



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Local Government and Communities Committee

**Wednesday 27 September 2017**

**Session 5**



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**LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE**  
**23<sup>rd</sup> Meeting 2017, Session 5**

**CONVENER**

\*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

**DEPUTY CONVENER**

\*Elaine Smith (Central Scotland) (Lab)

**COMMITTEE MEMBERS**

\*Kenneth Gibson (Cunninghame North) (SNP)

\*Jenny Gilruth (Mid Fife and Glenrothes) (SNP)

\*Graham Simpson (Central Scotland) (Con)

\*Alexander Stewart (Mid Scotland and Fife) (Con)

\*Andy Wightman (Lothian) (Green)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Bridget Curran (Glasgow Housing Options Steering Board)

Bill Dodds (Scottish Government)

Dr Neil Hamlet (NHS Health Scotland)

Fiona King (Shelter Scotland)

David McGown (Scottish Fire and Rescue Service)

Jules Oldham (Homeless Action Scotland)

Kevin Stewart (Minister for Local Government and Housing)

**CLERK TO THE COMMITTEE**

Jane Williams

**LOCATION**

The James Clerk Maxwell Room (CR4)



# Scottish Parliament

## Local Government and Communities Committee

Wednesday 27 September 2017

*[The Convener opened the meeting at 09:30]*

### Building Regulations (Fire Safety)

**The Convener (Bob Doris):** Good morning and welcome to the 23rd meeting in 2017 of the Local Government and Communities Committee. I remind everyone present to turn off mobile phones. As members' papers are provided in digital format, they may use tablets during the meeting. We are not quite all here yet, but no apologies have been received, so I hope that we will have a full house of MSPs shortly.

Under agenda item 1, the committee will take evidence as part of its scrutiny of building regulations and fire safety in Scotland. I welcome the Minister for Local Government and Housing, Kevin Stewart. Good morning, minister.

**The Minister for Local Government and Housing (Kevin Stewart):** Good morning.

**The Convener:** I also welcome Bill Dodds, who is head of building standards at the Scottish Government, and David McGown, who is assistant chief officer in the Scottish Fire and Rescue Service. Good morning, gentlemen.

**Bill Dodds (Scottish Government):** Good morning.

**David McGown (Scottish Fire and Rescue Service):** Good morning.

**The Convener:** I thank you all for joining us.

I understand that the minister has an opening statement to make to the committee. We would be keen to hear that now.

**Kevin Stewart:** I am grateful for the opportunity to talk to the committee about the steps that the Scottish Government has taken to ensure that building regulations and fire safety are robust. That work has added urgency following the tragic events at Grenfell tower. My thoughts and deepest sympathies remain with all those who are affected by that tragedy.

In the days that followed the Grenfell tower fire, the Scottish Government immediately took proactive steps to establish a ministerial working group on building and fire safety. The group was set up with the primary aim of offering public

reassurance and ensuring that we took any action that was needed as a result of what we know, or will find out, about the Grenfell tower fire.

The group's work has been twofold. Our first focus was on responding proactively and immediately to offer reassurance to the public on the fire safety of high-rise buildings—in particular, high-rise domestic buildings. The nature and scale of the work was resource intensive, and I express my gratitude to local authorities, housing associations and the other organisations that were involved for their responsiveness to our requests. That helped the ministerial working group to establish quickly the extent of the use of aluminium composite material in high-rise buildings.

I also record my thanks to the Scottish Fire and Rescue Service for the steps that it immediately took to prioritise home fire safety visits in domestic high-rise properties. More than 1,200 visits have taken place, and everyone who requested a home fire safety visit has received one. Inspections of high-rise residential buildings have also carried on, and almost 900 inspections have been carried out since the Grenfell tower fire. Sixty thousand fire safety leaflets have also been distributed to provide reassurance to residents. However, the ministerial working group is conscious that public reassurance on fire safety must be on-going, so we have commissioned a targeted national fire safety campaign for high-rise domestic buildings, which will be launched shortly and which focuses on key messages, including fire safety, evacuation and stay-put procedures.

The group's second focus has been on a wider range of measures to enhance and strengthen building regulations, enforcement and compliance as well as fire safety. Today, I am able to inform the committee that I have appointed two established leaders in their field of expertise to chair the two groups that will undertake the review of building standards. Professor John Cole will chair the review of enforcement and compliance, and Dr Paul Stollard will chair the review of fire safety in building standards. I am delighted that we are fortunate enough to have two chairs of such high calibre leading the work.

