

ANNEX A: MUST BE COMPLIANT WITH THE CURRENT TOLERABLE STANDARD (14 ELEMENTS)

Element	Description of elements	Element type	Further interpretation and information for social landlords
<p>One or more element failures out of these 14 elements means outright failure of the BTS criteria (A) and thus outright failure of SHQS.</p>			
1	Structural stability	Internal, common element or external to dwelling	Guidance on structural stability is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/5
2	Rising damp and penetrating damp	Internal to dwelling	Guidance on being free from rising or penetrating damp is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/6
3	Lighting, ventilation and heating	Internal to dwelling	Guidance on adequate heat, light and ventilation is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/7
4	Wholesome water supply	Internal to dwelling	Guidance on the presence of a piped water supply is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/9
5	Sink with hot and cold water	Internal to dwelling	Guidance on the presence of a sink is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/10
6	Water of waterless closet	Internal to dwelling	Guidance on the presence of a water closet is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/11
7	Bath and/or shower, and wash hand basin with hot and cold water	Internal to dwelling	Guidance on the presence of bath/shower and wash hand basin is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/12
8	Foul and surface water drainage	Internal or external to dwelling or common element	Guidance on effective drainage and water/waste disposal is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/14

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Element	Description of elements	Element type	Further interpretation and information for social landlords
9	Facilities for cooking food	Internal to dwelling	Guidance on satisfactory cooking facilities is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/13
10	Access to external doors and outbuildings	Common element	Guidance on access to external doors is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/16
11	Electrical installations	Internal or external to dwelling	This element applies from 1 April 2009, guidance on safe electrical systems is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/15 (see also element 45)
11A	Smoke and heat alarms	Internal to dwelling	This element applies from 21 February 2022, and supersedes element 44. Guidance on smoke and heat alarms is available here: https://www.gov.scot/publications/fire-and-smoke-alarms-tolerable-standard-guidance/
11B	Carbon monoxide alarms	Internal to dwelling	This element applies from 21 February 2022. Guidance on carbon monoxide alarms is available here: https://www.gov.scot/publications/fire-and-smoke-alarms-tolerable-standard-guidance/
12	Thermal insulation	Internal to dwelling	This element applies from 1 April 2009, guidance on thermal insulation is available here: https://www.webarchive.org.uk/wayback/archive/20170701074158/http://www.gov.scot/Publications/2009/03/25154751/8

ANNEX B: MUST BE FREE FROM SERIOUS DISREPAIR (18 ELEMENTS)

Element	Description of elements	Element type	interpretation for social landlords	Technical notes on measuring failure
Primary element	A primary element fails if more than 20% requires repair or replacement. One or more element failures under items 13-16 means outright failure of the free from serious disrepair criteria (B) and thus outright failure of SHQS.			
13	Wall structure	External to dwelling or common element	Problems with the wall structure can be detected by: vertical or diagonal cracking, inadequate expansion joints or inadequate fixings between components, wall tie corrosion , twisted, cracked, overloading or slipped lintels due to settlement, bowing of walls and over sailing of walls at Damp Proof Course (DPC) level	Assessment should be made on a surface area basis .
14	Internal floor structures	Internal to dwelling	Problems include possible rotting of an underlying wooden floor structure or sloping floors. Concrete floor structure problems would include serious cracking.	Assessment should be on a surface area basis. Failure should be recorded measured on the basis of the internal floor structure of the entire property .
15	Foundations	External to dwelling or common element	Problems can be detected by vertical or diagonal cracking of the wall structure. If confirmation is required, a statement from an independent structural engineer should be obtained	Assessment should be made on a linear basis .
16	Roof structure	External to dwelling or common element	Problems with the main roof can be detected by: sagging of roof structure by ponding; humping of the roof over internal load bearing walls and/or party walls; spreading outwards of the roof structure at the eaves.	Assessment should be made on a linear basis .

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Element	Description of elements	Element type	interpretation for social landlords	Technical notes on measuring failure
Secondary elements	A secondary element fails if more than 20% requires repair or replacement. Two or more element failures under items 17-30 means outright failure of the free from serious disrepair criteria (B) and thus overall SHQS failure.			
17	Principal roof covering	External to dwelling or common element	Problems with principal roof covering and roof edges including missing, broken or slipped slates or tiles; also including broken or slipped ridge tiles and hips; torn or cracked flat roof coverings.	Assessment is made on a surface area basis as a percentage of the total visible roof area.
18	Chimney stacks	External to dwelling or common element	Problems include broken, unseated or unsafe pots; leaning stacks; unsafe chimney heads; decayed brick/masonry structure; and defective pointing	Assessment is made on a surface area basis and weighted as follows: structure 50%, finish 20%, pots 20%, cope 10%.
19	Flashings	External to dwelling or common element	Problems include detached flashings or gully flashings; loose cement fillets; damaged verges.	Assessment is made on a linear basis .
20	Rainwater goods (gutters and downpipes)	External to dwelling or common element	Problems include cracked or corroded gutters or downpipes; loose or defective brackets; and missing fittings.	Assessment is made on a linear basis . Blocked gutters are not disrepair and should be treated as maintenance.
21	External wall finish	External to dwelling or common element	Problems include disrepair to; pointing to fair faced masonry, brickwork or block work; a coating applied to the wall structure including all renders such as pebble dash and similar proprietary surface treatments; clay or concrete tiles mechanically fixed to wall structure; brick slips or mosaic tiles applied to concrete panels; all forms of plastic, laminates and thin metal sheets. Masonry paint should not be included in this assessment.	Assessment is made on a surface area basis as a percentage of the total visible wall area.

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Element	Description of elements	Element type	interpretation for social landlords	Technical notes on measuring failure
22	Common access decks/ galleries/ balustrades	Common element	Problems can arise with the deck finishes and substrate; structural supports; railings; drainage and drainage outlets; waterproof finishes and skirtings of long access balconies, galleries and decks.	Assessment is made on a linear basis .
23	Common access stairs and landings	Common element	Problems include cracking or disintegration of concrete slab or treads to stairs; evidence of movement of slab; corrosion to steelwork; damage to finishes; broken or missing sections to balustrades/guardrails/handrails.	All flights of stairs present in the dwelling are assessed together as a single installation . Assessment is made on a linear basis and weighted as follows: risers and goings 50%, stringers 30%, handrails 20%.
24	Individual dwelling balconies and verandas	External to dwelling	Problems can arise with deck finishes and substrate; structural supports; railings; drainage and drainage outlets; waterproof finishes; skirtings.	Assessment is made on a linear basis .
25	Attached garages of individual dwellings	External to dwelling	Problems can occur with disrepair to walls, roofs, and doors/windows. Assessment should not include integrated garages or detached garages.	<ol style="list-style-type: none"> 1. Attached garages are very rare in social housing so this element is unlikely to feature in most landlords' assessment. 2. Assessment is made on a surface area basis and weighted as follows: roof 45%, walls 45%, doors/windows 10%, total = 100%

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Element	Description of elements	Element type	interpretation for social landlords	Technical notes on measuring failure
26	Internal stairs of individual dwellings	Internal to dwelling	Problems with internal staircases to individual dwellings can include disrepair to risers and goings, stringers and handrails. Staircases should be safe to walk up and down unaided.	All flights of stairs present in the dwelling are assessed together as a single installation . Assessment is made on a linear basis and weighted as follows: risers and goings 50%, stringers 30%, handrails 20%. Occasionally one flight of an 'internal' staircase can actually be external as in the case of some 4-in-a-block properties. Such flights of stairs, which are not common, should be assessed as individual dwelling stairs even though part of the staircase is external. This element should not be confused with element 23 which deals with common access stairs and landings.
27	Damp proof course	External to dwelling	Problems of internal rising damp could indicate a breach of (or missing) damp proof course.	Assessment is made on a linear basis following an internal inspection which may have uncovered the presence of rising damp. Damp proof course problems may also mean failure of element 2.
28	Windows and doors of individual dwellings	External to dwelling	Problems include distorted or unseated window/door frames; rotted cills or sub cills; broken panes of glass; corroded, rusting or rotten ironmongery; defective, damaged or missing seals or putty.	Assessment is made on a surface area basis and weighted as follows: frame 50%, glazing 30%, ironmongery 20%. See also footnote 1.

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Element	Description of elements	Element type	interpretation for social landlords	Technical notes on measuring failure
29	Common windows and common roof lights	Common element	Problems include disrepair to screens, windows and roof lights. Other problems with common glazing are likely to be similar to those in individual dwelling doors and windows (element 28) which include distorted window frames; rotted cills or sub cills; broken panes of glass; corroded, rusting or rotten ironmongery; defective, damaged or missing seals or putty.	Assessment is made on a surface area basis and weighted as follows: frame 50%, glazing 30%, ironmongery 20%. Disrepair should be assessed on an aggregate (whole property) basis. See also footnote 1.
30	Underground drainage	External to dwelling or common element	Problems include defective manhole or rodding eye covers; gullies; branches; collapsed drains	Assessment is made on a linear basis.

