



SUSTAINABLE DEVELOPMENT COMMITTEE

24 SEPTEMBER 2024

## **ANNUAL ASSURANCE STATEMENT 2024**

Report by Chief Planning Officer

### **PURPOSE**

- 1.1 The purpose of the Report is to prepare and approve an Annual Assurance Statement in respect of landlord services provided by the Comhairle for submission to the Scottish Housing Regulator.

### **EXECUTIVE SUMMARY**

- 2.1 Social landlords must submit an Annual Assurance Statement (“the Statement”) to the Scottish Housing Regulator by 31 October. The Statement provides assurance that the Comhairle complies with the relevant requirements of Chapter 3 of the Regulatory Framework.
- 2.2 The remit for preparing and approving the Statement lies with the Sustainable Development Committee.
- 2.3 Where a landlord does not fully comply, it should set out in the Statement how and when it will make the necessary improvements to ensure compliance.
- 2.4 The Comhairle’s Annual Assurance Statement has been drafted and is at Appendix 1 for consideration.

### **RECOMMENDATIONS**

- 3.1 It is recommended that the Comhairle approve the Annual Assurance Statement at Appendix 1 for submission to the Scottish Housing Regulator by 31 October 2024.**

Contact Officer: Angela C Smith, Housing Strategy Manager, [angelasmith@cne-siar.gov.uk](mailto:angelasmith@cne-siar.gov.uk)  
Appendix: Annual Assurance Statement 2024 (to follow)  
Background Papers: Scottish Housing Regulator’s Engagement Plan for Comhairle nan Eilean Siar 2024/25

## IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

<b>Resource Implications</b>	<b>Implications/None</b>
Financial	None
Legal	There is a regulatory requirement to submit an Annual Assurance Statement to the Scottish Housing Regulator.
Staffing	None
Assets and Property	There may be resource implications in respect of remedial action if the Comhairle-owned properties used by tenants and residents are found to be non-compliant with Regulatory Standards.
<b>Strategic Implications</b>	<b>Implications/None</b>
Risk	There is a risk to tenant and resident safety if the Comhairle-owned properties used by tenants and residents are found to be non-compliant with Regulatory Standards.
Equalities	None
Corporate Strategy	None
Environmental Impact	None
Consultation	None

## BACKGROUND

- 5.1 In 2019, the Scottish Housing Regulator (“the Regulator”) revised its Regulatory Framework. This placed a new requirement on all social landlords to submit an Annual Assurance Statement to the Regulator by 31 October. The Statement must either confirm that the Governing Body or appropriate Committee is assured that the landlord is complying with all relevant regulatory requirements and standards or highlight any material areas of non-compliance and how the landlord will address these.
- 5.2 The Regulator states that sources of assurance may include:
- reports and updates from your management team;
  - feedback from tenants and other customers;
  - benchmarking with other landlords;
  - assurance from your internal audit function; or
  - assurance, reports and analysis from others, including your external auditors and other specialists you might bring in to help you.
- 5.3 There is no prescribed format, wording or length for the Statement, which allows some flexibility in its preparation, and materiality of any perceived non-compliance identified in this process should form the basis of an internal action plan for improvement.
- 5.4 The format of the Comhairle’s Statement, therefore, will confirm its level of compliance with all of the relevant requirements set out at chapter 3 of the Regulatory Framework, as follows:
- all relevant standards and outcomes in the Scottish Social Housing Charter;
  - all relevant legislative duties;
  - set out any areas of material non-compliance (if any), and describe briefly how we are planning to improve in those areas;
  - the timeframe for improvement (if required);
  - confirm that Committee has seen and considered appropriate evidence to support the level of assurance they have; and
  - confirm the date of the meeting of Committee at which they considered and agreed the Statement.

## RELEVANT HOUSING SERVICES

- 6.1 As the Comhairle is a stock transfer local authority, it is subject to submitting a Statement that is considerably less involved than an asset-owning authority. However, there is one property that is rented out under a tenancy agreement, so this must be taken into consideration.
- 6.2 The Comhairle is responsible for Homeless Services in the Outer Hebrides and must also give assurance in this area. There are 14 properties used by homeless service users in addition to 24 rooms in The Acres Shared Accommodation Unit.
- 6.3 The Sustainable Development Committee has been informed and reported to over the year in matters pertaining to Housing and Homelessness Services accordingly.

