



Housing (Scotland) Act 2010

2010 asp 17

PART 3

PERFORMANCE OF SOCIAL LANDLORDS

Targets, guidance, code of conduct and equal opportunities

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.

Status: Point in time view as at 01/04/2012.

*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)*

Commencement Information

II [S. 34](#) in force at 1.4.2012 by [S.S.I. 2012/39](#), [art. 2](#), [Sch. 1](#) (with [Sch. 2](#))

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

I2 [S. 35](#) in force at 1.4.2011 for specified purposes by [S.S.I. 2011/96](#), [art. 2](#), [Sch.](#)

I3 [S. 35](#) in force at 1.4.2012 in so far as not already in force by [S.S.I. 2012/39](#), [art. 2](#), [Sch. 1](#) (with [Sch. 2](#))

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.

Status: Point in time view as at 01/04/2012.

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)

- (3) The Regulator must issue guidance on the code of conduct.
- (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

I4 [S. 36](#) in force at 1.4.2011 for specified purposes by [S.S.I. 2011/96](#), art. 2, [Sch.](#)

I5 [S. 36](#) in force at 1.4.2012 in so far as not already in force by [S.S.I. 2012/39](#), art. 2, [Sch. 1](#) (with [Sch. 2](#))

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.

Commencement Information

I6 [S. 37](#) in force at 1.4.2012 by [S.S.I. 2012/39](#), art. 2, [Sch. 1](#) (with [Sch. 2](#))

38 Guidance: financial management or governance targets

- (1) The Regulator may issue guidance—

Status: Point in time view as at 01/04/2012.

*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)*

- (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.

Commencement Information

I7 [S. 38](#) in force at 1.4.2012 by [S.S.I. 2012/39](#), art. 2, [Sch. 1](#) (with [Sch. 2](#))

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

I8 [S. 39](#) in force at 1.4.2011 by [S.S.I. 2011/96](#), art. 2, [Sch.](#)

Status:

Point in time view as at 01/04/2012.

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.