

Annual Assurance Statement 2020/2021
Summary Statement of Self-Assessment of Compliance against Regulatory Framework

<u>Annual Assurance Statement Statutory Guidance Requirement</u>	<u>Self-Assessment of Compliance</u>
Assurance & Notification	
<p>Prepare an Annual Assurance Statement in accordance with SHR published guidance, submit it to SHR between April and the end of October each year, and make it available to tenants and other service users.</p>	<p>The Scottish Borders Council Annual Governance Statement (AGS), forms a section of the SBC Annual Report and Statement of Accounts which is considered annually by the Council’s Audit and Scrutiny Committee. The ‘Scottish Borders Council Annual Assurance Statement 2020/2021 to the Scottish Housing Regulator’ is reported under section 8 of the 2020/2021 ‘Service Director Customer and Communities Assurance Statement on Internal Control and Governance’, which informs the Annual Governance Statement 2020/2021 by the Chief Executive which is being considered by the Council’s Audit and Scrutiny Committee at its meeting on 10 May 2021.</p> <p>This Summary Statement of Self-Assessment of Compliance against Regulatory Framework supplements the 2020/2021 ‘Service Director Customer and Communities Assurance Statement on Internal Control and Governance’.</p> <p>The ‘Annual Assurance Statement 2019/20 to the Scottish Housing Regulator’ by the Service Director Customer and Communities was considered and approved by Scottish Borders Council’s Audit and Scrutiny Committee at its meeting on 22 October 2020 and subsequently submitted to the Scottish Housing Regulator as required: https://scottishborders.moderngov.co.uk/documents/s46566/Item%2010%20-%20Cover%20report%20SBC%20Annual%20Assurance%20Statement%202019-20%20Landlord%20Services.pdf</p>
<p>Notify the SHR during the year of any material changes to the assurance in our Annual Assurance Statement.</p>	<p>SBC will notify the SHR during the year of any material changes as soon as possible.</p>

Each landlord must have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.

The Council is responsible for homelessness services provision in the Scottish Borders. As at 31 March 2021, this included the ownership and management of 18 properties, and the management of 94 properties leased from RSLs, for use as temporary accommodation for homeless people. In addition, the Council works together with an independent private business, Tweedside Caravan Park, to provide 10 pitches and related amenities for use by Gypsy/Travellers at Tweedside Caravan Park in Innerleithen.

The overall arrangements in respect of the Council's legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety, appear to be operating satisfactorily although there some areas of work to be completed for full compliance with the revised Regulatory Framework:

- Gypsy/Traveller site – The Council's designated site for Gypsy/Travellers within Scottish Borders at Tweedside Caravan Park, Innerleithen does not yet meet the Scottish Government's minimum standards for Gypsy/Traveller sites. The Council is continuing to engage with Tweedside Caravan Park and with the Scottish Housing Regulator in order to ensure that the standards are met. It should be noted that the nature of the site arrangement in Scottish Borders presents unique challenges as the site is managed by an independent private business who lease the site from the Council and run the site as a commercial enterprise.
- Homelessness Services - Largely satisfactory risk, control, and governance systems are in place. There is, however, some scope for improvement as current arrangements could undermine the achievement of objectives. A 'Self-Assessment and Service Improvement Action Plan' is in place which is currently being reviewed and updated by officers in light of COVID-19 impacts. The 'Self-Assessment and Service Improvement Action Plan' includes a specific action in relation to customer involvement.

The Council's 'Internal Audit Annual Plan 2019/2020' which was agreed at the Council's Audit and Scrutiny Committee on 11 March 2019 committed to a "Review of controls in place to ensure the achievement of statutory obligations for the Homelessness service, including a focus on prevention and support." The corresponding Internal Audit report was completed in February 2020 and reported to Audit and Scrutiny Committee on 9 March 2020 as part of item 4 'Internal Audit Work to February 2020':

<https://scottishborders.moderngov.co.uk/ieListDocuments.aspx?CId=343&MId=4567>

<p>Notify the SHR of any tenant and resident safety matters which have been reported to, or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.</p>	<p>The fire safety space standards requirements for Gypsy/Travellers sites have been incorporated into the draft occupancy agreement which is currently being negotiated with Tweedside Caravan Park via their agent.</p> <p>There are no other tenant or resident safety matters which have been reported to, or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.</p>
<p>Make our Engagement Plan easily available and accessible to its tenants and service users, including online.</p>	<p>The SHR's Engagement Plan with SBC is located on the Council's website at https://www.scotborders.gov.uk/info/20048/homeless/933/scottish_social_housing_charter_and_Charter_performance_ _Gypsy/Travellers_-_Rights_and_responsibilities_ _Scottish_Borders_Council_(scotborders.gov.uk)</p>
<p>Scottish Social Housing Charter Performance</p>	
<p>Submit an Annual Return on the Charter (ARC) to the SHR by 31 May* each year in accordance with the SHR's published guidance.</p> <p>(* On 18 March 2020, in response to the COVID-19 pandemic, the Scottish Housing Regulator made a temporary adjustment to the 2020 deadline extending it from the end of May to the end of July.)</p>	<p>The Council submitted its ARC for 2019/2020 to the SHR on 22 July 2020.</p>
<p>Involve tenants, and where relevant other service users, in the preparation and scrutiny of performance information. It must:</p> <ul style="list-style-type: none"> • Agree its approach with tenants. • Ensure it is effective and meaningful – that the chosen approach gives tenants a real and demonstrable say in the assessment of performance 	<p>Work continues to improve the involvement of tenants and other service users in the preparation and scrutiny of performance information, and to agree the format of performance reporting with tenants and other service users, ensuring that it is accessible for them, and to give them a way to feed back their views on the style and form of the reporting. The 'Self-Assessment and Service Improvement Action Plan' includes a specific action in relation to customer involvement.</p>