Scottish building regulations from 2005 prevent the cladding of high-rise domestic buildings with the same type of ACM that was found on Grenfell tower. However, ministers are aware that, although such cladding was clearly a major contributing factor to the rapid spread of the fire, it may not have been the only one. We will therefore be ready to respond to any relevant findings or recommendations that emerge from the Grenfell tower public inquiry, and our work programme will remain flexible in order to allow us to take any appropriate actions.

Although it is important to understand which buildings have ACM on them, it is equally important to understand that the presence of ACM cladding by itself does not necessarily mean that a building is defective or dangerous. It is the extent of use of ACM as part of the overall cladding system that forms part of the judgment of a building's safety, and it is information on that that we sought to collate.

We quickly gathered information from all local authorities that no social high-rise buildings were clad in ACM, and we then gained clarity from 31 local authorities that no ACM had been found in building warrant applications for private domestic high-rise buildings.

Glasgow City Council reported the presence of ACM on some private high-rise properties. We offered that council assistance in further interrogating the information that it holds, and it has now accepted that offer. We expect it to establish soon the exact number of its buildings with ACM, the type of ACM and the extent of its use as part of cladding systems. From that, we expect Glasgow City Council to provide the same information that we have received from other local authorities. As the committee rightly noted during its previous evidence session, Glasgow City Council has a responsibility to its residents to progress that work as a matter of urgency.

I hope that that brief overview of a very complicated issue is of use and that the committee recognises that the ministerial working group is taking all of the issue very seriously. Our work programme covers a number of important streams of work, and we have put mechanisms in place to ensure that we are able to take action as and when needed.

**The Convener:** Thank you very much for that detailed opening statement, minister.

You will appreciate that, given the nature of the evidence that was given to committee members last week, they will want to start by discussing the Glasgow situation. However, I am also conscious that we are carrying out a wider inquiry. We therefore intend to ask specific questions about Glasgow for a while and then move on to wider issues.

The way in which members of the public and the committee discovered that there were issues in Glasgow was wholly inappropriate. It is reasonable to ask for your views on that in the first instance. Communication to the committee and, indirectly, to the wider public was done in such a way that it has potentially caused additional fear and alarm that was perhaps not necessary. Should the local authority reflect on that and remedy the situation as soon as possible?

**Kevin Stewart:** I am very disappointed in some of the things that were said last week. The ministerial working group received information from the chief building standards officer, Mr Dodds, regarding the information that Glasgow City Council had provided to the working group. We were unhappy with the lack of detail that we received. As I have said, we received full details from other local authorities. Mr Dodds has asked for that information to be interrogated further and for the information that we require to come to us.

As committee members are probably aware, we have offered Glasgow City Council help along the way. We recognise that, as Edinburgh and Glasgow are bigger cities, their local authorities have more work to do than some other authorities. The City of Edinburgh Council accepted help and received somewhere in the region of 150 person hours to help it to deal with the information that we required. However, Glasgow City Council refused help. It was not until the council leader instructed the officers there that they finally took that help. We moved folk in there yesterday.

The key thing is to get the right information. The convener is right to say that not having that can cause alarm out there. That is why it is so important that we have the right information before we take the next steps.

Beyond that, I was particularly disappointed by some of the answers that were given to the deputy convener's line of questioning on the issues. Ms Smith rightly asked questions about responsibility. The witness's response was that, in terms of legislative powers, there is not much that local authorities can do other than notify people. That was extremely disappointing, because there are a number of powers. Glasgow City Council is responsible for the verification and enforcement of building standards and, if it feels that there is a danger out there, it has the ability to act. If the owner does not do the work, the local authority can do it and recoup the costs later.

I would expect people to know the full extent of the powers that they have under the Building (Scotland) Act 2003. I aim to ensure that all building standards officers know what their responsibilities are in that regard. I expect that the vast bulk of them do anyway, but I will take steps to write to all local authorities about that so that they know exactly what their responsibilities are.

**The Convener:** That is helpful, minister. It is staggering that the assistant head of planning and building standards at Glasgow City Council did not know what his statutory powers were in relation to building standards and enforcement. Your letter of 20 September outlines that to the committee.

We want to move on to the issue of people in Glasgow and people right across the country. You

mentioned a lack of clarity in the information that Glasgow City Council gave to the ministerial working group. I assume that that lack of clarity was not an issue in relation to the City of Edinburgh Council. It sought and was offered support, and records were interrogated. What lack of clarity have you had from Glasgow City Council? What has it not done well enough?

