

# Housing (Scotland) Act 2010 2010 asp 17

## PART 3

PERFORMANCE OF SOCIAL LANDLORDS

Targets, guidance, code of conduct and equal opportunities

VALID FROM 01/04/2012

## 34 Performance improvement targets

- (1) The Regulator may set performance improvement targets specifying the level or quality of housing services or the standard of housing activities which social landlords must aim to provide by a specified time.
- (2) Different performance improvement targets, or different times, may be set for different social landlords or for different areas or cases.
- (3) Before issuing, revising or withdrawing a performance improvement target, the Regulator must consult—
  - (a) Ministers,
  - (b) tenants of social landlords or their representatives,
  - (c) homeless persons or bodies representing the interests of homeless persons,
  - (d) recipients of housing services provided by social landlords or their representatives,
  - (e) social landlords or their representatives,
  - (f) secured creditors of registered social landlords or their representatives, and
  - (g) the Accounts Commission for Scotland.

This subsection does not apply where-

- (i) the performance improvement target affects only one social landlord, or
- (ii) the Regulator considers that there is an urgent need to set the performance improvement target.

(4) The Regulator must make arrangements for bringing a performance improvement target (and any revision or withdrawal) to the attention of affected social landlords.

## **35** Guidance: housing activities

(1) The Regulator must issue guidance setting out-

- (a) indicators by reference to which it intends to measure progress towards achieving standards and outcomes set out in the Scottish Social Housing Charter, and
- (b) how it otherwise intends to assess whether a social landlord has achieved, or made progress towards achieving those standards and outcomes.

(2) The Regulator may also issue guidance-

- (a) setting out indicators by reference to which it intends to measure progress towards meeting a performance improvement target,
- (b) setting out how it otherwise intends to assess whether a social landlord has met, or made progress towards meeting, a performance improvement target,
- (c) on any other matter related to housing services provided by social landlords.
- (3) Guidance may be given generally or for particular purposes (and different guidance may be issued for different social landlords or for different areas or cases).
- (4) Before issuing, revising or withdrawing general guidance, the Regulator must consult—
  - (a) Ministers,
  - (b) tenants of social landlords or their representatives,
  - (c) homeless persons or bodies representing the interests of homeless persons,
  - (d) recipients of housing services provided by social landlords or their representatives,
  - (e) social landlords or their representatives,
  - (f) secured creditors of registered social landlords or their representatives, and
  - (g) the Accounts Commission for Scotland.
- (5) The Regulator must make arrangements for bringing its guidance (and any revision or withdrawal) to the attention of affected social landlords.

#### **Commencement Information**

II S. 35 in force at 1.4.2011 for specified purposes by S.S.I. 2011/96, art. 2, Sch.

## **36** Code of conduct: governance and financial accountability

- (1) The Regulator must issue a code of conduct setting out standards of financial management and governance for registered social landlords.
- (2) The code of conduct may make different provision for different registered social landlords or for different areas or cases.
- (3) The Regulator must issue guidance on the code of conduct.

*Status:* Point in time view as at 01/04/2011. This version of this cross

heading contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Cross Heading: Targets, guidance, code of conduct and equal opportunities. (See end of Document for details)

- (4) Before issuing or revising its code of conduct or guidance, the Regulator must consult—
  - (a) tenants of registered social landlords or their representatives,
  - (b) registered social landlords or their representatives, and
  - (c) secured creditors of registered social landlords or their representatives.
- (5) The Regulator must make arrangements for bringing the code of conduct (and any revision) and its guidance (and any revision) to the attention of registered social landlords.

### **Commencement Information**

I2 S. 36 in force at 1.4.2011 for specified purposes by S.S.I. 2011/96, art. 2, Sch.

## VALID FROM 01/04/2012

## **37** Financial management or governance targets for registered social landlords

- (1) The Regulator may set financial management or governance targets specifying standards of financial management or governance which registered social landlords must aim to achieve by a specified time.
- (2) Different financial management or governance targets, or different times, may be set for different registered social landlords or for different cases.
- (3) Before issuing, revising or withdrawing a financial management or governance target, the Regulator must consult—
  - (a) Ministers,
  - (b) tenants of registered social landlords or their representatives,
  - (c) registered social landlords or their representatives, and
  - (d) secured creditors of registered social landlords or their representatives.

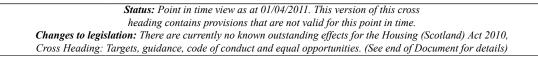
This subsection does not apply where-

- (i) the financial management or governance target affects only one registered social landlord, or
- (ii) the Regulator considers that there is an urgent need to set the financial management or governance target.
- (4) The Regulator must make arrangements for bringing a financial management or governance target (and any revision or withdrawal) to the attention of affected registered social landlords.

## VALID FROM 01/04/2012

## **38** Guidance: financial management or governance targets

(1) The Regulator may issue guidance—



- (a) setting out indicators by reference to which it intends to measure progress towards meeting a financial management or governance target,
- (b) setting out how it otherwise intends to assess whether a registered social landlord has met, or made progress towards meeting, a financial management or governance target.
- (2) Guidance may be given generally or for particular purposes (and different guidance may be issued for different registered social landlords or for different cases).
- (3) Before issuing, revising or withdrawing guidance on a financial management or governance target, the Regulator must consult those persons who it was required to consult when issuing or revising the target.
- (4) The Regulator must make arrangements for bringing its guidance (and any revision or withdrawal) to the attention of affected registered social landlords.

## **39** Encouragement of equal opportunities

Social landlords when performing housing services must act in a manner which encourages equal opportunities and in particular the observance of the requirements of the law for the time being relating to equal opportunities.

#### **Commencement Information**

I3 S. 39 in force at 1.4.2011 by S.S.I. 2011/96, art. 2, Sch.

## Status:

Point in time view as at 01/04/2011. This version of this cross heading contains provisions that are not valid for this point in time.

## Changes to legislation:

There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Cross Heading: Targets, guidance, code of conduct and equal opportunities.