council and was submitted to the Scottish Housing Regulator by 31 May 2024. Areas of performance which required additional explanation are as follows (the indicators referred to are nationally required):

Satisfaction Survey

The Council has undertaken a wholesale tenant satisfaction survey in line with the Scottish Social Housing Charter in April 2024. The Council does this every 2 years, as opposed to every 3, to ensure closer alignment with the current tenant base. Results were timed to align with submission of the ARC and accordingly full results have been very recently received. The use of a warm up mailing and telephone survey option is the approach adopted by most social landlords and following the same approach therefore allows more appropriate benchmarking against others. Accordingly in 2024 the company which undertook the survey ensured a higher level of telephone surveys despite the increased cost as the potential cost benefit was potentially helpful.

The tenant survey was undertaken by an independent body to ensure tenants felt able to openly express their views.

The results are the topic of a separate report to this cycle of meetings.

In addition to the wholesale survey the Council undertakes a range of satisfaction surveys covering different parts of the service and these generally show good levels of satisfaction, though the response rate is low (with the exception of repairs customer satisfaction).

The Tenant Participation Officer is working with tenants with a view to increasing their involvement, improving the provision of information and considering alternative ways to collect information. This has included arranging events at the community fridge and parent and child groups in partnership with Orkney Housing Association Ltd. She has also started a process of trying to develop an armchair panel and has created a leaflet promoting this accordingly. In addition, a social media page is being developed to improve our provision of information in an accessible manner across the island group.

Information obtained from customer surveys and other means of obtaining information is used to inform the Housing Service’s relevant Service Delivery Plan accordingly.

Given that the repairs customer satisfaction survey is run as a rolling programme, this data has been used for the Annual Return against the Charter rather than the wholesale tenant survey.

Indicators 3 and 4 (Complaints)

During the financial year 2023 to 2024, a total of 27 first stage complaints were received and 3 were carried over from the previous year, all of which were fully responded to. Additionally, 14 stage 2 complaints were received and 4 were carried forward from the previous year, all of which were also responded to in full.

The average response time for first stage complaints was 6.90 days, with a median response time of 5.0 days. This has remained relatively stable compared to last year, when the average response time was 6.64 days. This represents a significant reduction in the average response time for stage 2 complaints, decreasing from 44.93 days in 2022 to 2023 to an average of 23.78 days in 2023 to 2024. For stage 2 complaints, the median response time is 20.0 days.

During financial year 2023 to 2024, all Housing Officers have been trained to handle first stage complaints, a responsibility they did not previously undertake. This training is starting to show benefits in response times for stage 1 complaints and is expected to have a positive knock-on effect for stage 2 complaints, as it frees up managers' time to concentrate on these more complex cases.

While one stage 1 complaint took significantly longer to resolve, taking 67 days, and one stage 2 complaint took 84 days, overall performance shows improvement. Both of these longer complaints were carried over from the previous year. The delays were due to administrative errors that postponed the commencement of their investigations. The training of housing staff aims to avoid such delays in the future.

Indicators 8 and 9 (Repairs)

Delivery of property management services is undertaken by our Neighbourhood Services and Infrastructure (NSI) for the Housing Service.

The time to complete emergency repairs, decreased slightly to 8.97 hours for 2023 to 2024 from 9.12 hours for 2022 to 2023. An analysis of emergency repairs figures shows that the number of repairs increased to 344 from 256 the year before – a 34% increase or 88 more repairs. For 2023 to 2024, 38 of 344 (11%), in comparison to 24 of 256 (9.4%) for 2022 to 2023, were in excess of the 24-hour limit. The reasons for these including contractor failing to complete within the timeframe and access issues. The median emergency repair time for 2023 to 2024 is 3.27 hours down from 4.03 hours in 2022 to 2023.

The reduction in median time along with increase in number of emergency repairs indicates the Council is doing more emergency repairs and completing them quicker than in the previous year.

The reasons for some repairs being out of time included contractors, especially on the isles, reporting incorrect dates and times of completions or failing to raise second orders or “stopping the clock” once an emergency has been addressed but further parts require to be ordered or additional works are needed to fully address the issue. An additional complexity involved mainland contractors undertaking works on the isles and the above issues being exacerbated with weather and travel disruption.

The Council continues to work closely with its contractors to ensure the performance management culture remains central to service provision despite significant pressures on services and Orkney’s remote and rural context.

The time to complete non-emergency repairs increased from 15.11 days for 2022 to 2023 to 17.23 days for 2023 to 2024. The median non-emergency repair time for both 2023 to 2024 and 2022 to 2023 is 8 days.