**Kevin Stewart:** I will bring in Mr Dodds to talk about the lack of clarity, because some of this is detailed and technical—as you are well aware, convener, given the briefings that you have had. However, I note that 18 of the 32 local authorities have high-rise buildings and that 18 responded very quickly and did not have difficulty in putting together the information that we asked for. As I said, we recognised that there may be more work for Glasgow City Council and the City of Edinburgh Council, which is why we offered the support that we did. The City of Edinburgh Council took up that offer of support and Glasgow City Council did not. It now has that support.

We have an email from Glasgow City Council, which my officials received at 8.16 this morning, that says that it is on track to complete the necessary work by the end of this week. I will be keeping a close tab on that to make sure that that work is completed as soon as it possibly can be. You are absolutely right, convener: we need to take any actions that are necessary as a result of the completed information that we receive.

I will hand over to Mr Dodds to talk about the detail, if you do not mind, convener.

**Bill Dodds (Scottish Government):** Good morning. The clarity that was sought was mainly on the extent of the cladding. Many high-rise buildings have a combination of different cladding types, such as render, rainscreen cladding and ACM. The majority of the requests for clarity were about the age of the buildings, the height of the buildings and the extent of the cladding material. We were given descriptions such as “Two floors of penthouse flats”, so we sought that clarity.

It is important to note that the entire Grenfell building was overclad with ACM material, so there was a complete enclosure of ACM material. We are trying to establish whether we have a Grenfell-type arrangement whereby a building is completely overclad with an ACM product or whether there are such arrangements in isolated areas. We are asking for clarity on that.

There were also questions about plan retrieval and looking at on-the-ground inspections to clarify whether some of the information was absolutely as it should have been. That almost line-by-line request for additional clarity has gone back now, and we have been given a reassurance that we

will get that. I hope that that will be by the end of this week.

09:45

**The Convener:** I suppose that the obvious question to ask is why Glasgow City Council put in a return that lacked that clarity in the first place. I can guess two potential reasons for that. One is that Glasgow did not know what was expected of it, in which case we should be asking why it did not know what was expected while other local authorities did. The second is that Glasgow City Council’s record keeping in relation to building warrants over a number of years might not be up to scratch.

**Kevin Stewart:** As you rightly point out, other local authorities managed to undertake the exercise quite quickly—including the City of Edinburgh Council—with the additional help that I mentioned. It is very disappointing that Glasgow has not managed to do the same.

The committee may already be aware of my responsibilities in terms of appointing verifiers. Reappointment recently took place, and a number of local authorities that were performing well got the maximum six years of verification. Authorities that were average got three-year verifications, and three local authorities that I thought were performing poorly, or were not performing as well as they should, got one-year verifications. Those three were Glasgow City Council, the City of Edinburgh Council and Stirling Council. We agreed that we would audit those local authorities in November in order to make sure that all that they are doing is up to scratch, including their record keeping. Mr Dodds will give you the detail on record keeping.

**Bill Dodds:** It is safe to say that we gave consistent information to all authorities. We met the Edinburgh officials quite early on—in the middle of July—and went through the process of establishing what the ACM should be. There were a number of requests to have meetings with Glasgow officials, but summer holidays and so on intervened and there were a number of phone calls in which the information that we were looking for was explained.

I believe that there were some difficulties in Glasgow in retrieving documents from archives and so forth; I know that Glasgow City Council has been going through some issues with information technology as it has changed its IT system. However, the record keeping in the council is certainly something that we will look at during the audit process, in order to ensure that the right type of information is being retained. The two surveyors who are there just now will be working through those records: no doubt, we will get some

feedback from them to establish exactly what the issue was in retrieving information.

**The Convener:** Could there be—dare I say it—a positive legacy for Glasgow City Council? Will the Scottish Government work with the local authority to provide support—not just to ensure that Glasgow’s record keeping is spot on, but so that retrieval of information can be speedy and effective when it is needed, and to make sure that the information on building warrants and in documentation is as it should be?

We do not want just to assure ourselves that Glasgow City Council has all that information accurate as of Friday, so that it can inform owners of, and residents in, affected properties. We also want to be assured of that in six months, or in a year or two, when we may have to go through the whole process again. We may have to interrogate building warrants to reassure ourselves, for another reason, that the correct materials have been used in the construction of a development—I hope not another disaster on the scale of Grenfell. Will lessons be learned—not just in Glasgow, because there are 32 local authorities, although others seem to have moved much more speedily and successfully—relating to how speedily we can pull the required information off the building warrants system?

