

Notifiable Events Policy

Category	Governance
Lead	Trainee Governance Officer
Committee / Approver	Board of Management
Action	Consider & Approve
Review Date	December 2025
Review Due	December 2026
Purpose	How we report Notifiable Events to the Scottish Housing Regulator
Internal/External	Both

Introduction

This policy outlines how Angus Housing Association engages with the Scottish Housing Regulator by means of Notifiable Events. This meets the regulatory requirements set by the Scottish Housing Regulator including the Standards of Governance and Financial Management for Registered Social Landlords. In particular, Standard 2.5 states that:

“The RSL is open, co-operative, and engages effectively with all its regulators and funders, notifying them of anything that may affect its ability to fulfil its obligations. It informs the Scottish Housing Regulator about any significant events such as a major issue, event or change as set out and required in the notifiable events guidance”.

Aims of the Policy

The aims are to:

- Outline what is a Notifiable Event and who can submit them to the Scottish Housing Regulator
- Present non-exhaustive examples of Notifiable Events in a way that is easy to use
- Who can report a Notifiable Event and how to do this

What is a Notifiable Event

Registered Social Landlords must report any material, significant or exceptional issue, event, or change within its organisation and how it intends to deal with it. If a significant change has been made, a detailed explanation must be given to the Scottish Housing Regulator. This is usually done by the **Chief Executive Officer**, the **Chair**, but can also be done by **authorised members of staff** via the Scottish Housing Regulator’s online Portal.

The Scottish Housing Regulator gives some examples of Notifiable Events, but these are non-exhaustive. Generally, a Notifiable Event is an event which may put at risk any of the following:

- The interests or safety of tenants, people who are homeless and other service users
- The financial health of the RSL, public investment in the RSL, or the confidence of private lenders,
- The good governance and reputation of an individual RSL or the RSL sector.

In addition, the terms ‘material’, ‘significant’ or ‘exceptional’ are not strictly defined and depend on the context of the Registered Social Landlord. There are some examples where notification is required, but if it is unclear the issue should be discussed with the Regulation Manager for Angus Housing Association. Notifiable Events are not indicative of performance issues and reporting these demonstrates that Angus Housing Association are meeting regulatory requirements and obligations under the Housing (Scotland) Act 2010.

Governance and Organisational Issues

Issues relating to Board Members and Members of AHA	If a Board Member breaches the Code of Conduct	If a Board Member resigns for non-personal reasons	The number of Board Members falls (or is going to fall) to seven or below
	If a Board Member is removed	Serious complaints, allegations, investigations or disciplinary action about a Board Member	The membership calls a Special General Meeting under Rule 22.1.2
Issues relating to the Chief Executive Officer (CEO)	The CEO is absent (or partially absent) for an extended period of time	Serious complaint, allegation, investigation, or disciplinary action about the CEO	Resignation or dismissal of the CEO
Issues about Subsidiaries (and Group Structures)	Plans to set up a non-registered subsidiary	Serious failure of governance within a subsidiary	Serious issue regarding a parent, subsidiary or connected organisation
Organisational Change	Major change or restructuring within Angus Housing Association (includes group structure if applicable)		

Governance and Organisational Issues

<p>Annual Assurance Statement</p>	<p>Any material change to the assurances and supplementary information contained in Angus Housing Association's Annual Assurance Statement</p>	
<p>Whistleblowing</p>	<p>Whistleblowing allegations</p>	
<p>HR Issues</p>	<p>Severance payment to and/or settlement agreement with a staff member</p>	<p>Receipt of intimation that a claim has been submitted to an employment tribunal</p>
<p>Legal Issues</p>	<p>Potentially serious breaches of statutory or common law duties (including equalities and human rights duties) regardless of whether these have resulted in the submission of a claim or a legal challenge</p>	<p>Any legal proceedings taken against Angus Housing Association which may have significant consequences in the event of success</p>
	<p>A dispute with another member of an alliance, consortium or non-constitutional partnership which may have significant consequences</p>	<p>Breaches of charitable obligations or no longer meeting the Charity Test</p>

Performance and Service Delivery Issues

<p>Health & Safety</p>	<p>Any incident involving the Health & Safety Executive or a serious threat to tenant and resident safety; or where a regulatory or statutory authority (for example, the Fire Service etc), or insurance provider, has advised the RSL of concerns</p>
<p>Accidental Injury or Death</p>	<p>Serious accidental injury to, or the death of a tenant in their home or communal areas</p>
	<p>Where there has been a service failure by Angus Housing Association</p>
	<p>Where there has been a failure, or perceived failure, in how Angus Housing Association has assessed and managed risk</p>
	<p>Which could potentially affect other tenants' confidence in Angus Housing Association or Angus Housing Association's reputation</p>
<p>External Service Delivery</p>	<p>Major failure of key service delivery arrangements (for example, repairs cannot be carried out because a contractor goes into liquidation)</p>
<p>Stock Transfer</p>	<p>Breaches of any ballot commitment to tenants or of any stock transfer contractual agreement</p>
<p>Statutory Agency Reports</p>	<p>Adverse reports by statutory agencies, regulators, inspectorates (or similar) (for example a Care Inspectorate report with a 'weak' or 'unsatisfactory' grade or an upheld Care Inspectorate complaint).</p>
<p>Natural Disasters</p>	<p>Any significant natural disaster (for example, fire, flood or building collapse) which affects normal business and puts tenants at risk</p>
<p>Communications (Traditional Media and Social Media)</p>	<p>Serious or significant adverse media reports or social media interaction, which could potentially affect tenants' confidence or that is damaging to the reputation of Angus Housing Association or the housing sector</p>

Financial and Funding Issues

Fraud	Fraud or the investigation of fraud either internally, by the Police or by an external agency or organisation
Banking Covenants	Breach or potential breach of any banking covenants
Financial Loss	Serious financial loss (actual or potential)
	Any material reduction in stock or asset values (actual or potential)
	Serious and imminent potential cash flow issue
Suppliers and Service Providers	Default or financial difficulties of major suppliers or service providers
Health and Social Care Funding	A serious or material reduction in the funding for care and support services for example for RSLs with significant care elements in their business, where a local authority withdraws funding
Auditors	Serious concern raised by lenders or auditors
	Change of internal or external auditor
Lending Security	Proposed assignation or transfer of the existing lender's security to another lender
Pensions	Notification of the outcome of an adverse financial assessment of the RSL or its parent/subsidiaries/related companies/connected bodies from Pensions Trustees

Other Statutory Notifications

The outcome of a tenant consultation under the Housing (Scotland) Act 2010

Disposal of land and assets

Constitutional Changes (including “winding up”)

Steps towards Insolvency

Section 72 [Housing (Scotland) Act 2010]

Statutory auditors and reporting accountants have a statutory duty to report information of material significance to the Regulator.

This is done in line with their own internal procedures as a Notifiable Event.



FSA - 1665R(S)

Scottish Housing Regulator - HAL 65

Scottish Charity - SC020981

Property Factor ID - PF000129