The increase in distance between median and average for 2023 to 2024 indicates that longer repairs are taking more time to complete.

Some of the issues that have resulted in long repair times are supply issues, contractor performance and dealing with remote locations

Due to the increase in average time there has been a corresponding decrease in Indicator 10 – Right First Time due to more repairs taking longer and falling beyond the timescale.

Contractors undertaking repair work for the Council remain very busy and there are difficulties in obtaining sub-contractors with availability. Some trades are particularly scarce including painters. Some of our contractors have been successful in expanding their staff teams and tried to restructure their processes which is positive. Recruitment remains challenging generally, many contractors are reporting that they are having difficulties. The Council has undertaken a piece of work around the housing needs of essential workers (much wider than purely key workers) and has received initial approval to progress the essential workers housing strategy in March 2024. Further reports seeking financial resource will be considered by our Policy and Resources Committee in September 2024.

Indicator 14 (Tenancy Offers Refused)

There was a further reduction in the number of tenancy offers refused this year, now down to just 12.09% for 2023 to 2024. Previously, we informed you of our efforts to decrease the number of offers refused. These efforts have continued to yield positive results, with a significant reduction from 29.92% in 2022 to 2023 to 32.64% in 2021 to 2022.

It was previously advised that there is an intention to introduce a new lettings policy, based on the principles of choice, by April 2021, while delayed as a result of COVID-19, meantime given the local position around homelessness, lets to homeless households are being prioritised and the implementation of our lettings policy will progress during financial year 2024 to 2025.

Indicators 15 (Anti-Social Behaviour)

The Council has neighbourhoods which are clean and attractive. The level of anti-social behaviour in Orkney remains very low. Along with Orkney Housing Association Ltd, joint work is undertaken closely with the Council's corporate Anti-Social Behaviour Co-Ordinator and the Police in order to take a multi-agency approach to any issues which arise.

Orkney continues to maintain a very low level of anti-social behaviour, with few cases of serious incidents. The Council's anti-social behaviour policy, significantly reviewed in 2019, introduced realistic and proportionate targets. An appendix added to the anti-social behaviour policy on harassment was introduced last year to ensure appropriate processes in place to address any issues, which may arise specifically as a result of harassment, and this is related to the enhancement of equalities processes.

There were just 13 cases of anti-social behaviour, during financial year 2023 to 2024 and all of these were resolved within the required timescale.

Indicators 16 (Tenancy Sustainment)

Overall tenancy sustainment (indicator 16) shows sustained performance.

An assessment of cases where a tenancy had not been sustained indicated reasons such as death, hospitalisation and leaving Orkney as well as those who had sought housing in another sector.

As regards tenancy sustainment generally, the Council is keen to assist tenants to sustain their tenancies and employs a qualified Social Worker within Housing Services. This allows specialist Social Work skills to be used to assist those with a range of issues including addiction. In addition, the Council employs a Housing Support worker who works directly with tenants in this respect. The Housing Support and Homelessness aspects of our service are registered with the Care Inspectorate accordingly and these obtain good inspection grades and staff are registered with the SSSC accordingly.

Indicators 18 and 30 (Empty Property Rental Loss and Time Taken to Relet Properties)

Void (empty property) loss increased from £53,954 in 2022 to 2023 to £62,408 in 2023 to 2024, representing a slight increase in the percentage of rent due to properties being empty from 1.32% to 1.49%. There were 79 relets in 2023 to 2024, compared to 80 in the previous year. Despite ongoing issues with electric meters, for which assistance was sought from Orkney's MSP, a consistent relet performance was maintained.

Regarding indicator 30 on the average length of time taken to relet properties, a total of 79 properties were relet during the financial year 2023 to 2024. The time taken to relet properties increased. The total number of calendar days they were empty was 5,643, resulting in an average relet time of 71.43 days. This represents an increase from the previous financial year 2022 to 2023, where the average relet time was 57.94 days.

A small number of voids were subject to extended periods, including one sheltered property subject to low demand that took 1,050 days to let. Additionally, four properties located in the isles, categorised as low demand, took 672 days in total to relet. Excluding these five properties from calculations would reduce the average days to relet to 52.99, compared to 43.45 days in the previous financial year. Approximately 30.52% of the total void loss is attributed to these extended void periods, indicating that the majority of properties are being relet in a timely manner.

