

Does Wales Need a Housing Charter Like Scotland?

Katherine Evans, Research & Policy Associate, TPAS Cymru
David Wilton, CEO, TPAS Cymru

Why are we here today?

- ✓ We want to learn from other nations
- ✓ Share best practice
- ✓ Challenge existing thinking
- ✓ We want your thoughts
- ✓ Should we have something similar?



Quick reminder

Housing Associations

Regulated by:

Regulation team in Welsh Government

Annually

Local Authority housing

Audited by

Audit Wales

Infrequently

GOOD IDEA →

← BAD IDEA

Meet the *Author*

Katherine Evans,
Research & Policy Associate
TPAS Cymru



People consulted in Scotland

- ✓ Michael Boal (Social Housing Charter & Regulation Manager, Scottish Government),
- ✓ Lesley Baird (former CEO of TPAS Scotland)
- ✓ Eveline Armour (TPAS Scotland)
- ✓ Colin Stewart (Chair of Tenants Together, formerly known as Scottish Regional Networks),
- ✓ Tony Cain (Policy Manager, ALACHO – Association of Local Authority Chief Housing Officers)
- ✓ Informal conversations over 3 days with tenants at TPAS Scotland conference.



People consulted in Wales

- David Lloyd & David Wilton (TPAS Cymru) re Welsh regulation

Re Audit/Regulation of Local Authority

- Geoff Davies (Denbighshire Council),
- Llinos Wyn Williams (Ynys Mon Council)
- Jim McKirdle (WLGA)
- Chris Bolton (Audit Wales)
- Anon on confidential basis



What is the Scottish Social Housing Charter?

Sets out Standards and Outcomes **all** social landlords should be achieving for **their tenants** when performing their housing activities

Key point: it applies to RSLs/Housing Associations **and** Local Authorities.

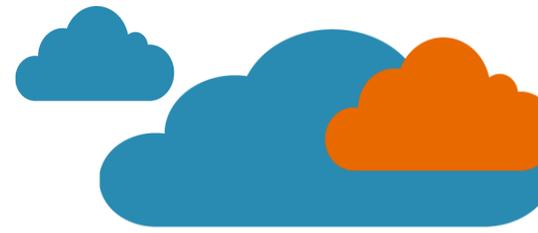


What is the Charter's purpose?

1. Give **tenants** a clear understanding of what they should expect in terms of the quality and value for money of the services they receive; the standard of their homes; and opportunities for communication about, and participation in, the decisions that affect them;
2. Give **landlords** a clear understanding of what they should be delivering through their housing activities; and
3. Provide the basis for the **Scottish Housing Regulator** to monitor, assess and report on the performance of social landlords and, if necessary, to require compliance with the Charter.



Living working document



Introduced
2012

Last revised
(with
tenants)
2022

Next
review
2026



Drafting of Charter and renewal

Development of the Charter began with a 'blank sheet of paper'.

TPAS Scotland undertook consultations on behalf of the Scottish Government with:

1. young people,
2. tenants in supported housing,
3. tenants in remote and rural communities, and
4. homeless people,
5. and helped to run roadshows to engage with tenants.

The Charter was drafted and revised in light of stakeholder responses to the consultations



Reviewing and Revising the Charter

Scottish ministers **must** consult with tenants to revise and renew the Charter

(along with the Scottish Housing Regulator, homeless persons, social landlords and the Commission for Equality and Human Rights)



What does the Charter cover?

There are 16 standards and outcomes that social landlords are required to achieve

We will not cover them all today – but focus on tenant accountability measures and aspects relating to existing social housing tenants



Other parts of the Charter

7/8/9: Housing Options (allowing people to make informed decisions about the range of housing options available to them)

10: Access to Social Housing

11: Tenancy Sustainment (providing support to remain in their home)

12: Homeless People

16: Gypsy/Travellers



What does the Charter Require Social Landlords to do?

A. The Customer/landlord relationship

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

- a) they **support the right to adequate housing**;
- b.) every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

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.**

3: Participation - Social landlords manage their businesses so that: tenants and other customers are **offered a range of opportunities that make it easy for them to participate in and influence their landlord's decisions** at a level they feel comfortable with.