**Kevin Stewart:** Prior to the situation at Grenfell, I had to make the decision on appointment of verifiers. The decisions about audit and other matters came before the Grenfell situation.

It has now become apparent that some local authorities require the expert help that we can provide. I have made it very clear throughout, as has Mr Dodds, that if local authorities feel that they need a hand from my officials—some expert advice—to ensure that good practice is being exported, that can and will happen.

Mr Dodds has been a bit diplomatic. The disappointing thing is that Glasgow City Council refused to meet officials on the matter, and did not seek a meeting. We can be nice and mention the holidays, but the council had the same opportunity as others and did not take it.

The other disappointing thing—I cannot reiterate this enough—is that Glasgow City Council refused help when it was offered. It took the intervention of the council leader to get building standards officers in Glasgow to accept help. That is unacceptable.

**The Convener:** You are getting nodding heads from committee members. The committee also believes that it is unacceptable not to take the expertise and support that is required when it is such a priority to protect public safety in residential properties in Glasgow.

I have a final question, after which the deputy convener will explore other lines of questioning. Much was made of the fact that the Scottish Fire and Rescue Service in Glasgow was unaware of the situation. We have Mr McGown here today, and the Scottish Fire and Rescue Service sits on the ministerial working group. In terms of lines of communication, I believe that Glasgow City Council should have immediately told the Scottish Fire and Rescue Service in Glasgow. However, the service is on the ministerial working group, so it is not outwith the realms of possibility that the Scottish Fire and Rescue Service could pick up the phone and speak to the team in Glasgow. In terms of future proofing, on reflection, could more have been done at the ministerial working group to notify the fire service in Glasgow?

**Kevin Stewart:** As the convener rightly said, the fire service is on the ministerial working group. It is very important that we have its input. On inspections and the rest of what has happened, I will hand over to David McGown. Although information did not come from Glasgow City Council to the fire service, he will be able to tell the committee the level of inspection that has taken place—not only since the information came to light, but over the whole period.

**David McGown:** The information that we received as part of the ministerial working group on 8 September was unclear. Any definitive information that we get about risk within premises is passed directly to our local crews, who clearly must have such information about risks in their areas. Once we received more substantial information—albeit that it was incomplete—it was passed to the local crews straight away. At the same time, the crews were in dialogue with Glasgow City Council.

On the buildings that were identified by Glasgow City Council and the information that was eventually passed to the ministerial working group, there were 57 properties, 42 of which have already been visited by operational crews as part of the standard quarterly inspection programme that our operational crews conduct across the whole of Scotland. Those 42 visits have occurred since Grenfell. Since that tragic incident, the Scottish Fire and Rescue Service has concentrated its programme of inspections, which is a regular programme throughout Scotland, on relevant properties. The 42 properties were on our radar and in the records of local crews in Glasgow. The other 15 inspections are being completed as we speak today. We hope that, by this time next week, those inspections will have been completed by our local crews.

**The Convener:** That is very helpful.

**Kevin Stewart:** It might be helpful to point out that it is the norm for every building over 18m to



be reported to the fire service and for routine inspections to take place. I understand that those 15 buildings are not on the routine list. I will hand over to Mr McGown on that.

**David McGown:** The information that we received from Glasgow City Council was rather incomplete; it was not definitive enough even to say whether all the buildings were high-rise premises, which are the buildings on which we concentrate our inspection programme. However, regardless of whether the buildings are high rise or not, we are making a point of visiting those 15 premises—even if they are what we class as medium or low rise. If those buildings are high rise, they will be included in our on-going inspection programme in Glasgow.

It was unfortunate that the information was not clear and definitive enough following the last ministerial working group to allow us to get out there straight away. We received the information from Glasgow City Council last week.

**The Convener:** Other committee members want to come in. The minister mentioned our deputy convener's line of questioning last week: I know that she is keen to follow up on it.

**Elaine Smith (Central Scotland) (Lab):** We had limited time for my questions last week, but I was trying to ask Glasgow City Council why it did not act immediately on the information that it had. If the ministerial working group had not been set up and asked for that information, the council might not have had that information in the first place. There are still questions about why the council, once it had the information, did not take the offer of help and did not act immediately.

One of the answers that Raymond Barlow gave last week in response to the convener was that the council felt that it was enough for it to pass on that information to the Scottish Fire and Rescue Service. Mr Barlow said:

"Therefore the fire service at the highest national level in Scotland will be party to the information that we have provided."—[*Official Report, Local Government and Communities Committee*, 20 September 2017; c 6.]