Indicator 27 (Gross Rent Arrears as at 31 March each year as a Percentage of Rent Due for the Reporting Year)

Gross arrears continued to be challenging throughout the financial year 2023 to 2024. The figures at year-end show a decrease to 12.58% from 12.65% in 2022 to 2023, continuing the downward trend from 14.35% in 2021 to 2022. This steady reduction over the past three years indicates progress in managing and reducing arrears effectively.

Throughout COVID-19 and beyond a strong focus was maintained on the recovery of arrears. Initially this included undertaking welfare checks for all tenants throughout lockdown, working with tenants to ensure that those who needed assistance to claim Universal Credit Housing Costs / Housing Benefit, were assisted to do so. Close joint working continues with Orkney Citizen's Advice Bureau in relation to income maximisation and money advice / debt assistance. Every attempt has been made to recover outstanding arrears where this is possible. This included senior management prioritising the pursuit of arrears and significant levels of staffing resource being focused on this aspect. The level of arrears was reported to the Chief Executive and Senior Councillors throughout.

Although the overall level of arrears remains high, the rent collected as a percentage of rent due in the year showed a significant improvement, rising to 102.47% for the financial year 2023 to 2024 from 99.33% for 2022 to 2023. This is a positive indication that the focus on reducing rent arrears is yielding substantial results.

The level of housing costs received directly decreased slightly from the previous financial year, with 479 households recorded in comparison to 494 the previous year. However, the total amount has risen to £1.66 from £1.61 million the year before. The system of inputting payments manually continues to impact a small staffing resource, adding complexities for a small Housing Revenue Account.

Steps continue to be taken to progress the automation of UC and bank payments and steps and the relevant software providers were asked to remedy this during 2022. However, the combination of an internal restructure and other staffing gaps affected the ability to upgrade the system to the most recent release and the Northgate test system required to be replaced. The test system was procured, testing was undertaken and the most recent release is being tested. Currently the timeframe for upgrade to the most recent release is being negotiated with the software provider.

Discretionary Housing Payments (DHP) continue to be publicised through our website, social media etc in an attempt to reach more tenants who are struggling.

The percentage of former tenant arrears in 2023 to 2024 increased to 5.35% from 3.00% in 2022 to 2023.

The Council previously actively and prudently pursued former tenant arrears rather than writing these off, however this had a detrimental impact on overall rent arrears performance - statistics and anecdotal evidence suggested that the practice in other organisations is to write off the majority of former tenant debt. This approach has been reconsidered to ensure resources are targeted at bringing in current arrears, and that tenants who are in arrears are ensuring their focus is on resolving their current arrears as opposed to former tenant arrears from the past. Currently a process is underway in relation to the consideration of a wider programme of write-off. Work is being undertaken with our Finance Service to seek approval for this. This will take time to affect our statistics, however.

Write-offs for the financial year 2023 to 2024 totalled £42,007, or 18.26% of the former tenant arrears outstanding, representing a significant change from the previous year. Discussions are still ongoing to potentially increase the level of write-offs for former tenant arrears.

The Housing Service continues to have a specialist post called Housing Officer (Income Collection). In addition, a further specialist officer has been employed on recovery of rent arrears over the last year again given the level of arrears. This is to supplement the role of Housing Officers with the aim to reduce the level of rent arrears and other housing debt outstanding.

“Mandatory” Box

While introduced initially in 2022 to 2023, the ARC for 2023 to 2024, included a new requirement for a mandatory box to be completed with enhanced information. This related to areas of tenant and resident safety and required that as well as providing specific information on the number of properties which failed electrical safety checks and the provision of interlinked heat and smoke alarms, data must also be included to show the number of properties which fell out of compliance during the year.

The information provided for Orkney outlined that in December 2022, an issue was identified around electrical installation condition reports (EICR) and the process of evidencing compliance. Accordingly, a piece of work was instructed through an independent party, C D Consultancy Ltd, to determine the level of compliance. A programme of works was instigated and weekly meetings are in place between senior staff within the Education Leisure and Housing Service and also Neighbourhood Services and Infrastructure. A range of local contractors were sourced to assist with undertaking checks and a process was put in place to ensure the evidence base was appropriate. In addition, the Council had identified an issue with the data around interlinked smoke

alarms in autumn 2022, and a programme of works was developed and taken forward with the contractor who had been employed to undertake the contract. A further works programme is currently underway. C D Consultancy undertook an additional piece of work around the current status of delivery on 29 May 2023, immediately prior to submission of the ARC and provided a report accordingly. Further work was undertaken at the end of October 2023 and again in early April 2024. This was to ensure an independent validation of data was undertaken appropriately. The issues identified continue to be addressed and the Scottish Housing Regulator has been kept updated throughout.