B. Housing quality and maintenance

4: Quality of Housing - Social landlords manage their businesses so that: tenants' homes, as a minimum, when they are allocated are always clean, tidy and in a good state of repair, meet the Scottish Housing Quality Standard (SHQS), and any other building quality standard in place throughout the tenancy; and also meet the relevant Energy Efficiency and Zero Emission Heat Standard.

C. Neighbourhood and community

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.

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.



D. 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.**

14/15: Rents and Service Charges - Social landlords **set rents and service charges in consultation with their tenants and other customers** so that:

- a.) 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;
- b.) 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.

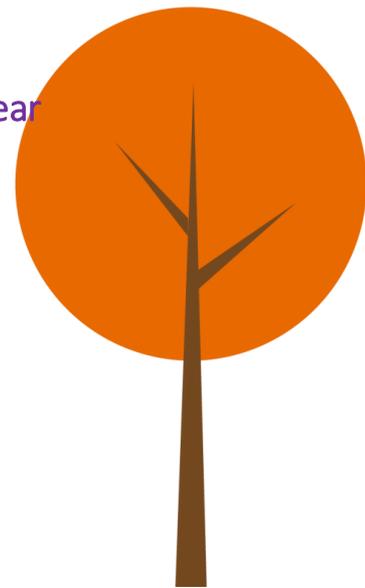
In practice tenants are often asked to vote on whether they are happy to accept a rent increase.

Information is provided as to why the increase is proposed, what the rent money is spent on; and the services that the social landlord will be able to provide as a result.



How is Social Landlords' Compliance with the Charter Regulated?

- Social landlords are **required** to comply with the Charter (not just guidance or best practice).
- Scottish Housing Regulator monitors, assesses and reports on how social landlords (both housing associations **and** local authorities) are performing against the Charter's outcomes and takes action where required - with consequences for non-compliance.
- Each landlord must submit an Annual Return on the Charter ('ARC') to the Regulator every year – and show how it has involved tenants.
Landlords must also report its Charter performance to tenants.
- Regulator publishes on its website – a report for each landlord, Charter performance data, an engagement plan for every landlord, and a comparison tool – transparency for tenants.
- Tenants are encouraged to report serious concerns on the Regulator's website.



Landlord performance

Reports, data and analysis about social landlords in Scotland.

Landlord directory



Find and compare landlord performance, read our engagement plans and see the public register of RSLs.

Engagement plans



Find out how we are engaging with each Scottish social landlord.

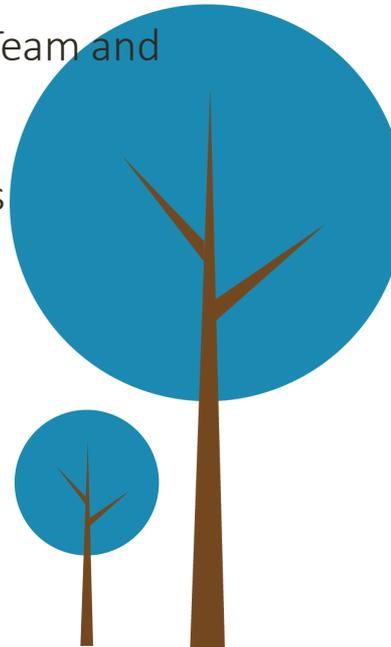
Annual Assurance Statements

See all social landlords Annual Assurance Statements.

How does it compare to Welsh Social Housing?

- Wales **does not** have a Social Housing Charter
- Welsh housing associations and local authorities **are not regulated** by the same regulator
- **Housing Associations** – Regulated by Welsh Government's Housing Regulation Team and governed by The Regulatory Framework
- **Local Authorities** – Regulated by Audit Wales as part of its wider responsibilities for Local Government in Wales. No equivalent to the Regulatory Framework but Councils are subject to other internal regulations and layers of scrutiny

Summary: Some elements are covered in Wales across different regulations and legislation