There seems to be some sort of communication breakdown. I mentioned red tape: Mr Barlow seemed not to take kindly to that, but what I meant was to ask why there was a delay.

Are you in a position to give us any kind of answer to that? I know that Glasgow City Council has now said that it will take assistance. However, last week we heard that there was information and that Glasgow City Council felt that it had done its bit by passing it to the ministerial working group—the council went further than that when it said that the Scottish Fire and Rescue Service clearly knew the information because of that—so there was a gap. Can you comment further on that? I did not

get a clear answer to the question why the council did not take immediate action.

**Kevin Stewart:** I, too, think that the committee did not get a clear answer. I will let Mr Dodds tackle the technical bits first, then I will come in on the rest.

**Bill Dodds:** On the first point about the offer of assistance, Glasgow City Council's building control team believed that it had the requisite number of staff and qualifications for it to be able to undertake the assessment and collate the information. That was its assessment. We asked a number of times whether it wanted assistance and were given assurances that the information was forthcoming. It did not, however, come through as quickly as the information from other local authorities. It is safe to say that we had more dialogue with other authorities.

The second question—about why the council did not act on the information—is something that you will need to ask Glasgow City Council about specifically. Again, it is something that we want to take up with the council. My sense is that there was not the required level of detailed information and that it would have been incorrect to act on limited information and to set hares running.

**Elaine Smith:** I am sorry to interrupt, but do you mean that it would be incorrect for the ministerial group to act on the limited information?

**Bill Dodds:** No, I am talking about Glasgow City Council. If my interpretation of what was said last week is correct, it said that it was collecting information, but did not have full information at that time and was reluctant to act on what it had.

What came over in the previous meeting was that the council thought that its undertaking was simply to supply the ministerial working group with information and that, thereafter, the working group would be responsible for doing something with that information. In the past—in the case of the schools estate, for example—information has been fed back when inappropriate material has been found, and the local authority has taken action to expand the information. The local authority was asked, "Now that you have found the material, given the information that you have, what are you doing?" and thereafter reassurances were given to the ministerial working group. Ultimately, the building owner is responsible for their buildings.

10:00

At the time of the previous committee meeting, the information had just come to light. My understanding is that it was because of the limited nature of that information that Glasgow City Council was looking for guidance on what to do with it.

**Kevin Stewart:** There is a very important strand here concerning responsibility, and who is responsible for what. As Mr Dodds has pointed out, the building owner is ultimately responsible for compliance. However, the Building (Scotland) Act 2003 says quite clearly that councils have responsibility for verification and enforcement. If, at any point, Mr Barlow or his team had felt that there were dangers, they should have taken enforcement action.

The only way that the ministerial working group could take any enforcement action would be if I used powers under the 2003 act to remove enforcement powers from a local authority and directed enforcement myself. If I thought that such a step was necessary to ensure safety, I would take it.

Glasgow City Council said in a press release last week that it is confident that the buildings are safe. I take it that that was the judgment of Mr Barlow and his building standards team before the press release went out. However, we need to get all the information that is required in order to see what needs to be done.

We, along with the Scottish Fire and Rescue Service and Mr Dodds, have at every point offered the help that is required. We have dealt with our responsibilities. The part of the response to the deputy convener's questions last week that disturbed me the most was that there seemed to be a lack of understanding about the responsibilities of local authorities under the 2003 act.

**Elaine Smith:** I want assurance that any local authority that finds something that is of concern in the future will act immediately. That is what we need to know.

**Kevin Stewart:** I would expect any local authority to take action if it felt that action was necessary. If I were to find that a local authority was not taking action that was required, I would consider invoking the powers that I have under the 2003 act to deal with enforcement myself.

**Elaine Smith:** Thank you.

**The Convener:** There are a few more lines of questioning specifically around the Glasgow situation before we move on. If members are seeking my attention to come in, I ask them to bear that in mind.

**Graham Simpson (Central Scotland) (Con):** I am relieved to hear that the Scottish Fire and Rescue Service now knows where the buildings are and that, by the end of today, it will have looked at them all. Do the people who live in those buildings know yet? That was a line of questioning at last week's meeting. Have they been told?

**Kevin Stewart:** Again, it is Glasgow City Council's responsibility to inform the building owners, and I would expect the owners to inform residents. With regard to the question that Patrick Harvie posed last week, I would go further. I expect that if information comes through that there are difficulties in a building, Glasgow City Council, the building owners and others would co-operate in providing a door-to-door information service, because that is what people deserve.