1. Elements 28 and 29 relate to disrepair, and not to presence of double glazed common glazing units or roof lights which are not required under SHQS. Common problems such as defective seals in double or triple glazing of individual dwelling or common windows, as indicated by condensation between the panes, does not represent SHQS failure but is a maintenance issue.

ANNEX C: MUST BE ENERGY EFFICIENT (1 ELEMENT)			
Element reference number	Description of elemnts	Element type	Further interpretation and information for social landlords
35 (amended)	Homes should meet the first EESSH milestone by 31 December 2020 and the second EESSH milestone by 31 December 2032.	Internal and external to dwelling	The previous energy efficiency elements of SHQS are superseded by the Energy Efficiency Standard for Social Housing (EESSH) from 1 January 2021. Guidance on EESSH is available here: https://www.gov.scot/policies/home-energy-and-fuel-poverty/energy-efficiency-in-social-housing/ .

ANNEX D: MUST HAVE MODERN FACILITIES AND SERVICES				
Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
Bathroom Condition	<p>If more than 25% of any the individual sub-elements of 36A-36D requires repair or replacement, then this constitutes failure. One or more failures of elements 36A-36D means outright failure of the Modern Facilities and Services criteria (D). Critically, the age of the various fittings in the bathroom is not the decisive factor in determining a pass or fail on this criteria - it is purely the condition of the fittings that matters. However, it is recognised that the condition of the bathroom is likely to deteriorate with age.</p> <p>The minimum standards required regarding the condition of the bathroom relate to the main bathroom only and not the second (or third) bathroom. However, if a bath/shower room is located separately from the main WC then this is effectively the main bath/shower and is where the minimum standard should be applied.</p>			
36A	Bathroom Condition: wash hand basin and related fittings	Internal to dwelling	The bathroom's wash-hand basin and related fittings must be in good and usable condition.	<ol style="list-style-type: none"> 1. Assessment should be made on a surface area basis. 2. Surveyors should record the condition of: i) the basin itself; ii) the tap(s); iii) the waste pipe and iv) the plug and chain. 3. If 25% of any of these items fails, then element 36A fails overall. The exception to this is i) damage to the wash hand basin where the repair/replace threshold is 0% and ii) damage to the plug and chain which is regarded as a minor failure and therefore not subject to the strict 25% repair/replacement threshold though it may be desirable to repair/replace these anyway. 4. If either the hot or cold taps to the wash hand basin are not present or not in good and usable condition then wash hand basin is deemed to fail. 5. The landlord should have ideally recorded the condition of the wash hand basin separately. However, it is likely that some landlords have recorded the condition of the bathroom as a whole rather than the individual elements in 36A-36D. Irrespective of how the condition of the bathroom is recorded both now and in the future (as a whole or by individual element as in the Scottish House Condition Survey, the official measure of progress on SHQS), landlords should be clear that the bathroom requires a wash hand basin in good and usable condition to pass the Modern Facilities and Services criteria (D).

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
36B	Bathroom Condition: bath and/or shower and related fittings	Internal to dwelling	The bathroom's fixed bath and/or shower and related fittings must be in good and usable condition. The minimum standard is a bath or a shower and not both though landlords are free to install both if they wish though this effectively means going beyond the minimum standard.	<ol style="list-style-type: none"> 1. Assessment should be made on a surface area basis. 2. Surveyors should record the condition of: i) the bath or shower tray/cubicle; ii) bath panel or shower screen/curtain; iii) the mixer tap or dual taps on the bath/shower; iv) the overflow and waste pipe; v) the bath plug and chain 3. If 25% of any items in (2) fail then the element 36B fails. The exception to this is i) damage to the bath/shower cubicle where the repair/replace threshold is 0% and ii) the plug and chain which is regarded as a more minor failure and therefore not subject to the strict 25% repair/replacement rule though it may be desirable to repair/replace these anyway. 4. If either the hot or cold taps to the bath/shower are not present or are not in good and usable condition, then the entire element fails. 5. The landlord should have ideally recorded the condition of the bath/shower separately. However, it is likely that some landlords have recorded the condition of the bathroom as a whole rather than the individual elements in 36A-36D. Irrespective of how the condition of the bathroom is recorded both now and in the future (as a whole or by individual element as in the Scottish House Condition Survey, the official measure of progress on SHQS), landlords should be clear that the bathroom requires a bath/shower in good and usable condition to pass the Modern Facilities and Services criteria (D).

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
36C	Bathroom Condition: main WC and fittings	Internal dwelling	The bathroom's main WC and related fittings must be in a good and usable condition.	<p>1. Assessment should be made on a surface area basis.</p> <p>2. Surveyors should record the condition of: i) the cistern including cover, supply pipe and overflow; ii) the toilet pan; iii) the ballcock and valve; iv) a cracked, broken or loose toilet seat.</p> <p>3. If 25% of any items in (2) require repair or replacement then the element as a whole fails. The exceptions to this are i) damage to the cistern and toilet pan where the repair/replace threshold is 0% and ii) damage to the toilet seat which is regarded as a more minor failure and therefore not subject to the strict 25% repair/replacement rule though it may be desirable to repair/replace this anyway.</p> <p>4. The landlord should have ideally recorded the condition of the WC separately. However, it is likely that some landlords have recorded the condition of the bathroom as a whole rather than the individual elements in 36A-36D.</p> <p>Irrespective of how the condition of the bathroom is recorded both now and in the future (as a whole or by individual element as in the Scottish House Condition Survey, the official measure of progress on SHQS), landlords should be clear that the bathroom requires a WC in good and usable condition to pass the Modern Facilities and Services criteria (D).</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
36D	Bathroom Condition: hot & cold water supply to wash hand basin and bath/shower.	Internal dwelling	The bathroom should have a hot <u>and</u> cold water supply to the washhand basin and the bath/shower which is in good and usable condition. This was an implicit requirement of SHQS in the 2004 guidance and this guidance makes the requirement explicit.	<ol style="list-style-type: none"> 1. Assessment should be made on a surface area basis. 2. The hot and cold water supplies must be present and in good and usable condition. 3. If either the hot or cold supply to the sink and bath/shower is not present or not in good and usable condition then this is deemed to fail. 4. The landlord should have ideally recorded the condition of the hot and cold water supply to the sink and bath/shower separately. However, it is likely that some landlords have recorded the condition of the bathroom as a whole rather than the individual elements in 36A-36D. Irrespective of how the condition of the bathroom is recorded both now and in the future (as a whole or by individual element as in the SHCS, the official measure of progress on SHQS), landlords should be clear that the bathroom requires a hot and cold water supply to the basin and the bath/shower in good and usable condition to pass the Modern Facilities and Services criteria (D). 5. The SHCS shows that the failure rate on this sub-element is approximately 0.0% so there should be very little requirement to re-survey housing stock as a result of this clarification. A hot and cold water supply in disrepair would also qualify as an urgent repair under the 24-hour repair response that landlords are obliged to observe so is effectively covered under landlords' maintenance programmes yet is still part of SHQS and should be treated as such.

ANNEX D: MUST HAVE MODERN FACILITIES AND SERVICES

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
Kitchen Condition	<p>If more than 25% of any individual sub-elements 37A-37C requires repair or replacement, then this element is deemed to fail. One or more failures of sub-elements 37A-37C means outright failure of the modern facilities and services criteria (D). Critically, the age of the various fittings in the kitchen is not the decisive factor in determining a pass or fail on this criteria - it is purely the condition of the fittings that matters. However, it is recognised that the condition of the kitchen is likely to deteriorate with age.</p>			
37A	Kitchen Condition: sink and related fittings	Internal to dwelling	The condition of the kitchen sink and related fittings should be in good and usable condition.	<ol style="list-style-type: none"> 1. Assessment should be made on a surface area basis. 2. Surveyors should record the condition of; i) the sink bowl/drainer; ii) the mixer or dual taps; iii) the overflow and waste pipe; iv) the plug and chain. 3. If 25% of any items in (2) require repair or replacement then the element as a whole fails. The exceptions to this are i) damage to the sink bowl/drainer where the repair/replace threshold is 0% and ii) damage to the plug and chain which is regarded as a minor failure and therefore not subject to the strict 25% repair/replacement rule though it may be desirable to repair/replace these anyway. 4. The hot and cold supply to the sink is assessed separately under sub-element 37C. The sink unit carcasses are also considered elsewhere separately under element 37B. 5. The landlord should have ideally recorded the condition of the kitchen sink separately. However, it is likely that some landlords have recorded the condition of the kitchen as a whole rather than the individual elements in 37A-37C. Irrespective of how the condition of the kitchen is recorded both now and in the future (as a whole or by individual element as in the SHCS, the official measure of progress on SHQS), landlords should be clear that the kitchen requires a sink in good and usable condition to pass the Modern Facilities and Services criteria (D).