Key Points of Comparison - Scottish Charter v Welsh Housing

Scottish Social Housing Charter Outcomes	- Nearest Equivalent in Welsh Housing
1: Equalities – (including a requirement for social landlord to perform all aspects of their housing services so that they support the right to adequate housing.)	<ul style="list-style-type: none"> - Equality Act 2010 - Welsh Regulatory Standards (The Regulatory Framework for Housing Associations Registered in Wales, 2022)
2: Communication	<ul style="list-style-type: none"> - Welsh Regulatory Standards (Housing Associations)
3: Participation (tenants are offered a range of opportunities that make it easy for them to participate in, and influence their landlord's decisions.)	<ul style="list-style-type: none"> - Welsh Regulatory Standards (Housing Associations) - Welsh Government Annual Tenant Satisfaction Surveys - Well-Being of Future Generations (Wales) Act 2015
4: Quality of Housing	<ul style="list-style-type: none"> - Welsh Regulatory Standards (Housing Associations) - Welsh Housing Quality Standard - Building Safety (Wales) Bill
5: Repairs, Maintenance and Improvements	<ul style="list-style-type: none"> - Welsh Housing Quality Standard - Building Safety (Wales) Bill
6: Estate Management, Anti-Social Behaviour, Neighbour Nuisance And Tenancy Disputes	<ul style="list-style-type: none"> - Welsh Regulatory Standards (Housing Associations) - Welsh Housing Quality Standard

Key Points of Comparison - Scottish Charter v Welsh Housing

Scottish Social Housing Charter Outcomes	Nearest Equivalent in Welsh Housing
<p>13: Value For Money – (Tenants receive services that provide continually improving value for the rent and other charges they pay.)</p>	<ul style="list-style-type: none">- Welsh Regulatory Standards (Housing Associations)- Welsh Government Rent and Service Charge Standard 2020-2025
<p>14/15: Rents and Service Charges - Social landlords set rents and service charges in consultation with their tenants and other customers so that: a.) 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; b.) 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.</p>	<p>No requirements on tenant vote on rent:</p> <p>Welsh Regulatory Standards (Housing Associations)</p> <ul style="list-style-type: none">- Welsh Government Rent and Service Charge Standard 2020-2025

Welsh Housing Regulation - Housing Associations

- Regulated by the Welsh Government's Housing Regulation Team and governed by the Regulatory Framework - sets out the outcomes Housing Associations must comply with.
- **Purpose of regulation** of housing associations is stated to be:
 - to protect tenants and investment in housing associations; and
 - to ensure that each housing association is well-governed, delivering high quality homes and services, and financially viable.
- Regulatory Framework is built upon the principle of 'co-regulation' - the Regulator and housing associations take responsibility together
- Housing Associations must submit a self-evaluation at least once a year.
- Tenants are **not** actively encouraged to report serious concerns to the Regulator.

For tenants

Information for social housing tenants, people who are homeless, factored owners and Gypsy/Travellers.

Find out about your landlord

Find out about and compare your landlord's performance.

How we regulate

Find out how we regulate social landlords in Scotland.

Complain about a landlord

Find out how to make a complaint about your landlord.

[Home](#) > [Housing](#) > Social housing regulation

SUB-TOPIC

Social housing regulation

Guidance and services

[Regulatory judgements on housing associations](#)

[Housing associations registered in Wales: regulatory framework](#)

[Registered social landlords](#)

[Whistleblowing on a housing association: guidance](#)

[Permitted payments and benefits \(RSL 005/10\)](#)

[Internal controls and reporting \(RSL 002/10\)](#)

[Regulatory returns for housing associations](#)

[Registered social landlords \(RSL\) sector risks: guidance](#)

[Registered social landlords: accounting requirements general determination \(Wales\) 2015](#)

[Regulation of Registered Social Landlords \(Wales\) Act 2018: explanatory memorandum](#)

[Regulation of Registered Social Landlords \(Wales\) Act 2018: guidance](#)

[Notification of changes to a registered social landlord: form](#)

[Direction for registered social landlords undergoing a restructure and other changes](#)

[Direction about notification of disposals of social housing dwellings and land other than a dwelling](#)

[Removing a registered social landlord \(RSL\) from the register: guidance](#)

[Regulatory judgements: guidance for housing associations](#)

[Registered Social Landlords group structures: RSL 01/24](#)

Policy and background

Includes strategy, reports, projects and assessments.