<ul style="list-style-type: none"> • Publicises the approach to tenants • Ensure that it can be verified and be able to show that the agreed approach to involving tenants has happened • Involve other service users in an appropriate way, having asked and had regard to their needs and wishes. 	
<p>Report its performance in achieving or progressing towards the Charter outcomes and standards to its tenants and other service users (no later than October each year**). It must agree the format of performance reporting with tenants, ensuring that it is accessible for tenants and other service users, with plain and jargon-free language.</p> <p>When reporting its performance to tenants and other service users it must:</p> <ul style="list-style-type: none"> • Provide them with an assessment of performance in delivering each of the Charter outcomes and standards which are relevant to the landlord. • Include relevant comparisons – these should include comparisons with previous years, with other landlords and with national performance. • Set out how and when the landlord intends to address areas for improvement. • Give tenants and other service users a way to feed back their views on the style and form of the reporting. <p>(** On 31 August 2020, in response to the COVID-19 pandemic the Scottish Housing Regulator made a temporary adjustment to the 2020 deadline extending it from October to December.)</p>	<p>Reports on the Council’s performance in achieving or progressing towards the Charter outcomes and standards can be found on the Council’s website at https://www.scotborders.gov.uk/info/20048/homeless/933/scottish_social_housing_charter and Charter performance Gypsy/Travellers - Rights and responsibilities Scottish Borders Council (scotborders.gov.uk). These website pages are currently being updated.</p> <p>A report on the Council’s performance in achieving or progressing towards the Charter outcomes and standards in relation to temporary accommodation for homeless people was sent to all current occupants of homelessness temporary accommodation on 22 December 2020.</p> <p>Work remains to be done to involve tenants and other service users in the preparation and scrutiny of performance information, and to agree the format of performance reporting with tenants and other service users, ensuring that it is accessible for them, and to give them a way to feed back their views on the style and form of the reporting. The ‘Self-Assessment and Service Improvement Action Plan’ includes a specific action in relation to customer involvement.</p>

<p>Make the SHR's report on the landlord's performance easily available to its tenants, including online.</p>	<p>The SHR's information about SBC, including information about performance, can be found at Scottish Borders Council Scottish Housing Regulator</p>
<p>Tenants and Service Users Redress</p>	
<p>Make information on reporting significant performance failures, including the SHR's leaflet, available to its tenants.</p>	<p>The SHR's leaflet is available on the Council's website at: https://www.scotborders.gov.uk/info/20048/homeless/229/how_to_appeal_or_complain</p>
<p>Provide tenants and other service users with the information they need to exercise their right to complain and seek redress, and respond to tenants within the timescales outlined in its service standards, in accordance with guidance from the Scottish Public Services Ombudsman (SPSO).</p> <p>Ensure it has effective arrangements to learn from complaints and from other tenant and service user feedback, in accordance with SPSO guidance.</p>	<p>Information on how to make a complaint, in accordance with SPSO guidance, and complaints performance reports are available on SBC's website at: https://www.scotborders.gov.uk/info/20016/have_your_say/155/make_a_complaint</p> <p>Supporting procedures are on SBC's intranet at: http://intranet.scotborders.gov.uk/yourjob/Pages/complaints-procedure.aspx</p>
<p>Whistleblowing</p>	
<p>Have effective arrangements and a policy for whistleblowing by staff and governing body/elected members which it makes easily available and which it promotes.</p>	<p>The Council's 'Procedure on the Disclosure of Unlawful or Improper Actions – otherwise known as "Whistle Blowing"' is Appendix 2 in the Council's 'Code of Conduct for Employees of Scottish Borders Council' which is located at http://intranet.scotborders.gov.uk/yourjob/Pages/human-resources/policy-procedures-guidelines.aspx</p>

Equality and Human Rights	
Have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery.	The Council's Integrated Impact Assessment (IIA) Process enables the development or review of projects, policies, strategies, functions & services that meet the demands of Equality legislation and do not discriminate. The Integrated Impact Assessment (IIA) Process and Supporting Guidance is located at http://intranet.scotborders.gov.uk/yourjob/Pages/equality-impact-assessments.aspx
To comply with these duties, landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. Local authorities must also collect data on protected characteristics for people who apply to them as homeless. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these service users.	<p>Relevant data on protected characteristics is collected on homelessness applications in accordance with the Scottish Government's HL1, HL3 and Prevent1 case management database frameworks.</p> <p>Provision for the collection of relevant data on protected characteristics for service users who use the Gypsy/Traveller site at Tweedside Caravan Park is made within the draft Management Agreement which is currently being negotiated with Tweedside Caravan Park via their agent.</p>