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
37B	Kitchen Condition: storage cabinets and worktops	Internal to dwelling	The kitchen storage cupboards (primarily doors, carcasses and worktops) should be in good and usable condition.	<p>1. Assessment should be made on a surface area basis.</p> <p>2. Surveyors should take into account i) doors (including those of the sink cupboard) ii) carcasses (including those of the sink cupboard), iii) worktops and iv) ironmongery.</p> <p>3. If 25% of any items in (2) require repair or replacement then the element as a whole fails with the exception of ironmongery which is regarded as less serious and not subject to the strict 25% repair/replacement rule.</p> <p>4. The landlord should have ideally recorded the condition of the kitchen cabinets and worktops separately. However, it is likely that some landlords have recorded the condition of the kitchen as a whole rather than the individual elements in 37A-37C. Irrespective of how the condition of the kitchen is recorded both now and in the future (as a whole or by individual element as in the SHCS, the official measure of progress on SHQS), landlords should be clear that the kitchen requires cabinets and worktops in a good and usable condition to pass the Modern Facilities and Services criteria (D).</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
37C	Kitchen Condition: hot & cold water supply to sink	Internal to dwelling	The kitchen should have a hot <u>and</u> cold water supply to the sink which is in good and usable condition. This was an implicit requirement of SHQS in the 2004 guidance but this guidance makes the requirement explicit.	<ol style="list-style-type: none"> 1. Assessment should be made on a surface area basis. 2. The hot and cold water supplies must be present and in good and usable condition. 3. If either the hot or cold supply is not present or not in good and usable condition then this is deemed as failure. 4. The landlord should have ideally recorded the condition of the kitchen hot and cold water supply separately. However, it is likely that some landlords have recorded the condition of the kitchen as a whole rather than the individual elements in 37A-37C. Irrespective of how the condition of the kitchen is recorded both now and in the future (as a whole or by individual element as in the SHCS, the official measure of progress on SHQS), landlords should be clear that the kitchen sink requires a hot and cold water supply in a good and usable condition to pass the Modern Facilities and Services criteria (D). 5. The SHCS shows that the failure rate on this sub-element is approximately 0.1% so there should be very little requirement to re-survey housing stock as a result of this clarification. A hot and cold water supply in disrepair would also qualify as an urgent repair under the 24-hour repair response that landlords are obliged to observe so is effectively covered under landlords' maintenance programmes yet is still part of SHQS and should be treated as such.

ANNEX D: MUST HAVE MODERN FACILITIES AND SERVICES

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
Kitchen Facilities	One or more failures of elements 38-40 means outright failure of the Modern Facilities and Services criteria (D). The 25% repair/replacement rule does not apply in elements 38-40 as these are measuring the presence of certain kitchen facilities rather than their condition.			
38	Kitchen Facilities: safe working arrangements	Internal to dwelling	The kitchen facilities should be laid out in such a way that the occupants should be able to use the kitchen facilities (in particular the sink and the cooker) safely.	<ol style="list-style-type: none"> 1. The kitchen must not present a safety hazard to the occupants in the following 4 respects: <ol style="list-style-type: none"> i) the kitchen sink and the cooker must not be adjacent to each other to guard against the possibility of electrocution. To be considered safe there must be at least 300mm of worktop space between the cooker and sink wet area including drainers. ii) the width of the kitchen should be such that a person can cook food safely without the risk of being jostled by another person in the kitchen. iii) the occupants should be able to access storage cupboards and all appliances safely. iv) there must be sufficient space around the cooker in particular for it to be used safely e.g. the kitchen door should not swing open such that it could strike someone using the cooker and potentially cause an accident.
39	Kitchen Facilities: adequate electrical sockets	Internal to dwelling	The kitchen must have at least 6 x 13 amp electrical power sockets securely mounted on the wall.	<ol style="list-style-type: none"> 1. Switched spur outlets supplying fridges, washing machines (for example) may be included in the socket count. 2. Electric cooker (30/45 amp) outlets should not be counted but any 13 amp socket associated with the cooker outlet should be included. 3. A double electrical socket may be counted as two sockets.
40	Kitchen Facilities: adequate	Internal to dwelling	The kitchen must have <u>at least</u> 1m ³ of food storage space either in the kitchen	<ol style="list-style-type: none"> 1. All types of food storage cupboards (walk-in pantries, Edinburgh Presses etc) can be included in this assessment if they are shelved and have a door. For the avoidance of doubt, fridges, freezers and

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	food storage space		itself or immediately adjacent to the kitchen e.g. in a pantry.	<p>fridge freezers do not count towards the space requirement as these items are not themselves required by SHQS.</p> <p>2. Open shelving should not be considered as part of the 1m³ adequate storage count and neither should a storage area count where curtains are used to conceal the stored items e.g. below worktop height.</p> <p>3. This element deals solely with the volume of food storage space present and not condition of that space (dealt with under element 37B) or the suitability of its location (dealt with under element 38).</p> <p>4. If other (non-food) items are being stored in the 1m³ of food storage space then this does not constitute a failure so long as the area in question is suitable for food storage as defined above.</p> <p>5. For the avoidance of doubt, the sink unit should not count in the minimum 1m³ food storage requirement. The minimum volume of storage space should be available to meet the intended purpose of storing food and sink units will usually be inappropriate for storing some kinds of foods, because of the proximity to drainage outlets and because the space will be used for incompatible materials (cleaning products etc.). However, as this point was only made explicit in the 2011 iteration of this guidance, the Scottish Government recognises that some landlords may have carried out refurbishments before this date which include part of the space under a sink unit, and in this case element 40 should be treated as met, subject to the proviso that landlords should aspire if at all possible to provide 1m³ of food storage space in addition to any space available in a sink unit.</p>

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				<p>6. In some kitchen layouts, particularly in older properties which predate modern kitchens, it will not be possible to meet this standard because of the overall restriction on space in the kitchen, and in this case the landlord should record an exemption on technical grounds, see paragraph 15 of Annex I.</p> <p>7. Element 40 is met if the available space is suitable for food storage, even if it is used for other purposes at the tenant's choice, such as for other kinds of storage or where a storage unit is replaced by other facilities (such as a drawer unit or a dishwasher) that are not required to meet SHQS.</p>

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE				
Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
Healthy elements	One or more failures of elements 41-43 means outright failure of the Healthy, Safe and Secure criteria.			
41	Lead free pipe work	Internal to dwelling	The hot and cold water supply system within the property should not be exposed to any lead pipe work. Landlords are reminded that they need in any case to comply with current European legislation on lead in drinking water.	1. The hot and cold water supply system within the dwelling and from the incoming stopcock should be lead-free. This includes drinking water outlets; pipe work to drinking water outlets; water storage tanks within the dwelling; water storage tanks in the loft space (including any common storage tanks located in tank rooms or in the roof space that supply the selected dwelling). 2. Landlords should also refer to element 4 (under Tolerable Standard) regarding 'Wholesome Water Supply' .