[Hearing the tenants voice in the regulation of housing associations in Wales](#)

Report [Regulatory Board for Wales](#)

[Registered social landlords health and safety: overview 2018](#)

Report

[Cardiff community housing association: lessons learnt](#)

Report

[Value for money review: 2017](#)

Report [Regulatory Board for Wales](#)

[Housing associations boards: equality and diversity report 2023](#)

Report

[Social landlords: tenant satisfaction survey May 2021](#)

Report

[Family housing association: regulatory judgement 2017](#)

Report

[Social landlords: tenant satisfaction survey 2024](#)

Impact assessments

Collection

[Regulatory Board for Wales meetings](#)

Collection [Regulatory Board for Wales](#)

[Letter from Minister for Climate Change to social landlords on damp and mould issues.](#)

Policy and strategy

[Housing associations boards: equality and diversity report 2021](#)

Report

[Regulatory Board for Wales performance report: March 2022](#)

Report

[Social landlords: tenant satisfaction survey May 2022](#)

Report

[Newport City Homes housing association: regulatory judgement 2017](#)

Report

[Cadwyn housing association: regulatory judgement 2017](#)

Report

[Cartrefi Cymunedol Gwynedd: regulatory judgement 2017](#)

Report

[Linc Cymru housing association: regulatory judgement 2017](#)

Report

[First Choice housing association: regulatory judgement 2017](#)

Report

[Cartrefi Conwy: regulatory judgement 2017](#)

Report

[Coastal Housing Group: regulatory judgement 2017](#)

Report

[Monmouthshire housing association: regulatory judgement 2017](#)

Report

[Merthyr Valleys Homes: regulatory judgement 2017](#)

Report

[North Wales Housing: regulatory judgement 2017](#)

Report

[Rhondda housing association: regulatory judgement 2017](#)

Report

[Housing regulation Performance Assurance Report: April 2019 to March 2020](#)

Report

[Taff housing association: regulatory judgement 2017](#)

Report

[Improving housing association governance in Wales: 2018](#)

Report [Regulatory Board for Wales](#)

[Housing association financial statements: 2021](#)

Report

[Regulatory Board for Wales: performance report](#)

Report [Regulatory Board for Wales](#)

[Regulatory Board for Wales: independent report on tenant involvement](#)

Report [Regulatory Board for Wales](#)

[Regulatory Board for Wales: findings of independent review on tenant involvement](#)

Report [Regulatory Board for Wales](#)

[Hearing the tenants' voice](#)

Report [Regulatory Board for Wales](#)

[Housing associations boards: equality and diversity report 2019](#)

Report

[Regulatory Board for Wales performance report: November 2020](#)

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Regulator of
Social Housing

[Regulatory standards for landlords](#)

[How we regulate](#)

[Individual social housing providers and regulatory judgements](#)

[Reports and statistics](#)

[Information for investors](#)

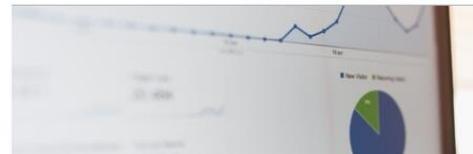
[Make a referral or complaint](#)

[Information required from registered providers](#)

[Register, de-register or make a notification](#)

[About RSH](#)

Featured



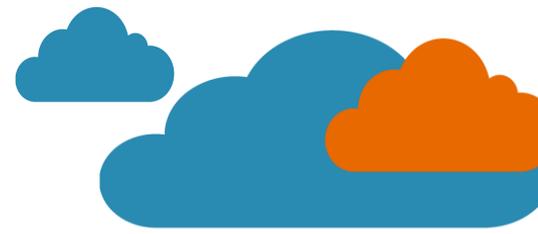
What about Local Authorities in Wales?





