

Putting People 1st

Notifiable Events Protocol

Ref: G.15

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24 April 2025

Date next due for review:

April 2028

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.

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers.

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The Scottish Housing Regulator Reg. No: HAC231; Registered Scottish Charity No: SC038237;
FCA Reg. No: 2375R(S); Property Factor Reg. No: PF000151

Reporting of Notifiable Events to the Scottish Housing Regulator

1. What are Notifiable Events?

- 1.1 As per the 2024 Scottish Housing Regulator Statutory Guidance¹ notifiable events are those that:
- adversely affect the interests and safety of tenants, people who are homeless or 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.

Pineview as an RSL has a regulatory obligation to tell SHR about any material, significant or exceptional issue, event, or change within its organisation and how it intends to deal with it, or where appropriate provide SHR with a reasonably detailed explanation as to why a significant change has been implemented. What the SHR determines as 'material', 'significant' or 'exceptional' will depend on the nature of the event and the particular RSL. Whether an event is 'material' or 'significant' may depend on factors such as the size or complexity of the RSL; so each RSL should consider the risk and potential impact on the organisation when deciding whether an issue is a notifiable event.

The reporting of such events to the Scottish Housing Regulator (SHR) should be as soon as practically possible and should explain how the RSL intends to deal with the event.

- 1.2 Appendix 1 to the SHR guidance sets out examples of the type of events that RSLs must alert them to 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. If there is uncertainty the RSLs Regulation Manager should be contacted to gain advice. SHR advises that if in doubt, they recommend that RSLs notify them.

This policy must always be read in conjunction with the current SHR Notifiable Guidance.

- 1.3 Some housing Associations are designated of "systemic importance", and these Associations have a wider obligation to report additional events. Pineview HA is **not** an Organisation of systemic importance.

2. Maintaining awareness of the requirements of Notifiable Events guidance

- 2.1 PHA'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.

¹ <https://www.housingregulator.gov.scot/for-landlords/statutory-guidance/notifiable-events/>

- 2.2 The Director is responsible for immediately advising the management committee, and particularly the Chair and Vice-Chair, of any changes to regulatory guidance on this matter, and subsequently the management committee as a whole.
- 2.3 New committee members and staff members will be made aware of the requirements of the regulatory guidance via the induction process, and committee 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 committee members of PHA must remain vigilant about identifying actual or potential Notifiable Events,
- 3.2 In line with the guidance, the senior officer (Director) should notify the SHR about a notifiable event which relates to governance and organisational issues, performance and service delivery concerns or financial and funding issues. The Chair of the governing body should notify the SHR 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 the governing body. The Chair must also advise the SHR about any changes relating to the Annual Assurance Statement.
- 3.3 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.
- 3.4 The Director will report notifiable events (or the absence of any) to PHA's management committee at each standard Management Committee meeting. If PHA should fail to notify the Regulator about a significant event, and this subsequently comes to light, SHR will re-assess PHA's risk profile, and may take the appropriate regulatory action.

4. Process for notification

- 4.1 All notifiable events should be submitted to SHR through the [Landlord Portal](#) ('the portal'). The portal includes a template which sets out the type of information the SHR need about each event, including:
- what the significant event, disposal or change is
 - when it happened or is likely to happen
 - who is involved and/or affected
 - whether there are equalities or human rights implications and how the RSL is ensuring it meets its legal duties in these areas
 - what the RSL is planning to do or what action it has already taken
 - when the governing body was informed/will be informed.

- 4.2 Copies of all notifications will be provided to the next following meeting of the PHA management committee, 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 committee 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 PHA has an effective strategy in place to deal with the event and protect the interests of the organisation. It may ask PHA to obtain specialist advice, or to make clear what it expects PHA to do to allay any concerns. The Director will report to every PHA management committee 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 Association, it is the responsibility of the Chair to inform the SHR by the notifiable event process., The management committee should refer to the business plan and senior staff succession policy 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, PHA must follow its Policy on this matter in dealing with such a situation, and the Chair must notify SHR accordingly. PHA have produced a separate policy and procedure on handling complaints against the Director (Chief Officer) for this purpose.
- 6.3 If the Director is absent for any extended period of time, SHR 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 Association will produce an Annual Assurance Statement to the Scottish Housing Regulator (SHR). This statement should be issued to SHR by October each year.
- 7.2 The Association will inform the SHR if there is a significant material change (negative or positive) that would affect our assessment and this will be undertaken by the Chair via the portal as a notifiable event and reported as referred to in section 3.2 of this policy.

8. Review

- 8.1 This protocol will be reviewed every 3 years or sooner if required. Any changes must be approved by the management committee.

If an RSL staff member, or governing body member is aware of a notifiable event which has not been submitted to SHR, they should report it within the organisation through the whistleblowing policy. If that is not possible, or the attempt to report internally has been unsuccessful, they can whistleblow to SHR directly.