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
42	Mechanical ventilation in kitchen and bathroom (under a limited range of circumstances)	Internal to dwelling	Mechanical ventilation may be present in the kitchen and the bathroom but it is only <u>required</u> to be installed where there is evidence of persistent condensation and/or mould.	<p>1. Mechanical ventilation is not required for all kitchens and bathrooms.</p> <p>2. Mechanical ventilation in the kitchen or bathroom is only required to tackle persistent problems of condensation or mould. The definition of 'persistent' is when more than 5% of the combined surface area of the ceiling and walls is visibly affected by condensation or mould.</p> <p>3. If either the kitchen or bathroom is suffering from persistent condensation or mould and mechanical ventilation is not present in either case, then this element is regarded as failing under the Healthy, Safe and Secure criteria (E). However, it is not necessary to install mechanical ventilation if only one of the rooms is affected by condensation and/or mould.</p>

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
43	External noise insulation (under a limited range of circumstances)	External to dwelling	There must be adequate noise insulation from certain external sources of noise such as trunk road traffic, airport runways, railway tracks or industrial premises.	<p>1. This is not expected to be a widespread requirement as it only relates to external noise in properties that suffer from extreme noise levels due to the close proximity of traffic (e.g. from motorways or trunk roads), railways, factories or aircraft runways.</p> <p>2. The form of the external noise insulation would normally be double or triple glazing. However, single glazing is in fact the minimum standard required generally.</p> <p>3. There is no requirement to provide noise insulation from internal sources of noise i.e. sources of noise from people, objects or activities from neighbouring properties. Internal noise problems are housing management issues as well as investment issues and tenants should still expect assistance from the landlord to deal with such issues and policies should be in place to address any problems.</p>

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE				
Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
Safe elements	If more than 20% of the individual elements 47-51 require repair or replacement, then each element is deemed to fail. One or more failures of all elements 45-52 means outright failure of the Healthy, Safe and Secure criteria.			
45	Safe electrical systems	Internal to dwelling	The electrical system in the property must not be dangerous to the inhabitant as indicated by: broken casings; damaged power socket boxes; exposed wiring; other obvious signs of damage, disrepair or unauthorised alterations, especially to the consumer/meter units.	<p>1. This should not be interpreted as meaning that an electrical system that is 'not dangerous' is actually 'safe.' This is because it is widely recognised that it is much easier to identify a dangerous system than it is to be sure that a system is safe (which requires specialist electrical knowledge).</p> <p>2. The overloading of power sockets by the occupants of the dwelling is not relevant to passing/failing this criteria as this does not indicate an dangerous electrical system as such (although could indicate a dangerous situation brought about by the inhabitant's behaviour).</p> <p>3. Safe electrical systems now form part of the Tolerable Standard though they did not form part of it when SHQS was introduced in 2004 (see element 11 in the Must meet Tolerable Standard criteria (A)). This means a property can now fail SHQS in terms of both the Tolerable Standard (A) and the Healthy, Safe and Secure criteria (E) whereas in 2004 it could only fail on the Healthy, Safe and Secure criteria.</p> <p>4. Note added April 2020. In order to demonstrate compliance with this element, landlords must organise electrical safety inspections by a competent person at intervals of no more than five years. "Competent person" means an appropriate skilled electrician competent to prevent danger and injury from electricity. Intervals of no more than five years is the recommended period for inspection of rented housing as set out in BS 7671 Requirements for Electrical Installations. The</p>

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
				<p>competent person should complete an Electrical Installation Condition Report, or an Electrical Installation Certificate, and a copy of this should be provided to the tenant. Landlords must make reasonable efforts to ensure that homes are accessed to carry out the inspection.</p> <p>5. If the landlord has provided any electrical appliances, they should organise portable appliance testing (PAT) at intervals as recommended by the tester. In addition, when the competent person carries out a five yearly check they should be required to confirm that PATs are up-to-date for those appliances.</p> <p>6. The scope of this element is internal to the dwelling, so does not include electrical installations in common areas. However, it is good practice to include them in the remit of electrical safety inspections and landlords should work with other owners to organise any work identified as necessary.</p> <p>7. Examples of the forms used in electrical safety inspections are provided in Annex B of the Scottish Government’s guidance for private landlords, published at https://www.gov.scot/publications/electrical-installations-and-appliances-private-rented-properties/,</p> <p>8. Good practice guidance on electrical safety for landlords has been produced by Electrical Safety First and is available online at https://www.electricalsafetyfirst.org.uk/sociallandlordsscotland.</p> <p>9. Any outstanding electrical safety inspections should be carried out by the end of March 2022.</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
				reporting year
46	Safe gas/oil system and appliances	Internal to dwelling	The gas or oil system in the property must not be dangerous to the inhabitants as indicated by problems such as: wall mounted boilers in danger of detaching; rusted boilers or tanks; leaking oil tanks or pipes; holes in gas flues; balanced gas flues with unsafe guards; balanced gas flues with incorrectly positioned guards; smell of gas/oil around boiler. The references to gas systems apply to all gas-fired central heating boilers and balanced flue room	<p>1. The visual inspection for gas (and oil) system safety can be carried out by a surveyor so long as the survey is not the annual, mandatory gas safety inspection.</p> <p>2. The surveyor will be looking for: yellow/brown discoloration on the outer casing of the gas fire; yellow/brown discoloration on the fabric of the dwelling surrounding the appliance and discoloration on the removable elements within the gas fire; broken elements, broken or missing switches; broken or cracked glass covers on a gas fire; broken or cracked glass covers on the pilot light viewing point . Where such visual evidence is found, then these appliances should be recorded as being unsafe.</p> <p>3. Generally speaking, an annual CP12 certificate which is issued following inspection by a qualified gas engineer should be sufficient to ensure a safe gas system. However, landlords should recognise that systems could fail between annual certification visits. In the case of oil systems, landlords should retain the equivalent documentation to the CP12 for gas systems as this should also provided sufficient evidence to ensure a safe oil system.</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
			heaters, as well as conventionally flued gas room heaters and fires, and gas room heaters with back boilers.	
47	Safe lifts	Common element	The lift (specifically the lift car including the lift doors, call panel and control panel) should be a safe environment in which residents can travel and must therefore be in a good state of repair.	<p>1. Assessment is made on a surface area basis i.e. more than 20% disrepair equals failure.</p> <p>2. The minimum requirement is for the lift car (and components thereof) not to be in significant disrepair. Disrepair in the lift car should be measured with the following weights placed on each component; lift car = 60%; lift doors = 20%; lift call panel = 10%; lift control panel=10%; total weight=100%.</p> <p>3. Disrepair to lifts is often linked to vandalism and that the fact that the lift is not working at a particular time. The operational status of the lift is, however, not the decisive factor in determining disrepair to the lift car and so is not the principal factor in the passing of or failing of this criteria.</p> <p>4. The condition of lift motor room and cabling are not relevant to this criteria given they do not form part of the lift car itself. Again, therefore, if the lift motor has broken down or there are problems with cabling this does not constitute a failure of this SHQS criteria but would be a maintenance/housing management issue.</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
48	Safe lobbies, halls, passages (internal only)	Common element (internal only)	The walled areas (not floors and ceilings which are assessed separately) of lobbies, halls and internal passages that make up part of the common areas of flatted dwellings must be in a good state of repair.	<p>1. Assessment is made on a linear basis i.e. more than 20% disrepair equals failure.</p> <p>2. This criteria only deals with the 'horizontal components' of lobbies, halls and internal passages i.e. the walls and not floors and ceilings which are assessed at element 23 of the Free from Serious Disrepair Criteria (B).</p> <p>3. This element does not relate to external passages or enclosed areas - it relates solely to internal areas.</p>

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
49	Safe individual dwelling/common paths, paved areas, courts, laundry and drying areas	External to dwelling or common element	Problems can occur with the surface finishes or structure of external paths, ramps, paved areas, courts, laundry and drying areas associated with (and within the curtilage of) the individual dwelling or block (where there is common access for example).	1. Assessment is made on a surface area basis i.e. more than 20% disrepair equals failure.

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
50	Safe refuse chutes/chambers (multi-storey flats only)	Common element	The refuse chambers of multi-story flatted properties should be in a good state of repair so that residents can dispose of household waste safely and without the risks of attracting vermin.	<ol style="list-style-type: none"> 1. Assessment is made on a surface area basis i.e. more than 20% disrepair equals failure. 2. Disrepair to refuse chutes/chambers is assessed upon the condition of: refuse chutes and linings=60%; hoppers=10%; chambers= 20%; drainage to system=10%; total = 100% 3. The percentages indicate the proportion that each element represents within the whole.

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
51	Safe bin stores	Common element	The bin stores to each of the properties should be in a good state of repair so residents can access the bin area safely; so rubbish can be protected from the elements; to minimise potential littering of the surrounding area; and so vermin or domestic pets can be deterred so far as possible from entering the bin store area or neighbouring properties.	<ol style="list-style-type: none"> 1. Assessment is made on a surface area basis i.e. more than 20% disrepair equals failure. 2. Disrepair to bin stores is assessed upon the condition of: the structure= 40%; doors=30%; ironmongery=20% and drainage to stores=10%; total = 100%. 3. The percentages indicate the proportion that each element represents within the whole.