For the financial year 2023 to 2024, the total number of failures had reduced to 166 cases. The breakdown of failures is as follows:

One Criteria Fail:

- Smoke and Heat Alarms: 105.
- Energy Performance Certificate (EPC): 29.
- Adequate Kitchen Food Storage: 1.

Two Criteria Fail:

- EICR: 20.
- Smoke and Heat Alarms and EICR: 4.
- Smoke and Heat Alarms and EPC: 6.

Three Criteria Fail:

- Secure common front door entry system, EICR, Lead Free Pipe work, bathroom meets tolerable standard, Smoke and Heat Alarms: 1.

Total Cases 166

Summary of Fails:

- EICR: 25.
- Smoke and Heat Alarms: 116.
- EPC: 35.

Additionally, during this year, 147 smoke and heat alarms and 320 EICRs fell out of compliance at some point in the year.

As of the end of May 2024, failures relating to smoke and heat alarms reduced to 71.

The Council has endeavoured to focus on ensuring it delivers the Scottish Housing Quality Standard (SHQS) as far as is practicably possible. The Council has a strong knowledge of its stock and data held on properties is at an individual level, a process of cloning is not used as a general rule, though recently there has been a move to having a small number of cloned properties. In the past year, a new staff member joined the NSI team, and together with the Data Analyst within Housing Services, they conducted a meticulous examination of all Council residential properties. This detailed review focused on compliance with

EICRs, smoke and heat detectors, and EPCs. They carefully assessed each property, uncovered gaps in evidence and issues where compliance had been overlooked. Their extensive efforts revealed areas needing improvement, which led to an increase in reported fails compared to last year. However, this has significantly enhanced understanding of the current compliance status and the supporting evidence held.

Following this in-depth review, an evaluation was undertaken by C D Consultancy. Their combined findings have guided ongoing improvements.

Annual Report for Tenants

The annual report for tenants will be produced by 31 October 2024 as required by the Scottish Housing Regulator. This will include key information which is of interest to tenants.

The Council has a joint Residents' Panel with Orkney Housing Association Limited which consists of tenants / residents of both organisations. They will be asked for their views on the Annual Report ahead of publication and their views will be taken into account in producing the final document. The Council includes a section in the Annual Report which encourages feedback from tenants more generally on how they feel about the report and the information in it.

The Residents' Panel will also be involved in discussions around the Annual Assurance Statement prior to submission.

Customer Satisfaction Survey

The Council is required to undertake a wholesale tenants' satisfaction survey every three years. This was undertaken most recently in April 2024 by an independent body in order to ensure impartiality.

A range of customer satisfaction surveys are in place across the Service in order to assess the quality of the service on an ongoing basis. These include:

- New tenants' survey regarding quality of home and service.
- Repairs Satisfaction survey.
- Improvements satisfaction survey.
- Exit questionnaires for tenants leaving the Council's accommodation.
- Homelessness service, new tenants' questionnaire.
- Homelessness service, exit questionnaire.
- Housing Advice service, exit questionnaire.

In addition, information is used from complaints and general feedback as encouraged by footnotes on all correspondence etc. The information is used to inform the Service Delivery Plan for the relevant part of the Service which underpins service improvements.

This links to standard 3.12 in the National Standards for Information and Advice Providers which is part of the Council's accreditation.

While the Council collects data from its wholesale tenant satisfaction survey, this can lead to some distortion in figures. For example, when questions are raised regarding repairs it should be the most recent repair. It is therefore more effective to collect this data immediately following completion of the repair.

The Council intends to use its ongoing customer satisfaction information so it can evidence that the information collected relates to the present day.

Scottish Housing Regulator's Engagement Plan

The Scottish Housing Regulator's engagement plan highlights key indicators, relating to service quality, where they have indicated they wish to engage with the Council.

During 2023/24 they reviewed and compared the data for all local authorities from the Scottish Government's national homelessness statistics and the Annual Returns on the Charter. They also spoke to all local authorities to gather further information and assurance about their homelessness services. To assess the risks to people who are threatened with or experiencing homelessness they will engage with all local authorities during 2024/25 with a focus on the provision of appropriate temporary accommodation.

