



**Scottish Housing  
Regulator**

# **Complaints & Serious Concerns**

Information for tenants  
and service users of  
social landlords

April 2024

## Introduction

The [Scottish Government's Social Housing Charter](#) sets out the standards social landlords need to achieve. Social landlords include registered social landlords (RSLs) - such as a housing association or co-operative - or councils.

As the Scottish Housing Regulator, we monitor, assess and report on the performance of landlords in achieving these standards.

## What can you expect from your social landlord?

We expect your social landlord to:


- work towards achieving the standards and outcomes set out in the Scottish Government's [Scottish Social Housing Charter](#);
- tell you how it is performing against the Charter in plain English and give you a way to tell it what you think;
- send us performance information each year to show it is achieving the standards and outcomes of the Scottish Social Housing Charter;
- be able to show how it has involved tenants in how it gathers and shares information about its Charter performance;
- give other groups the opportunity to make their voices heard such as people who are homeless, home-owners who get services from social landlords, and Gypsy/Travellers who use sites provided by social landlords; and
- to meet the [regulatory requirements](#) for social landlords.


## Complaints about your social landlord

We expect social landlords to make it easy for tenants and other service users to talk to them and get the information they need about the service they provide and decisions they make.

Sometimes you might have a problem with a social landlord. **Our role does not allow us to deal with individual complaints.** So, if you have a complaint about a social landlord that relates to you or your home, you should:

- **Step 1:** Follow the social landlord's complaints procedure in full – this will be available on its website or by contacting them; and
- **Step 2:** If the complaints procedure ends and you are unhappy with how it dealt with it, you can contact the Scottish Public Services Ombudsman (SPSO).

 Scottish Public Services Ombudsman (SPSO), Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS

 0800 377 7330

 [www.spsso.org.uk](http://www.spsso.org.uk)

The SPSO's website also has information on ways for people to complain about care services and factoring services provided by social landlords.

If your complaint is upheld by the SPSO, we will be made aware of this and we will speak with the social landlord about this.

## Serious concerns

However, if you are a tenant of a social landlord, **and** the specific complaint affects a group of social landlord tenants; you can **also** take a third step<sup>1</sup>.

- **Step 3:** You can report the issue to us.

## When can you report a serious concern to us?

Tenants can contact us where their social landlord regularly and repeatedly fails to achieve the [regulatory requirements](#) for social housing; and this failure affects **a group of the social landlord tenants**<sup>2</sup>.

### What is a serious concern?

When your social landlord:

- has acted in a way which puts tenants' interests at risk and this affects, or could affect, a group of tenants or all tenants; or
- repeatedly fails to achieve outcomes in the Social Housing Charter or outcomes agreed with tenants; or
- has not reported its performance annually to its tenants or has reported it inaccurately; or
- does not meet our standards for how an RSL should govern itself and manage its finances; or
- has not met any targets we have set it.

### Examples of a serious concern

(please note these examples are not exhaustive)

When your social landlord:

- fails to consult with tenants on a rent increase; or
- regularly fails to do gas safety checks when it should; or
- regularly does not do repairs when it should; or
- does not allow tenants to apply for another house; or
- does not respond formally to complaints.

We consider serious concerns of this nature to be a **Significant Performance Failures (SPF)** under the 2010 Act.

## How do I report a serious concern?

To report a serious concern, you should complete the form attached to this factsheet and send it to us by email or post. You should tell us exactly what the issue is and why you believe the concern is serious. You should show how the problem **affects a group of the social landlord tenants**; and also tell us how and when you raised it with the social landlord

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<sup>1</sup> A group of tenants or an individual acting on behalf of a group of the social landlord tenants, such as a representative of a registered tenants' organisation, can also report a serious concern to us.

<sup>2</sup> This section meets our duty under section 47 of the Housing (Scotland) Act 2010 to publish a statement on arrangements to enable and assist tenants of social landlords to provide SHR with information on significant performance failures by social landlords.

and how it responded; and why you believe the serious concern has not been resolved or resolved within a reasonable time.

## What will we do?

We will:

- look at the information to decide whether it is, or could be a serious concern;
- provide you with advice on how to take the matter forward with the landlord if you haven't already done so;
- ask you for further information if we need it;
- ask the social landlord for information if we need it;
- decide whether we need to contact other regulatory bodies;
- keep you updated about progress and how we will use your information;
- tell you when we aim to make a decision; and
- write to tell you and the social landlord our decision and the reasons.