52	Adequate common lighting (generally urban areas) public lighting (generally rural areas)	Common internal or external element	There must be adequate common or public lighting in the block/outside the property so that residents are not at risk of falling or at direct risk of a criminal attack as a result of the inadequacy of the lighting. In urban areas, there is a presumption that there will be adequate public lighting outside the property as well as adequate common lighting within common areas but this is not always the case. In predominantly rural areas, there may or may not be adequate street lighting in which case a light should be installed at the front entrance to the property.	<ol style="list-style-type: none"> 1. Disrepair to common area/public lighting (including emergency lighting if present) is assessed on a linear (wiring) and unit (light fittings) basis. 2. This applies to internal common/public lighting (for flatted properties) and external common/public lighting for all property types (i.e. flatted properties and houses). 3. There should be at least one light per floor in flatted properties. 4. In the case of houses or four-in-a-block flats there should be adequate public lighting outside the property. This can be in the form of individual lights near to doors or, if the property is sufficiently close to the street, the requirements could be fulfilled by adequate street lighting. 5. Missing or blown light bulbs do not constitute SHQS failure as this is regarded as a maintenance/housing management issue. However, tenants are encouraged to report these promptly so that the landlord can maintain a safely-lit environment.
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ANNEX E: MUST BE HEALTHY, SAFE AND SECURE

Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
Secure elements	One or more failures of elements 53-55 means outright failure of the Healthy, Safe and Secure criteria (E).			
53	Secure individual dwelling door locks (to both front and rear individual doors if applicable)	External to dwelling	All external doors (whether front, rear, side, patio, French, or doors leading directly into a garage, outhouse or balcony from which there is external access) leading directly to the dwelling and solely within the control of the occupants should have secure locks. This does not relate to a) common external doors which are assessed at element 55 and b) individual dwelling internal doors which are not	<p>1. The assessment is of the adequacy of the locks irrespective of whether they are in use and/or the state of repair of the door.</p> <p>2. The requirements for adequate security for locks are: (a) single doors - mortice lock OR rim type deadlock OR key operated multi-point lock; (b) double doors (including French doors) - mortice lock with 2 key operated security bolts shooting into the frame fitted top and bottom of each opening door OR rim type deadlock with 2 key operated security bolts shooting into the frame, fitted top and bottom of each opening door; OR key operated multi-point lock; (c) patio doors - key operated multi-point lock OR one key operated patio door lock plus two key operated security bolts (fitted top and bottom of each opening door) shooting into either the frame or the door OR one key operated patio door lock plus an anti-lift device preventing the lifting of sliding patio doors from their frames.</p> <p>3. Where a porch or conservatory is also present both doors should be assessed and so long as at least one of these doors has adequate locks then that entrance can be considered secure.</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
			included in any of the SHQS elements.	
54	Secure common external front door entry system (and/or concierge)	Common external element	There must be a common front door secure entry system and/or a concierge system in operation for flatted properties that enables the tenant to a) be informed when a visitor has arrived and b) allows an electronic mechanism to open the common front door without the tenant having to go to the front door which might involve a trip of multiple flights of stairs.	<p>1a. A secure common front door system is not required for a block of 3 or fewer flats where all occupiers have easy sight of and/or close access to the common front door.</p> <p>1b. All other properties that share a common external door should have at least one of the following security/access measures: (a) Entry phone - an entry phone system that allows the occupants of dwellings within the block to speak with someone at the main entrance door and remotely control their access. Unless there is obvious evidence to the contrary, surveyors should assume that the presence of a hand set within the property indicates that each flat within the block will have the same provision. (b) Concierge - it is assumed that for high-rise blocks with a dedicated concierge that each flat will have either a bell or entry phone system i.e. the presence of a concierge system suggests that at least one of the two alternative security measures are in place.</p> <p>2. The presence of a bell to each flat located at the front door of a block of flatted properties is not sufficient to pass the SHQS. The bell may be part of the door entry system in which case the property would fit scenario (a) above and would pass.</p> <p>3. SHQS is met by the presence of the door entry system and not a working door entry system. If the system is not working this is regarded as a maintenance/housing management issue</p>

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Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
				<p>rather than a SHQS investment issue which landlords should be addressing as part of other obligations.</p> <p>4. Landlords should be aware of the technical notes on element 55 (secure common access doors) because if there are design difficulties in fitting these doors then this impacts on the requirement to fit door entry systems.</p> <p>5. If there is no entry system installed, installation will require the consent of all owners in the block unless the title deeds set out other voting terms. But see footnote 4 below.</p>
55	Secure common external front and rear access doors in a good state of repair (flatted properties only)	Common external element	In general terms, if there are common entrance doorways, common external doors to the front and the rear entrances of the building should be a) present and b) not in significant disrepair and c) should have adequate locks. The purpose of restricting front or rear access to common closes is	<p>1. Assessment of disrepair to the door(s) is made on a surface area basis.</p> <p>2. The requirements for adequate security for external common front doors are: mortice locks (any number of levers); or rim-type deadlocks or key operated multi-point locks or electronic/magnetic locks.</p> <p>3. The requirements for adequate security for external common rear doors are less stringent than for the front access doors. They include: mortice locks (any number of levers) or rim-type deadlocks or key operated multi-point locks or electronic/magnetic locks or Yale locks or one or more substantial bolts secured from the inside.</p> <p>4. If either the front or rear access door is not secure then the property fails. In turn, in order for the doors to be secure then they (including any locks and bolts) must be in a good state of repair.</p> <p>5. See footnote 3 below.</p>

ANNEX E: MUST BE HEALTHY, SAFE AND SECURE				
Element	Description of elements	Element type	Interpretation for social landlords	Technical notes on measuring failure
			to discourage/prevent loitering, graffiti and burglaries. This element does not relate to individual dwelling external doors which are assessed as part of element 53 or individual dwelling internal doors which are not assessed as part of SHQS.	

1. In addition, to the locks specifications in element 55 Scottish Government has been made aware of an issue regarding 'thumb-turn' locks on the inside of individual dwelling doors. Guidance from other sources, most notably *Secure by Design* and the Scottish Fire Service recommends that thumb-turn locks are fitted to all above ground flatted properties to make it easier for residents to exit their property (without having to find the appropriate key in the event of an emergency. So far as SHQS is concerned, we would recommend the following approaches:

Scenario A. If a thumb-turn lock has already been fitted in an above ground floor property, then the property passes SHQS so long as an appropriate letter box guard has been fitted to deal with the external entry security risk. Alternatively, if the letter box is situated towards the bottom of the door and out of reach of the thumb-turn lock, then the letter box guard should not be necessary and the door should be regarded as 'safe' so far as SHQS is concerned which would then warrant an SHQS 'pass'.

Scenario B: If a thumb-turn lock has not already been fitted in an above ground floor property, then the property should not be judged to fail SHQS on this element. Thumb-turn locks were not mentioned in the original guidance in 2004 so to introduce them into SHQS as a new requirement now would amount to a retrospective change to SHQS. Landlords should not in any case be considering SHQS in isolation when looking at the security of individual dwelling doors. The Scottish Fire Service and Secured by Design recommendation to install thumb turn locks should therefore be considered carefully. This consideration should take place irrespective of SHQS as the safety of tenants is at stake. As there is no SHQS requirement to fit thumb turn locks where there are none there is no requirement to fit letter box guards to above ground floor properties to meet SHQS (as under scenario A).

2. Thumb-turn locks on ground floor properties are acceptable (subject to letter box guards fitted as necessary) though not strictly required as the tenant could escape through a ground floor window in the event of fire.

3. If no secure front or rear access doors are present then the property will generally fail on this criteria unless the design of the building presents insurmountable technical problems, prohibits the fitting of a door at a proportionate cost or without an unacceptable level of convenience to tenants. In such cases alternative locations for secure entry closer to the individual dwelling doors should be considered. Landlords should, in any case, consult with tenants and owners on this issue as requirements are likely to vary by urban/rural areas and by property type. The default position where the design of the building is conventional is that common entrances (front and rear) should have secure doors, in a good state of repair and with secure locks in order to gain a pass.

4. Note added November 2013: The guidance at technical note 5 for element 54 is incorrect. Where titles deeds are clear and consistent in relation to scheme decisions and areas for maintenance, they should be followed. However, where this is not the case, there is a rule in the Tenement Management Scheme (Tenements (Scotland) Act 2004, Schedule 1, [rule 3.1\(f\)](#)) which allows a decision to install a system enabling entry to the tenement to be controlled from each flat to be made by a majority of owners. In all cases, it is important to engage constructively with tenants and owner occupiers on the benefits of secure entry systems because they are vulnerable to misuse.

ANNEX I: GUIDANCE FOR SOCIAL LANDLORDS ON EXEMPTIONS AND ABEYANCES IN CONNECTION WITH THE SCOTTISH HOUSING QUALITY STANDARD (SHQS)

BACKGROUND

1. This guidance note for social landlords has been prepared by the Scottish Government with the assistance of a panel of social landlord representatives nominated by the Convention of Scottish Local Government (COSLA) and the Scottish Federation of Housing Associations (SFHA). The Scottish Housing Regulator has also been consulted. The guidance should be read in conjunction with the Technical Guidance annexes A-E.
2. When SHQS was announced in February 2004, the then Scottish Executive acknowledged that there would be situations where certain social rented properties could be exempted from meeting certain elements of the SHQS (at the time the energy efficiency elements were mentioned specifically) for technical reasons or reasons of disproportionate cost.