Specifically, they will engage with Orkney in relation to the following areas:

- Orkney's provision of temporary accommodation to people who are homeless.
- The Scottish Housing Regulator's Engagement Plan states that in January 2023, the Council advised the Scottish Housing Regulator that it had identified weaknesses in the quality of the evidence underpinning the data used to report on Scottish Housing Quality Standard (SHQS) compliance. In December 2023 the Council confirmed that the SHQS data remained unvalidated, and that there were inaccuracies in the data held. The Council advised it is progressing an improvement plan to address these weaknesses.
- The Council does not fully comply with electrical safety and fire detection requirements which came into force in early 2022 and form part of the SHQS. Due to weaknesses in the evidence and quality of the data held, the Council is currently investigating the level of non-compliance in order to progress inspections to provide Electrical Installation Condition Reports and to install integrated smoke and heat alarms in all of its tenants' homes.

Further the Scottish Housing Regulator's engagement plan states that in order to assess the risk to social landlords they have reviewed and compared the 2022/23 service quality performance of all social landlords to identify the "weakest performing" landlords. They will therefore engage with Orkney about tenant satisfaction, repairs and rent arrears.

Accordingly the Council must:

- Send the Scottish Housing Regulator information required in relation to its homelessness service.
- Advise of any emerging issues preventing it from fulfilling its statutory duty to provide temporary accommodation when it should and comply with the Unsuitable Accommodation Order.
- Provide monthly updates on progress to validate and improve the quality of its data used to report compliance with the SHQS and on achieving compliance with electrical safety and fire detection requirements.
- Send information about the actions being taken to improve performance on tenant satisfaction, repairs and rent arrears.

Data on homelessness is not included within the Annual Return against the Charter generally. Instead, this information is provided through returns outlined at section 4.2 of the committee report and is reported to the Council's Education, Leisure and Housing Committee, specifically a report is presented to the June cycle of meetings.

The position relating to the other areas referred to above, is outlined at the relevant parts of this annex.

Annex 2: Assurance Action Plan

Assurance and Notification

Requirement.	Who.	When.	RAG.	Comments.
Prepare an Annual Assurance Statement in accordance with guidance.	Head of Community Learning, Leisure and Housing and Data Analysts.	October 2024.	Green.	Committee report and appendices to be presented to Education, Leisure and Housing Committee on 11 September 2024.
Submit Annual Assurance Statement to Scottish Housing Regulator between April and October each year.	Data Analysts.	October 2024.	Green.	On target to be submitted by October 2024.
Make Annual Assurance Statement available to tenants and other service users.	Data Analysts and Tenant Participation Officer.	October 2024.	Green.	To be included in Housing Services' area of website.
Notify Scottish Housing Regulator during the year of any material changes to the assurance in the Annual Assurance Statement.	Head of Community Learning, Leisure and Housing and Data Analysts.	As required.	Green.	
Have assurance and evidence that we are meeting all our legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.	Head of Community Learning, Leisure and Housing and Team Manager (Maintenance and Heritage).	Ongoing.	Amber*.	In general compliance with our legislative duties links to Standard 1.5 of National Standards for Information and Advice Providers. We were re-accredited by the Scottish Legal Aid Board during 2022 and are scheduled for re-accreditation during 2024/25.

Requirement.	Who.	When.	RAG.	Comments.
				<p>Evidence includes a broad range of Council corporate policies including the Health and Safety Policy; Challenging Behaviour by Members of the Public: The Role of Customer Service Advisers and All Staff Using the Customer Services Facility; Housing Services' Staff Training and Development Policy; Library Procedure for Housing Services; staff training logs and internal portal which includes a broad range of information on corporate policy areas.</p> <p>Staff management processes are in place across Housing Services including induction, regular one to ones in line with the Line Management Policy and all staff are required to complete the Personal Development Award for Advisors with Shelter at the next intake after taking up post. In addition, structures such as qualified housing officer are in place to encourage housing staff to complete a housing qualification.</p> <p>During 2021 we undertook a review of our equalities policy and the processes relating to equalities data collection and</p>

Requirement.	Who.	When.	RAG.	Comments.
				<p>human rights. Our revised Equalities Policy and Action Plan was approved by our Education, Leisure and Housing Committee in June 2021. We sought equalities information from all existing tenants and housing applicants, in relation to 9 protected characteristics in line with the Scottish Housing Regulator’s Regulatory Framework and Scottish Federation of Housing Association Limited’s Guidance. Equalities data requested has been expanded across all housing and homelessness service areas accordingly and data will be used as required to ensure continued improvement of service provision.</p> <p>As regards tenant safety, specifically in relation to the points outlined in the Scottish Housing Regulator’s guidance of summer 2023:</p> <ul style="list-style-type: none"> • Gas safety is not applicable as Orkney has no mains gas; • As regards electrical safety, we have in place a 5 yearly rolling programme to carry out EICRs and address any remedial works

