



## Ark Housing Association Ltd - Annual Assurance Statement 2023

We have carried out a robust assessment of the evidence held against the standards and guidance statements within the Regulatory Framework. In total we have assessed Ark's compliance against 62 standards and guidance statements and the 29 standards statements and guidance relating to the Constitutional Requirements for RSL's.

Following the assessment there is one guidance statement that we have assessed as not having in place sufficient evidence to be fully compliant; that is standard statement C which says:

*Have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.*

Following assessment, we are satisfied that we are fully compliant with the first two parts of this statement, we have sufficient evidence that we comply with our legal duties relative to housing and homelessness services and our duties with regards to equality and human rights.

We are not satisfied that we hold sufficient evidence to say we are fully compliant with the third part of this statement relating to tenant and resident safety.

At the end of March 2023, 138 (50%) of our self-contained properties had no compliant electrical safety testing certificate. This was identified as part of completing the ARC return for 22/23.

As a result of not having in place 100% electrical safety testing certificates on 31<sup>st</sup> March 2023, it is our assessment that we cannot say we fully comply with the Regulatory Framework in our 2022/23 self-assessment and have identified one area of **material non-compliance**.

Since we have identified this issue, we have been working towards compliance in this area in two ways:

- We have identified that works were carried out before 31<sup>st</sup> March 2023 in 102 of the 138 properties and no electrical safety certificate was received; this has now been resolved and we have received the outstanding certificates.
- We have identified that works had not been carried out within the 5-year timeframe in 36 properties. As of 28<sup>th</sup> September 2023, this has been addressed and 33 properties have had an electrical safety test and certificates have been received and the remaining 3 inspections are scheduled to be carried out by 6 October.

As of 28<sup>th</sup> September 2023, we are 92% compliant with the electrical safety testing and will confirm with the SHR when we are fully compliant with standard statement C.

We are fully compliant with the other parts of the regulatory requirements set out in Chapter 3 of the Regulatory Framework. This includes that we:

- Comply with the Standards of Governance and Financial Management for Registered Social Landlords.
- Achieve all the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services.

The Board of Management has considered sufficient evidence, which to the best of our knowledge and belief, that with the exception of the area of material non-compliance detailed above, we have assurance of compliance with the other parts of the Regulatory Framework. We are also satisfied that the area of material non-compliance at 31<sup>st</sup> March 2023, has been addressed and at 28<sup>th</sup> September 2023, we are now fully compliant with the Regulatory Framework.

### **Equalities, Diversity, Inclusion and Human Rights**

#### Monitoring Data

Ark collect's equalities data as part of our data collection from tenants, in line with the National Guidance on Equality Data Collection update published by the SFHA in April 2022. The provision of personal data by tenants to Ark is voluntary and we have taken the approach to gather as much data as possible at the point of new tenants coming to Ark and we have established a process where we can gather information from tenants who have been with Ark for some time.

We will aim to gather full equalities data from tenants and ensure we are compliant with this requirement, while adhering to the principles of the GDPR.

We have approved our Equality, Diversity, Inclusion and Human Rights Strategy for 2023-26.

#### **Tenant Safety**

Ark has in place systems and processes to determine compliance with the key areas of tenant safety identified by the SHR. Our processes determine compliance with:

- Gas Safety Checks
- Electrical Safety Checks
- Mould and Dampness Framework
- Legionella Testing
- Fire Safety Checks
- Asbestos Management
- Lift Management

We are fully compliant with all areas of tenants' safety with the exception of the electrical safety testing. As a result of identifying this one area of material non-compliance we have identified there is a need to improve how Ark holds, manages and reports on property compliance. This will be addressed through a short-term action plan and reported to the BOM in October 2023.

We approved our Annual Assurance Statement at the meeting of our Board of Management on 28<sup>th</sup> September 2023.

Signed on behalf of the Ark Housing Association Ltd Board of Management.

**Ian Logan**  
**Chair of the Board of Management**

**Date: 28/09/2023**