BASIC PRINCIPLES

3. The Scottish Government's starting principle is that all 640,000 or so social rented properties in Scotland should be able to benefit from being fully SHQS compliant by April 2015. Furthermore, social landlords, and indeed the tenants themselves as they are part of the process that allows the investment to be carried out, are expected to make every reasonable effort to allow the necessary work to take place. Thus, in general, SHQS should be achieved rather than avoided. Scottish Government therefore expects to see the landlords' efforts being devoted to achieving SHQS rather than seeking reasons why it shouldn't be achieved. If this were not the case then the entire principle of having a minimum housing quality standard is undermined and with it Scottish Government's and social landlords' longstanding housing quality commitment to tenants in the social rented sector. A landlord's primary focus will of course still be on what can be achieved for their tenants in terms of SHQS rather than what cannot be achieved due to technical or other reasons.

CLASSIFYING WHETHER CERTAIN ELEMENTS WITHIN PROPERTIES COMPLY, DON'T COMPLY OR DON'T NEED TO COMPLY WITH SHQS

4. The SHQS is complex which is why there are certain situations where classification is not simply a case of a property of passing or failing on a certain element. There are 5 different classifications that are possible under SHQS, three of which involve different circumstances other than a relatively straightforward pass or fail. The intention is not to make the understanding of SHQS any more complex than it is. However, in order to provide comprehensive guidance it is necessary to lay out, definitively, every possibility relating to different classifications so there can be no doubt as to the status of each element of the property.

5. Landlords must consider which elements in which properties are:
 - **Passing** – this arises when the element is in place or has been repaired to a good state of repair without technical or social problems (see below) getting in the way
 - **Failing** – this arises when the element is not in place or hasn't been repaired to a good state of repair yet there are no technical or social reasons why it cannot be in place or repaired
 - **Not applicable** – this arises where a certain element isn't present in a particular property and therefore SHQS does not apply in that case. It is important to be aware of the number of non-applicable elements because without a firm idea of which parts of the stock are not applicable to SHQS, the task of what needs to be done in terms of meeting SHQS cannot be easily defined.
 - **Exempt** – this can arise when a property is capable of meeting SHQS on a particular element (unlike the 'not applicable' case) but the landlord believes it is not possible to meet it for technical, disproportionate cost or legal reasons
 - **In abeyance** – this can arise when work cannot be done for 'social' reasons relating to tenants' or owner-occupiers' behaviour (e.g. where owner-occupiers in a mixed ownership block for common elements of SHQS such as roofs, hallways etc do not wish to pay for their share)
6. To help clarify the classification differences, we have prepared table 1 which describes the relationship between the 5 categories and whether they ultimately 'comply' (or, may in future comply, as signified by the solid or dashed arrows) with SHQS or not:

Table 1: Classification of property elements and whether they comply, don't comply or don't need to comply with SHQS now and in the future

	1	2	3
	Not compliant with SHQS	Neither compliant nor non-compliant with SHQS	Compliant with SHQS
A	←-----		----- Element passes
B	Element fails		-----→
C			Element is not applicable
D		Element is exempt→
E		Element is in abeyance	-----→

Key: -----→ Might happen if maintenance issues not addressed
 -----→ Must happen to lead to full compliance
→ Might happen to lead to full SHQS compliance depending on nature of exemption

7. The differences between the classifications are subtle, but highly significant, and are explained below using table 1 as the reference point:
 - In row A in table 1, the element **passes** SHQS and is compliant with SHQS. This is a relatively straightforward classification. However, over time, it is possible that the element may fail if it falls into disrepair for example (as indicated by the dashed arrow).
 - In row B, a **failing** element is clearly not compliant with SHQS and the solid arrow signifies that it can only become compliant by carrying out the necessary work in accordance with Technical Annexes A-F
 - In row C, an element which is **not applicable** essentially complies with SHQS as, by definition, it cannot reasonably be regarded as anything but compliant, given it is not possible for a landlord to take any action. There are no arrows in this row as the 'not applicable' element is, and always will be, not applicable to SHQS and therefore cannot change classification over time
 - In row D, an **exempt** element neither complies nor doesn't comply with SHQS nor does it pass or fail SHQS. The dotted arrow indicates that, in time, as technology changes and cost parameters change (for example) the exempt status may eventually be replaced by a pass (which would therefore comply with SHQS) if the work is eventually carried out. Equally, in other cases, such as elements that are part of listed buildings for example, it may never be

legally possible to meet SHQS by doing the necessary work. In such cases, the element remains in the exempt category though would not count as a fail. The arrow is dotted as it is possible for an exemption to be either temporary or permanent depending on the circumstances.

- In row E, an element **in abeyance** is neither compliant nor non-compliant with SHQS – it is effectively in suspension. There is a solid arrow leading from this box to the ‘compliant’ column emphasising that the element in abeyance should (in theory) be capable of being turned into a pass once the co-operation of tenant/owner-occupier is secured

A WORKED EXAMPLE OF SHQS CLASSIFICATION FOR ELEMENT 31

8. It is hoped that table 1 together with paragraph 7 simplify SHQS classification issues. However, by way of further illustration, an actual example of the differences between pass, fail, not applicable, exempt and in abeyance for the most common element of SHQS failure, cavity wall insulation (CWI, element 31), is given in table 2 below. Additionally, some examples of different types of wall construction and their classification for CWI and SHQS are given in table 3 below.

Table 2: SHQS classification for cavity wall insulation (CWI)

Classification	Circumstance
Pass	Cavity wall present and has been filled without technical difficulties (i.e. the cavity is present and it is appropriate to take CWI) or social difficulties (e.g. owner occupier refuses to pay a share, tenant refuses access etc)
Fail	Cavity wall present and unfilled and no technical/social difficulties hindering insulation
Not applicable	No wall cavity present
Exemption	Wall cavity present but not possible/desirable to fill it for ‘technical’ reasons e.g. too narrow to fill, poor access for work to take place, persistent exposure of walls to moisture
In abeyance	Wall cavity present but not possible to fill for ‘social’ reasons e.g. owner occupier refuses to pay a share, tenant refuses access

Table 3: Examples of different types of wall construction and the SHQS classification appropriate to the fitting of cavity wall insulation (CWI)

Wall construction and insulation	Description	Pass	Exemption	Not applicable	Fail
Standard construction with cavity filled		x			
Standard construction with suitable cavity unfilled	Note: If the cavity is unfilled for social rather than technical reasons, then the element is in abeyance.				x
Standard construction with equivalent insulation	Cavity unfilled but there is equivalent insulation on inner or outer surface	x			
Standard construction with unsuitable cavity	Unfilled cavity but CWI is technically inappropriate because e.g. the cavity is too narrow, too high or filling it would cause penetrating damp		x		
Post 1982 timber kit construction.	The cavity is a ventilation cavity between the brickwork and the timber frame that needs to be preserved to prevent any moisture making its way from the brickwork to the timber frame and then spreading throughout the frame.	x			
Pre 1982 timber kit construction.	The cavity is a ventilation cavity between the brickwork and the timber frame that needs to be preserved to prevent any moisture making its way from the brickwork to the timber frame and then spreading throughout the frame.		x		
Pre-cast reinforced concrete	Precast reinforced concrete houses where cavities should be kept free of insulation in order to facilitate planned structural inspections.			x	
Double skin masonry, partially insulated cavity	Double skin masonry built with a partially insulated cavity, e.g. post 1982 construction types with a 25 mm cavity and 25 mm insulation against the internal leaf.	x			

Wall construction and insulation	Description	Pass	Exemption	Not applicable	Fail
Double skin masonry, external cladding	Double skin masonry with external cladding. It is technically infeasible to insulate the cavity because drilling through the external cladding would breach the insulation and allow water penetration and may cause other problems such as "cold spots" on the wall.	x			
Solid wall	Some pre 1919 traditional Scots sandstone construction has a 25 mm cavity which is too narrow for insulation and should be treated as solid wall.			x	
One wall with 4" sandstone cover, 15 mm cavity and brick inner leaf	Treat as solid wall as in previous example. Cavity insulation is not required for this face of the building but the landlord will need to consider whether it is required elsewhere in the structure.			x	

- It is possible to produce tables similar to tables 2 and 3 for any of the 55 elements and 9 sub-elements of SHQS. If they find it helpful, landlords may wish to produce a similar table for other elements of SHQS to help them to decide which classification is the most relevant to the peculiarities of their stock.