Requirement.	Who.	When.	RAG.	Comments.
				<p>identified from them. An issue arose which affected this in December 2022 and we have been working through a programme to ensure electrical checks and any remedial works have been undertaken across our stock and have kept the Scottish Housing Regulator informed throughout. At 31 July 2024, 96.38% of our housing stock holds a valid EICR certificate and we have plans in place in relation to EICRs requiring to be updated over the coming months. In addition, we implemented an independent check of our performance and data accordingly. We are taking steps re properties where access is causing an issue and this may include completing a legal process of forced entry for repairs where necessary. We expect to be back to a position of full compliance by late 2024.</p>

Requirement.	Who.	When.	RAG.	Comments.
				<ul style="list-style-type: none"> <li data-bbox="1518 261 2033 979">• Fire safety - We are also working through a programme of implementing the residual aspects of our contract on interlinked smoke alarms. At 31 July 2024, 87.73% of housing stock is fitted with an interlinked smoke alarm. Again, the Scottish Housing Regulator was kept informed throughout. In addition, we implemented an independent check of our performance and data accordingly. We are taking steps re properties where access is causing an issue and this may include completing a legal process of forced entry for repairs where necessary. <li data-bbox="1518 1023 2033 1353">• Water safety – we have a contract around legionella testing which will shortly expire. Therefore we are currently preparing tender documents so the contract can be re-tendered. We would hope to appoint a new contractor around October 2024 with orders raised

Requirement.	Who.	When.	RAG.	Comments.
				<p>for housing stock by November / December 2024. The contract identifies the requirement to carry out risk assessments to a sample of the housing stock. Once a new contractor has been appointed, a schedule of properties to receive a risk assessment, based on house type and location will be developed.</p> <ul style="list-style-type: none"> • Asbestos – The amount of asbestos in our properties is low and is largely confined to artex ceilings, external fabric such as soffits, roof sheeting etc, that have been surveyed in accordance with the Control of Asbestos Regulations 2012. • Our asbestos records are held on an external online platform. This is fully accessible to our contractors and allows us to track users access. Details are held of when the property was last surveyed, updates carried out as well as if any asbestos containing materials

Requirement.	Who.	When.	RAG.	Comments.
				<p>were identified or removed. The data is updated as asbestos is managed / removed, and historical data maintained. Additional / update surveys are carried out on a requirement basis with the latest surveys undertaken in March 2024. The duty to manage asbestos does not apply to domestic properties,(but common areas are covered) however we are responsible for maintaining the buildings' structure and are considered duty holders under the Control of Asbestos Regulations (CAR). OIC therefore plan to survey all dwellings and currently have 4 dwellings with no surveys. As opportunities arise, access is attempted with a view to having all properties surveyed.</p> <ul style="list-style-type: none"> • Radon – we have carried out radon gas testing to 56% of our properties which generated remedial works to 18 properties that have been subsequently completed. The survey data and

Requirement.	Who.	When.	RAG.	Comments.
				<p>remedial actions are captured and maintained in a property tracker held by the Council. An update of the review is due to be carried out starting in 2024. This will focus on the properties not captured in the previous review and those areas/ clusters where poor outcomes were found during the last round of surveys with a view to any works being completed in 2025.</p> <ul style="list-style-type: none"> • Damp and mould – a policy on damp and mould was approved by our Education, Leisure and Housing Committee in September 2023. Staff received training by the Chartered Institute of Housing and separately specific procedural training during 2023. We are enhancing our recording and monitoring processes to allow focused measures to be implemented to address cases of damp and mould in our social housing. Where damp and mould has been identified we have put in place joint visits, between

Requirement.	Who.	When.	RAG.	Comments.
				<p>Building Inspectors and Housing Officers, to provide our tenants with technical and practical assistance and guidance to address the issue. Where fabric issues have been identified as the cause, remedial works have been carried out.</p> <ul style="list-style-type: none"> Lift safety – this is not applicable in an Orkney situation as the Council has no social housing which is fitted with lifts. <p>Going forward we will implement revised structures around monitoring of preventative, protective maintenance.</p>
<p>Notify Scottish Housing Regulator of safety matters which have been reported to or investigated by the Health and Safety Executive (HSE) or reports from other regulatory or statutory authorities or insurance providers, relating to safety concerns.</p>	<p>Head of Community Learning, Leisure and Housing / Head of Property, Asset Management and Facilities and Team Manager (Maintenance and Heritage).</p>	<p>In place.</p>	<p>Green.</p>	<p>The Council’s Health and Safety Advisor provides guidance on all aspects of health and safety as required. If a report were received from the Health and Safety Executive, immediate steps would be taken to address the issue and the Scottish Housing Regulator would be advised accordingly.</p> <p>We have policies covering issues such as Asbestos and procedures in place</p>