We will decide whether your serious concern meets the criteria as quickly as possible. The length of time it takes will depend on:

- how complex the issue is;
- the amount of information we need to gather and look at; and
- how quickly we get the information we need.

We also consider the information provided to us by tenants as part of our assessment of the landlord's achievement of the Charter and in our [risk assessment](#).

## What will happen next?

If we determine it is a serious concern it will depend on the circumstances. We will decide whether we need to engage with the social landlord to ensure it takes action to address the issue. We may take immediate regulatory action if we feel this is necessary.

If we need to engage with the social landlord, we will say this in its [Engagement Plan](#).

Where there has been serious concern reported and investigated, we may publish the findings on our website under the Significant Performance Failures section.

## If you disagree with our decision

You can ask us to review our decision. Further information about our review process and how you can request a review is contained in our guidance, [How to request a review of a regulatory decision](#) on our website.

## How to contact us

🏠 Scottish Housing Regulator, 2nd Floor. George House, 36 North Hanover Street, Glasgow, G1 2AD

☎ 0141 242 5642

✉ [shr@shr.gov.scot](mailto:shr@shr.gov.scot)

🌐 <https://www.housingregulator.gov.scot>

# Serious Concern Form

## Reporting a Serious Concern to the Scottish Housing Regulator

<b>Section 1: Your contact details</b>	
1. Title and full name:	Click here to enter text.
2. Tenant/Representative/Group:	<p><b>Please tick below, as appropriate. Are you:</b></p> <p>A tenant of a social landlord <input type="checkbox"/></p> <p>An individual representing a tenant <input type="checkbox"/></p> <p>A tenants' representative group <input type="checkbox"/></p> <p>Other (please state below) <input type="checkbox"/></p>
3. Telephone number:	<p>Daytime: Click here to enter text.</p> <p>Mobile: Click here to enter text.</p>
4. Email address:	Click here to enter text.
5. Correspondence address:	Click here to enter text.

<b>Section 2: Social Landlord details (that this serious concern relates to)</b>	
6. Name of social landlord and your contact person at it:	Click here to enter text.
7. Does the issue affect a group of the social landlord tenants?	Yes <input type="checkbox"/> No <input type="checkbox"/> <i>(if no, please refer to the social landlord's complaint procedures)</i>
8. Date that the issue was reported to the social landlord:	Click here to enter text.
9. Date that the social landlord responded to you (if a response has been received):	Click here to enter text.

<b>Section 3: Tell us about the serious concern</b>
<p>10. Please provide a summary about the serious concern and the social landlord's response, and why you believe the serious concern has not been resolved or resolved within a reasonable time:  <i>Please submit a copy of all relevant information that you hold (e.g., letters, emails, reports) with this form. Please provide as much information as possible.</i></p> <p>Click here to enter text.</p>

#### Section 4: Other regulatory bodies

11. Has this matter been raised with any other regulatory bodies (for example, Scottish Public Services Ombudsman (SPSO), Office of the Scottish Charity Regulator (OSCR), Health & Safety Executive)?

No  Yes  (if yes, please provide the name of the regulatory body below)

#### Section 5: Your checklist

12. Please tick to confirm that you have completed the following stages before contacting us:

- You are satisfied that your concern affects a group of the social landlord tenants:
- You have contacted the social landlord about the issue:
- You have confirmed if you have received a response from the social landlord:
- You have completed all relevant sections of this form:
- You have attached all relevant supporting information to this form:

#### Section 6: Our Contact Details

13. To report a serious concern to us please complete this form and send it to us attaching as much relevant information as possible. You can send this information to us by:

- **Email:** [shr@shr.gov.scot](mailto:shr@shr.gov.scot)
- **Post:** Scottish Housing Regulator, 2nd Floor. George House, 36 North Hanover Street, Glasgow, G1 2AD
- **Phone:** If you require further information about reporting a serious concern, please phone 0141 242 5642
- **Website:** [www.housingregulator.gov.scot](http://www.housingregulator.gov.scot)

#### Section 7: For internal use only

Date received by SHR: [Click here to enter text.](#)

Date acknowledgement issued (within 5 working days): [Click here to enter text.](#)

SHR contact person: [Click here to enter text.](#)