WHEN ELEMENTS ARE NOT APPLICABLE TO SHQS

- Clearly, there will be situations where the SHQS measure simply cannot be taken e.g. in a semi-detached house with no common elements (such as elements 22, 23 and 29 in Annex A-E) there could be no situation where such elements would require upgrading. In such cases, the elements are **not applicable** and landlords should consider the importance of recording these instances in their property databases as 'not applicable' if they have not already. This 'not applicable' classification is distinct from a 'pass' so should be recorded as such.
- However, non-applicability is not restricted to common elements. From SHCS data, it is clear that about 8 million of the nearly 31 million or so elements in the social rented stock that are relevant to SHQS are in the 'not applicable' category. This means that around a quarter of the entire number of elements across the social rented stock do not (and never will) require any action to bring them up to SHQS. This is important because, once

located, landlords can separate them and concentrate on the elements that do require upgrading (or will require upgrading in future) making the overall SHQS task more straightforward. Annex K reports on this information in more detail using SHCS data. By referring to this table for the whole of the social rented stock, landlords can see that the 'fail' column potentially contains both the exemptions and abeyances that will need to be eventually reported.

12. At Scottish level, in some 36 of the 55 SHQS elements outlined in annexes A-E, there are no situations where it is possible to classify elements as 'not applicable' e.g. all properties have an electrical system (element 45), a main roof covering (element 17) and a wall structure (element 13). In 36 out of 55 cases, therefore, the number of elements classified as not applicable is automatically zero. These are clearly shown in Annex K. This means there is no effort required for landlords to classify in how many of their properties these 36 elements are not-applicable. However, in the case of 19 elements, it is possible to identify property types where the element may not apply and landlords should be able to identify these in their property databases. The not applicable count may, in some cases, even dominate the numbers in the pass/fail count depending on the nature of the stock e.g. on 'safe lifts' (element 47) around 92% of the social rented stock across Scotland would score 'not applicable' on this. A further example is loft insulation (element 32) where 38% of properties (all ground and mid-floor flats, flat-roofed houses etc) do not have lofts. This means 243,000 properties in the social rented sector cannot receive loft insulation which in turn means that landlords need not take SHQS action except to record that they require no programme of loft insulation in these properties.
13. However, though no SHQS action is necessary for the 'not applicable' classification, it is still highly relevant for wider policy purposes in areas such as energy efficiency, fuel poverty or climate change policy reasons. For example, properties where cavities cannot be filled as there is no cavity and lofts that cannot be insulated as the property has no loft may still require other insulation/heating measures to meet other policy objectives. This information could be used by landlords and policymakers alike to easily identify properties that require different energy efficiency measures other than loft insulation or cavity wall insulation. This would in turn impact positively on tenants (for example) as their fuel costs could be reduced, and reduced more quickly than simply classifying a loft or a cavity as being 'compliant with SHQS' and then taking no further action to insulate the property in a different way.

WHEN EXEMPTIONS MIGHT BE APPROPRIATE

14. If a landlord reports **exemptions** from any element of SHQS, these should also be fairly exceptional rather than common events. Exemptions are different from a 'not applicable' classification because there is a possibility that the planned works could be completed in the case of an exemption. In the case of a non-applicable, there is no prospect of ever carrying out the

work as it would simply be impossible to do so. In the case of an exemption, the property does not 'pass' SHQS but neither does it 'fail' SHQS.

15. One instance of where an exemption might apply is in the case of kitchen safe working arrangements (element 40). If a landlord is faced with the prospect of turning a very small kitchen space into an SHQS-compliant sized kitchen with a safe layout, it may simply not be possible to restructure the kitchen space and therefore other parts of the house without major structural works which would alter the character and amenity of the remainder of the house. In such cases, therefore, there may be a case for an exemption which the landlord may wish to record in their databases.
16. Further examples might occur in areas where properties are listed buildings or located in historically significant areas. In such cases, there may therefore be legal problems to overcome when embarking on a programme of planned works. If the necessary work cannot be carried out legally, yet it is technically possible, then there may be grounds for including some elements as exemptions depending on the restrictions being imposed.
17. Similar situations not unlike the 'small kitchen' example in paragraph 15 might also occur. For example, if the cost of certain SHQS investment is disproportionate to the benefit to the property, and thus to tenants, then there may also be grounds for an exemption on certain elements. However, in general, the incidence of this should be very rare as the components of SHQS are not in themselves of disproportionate cost when one considers the long life spans of most components (assuming adequate maintenance programmes have been in place). In the 'small kitchen' example, if a project to make a kitchen larger is technically feasible, but prohibitively expensive, then there may be additional grounds to declare an exemption for a property or group of the properties from element 40.
18. Technical factors or disproportionate cost reasons however should not necessarily be seen as permanent reasons to think of particular elements of a property as being SHQS-exempt. Landlords should always be considering alternative (and creative) ways to achieve SHQS in properties even if an exemption appears to be the most obvious option. The parameters of refurbishment change over time – building costs can fall as technology advances for example or if markets are subject to under-capacity offering much cheaper unit rates or if procurement clubs are established to bring down capital costs to more economic rates. In the sphere of energy efficiency, the technical and policy landscape is changing rapidly. Technologies can and will advance and UK and Scottish Government financial programmes or fuel-provider-sponsored programmes may come on stream and reduce the costs to the landlord of energy efficiency work which was previously unaffordable. For these reasons, exemptions need not always be permanent – their status may change over time without disproportionate capital cost being incurred.

WHEN ABEYANCES MIGHT BE APPROPRIATE

19. Though the term 'abeyance' was not included in the original SHQS guidance, it has become clear as SHQS has been implemented across Scotland that there are genuine circumstances beyond landlords' control that sometimes prevent them from actually completing (or even beginning) the programme of planned works. Thus, it seems reasonable to allow some elements of SHQS to be put into 'abeyance' or be delayed when certain, usually people-related, behaviour-related or social factors, prevent the completion of work taking place by April 2015.
20. An element requiring an abeyance differs from an exemption in that it is always possible (with co-operation) to carry out the work on this element. Where an element is in abeyance, the property is still technically capable of being upgraded in terms of the particular element but cannot reach that state due to (principally) human factors. Again, it is also distinct from a 'not applicable' situation where the work can never be carried out by definition. In the case of an abeyance as well as an exemption, the property does not 'pass' SHQS but neither does it 'fail' SHQS - it is effectively 'in suspension' for the period of the abeyance.
21. In such instances, to be considered as an abeyance, the landlord must have made every reasonable effort to inform and explain to the tenant why the work is necessary, when it is being done and why their participation and co-operation is so important. Landlords should be prepared to explain to the Scottish Housing Regulator that they have made such efforts if required to. In such cases, the SHQS abeyance might last as long as the individual's or individuals' tenancy or tenancies.
22. Scottish Government does not wish to prescribe to landlords what to do in the individual circumstances where a tenancy ends but such an event could provide perhaps the only chance to meet SHQS in the property by April 2015 so it is important that any opportunity is taken. The landlord, it is presumed, will either carry out the necessary work before the new tenant moves in or after the tenant moves in (or a combination of before and after). Where the new tenant has moved in, the landlord may wish to involve the tenant in a choice of kitchen fittings for example. However, it is clear that such an approach does carry some risk. For example, it is possible that the new tenant might also ultimately not co-operate in the programme of work which would constitute a missed opportunity to bring the property up to SHQS. Without being prescriptive, and unless there are good reasons to the contrary, landlords should always act to maximise SHQS compliance when situations like this arise.
23. The same principles apply in mixed tenure properties, where owner occupiers are objecting to works necessary to achieve SHQS. To be considered a legitimate abeyance, the landlord must have made every reasonable effort to explain to owneroccupiers why the work is necessary and to convince them (through their factoring organisations or individually) to pay for their fair share. This may ultimately depend on the individual title

conditions of the properties concerned however so it may be prudent for landlords to seek advice from their legal advisers before they embark on any such exercise. Moreover, like the case of a tenant refusal, landlords should be able to prove the extent of their efforts to the Scottish Housing Regulator in terms of owner-occupier refusals. In such cases, the SHQS abeyance for common elements might last as long as the particular owner' (or owners') residence in the block. In other words, new owner(s) moving in might be more co-operative or have access to greater financial resources. In such cases where there is greater willingness to cooperate with landlords, the landlord (assuming an awareness of the change in ownership) will then be expected to try again to carry out the necessary work in order to meet SHQS. If it is not possible to do so, then the abeyance will continue until the work can finally be carried out with the consent of owners.

24. As with exemptions, landlords should always be considering any legal, alternative (and creative) ways to achieve SHQS in properties. Landlords should also ensure that their business plans demonstrate that sufficient funding is available to meet all SHQS obligations including abeyances.

