

## Trafalgar Housing Association Ltd

### Regulatory Status: Working towards compliance

#### Why we are engaging with Trafalgar Housing Association Ltd (Trafalgar)

We are engaging with **Trafalgar** about its **governance** and **tenant and resident safety**.

In both the October 2019 and October 2020 Annual Assurance Statements (AAS), Trafalgar stated that it partially complied with the Regulatory Standards of Governance and Financial Management (the Regulatory Standards) and requirements and would develop an action plan to achieve full compliance.

Following reassessment of its AAS in October 2021, Trafalgar concluded that it was still partially compliant and identified that several areas of non-compliance remained outstanding. This included business planning, a review of annual reporting, and communication and engagement with its tenants.

During 2021/22 Trafalgar worked to create a consolidated improvement plan which set out how it intended to address all the improvement areas identified across various areas of activity and it has made progress in implementing these.

It has completed a review of its risk management process and a review of its communications and engagement with tenants. Trafalgar added the recommended actions from this tenant engagement review to its improvement plan, and it continues to progress these. Trafalgar also plans to approve its finalised business plan at the end of March 2022 and will share this with us in early April.

Trafalgar has been unable to take forward all the recommended improvement actions to support and ensure that the governing body has the skills and knowledge to be effective in its role. This work will continue into 2022/23.

We are engaging with Trafalgar to seek assurance that it has the capacity and capability to address the governance weaknesses identified and to achieve compliance with the Regulatory Standards and requirements. Trafalgar is working openly and constructively with us.

In January 2022, as part of our annual risk assessment, we issued a short tenant health and safety survey to all social landlords. The purpose of the survey was to provide us with more information about how landlords gain assurance that they comply with all their legal duties and responsibilities in relation to health and safety.

In its survey response, Trafalgar told us that it is seeking further assurance about its approach to tenant and resident safety and will be commissioning an independent review to do this. We will engage with Trafalgar as it progresses this.

The Housing (Scotland) Act (2010) requires us to monitor and assess the financial well-being, governance and performance of each Registered Social Landlord (RSL).

**Our current assessment is that Trafalgar is working towards compliance with the Regulatory Standards of Governance and Financial Management. We set out below the information that Trafalgar must provide in order to assure us that it can achieve compliance.**

## What Trafalgar must do

Trafalgar must:

- provide us with regular updates on progress towards delivery of its improvement plan;
- provide us with regular updates on the independent review of its approach to tenant and resident safety; and
- by 30 April 2022 send us a copy of its business plan and the report to the governing body about the plan.

## What we will do

We will:

- review Trafalgar's improvement plan and meet with Trafalgar's Senior Officer and office bearers bi-monthly to discuss progress;
- review Trafalgar's progress with the independent review of its approach to tenant and resident safety and engage as necessary;
- observe a meeting of the governing body;
- review Trafalgar's business plan; and
- update our published engagement plan in light of any material change to our planned engagement with Trafalgar.

## Regulatory returns

Trafalgar must provide us with the following annual regulatory returns and alert us to notifiable events as appropriate:

- Annual Assurance Statement;
- audited financial statements and external auditor's management letter;
- loan portfolio return;
- five year financial projections; and
- Annual Return on the Charter.

It should also notify us of any material changes to its Annual Assurance Statement, and any tenant and resident safety matter which has been reported to or is being investigated by the Health and Safety Executive or reports from regulatory or statutory authorities or insurance providers, relating to safety concerns.

**Our lead officer for Trafalgar Housing Association Ltd is:**

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