



Drumchapel Housing

Co-operative Limited

Notifiable Events Protocol

Reviewed

21 May 2024

Date next due for review:

May 2027

This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

Reporting of Notifiable Events to the Scottish Housing Regulator

1. What are Notifiable Events?

1.1 Notifiable events are significant or exceptional issues, events or changes that may be seen as potentially bringing Drumchapel Housing Co-operative Limited (DHCL) into disrepute, that significantly threaten the stability, efficient running or viability of the organisation, or which would raise public or stakeholder concern about DHCL or the social rented housing sector as a whole. DHCL has a regulatory obligation to report such events to the Scottish Housing Regulator (Regulator) as soon as practically possible, and to explain how it intends to deal with the event.

1.2 The Regulator expects to hear about events that may:

- Adversely affect the interests or safety of tenants, people who are homeless and other service users
- Threaten the stability, efficient running or viability of service delivery arrangements
- Put at risk the good governance and financial health of the organisation
- Bring, or risk bringing, the RSL into disrepute, or raise public or stakeholder concern about the RSL or the social housing sector

The Regulator has issued statutory guidance explaining what events are potentially notifiable, and the process for dealing with this (“Notifiable Events, Statutory Guidance 13 February 2024”). Appendix 1 of the guidance note sets out examples of which events are notifiable, under the following headings:

- Governance and organisational issues
- Performance and service delivery issues
- Financial and funding issues

It is emphasised that the events described in this appendix are illustrative, not exhaustive, and board and staff members should revert to the definition in paragraph 1.1 above to decide whether the event should be notified. If in doubt, DHCL’s Regulation Manager should be contacted for advice.

1.3 Some housing Associations are designated of “systemic importance”, and these Associations have a wider obligation to report additional events. DHCL is **not** an Organisation of systemic importance.

2. Maintaining awareness of the requirements of Notifiable Events guidance

2.1 DHCL’s Director must be fully conversant with the requirements of the latest guidance from the Scottish Housing Regulator on Notifiable Events at all times and ensure compliance with these requirements fully and promptly.

2.2 The Director is responsible for immediately advising the management board, and particularly the Chair and Vice-Chair, of any changes to regulatory guidance on this matter, and subsequently the management board as a whole. New board members and staff members will be made aware of the requirements of the regulatory guidance via the induction process, and board member training on Notifiable Events will be provided periodically, as appropriate.

3. Complying with Notifiable Events guidance

3.1 The Director, the management team, the Chair and Vice-Chair and all board members of DHCL must remain vigilant about identifying actual or potential Notifiable Events, and raising this with the Director DHCL if they believe there are governance and organisational issues, performance and service delivery issues, or financial and funding issues that should be treated as notifiable events.

3.2 The Director (or the Finance & Corporate Services Manager in her/his absence) is responsible for determining whether a governance and organisational Notifiable Event has, or is about to occur, and if so, for ensuring that the Regulator is promptly informed in accordance with the requirements of the guidance.

3.3 The Chair of the management board should notify the Regulator about a notifiable event if there is a conflict of interest for the senior officer, for instance if the senior officer has left the organisation or if there are concerns about the senior officer or governing body. The Chair must also tell the Regulator about any change relating to the Annual Assurance Statement.

3.4 Any staff member who is authorised by DHCL to do so can notify the Regulator in relation to the disposal and changes set out in Appendix 2 as set out in DHCL's Standing Orders.

3.5 Timely notification of such events is essential. The Regulator expects to be informed as soon as is reasonably practical that an event has occurred, and before the event occurs if this can be anticipated.

3.6 The Director will report notifiable events (or the absence of any) to DHCL's management board at each standard Management Board meeting. If DHCL should fail to notify the Regulator about a significant event, and this subsequently comes to light, the Regulator will reassess DHCL's risk profile, and may take the appropriate regulatory action.

4. Process for notification

4.1 All notifications should be submitted by the Director (or the Finance & Corporate Services Manager in her/his absence) in writing via the social landlord Portal using the template provided, having in all cases first cleared a draft version with the Chair (or the Vice-Chair in her/his absence) prior to submission.

4.2 The Chair or Director (or the Finance & Corporate Services Manager in her/his absence) will decide whether the matter is sufficiently urgent to telephone the Regulator in the first instance, followed by written confirmation.

4.3 Copies of all notifications will be provided to the next following meeting of the DHCLs management board, together with any recommendations for action to deal with the issue reported.

5. **Follow-up action**

5.1 It remains the responsibility of the management board to deal with the event that resulted in the notification of a Notifiable Event – this notification does not transfer responsibility for ongoing action to the Regulator.

5.2 The Regulator will need to be satisfied that DHCL has an effective strategy in place to deal with the event and protect the interests of the organisation. It may ask DHCL to obtain specialist advice, or to make clear what it expects DHCL to do to allay any concerns. The Director will report to every DHCL management BAORD meeting on action being taken in this respect, until it is clear that the matter has been fully dealt with.

6. **Matters affecting the Director**

6.1 As soon as it is clear that the Director intends to leave the Co-operative, it is the responsibility of the Chair to inform the Regulator by the notifiable event process., The management board should refer to the business plan to decide its next steps following notification of the intended departure of the Director.

6.2 If there is a serious grievance or complaint made against the Director, DHCL must follow its Policy on this matter in dealing with such a situation, and the Chair must notify the Regulator accordingly.

6.3 If the Director is absent for any extended period of time, the Regulator should be advised, including such appropriate management arrangements that are proposed to be put in place to cover the period of absence.

7. **Annual Assurance Statement**

7.1 The Co-operative will produce an Annual Assurance Statement to the Scottish Housing Regulator. This statement should be issued to the Regulator by October each year.

7.2 The Co-operative will inform the Regulator if there is a significant material changes (negative or positive) that would affect our assessment and this will be undertaken via the portal as a notifiable event and reported as outlined in section 3.2 of this policy.

8. **Review**

- 8.1 This protocol was approved in July 2017 and August 2019. It will be reviewed every 3 years or sooner if required. Any changes must be approved by the management board.