## EQUALITIES AND HUMAN RIGHTS

- 7.1 With regard to assessment against Equalities and Human Rights legislation, the Comhairle's approach to Equality, Diversity and Human Rights is laid out in the Equality Outcomes and Mainstreaming Report 2021-25, in which it outlines the integration of *"equalities into the daily work and discharging of duties required by the Comhairle"* against all business areas, including that of service provision.
- 7.2 Under the theme of Living Standards, the Comhairle seeks to Support independent living and initiatives which encourage people to continue living within the Western Isles. The protected characteristics of Age, Sex, Disability and Pregnancy and Maternity are highlighted in addition to the Public Sector Equality Duties which Eliminate Discrimination, Advance Opportunity and Foster Good Relations.
- 7.3 The Comhairle can evidence against a range of data how it:
  - maximises the availability of funding for Adaptations provision, Care and Repair and related services which assist independent living;
  - provides an adequate range of temporary accommodation for homeless households in terms of size, location and accessibility; and
  - supports independent living.
- 7.4 The Equality Outcomes Progress Report (EOPR) is prepared every two years, and last updated in 2023. The EOPR 2023 outlined that the Comhairle reported against the following in Equality Outcome 2:
  - 2.1 Living Standards – Maximise availability of funding for adaptations provision, care and repair and related services which assist independent living:
    - 2.1.1 CNES & HHP budget Annual budget level for Medical Adaptations Funding.
    - 2.1.2 Number of interventions provided by CnES and HHP – number of adaptations.
    - 2.1.3 Strategic Housing Investments Plan 2018 – 2023 - improve housing quality, condition and energy efficiency; sufficient housing supply; access to advice, support and appropriate accommodation to suit the needs of homeless clients; access to services and accommodation promoting and extending independent living.
    - 2.1.4 Annual number of new housing units and tenure options specifically targeted at young people.
  - 2.2 Living Standards – An adequate range of temporary accommodation for homeless households in terms of size, location and accessibility:
    - 2.2.1 Homelessness: Number of applications received.
    - 2.2.2 The temporary accommodation profile reviewed in Annual Homelessness Report.
  - 2.3 Living Standards – Support Independent Living
    - 2.3.1 % of population receiving care at home, breakdown of age, gender, disability.
    - 2.3.5 Percentage of Households in Fuel Poverty in the Outer Hebrides.

The Comhairle led on the development of the Outer Hebrides Fuel Poverty Strategy and Action Plan (2015-2025) to co-ordinate efforts to address this. A multi-agency Fuel Poverty Group supports the implementation of the Action Plan, particularly in seeking to improve the energy efficiency of the local housing stock and to reduce the cost of fuel, e.g., by conducting home visits and inter-agency referrals that aim to tackle the factors which contribute to fuel poverty.

- 7.5 The Housing Services Team, therefore, gives assurance accordingly in respect of equalities information and human rights.

#### **TENANT AND RESIDENT SAFETY**

- 8.1 The Scottish Housing Regulator is asking landlords to confirm whether they meet all duties in relation to tenant and resident safety, and in particular that they have obtained appropriate assurance about their compliance with all relevant safety requirements including:
- Gas safety
  - Electrical safety
  - Water safety
  - Fire safety
  - Asbestos
  - Damp and Mould
  - Lift safety (not applicable)
- 8.2 Furthermore, the Regulator is seeking assurance as to whether any Reinforced Autoclaved Aerated Concrete (RAAC) has been identified in landlord properties and if so, whether there is a plan in place to deal with it.
- 8.3 The Comhairle operates a rolling programme of statutory maintenance works (service/testing/replacement if required) in respect of Homeless properties and accommodation, which includes:
- FIT (Fixed Installation Testing)
  - Calorifier
  - TMV (Thermostatic Mixing Valve)
  - PAT (Portable Appliance Testing)
  - Gas Boiler
  - Emergency Lights
  - Fire Appliances
  - Fire Alarm
  - Legionella Risk Assessment
- 8.4 At the time of writing this report, compliance with the above was being documented by the Comhairle's Assets and Infrastructure Team, and the detail will be available at the Committee meeting on 24 September 2024.
- 8.5 In light of the criminal Cyberattack of November 2023 and significant data loss, there may be instances where evidence is not available to document these safety works. If the Comhairle is unable to evidence such works, this must be highlighted in the Annual Assurance Statement 2024, and a plan put in place to gather the data to evidence these works.
- 8.6 In respect of RAAC, the Comhairle has been undertaking systematic surveys of the estate and has not found any RAAC to date. There is a high level of confidence that no RAAC will be found in any properties owing to the construction of island homes.

- 8.7 If there are any areas of material non-compliance, a plan must be put in place for remedial action, and non-compliance will also be recorded in the Annual Assurance Statement 2024, outlining the agreed plan.

**CONCLUSION**

- 9.1 The Annual Assurance Statement draws in all relevant areas of work under the remit of the Housing Services Team and provides assurance in respect of compliance with Regulatory Standards.