However, as things stand, we are still not certain about what the situation is in all the buildings. We need to get all that information. As I said earlier, Glasgow City Council hopes to have all the information by the end of this week. We can then look at what is required. As with every other situation, if the Government can help in some way in disseminating information, we will do so. According to the building standards regime, of course, the building owners have responsibility for dealing with any situation that is found to be wanting.

That is where we are at. We still do not have all the information to get to that point. I refer again to the Glasgow City Council press release from last week, which said that, as far as the council is concerned, there are no safety issues at the moment.

**Graham Simpson:** As I said last week, it is not up to you or the working group to inform the owners. That is just a matter of courtesy for Glasgow City Council, but it does not appear to have done that. I am concerned that it took until yesterday for the council to allow your officials in. Given the furore last week, and given that the council has dragged its feet for weeks and refused offers of help, I had thought that it would have pulled its finger out. It is on notice, in effect, because you have given it only a year's verification. What will happen if it fails your stringent tests after that year?

**Kevin Stewart:** I will keep a very close eye on all that. We would have done that prior to the current situation arising, anyway. We will look at what the audit brings out and we will look for improvement. If there is no improvement, obviously I will have to consider whether to use my powers to appoint another verifier to deal with the situation in Glasgow.

**Graham Simpson:** Okay.

**The Convener:** Do other members want to ask about the Glasgow situation?

**Andy Wightman (Lothian) (Green):** I wish to clarify a point that Mr McGown made about inspections of 42 of the 57 buildings. I understand that those inspections were undertaken as part of routine visits, and I presume that you inspected stairwells, alarms, sprinkler systems and doors to

ensure that things operated. To be clear, you did not inspect the cladding or anything like that. As the minister has said, our information is still incomplete, but it appears that all those buildings complied with the building regulations when they were built—they were built to pre-2005 standards—and, according to Glasgow City Council, it does not have any evidence that they pose any fire risk. Just to be clear, such things were not looked at. Will you briefly indicate the kind of things that were looked at?

**David McGown:** Absolutely. I will not go into too much of the technical detail regarding the legislation, but owners of such premises have a responsibility to ensure that what we class as the common areas—common stairwells, and access to the building and into those common areas and the flats—are maintained to a standard that allows firefighters to attend and fight a fire safely. That is also for the protection of firefighters.

The buildings do not come within the scope of legislation that would require a fire safety enforcement audit to take place—they are not classed as “relevant premises”. Our programme of quarterly operational intelligence and reassurance visits are for two distinct purposes: to provide reassurance to the residents of the buildings—particularly after Grenfell—and, perhaps more important, to gather operational intelligence for firefighters and fire crews to ensure that they have sufficient means of access. Therefore, the roads that give access to the building and the means of access into the building are looked at. We look at the integrity of fire-resisting doors, the clearance of the stairways and the presence of rising mains and fire lifts, but we do not look at other aspects that would be looked at in a fire safety audit.

The visit is quite comprehensive, but Mr Wightman is right to say that we do not have the responsibilities—or the particular skills—to do what could be classed as intrusive inspections into cladding, its presence or its grading. The Scottish Fire and Rescue Service has a distinct responsibility, which we discharge through our programme of quarterly inspections.

**Andy Wightman:** That is helpful. Thank you.

**Alexander Stewart (Mid Scotland and Fife) (Con):** The minister talked about responsibility. The crux of the matter is that Glasgow City Council has a responsibility, as do the owners of the buildings and the fire service. Everyone playing their part would assume that everything would work. Here, there was a communication breakdown and the situation went awry.

What lessons can be learned from the whole process? The fire service is looking at how it can tighten things up. The minister said that if things do not happen, he will take the powers that he has

and which could be used. However, the situation that arose last week—in which we found out that information at a committee meeting—should never have arisen. What really bothers me is that the situation came to light only because of some questioning, whereas all those organisations have a responsibility, which did not manage to filter through, to make sure that everyone was safe or secure or that there was no anxiety that those buildings could have a problem.

The lesson is about how we manage and learn from that. The situation could have been much worse had we not been made aware of it or had something happened in the interim, when we assumed that responsibilities were being carried out.

**Kevin Stewart:** I agree with Alexander Stewart that we need to look at the communications. I have sat on the other side of the committee table, and my line of questioning would not have been any different from the line that the committee took last week. I am very disappointed in the answers that were given and the lack of clarity in the responses.

As the committee is aware—and as everyone else out there is aware—31 local authorities had reported back, saying that they had no difficulties with private high-rise buildings. We had one authority that could have said, last week, without any difficulty, “We are still working through the information. We may have a difficulty, but we have been asked to provide further information and to go back and check so that we can give people the real information that they require. We will take any action that is required if we find anything.” That, in itself, bothers me to a huge extent.