- Audit Wales audits, inspects, and regulates local authorities and their services.
- Focus of their work will be risk driven – housing may or may not be part of their programme depending on risks.
- There isn't an equivalent set of Regulatory Standards which set out the outcomes that Local Authority Housing must comply with, and which Audit Wales measure Local Authority housing against. Local Authority Housing aren't required to submit an annual self-evaluation.
- Housing areas previously looked at by Audit Wales include 2017-2018 work to understand the 'service user perspective' at every Council in Wales.
- One anonymous LA staff said 'This housing department haven't seen Audit Wales since 2018'
- Local Authorities argue they have internal self-scrutiny via Elected Councillors. Does self-regulation work? and is that any stronger than independent HA boards?
- Doesn't appear that tenants are able/encouraged to make any complaints directly to Audit Wales.

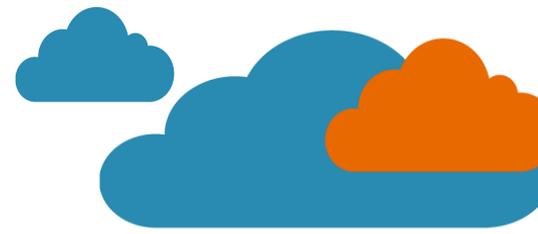
What does *Audit Wales* have planned:



Audit Wales have published what work they will be focusing on in 2023-2026, which includes

- 1) Building Safety (how responsible public bodies are discharging their statutory responsibilities to ensure buildings in Wales are safe, against the backdrop of the UK Building Safety Act 2022),
- 2) net zero follow up / decarbonising housing, and
- 3) applying the sustainable development principle prescribed under the Well-being of Future Generations (Wales) Act 2015

Opinions of the Scottish Charter



Overwhelmingly, tenants at TPAS Scotland conference said that the Charter is a good thing for Scotland.

'You know where you stand'

'Good to have it together in a clear place'

'I can refer to it anytime'

'Simple to understand'

**On my first day as a
social housing tenant,
I was handed a copy
of the Charter and
made aware of it**

Colin Stewart
Tenant
Chair of Tenants Together



The Charter is embraced by tenants because it sets a level playing field with landlords across the sector

Eveline Armour, TPAS Scotland



What people said in responses to the consultation for the renewal of the Charter in 2021:

- *“Almost all respondents [to the consultation] welcomed the principle of a Scottish Social Housing Charter and felt that it was a positive step forward for social housing in Scotland”.*
- Most respondents felt the quality of landlord services has improved because of the Charter – including tenant satisfaction levels, responsiveness to tenants’ needs, better communication from staff, and increased landlord accountability and transparency.



A voluntary group noted: *"The Charter has played a fundamental role in embedding tenant participation in service design and delivery in Scotland's social housing sector. Requiring transparency in data collection and publication allows tenants, residents and other stakeholders to easily access information about landlord performance over time (and) is an invaluable tool."*



Not just tenants who value it

- Social Landlords happy with the transparency too and ability to benchmark performance against similar sized landlords.
- Local Authority Housing Officer: “You would struggle to find anyone who thinks that the Charter is not helpful or a good thing”

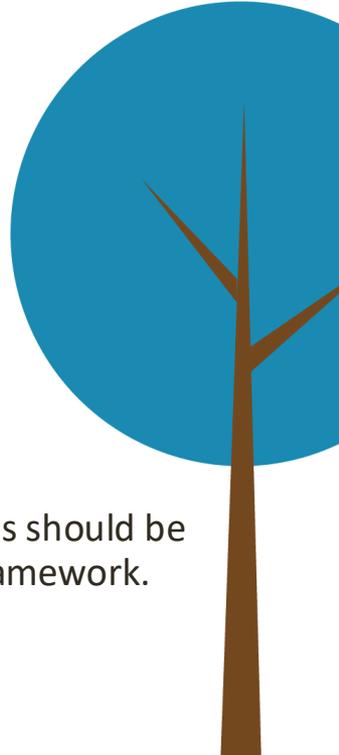
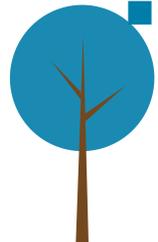
“my view, and I think the general view of the sector is that the charter has helped a great deal in understanding performance, focusing on weaker areas and equipping tenants with the information they need to understand their landlord’s performance. It is a good thing.