ROLES AND RESPONSIBILITIES OF SCOTTISH GOVERNMENT AND THE SOCIAL HOUSING REGULATOR

25. It is for landlords to decide how they can meet the requirements of the SHQS. If they decide to make use of the provision for exemptions or abeyances they need to be prepared to explain to the independent Scottish Housing Regulator (SHR) why a group of properties cannot, in their opinion, be brought up to SHQS by April 2015. The SHR will monitor compliance with SHQS through an annual return asking for (amongst other things) the elements on which exemptions and abeyances are being sought.
26. To assist landlords in deciding who to approach if the need arises, the respective roles of Scottish Government and the SHR regarding SHQS are set out below.
27. Scottish Government's role is to:
 - a) Make a clear national policy framework for improving social housing quality in Scotland
 - b) If the quality mechanism is a minimum standard (which it currently is), then specify very clearly in guidance the minimum standard to be met, the timescale for achievement, the scope of the properties that are expected to meet the minimum standard and relevance of all aspects of that standard to social housing
 - c) Subject to resources, answer any novel or contentious technical queries the public may have regarding SHQS that guidance cannot answer. On this, the intention however is that the Technical Guidance will answer the vast majority of queries. Landlords should also consult their technical staff/ advisers before seeking any technical advice from

Scottish Government. If technical advice is sought, Scottish Government will expect landlords to have consulted the relevant sections of the Guidance as well as their own technical advisers in advance of making the query.

d) Work with SHR to consider how best to implement the housing quality policy framework set by Scottish Government.

28. The SHR's role regarding SHQS is to:

a) Monitor and regularly report progress on SHQS compliance and noncompliance.

b) Seek further information and explanation on aspects of reported compliance, including on exemptions and abeyances if necessary.

c) Ensure that results of SHQS monitoring are taken into account in its regulatory assessment of landlords. Any subsequent regulatory engagement with landlords around SHQS will be governed through this process.

d) Ensure that the provision of such information is signed off at the appropriate senior level within the landlord organisation reflecting the importance of SHQS achievement within the overall framework of social landlord regulation. The seniority level at which sign off is required is already established for RSLs through the wider process of supplying statistical and performance information to the Regulator. In the case of local authority landlords, the seniority level of sign off will be established as the details of the Scottish Social Housing Charter become clearer.

e) As individual issues arise, consult with Scottish Government policy colleagues regarding aspects of the SHQS policy that are novel or contentious.

29. The Scottish Social Housing Charter was published in March 2012. Charter outcome 4 is that social landlords manage their businesses so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter. Under section 40 of the Housing Scotland Act 2010, the SHR must consider the Charter when assessing a social landlord's performance of housing activities.

LANDLORDS' RESPONSIBILITIES TO THEIR TENANTS

30. Scottish Government would like to stress that the exemption/abeyance process does not in any way absolve landlords from their responsibilities to their tenants regarding SHQS. If a robust SHQS recording system is in place, it should be a very straightforward process for landlords to inform individual tenants by April 2015 (if not much earlier than this) that various elements in their properties are likely to be a) passing SHQS; b) failing

SHQS in which case remedial action would be expected by April 2015; c) not applicable for SHQS purposes; d) exempt from meeting SHQS; e) classified as 'in abeyance.' In turn, this information will ultimately inform the tenant if their property meets SHQS, doesn't meet SHQS, where SHQS doesn't apply or is in some temporary or permanent state in-between compliance and non-compliance.

UPDATED/AUGMENTED/SUPERSEDING GUIDANCE

31. In common with other Scottish Government guidance, this SHQS exemptions and abeyance guidance may be updated, augmented or superseded at a later date if it is deemed necessary.

Scottish Government
March 2011

ANNEX L: SCOPE OF THE SCOTTISH HOUSING QUALITY STANDARD (SHQS) TARGET FOR SOCIAL LANDLORDS

1. This guidance note for social landlords has been prepared by the Scottish Government with the assistance of a panel of social landlord representatives nominated by the Convention of Scottish Local Government (COSLA) and the Scottish Federation of Housing Associations (SFHA). The Scottish Housing Regulator has also been consulted.

Scope of social housing for the purposes of the target

2. The purpose of this guidance is to help social landlords identify which properties should be included for the purposes of assessing progress towards meeting the target for social housing.

3. Social housing which is expected to meet SHQS by April 2015 covers all self-contained units, subject to tenancy agreements, and includes blocks, smaller flats and separate houses. There are an estimated 641,000 homes included in this group.

4. Social landlords may also have responsibility for some other types of housing accommodation, such as sheltered housing and hostels. This note will provide clarification on the application of the target to these unusual cases.

Summary of scope

5. The following table summarises the guidance in this note. Please refer to the sections below for more details.

Type of housing	Is it within the scope of the SHQS target?
Sheltered Housing	YES
Vacant Property	YES
Property Marked for Demolition	YES
Mortgage to Rent	YES
Transfer to Private Ownership	NO (except for common parts)
Hostels	NO
Mid-Market Rents	NO
Mortgage to Shared Equity	NO
National Housing Trust	NO
Commercial sub-lets	NO
Amenity Blocks	NO

General principle

6. Social housing for the purposes of the 2015 target means self-contained homes, including a full range of facilities for the use of occupiers, provided for the purpose of social rents, and usually subject to tenancy agreements based on the model agreement for secure tenancies.

Examples of social housing that are within in the scope of the 2015 target

Sheltered housing

7. Sheltered housing also includes very sheltered, medium dependency and other types of adapted housing.

8. Sheltered housing should be included in the scope of the SHQS target for social landlords. These homes are in the official social sector stock count, are surveyed in the official measure of housing quality in the form of SHCS, are self-contained units, do involve 'normal' tenancy agreements and would fit with most peoples' idea of social sector dwelling.

Vacant property

9. The SHQS target applies to dwellings whether or not they are occupied. Vacant properties are within the scope of the target.

Property marked for demolition

10. Homes that are scheduled for demolition should be included in the scope of SHQS for the purposes of the target, even if they are unoccupied. If demolition is scheduled to be done after 31 March 2015, the house should be included in the SHQS target but the fact that the house is due to be demolished may be relevant to whether work needed to meet SHQS can be done at proportionate cost when reporting exemptions.

Mortgage to Rent

11. Some social landlords have taken ownership of homes to assist owners who are in danger of repossession. Under the [mortgage to rent](#) scheme, homes are bought by a housing association or local authority and the former owner continues to occupy the home as a Scottish secure tenant. These homes become part of the social landlord's housing stock. The Scottish Government provides a grant of up to £6,000 to bring these homes up to SHQS.

Examples of housing that are not within the scope of the 2015 target

Transfer to private ownership

12. Any homes which have been purchased by former tenants are outside of the scope of the SHQS target, except in so far as work is need on common parts shared with social rented homes.

Hostels

13. A hostel is a building which provides residential accommodation and either board or common facilities for preparing food. Hostels are not necessarily restricted to specific groups of people. A separate self-contained houses is not a hostel. Hostels may be used to provide temporary accommodation, but this is not a necessary feature.

Tenants of hostels will not usually have a tenancy agreement based on the model agreement for secured tenancies.

14. This does not mean that quality of housing is unimportant for people living in hostels. People in hostels will have occupancy agreements with landlords and there are duties under non-housing EU energy efficiency directives for publicly-owned buildings.

Intermediate (mid-market) rents

15. [Intermediate renting](#) is a form of affordable housing. It allows tenants to pay rent levels below the normal market rent level in their area, although rents are higher than a tenant would normally expect to pay in social housing. This is not property provided for the purposes of social renting and the SHQS target would not apply.

Mortgage to Shared Equity

16. Mortgage to shared equity provides funding through the [Home Owners' Support Fund](#) to take an equity stake in private housing. Under this scheme the equity stake is held by the Scottish Government and the owner is responsible for maintaining the property. Social landlords will not be responsible for this kind of house.

National Housing Trust

17. The [National Housing Trust](#) is an initiative to help make more new affordable homes available for intermediate rent in areas where there is not enough affordable housing to meet current demand. Social landlords may be members of limited liability partnerships set up to buy these houses but they would not be part of the landlord's housing stock.

Commercial sub-lets

18. Some local authorities let property on a commercial basis where tenants have the right to sub-let flats. These flats are not provided for the purposes of social renting and the SHQS target would not apply.

Amenity blocks

19. Amenity blocks provide supplementary facilities for travellers who live primarily in mobile homes.

Updated/augmented/superseding Guidance

20. In common with other Scottish Government guidance, this guidance on the scope of the SHQS target may be updated, augmented or superseded at a later date if it is deemed necessary.

Scottish Government
May 2012