The committee can be assured that we will do everything that we can to make sure that local authorities are open and transparent about the whole situation. We have been as open and transparent as possible, all the way through, regarding everything that has come to light—whether it be on hospitals or other aspects. I would expect that openness and transparency, because without it the public will lose trust in what we are doing.

Alexander Stewart rightly outlined the responsibilities of building owners, councils, the Scottish Fire and Rescue Service, my officials and others. As elected members of the Scottish Parliament, we also have a responsibility to make sure that if we need to tighten up regulation or to change legislation, we can do so. Our legislation is much more robust than the legislation elsewhere on these islands.

However, I am not complacent. We need to take a long hard look at this. I will be poring over the committee’s recommendations and taking advice

from the experts that we are putting in place and from others, including bodies such as Local Authority Building Standards Scotland and the Fire Brigades Union that do not serve on the ministerial working group.

10:15

I have been talking to tenants in Aberdeen and in Glasgow, where I also spoke to tenants from the Lanarkshires, Inverclyde and other areas. We have to take on board what they say in order to get this absolutely right.

The 2003 act is a fairly good piece of legislation as it allows us to change regulation quite quickly on the advice of experts. That is one of the reasons why our legislation is more robust: we have been able to react, but we have also been proactive in making changes as and when they are required.

There are responsibilities on all those folks, but we also have a responsibility to ensure that we take the action that is required and make any required changes to legislation or regulation.

**The Convener:** I would not be doing my job properly as a Glasgow MSP if I did not put on record the fact that all social rented high-rises in Glasgow have no combustible or ACM cladding, and they are safe. There are many high-rises in my constituency of Glasgow Maryhill and Springburn, and I have had constituents contact me. People who are watching the telly and reading the newspapers do not always pick up the messages—they just hear that there are properties that could be at risk. Worried constituents from social housing in my constituency have contacted me, and I have been able to reassure them. However, we need to get across the key message again today that those properties are safe. If you could do that, minister, I would, as an MSP in Glasgow, be very grateful.

In addition, there are hard-working, diligent officials in Glasgow City Council who are working as hard as they can today to get all the required information. They are just doing their job—they are not part of the internal decision-making process of dealing with building warrants. They, and the people of Glasgow, will want to hear that we have moved on from the question of what Glasgow City Council has or has not done well. It is self-evident that the council has done a lot of things pretty poorly. However, there is now a partnership approach with the Scottish Government and the situation is under control, and we can move forward on that basis.

**Kevin Stewart:** First, I can give an assurance that all social housing in Glasgow is free from such material. In fact, I can go further than that and say that we have reports from all 32 local authorities

that that material is not on social rented properties anywhere in Scotland.

Like you, convener, I have a fair number of high-rises in my constituency. Aberdeen has 59, most of which are in my constituency. I am able to say to folk throughout Scotland that all 32 local authorities have reported back that none of the kind of cladding that was used in Grenfell has been found on any high-rise social rented property in Scotland.

Some folk will be sitting at their desks or getting out and about looking at buildings, doing the job that they are being asked to do, and I thank them for doing that job. You are right, convener, that we now have Scottish Government help in Glasgow and we should move forward.

The key point in all this for me, as it should be for everyone, is that we need to gather all the required information. As I stated earlier, it seems from the email that we received this morning that the work is on track to be completed by Friday. We must work in partnership to ensure that that is done, and we can then move forward from there and take the necessary actions.

**Jenny Gilruth (Mid Fife and Glenrothes) (SNP):** To broaden things out a bit, I want to ask about the remit of the ministerial working group. I have a technical question about how the information was gathered in the first instance. A couple of weeks ago we heard from the Scottish Federation of Housing Associations that it had conducted a survey of its members, and the Convention of Scottish Local Authorities told us that it had conducted a desktop exercise. How did you ask local authorities to gather the data in the first instance? Was it in a letter?

**Kevin Stewart:** We asked local authorities to gather up data, and we have also asked others to help with that, including the likes of the Scottish Property Federation. We have also asked other Government departments to look at aspects of their estate; that included health—obviously—the Scottish Prison Service and a number of others. I am looking to my colleagues here and I will hand over to Mr Dodds, because I have probably missed a number of folk off that list.

**Bill Dodds:** The ministerial working group task evolved. Initially the focus was high-rise domestic social housing, for which Mr Stewart wrote a letter, but it became apparent as we were going through the process that more, and more detailed, information would be required. For example, with schools we asked for the heights of buildings, their areas and so on.