Requirement.	Who.	When.	RAG.	Comments.
				<p>regarding Radon / Legionella etc. Our Neighbourhood Services and Infrastructure undertake property inspections and ensure properties are fitted with interlinked smoke alarms etc. Housing Services has quality assured the data on checks to evidence compliance with the Scottish Housing Quality Standard.</p> <p>Risk assessments and procedural documentation were in place throughout the COVID-19 pandemic to ensure staff and tenants / service users were / are appropriately protected and supported throughout the COVID-19 crisis and beyond to ensure appropriate protections are in place to mitigate risk.</p>
Make Engagement Plan easily available and accessible to tenants and service users, including online.	Head of Community Learning, Leisure and Housing and Data Analysts.	May 2024.	Green.	To be included by link to the Scottish Housing Regulator's website from Housing Services' area of the Council's website.
Register all requirements for providing data to Scottish Housing Regulator and Information Commissioners Office.	Head of Community Learning, Leisure and Housing and Head of Legal Services.	In place.	Green.	Housing Services will hold a register of any matters reported to the Scottish Housing Regulator and Legal Services will

Requirement.	Who.	When.	RAG.	Comments.
				record all matters reported to the Information Commissioners Office.

Scottish Social Housing Charter Performance

Requirement.	Who.	When.	RAG.	Comments.
Submit Annual Return against the Charter to Scottish Housing Regulator in accordance with published guidance.	Head of Community Learning, Leisure and Housing and Data Analysts.	May 2024.	Green.	Submitted by 31 May 2024.
<p>Involve tenants, and where relevant service users, in the preparation and scrutiny of performance information.</p> <ul style="list-style-type: none"> • Agree an effective and meaningful approach with tenants. • Publicise approach to tenants. • Verify approach and evidence involving tenants has happened. • Involve other service users in an appropriate way. 	Tenant Participation Officer.	In place.	Green.	<ul style="list-style-type: none"> • Residents' Panel involved in development of annual report as standard. • Section in the annual report to encourage feedback. • Residents' Panel are invited to an annual presentation on performance from Scotland's Housing; Network (from 2019) and discussion at Residents' Panel meeting thereafter.
Report performance to tenants and other service users no later than October each year:	Head of Community Learning, Leisure and Housing and Data		Green.	The Council has a joint Residents' Panel with Orkney Housing Association which consists of tenants / residents of both organisations. They are asked for their

Requirement.	Who.	When.	RAG.	Comments.
<ul style="list-style-type: none"> • Agree format of performance reporting with tenants and ensure accessible with plain and jargon free language. • Provide assessment of performance in delivering Charter outcomes. • Include relevant comparison including previous years, other landlords and with national performance. • Set out how we intend to address areas for improvement. • Give tenants and service users a way to feedback views on style and form of reporting. 	Analysts and Tenant Participation Officer.			views on the Annual Report ahead of publication and their views will continue to be taken into account in producing the final document. The Council includes a section in the Annual Report which encourages feedback from tenants more generally on how they feel about the report and the information on it.
Make Scottish Housing Regulator report on our performance easily available to tenants including online.	Head of Community Learning, Leisure and Housing and Data Analysts.	When produced by SHR.	Green.	To be included as a link to the Scottish Housing Regulator's website from Housing Services' area of the Council's website.

Whistleblowing

Requirement.	Who.	When.	RAG.	Comments.
Ensure effective arrangements and a policy for whistleblowing for staff and elected Members.	Head of HR and Performance.	In place from October 2015.	Green.	Policy on Whistleblowing is available on internal portal or in either electronic or hard copy from HR on request. Trade Unions are also aware of this. There is a monthly meeting with Trade Unions which is corporate and each individual service holds regular meetings with the Trade Unions as well.
Make Whistleblowing policy easily available and promote its existence.	As above.	In place. As above.	Green.	As above.

Tenants and Service Users Redress

Requirement.	Who.	When.	RAG.	Comments.
Make information on reporting any significant performance failures, including the Scottish Housing Regulator's leaflet, available to our tenants.	Head of Community Learning, Leisure and Housing and Tenant Participation Officer.	In place from June 2019.	Green.	A link will be provided to the Scottish Housing Regulator's leaflet from the Council's website.
Provide tenants and service users with the information they need to exercise right to complain and seek redress.	Team Manager (Housing Strategy, Development and Data).	In place.	Green.	The Council's corporate complaints process is used and corporate policy in line with the guidance from the Scottish Public Services Ombudsman. Information is available through our website and in hard copy on request.

