



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 3

#### PERFORMANCE OF SOCIAL LANDLORDS

##### *Assessing and reporting*

#### **40 Assessment of social landlords**

- (1) When assessing a social landlord's performance of housing activities, the Regulator must consider—
  - (a) the level and quality of housing services provided by the social landlord (with particular regard to the level of rents and other service charges),
  - (b) the Scottish Social Housing Charter,
  - (c) any relevant performance improvement target, and
  - (d) any relevant guidance issued under section 35.
- (2) When assessing a registered social landlord's financial well-being or standards of governance, the Regulator must consider—
  - (a) the code of conduct and guidance issued under section 36,
  - (b) any relevant financial management or governance target, and
  - (c) any relevant guidance issued under section 38.

#### **Commencement Information**

**II** S. 40 in force at 1.4.2012 by *S.S.I. 2012/39*, art. 2, **Sch. 1** (with *Sch. 2*)

#### **41 Performance reports**

- (1) The Regulator must publish performance reports containing—
  - (a) an assessment of social landlords' performance in—
    - (i) achieving the standards and outcomes set out in the Scottish Social Housing Charter, and
    - (ii) meeting any relevant performance improvement targets,

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*Changes to legislation: There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Cross Heading: Assessing and reporting. (See end of Document for details)*

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- (b) the identity of any social landlord considered to have failed, or to be at risk of failing, to achieve those outcomes or meet those standards and targets.
- (2) The Regulator may include in a performance report—
- (a) information about regulatory interventions made by the Regulator,
  - (b) information about the financial well-being of registered social landlords generally,
  - (c) such other information about the performance of social landlords or the financial well-being or standards of governance of registered social landlords which the Regulator considers likely to be useful to—
    - (i) social landlords, or
    - (ii) persons who are, or who may become, tenants of social landlords or other recipients of housing services provided by social landlords.
- (3) The Regulator may publish performance reports as often as it considers appropriate but must do so at intervals of not more than 12 months.
- (4) As soon as practicable after publishing a performance report, the Regulator must—
- (a) lay a copy of it before the Scottish Parliament, and
  - (b) send a copy of it to Ministers.

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**Commencement Information**

**I2** S. 41 in force at 1.4.2012 by [S.S.I. 2012/39](#), art. 2, [Sch. 1](#) (with [Sch. 2](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2010, Cross  
Heading: Assessing and reporting.