The Scottish Housing Regulator does a good job of reporting on it, making the full data set available and engaging with the sector to review it and the indicators on a regular basis.”



Our Thoughts

- Overall, there are not massive differences between the Scottish Charter and a range of different Welsh regulation standards, WHQS tracking, homeless policy etc,
- The 3 biggest differences are around
 - Right to Adequate Housing,
 - Participation rights
 - Tenant vote on Rent Setting
- The Charter seems to bring lots of good intention and policy into a single place, that can be understood by tenants and landlords
- The resultant transparency, outputs, quality of data, website reporting etc all appear to be better under the Charter.
- Welsh LA tenants do not currently have the security of regulation framework. LA tenants should be consulted on whether they believe they would benefit from being under a regulatory framework.



Further reading

33 page internal report

We will make a summary version
available soon

We are looking at creating an
anonymized version of the 33
page report if people are
interested.

TPAS Cymru Briefing Note: Scottish Social Housing Charter and Should Wales Have a Social Housing Charter – Updated

1. Executive Summary

- 1.1. The below note explores the Scottish Social Housing Charter ('the Charter'), what the Charter says, how it is regulated and what people (specifically tenants) think about it. I then consider the position in Wales and whether a Social Housing Charter would be beneficial in Wales. As part of my research I have discussed the Charter with the following people to get a sense of their opinions and insights and they have also helped with providing and signposting me to useful information: Lesley Baird (formerly of TPAS Scotland), Eveline Armour (TPAS Scotland), Michael Boal (Social Housing Charter & Regulation Manager, Scottish Government), Colin Stewart (Tenants Together, formerly known as Regional Networks), and Tony Cain (Policy Manager, ALACHO – Association of Local Authority Chief Housing Officers) and David Lloyd (TPAS Cymru) to discuss the position in Wales. (I have been provided with various information such as documents from TPAS Scotland relating to tenant consultations to the Charter and documents from the Scottish Government during the initial establishment of the Charter which I can provide if you would like.) I have also spoken with Geoff Davies (Denbighshire Council), Llinos Wyn Williams (Ymys Mon Council), Jim McKirdle (WUGA) and received emails from Chris Bolton (Audit Wales. This report is for internal use only at this stage – I have not asked the contributors if their opinions and names can be published. I have updated the report updated following input from David Wilton and David Lloyd.
- 1.2. Tenants seems to largely value the Scottish Social Housing Charter and consider that it is a good thing for Scotland. Although the regulation is quite specific, I consider that it would be beneficial to have some form of Social Housing Charter in Wales, albeit perhaps more of a voluntary arrangement than a legal or regulatory requirement. Many of the rights granted by the Charter already exist in Wales but are more advisory than prescriptive and, in general, the Welsh Regulatory Framework seems to be catered more towards governance and financial discipline than tenant satisfaction. Audit Wales have published some audit reports specifically looking at the 'service user perspective' of Local Authority housing but their reports seems to be more project-based in consideration of risk, rather than regular reviews of Local Authority housing against specific set outcomes.

2. What is the Scottish Social Housing Charter?

2.1. Background

- 2.1.1. The Scottish Social Housing Charter¹, sets out the standards and outcomes that all social landlords (registered social landlords and local authorities) should be achieving for their tenants and other customers when performing their housing activities.

¹ The Scottish Social Housing Charter, November 2022 - <https://www.gov.scot/publications/scottish-social-housing-charter-november-2022/pages/1/> and <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2022/11/scottish-social-housing-charter-november-2022/documents/scottish-social-housing-charter/scottish-social-housing-charter/govscot%3Adocument%2Fscottish-social-housing-charter.pdf>

² The Scottish Social Housing Charter was introduced by The Housing (Scotland) Act 2010.

Let's Discuss



What do people think about the introduction of a Social Housing Charter?

Should this be formal and regulated or more informal/ voluntary?

Would there be any appetite for the regulation of both Housing Associations and Local Authority Housing to come under the remit of the same regulator?

Or do people consider that the current system is sufficient?



**We have 3 quick polls
so stay with us to
have your say**





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