Requirement.	Who.	When.	RAG.	Comments.
Respond to tenant complaints within our service standards timescales and in accordance with the Scottish Public Services Ombudsman guidance.	Team Manager (Housing Strategy, Development and Data).	In place.	Green.	Reporting against timescales is included in the Annual Return against the Charter. Complaints was included in our engagement plan from the Scottish Housing Regulator and complaints data was provided to the Regulator accordingly. Complaints performance has improved and accordingly these do not appear on the Scottish Housing Regulator's engagement plan for 2024.
Ensure we have effective arrangements to learn from complaints and other tenant and service user feedback, in accordance with SPSO guidance.	Head of Community Learning, Leisure and Housing and Head of Legal Services.	In place.	Green.	This links with standard 3.12 of the National Standards for Information and Advice Providers which covers using feedback to inform service provision. Information collected through complaints, comments and customer satisfaction surveys is used to inform the update of the Service Delivery Plan for the relevant service area.

Equality and Human Rights

Requirement.	Who.	When.	RAG.	Comments.
Have assurance and evidence we consider equality and human rights	Senior Management Team of the Council.	In place.	Green.	<ul style="list-style-type: none"> All policies within Housing Services contain a section on equalities.

Requirement.	Who.	When.	RAG.	Comments.
<p>issues properly when making decisions, in the design and review of internal and external policies, and in our day to day service delivery.</p>				<ul style="list-style-type: none"> • The Housing Service has a specific Equalities Policy and one on Accessibility and reviewed its Equalities Policy during 2021. Equalities monitoring across 9 protected characteristics has been taken forward in line with the national guidance. We sought equalities information from all existing tenants and housing applicants, in relation to 9 protected characteristics in line with the Scottish Housing Regulator’s Regulatory Framework and Guidance from the Scottish Federation of Housing Associations. Equalities data requested has been expanded across all housing and homelessness service areas accordingly and data will be used as required to ensure continued improvement of service provision. • Committee reports on policy matters contain a section on equality. • Completion of equality impact assessments is standard. • Island communities impact assessments are undertaken as required.

Requirement.	Who.	When.	RAG.	Comments.
				<ul style="list-style-type: none"> • The Council monitors its website and ensures it meets website accessibility requirements. • The Council employs a specialist equalities officer to ensure compliance. • Housing staff and staff within our Neighbourhood Services and Infrastructure Service received refresher training on equalities in the autumn of 2023.
Collect data relating to protected characteristics for existing tenants, new tenants, people on waiting lists and elected Members and staff.	Head of Community Learning, Leisure and Housing	In place.	Green.	<ul style="list-style-type: none"> • Equalities criteria does not currently apply to elected Members given that they are democratically elected. • Equalities monitoring information across 9 protected characteristics is now collected for new tenants and applicants and information has also been sought in relation to existing tenants also. This is sought along with information relating to requirements for information in a range of formats. • As regards staff, our HR Service collect information relating to 9 protected characteristics for staff when they apply for any post whether when they initially come into the organisation or

Requirement.	Who.	When.	RAG.	Comments.
				<p>where an internal application is submitted. Updates are requested re equalities data through the MyView portal and annual communications are issued to remind staff to update details. The staff survey also requests information relating to the 9 protected characteristics and an annual report is produced on staff diversity which in turn is used to inform any relevant changes to policy required.</p>
<p>Collect data on protected characteristics of people who apply as homeless.</p>	<p>Head of Community Learning, Leisure and Housing.</p>	<p>In place.</p>	<p>Green.</p>	<ul style="list-style-type: none"> • Equalities monitoring information is collected for people who apply as homeless. • Our homelessness interview form has been updated to include all 9 protected characteristics.
<p>Collect data on protected characteristics of people who use our Gypsy / Traveller services.</p>	<p>N/A.</p>	<p>N/A.</p>	<p>N/A.</p>	<p>N/A.</p>

* Those requirements marked as “amber” will all revert to green during 2024/25 when the issue has been addressed through ensuring the Council complies with the requirements in the Scottish Housing Regulator’s engagement plan. Delivery of repairs services, is undertaken by

the Council's Neighbourhood Services and Infrastructure for the Housing Service including the physical aspects of ensuring tenant and resident safety (gas, electrical, fire, water, asbestos, radon and lift safety).