We were very much following the United Kingdom Government process and, because the information was being released to us bit by bit, it was quite an evolutionary process. We started

with letters and then used pro formas, and it became apparent that the level of detail and information held—by housing associations, for example—was sometimes quite extensive but sometimes limited. That is why the ministerial working group took the decision to create an inventory of all high-rise buildings in Scotland.

We are now working with contractors to develop that inventory, including the age and type of the buildings, and that will help to inform future ministerial decisions on what other measures should be taken on existing stock. It is horses for courses; we required different information for the different building types, but essentially we have asked whether ACM is present, what its extent is, and about the age and height of the building. That is the type of information that we are looking at, based on the nature of the risk in the different building types.

**Kevin Stewart:** Another organisation that I missed off the list of those that we asked to help was the Scottish Further and Higher Education Funding Council. We asked it for information on student accommodation.

**Jenny Gilruth:** Now that the data has come in, will there—on reflection—be any physical inspection of buildings by anyone from central Government? Will someone go out and work directly to check that the information submitted was accurate?

**Kevin Stewart:** Mr Dodds will answer on the technicalities and then I will come back in.

**Bill Dodds:** That is something for the working group that has been set up for the enforcement side. In previous meetings the committee has heard a fair bit of evidence saying that it is all very well having the information on paper and plans in the office, but how do we know that the specified product is the one that has found its way on to the building? There have been a limited number of examples in which products have been substituted and so forth, so it is by no means certain that what has been specified on the building warrant has found its way on to the building.

That is a big issue and you are right to raise it. Professor John Cole will take that forward as part of his review of the enforcement of and compliance with building regulations, to make sure not only that the paperwork is correct when a building warrant is issued, but that there is a means of signing off to make sure that what was specified is what is on the building. We do not have widespread knowledge of substitutions happening, but a limited number of examples have been reported in the press and they have been dealt with. By and large, the processes that have been gone through have found that the material on most buildings was compliant with the building

regulations that applied at the time that they were built.

**Kevin Stewart:** We have an example from Edinburgh Napier University, in which something was put on a building that should not have been there. The university discovered that very quickly and took action. I reiterate the point that building owners have responsibility. Any building owner in Scotland who has any doubt about cladding can send it for testing, to make doubly certain—if you like—that it is compliant. That option is available to building owners and we can disseminate the information to the committee—the offer comes from the UK Government.

**Jenny Gilruth:** Minister, you said in your opening statement that everyone who has requested a home fire safety visit has received one.

This may be a question for Mr McGown. Those visits are obviously not compulsory and we know that more vulnerable groups are not likely to offer themselves up for them. Have you prioritised certain groups? Have you given direction on who should be taken first for those visits?

**David McGown:** As part of our normal work, even before Grenfell, we do a lot of work with partners in local areas to identify the most vulnerable in our communities so that we can concentrate our resources and offer home fire safety visits to them. A lot of the time, the information comes through a referral process. We want to do a lot more of that part of our work in the coming years.

We are conducting research and working with health and social care to try to identify the most vulnerable forensically and specifically, in terms not of households but of the individuals whom we want to concentrate on.

We have prioritised home fire safety visits since Grenfell and, for the purpose of public reassurance, anybody who has asked for a home fire safety visit and who lives in a high-rise premise has been prioritised, along with those whom we deem to be most vulnerable. Previously, we would have assessed the risk and the likelihood of them having a fire. To provide reassurance following Grenfell, if anyone has asked for a visit, they will have received one.

**Graham Simpson:** I will move on. You may have seen a BBC report this morning about sprinklers in high-rise flats. The BBC did some research through freedom of information requests to the fire service and discovered that, since 2009, 15 people have died and more than 480 have been hurt in high-rise fires—that is, fires in buildings of over 10 storeys. There were, however, no deaths in any building where there was a sprinkler system, and only one of the casualties

was in a tower block with a sprinkler system. I realise that those are basic figures, but what do they tell us about whether we should have sprinkler systems in blocks where they do not exist at present?

**Kevin Stewart:** I will go first and then bring in Mr McGown. If I remember rightly from my reading very early this morning, that BBC report also had a comment from Brian Sweeney, the ex-chief fire officer, who talked about other factors that might make a difference.

Given his expertise, Mr McGown can speak about the technicalities. The ministerial working group has already said that it will look carefully at all those situations in relation to the use of fire suppression systems. I am grateful to fellow MSPs who have provided us with information about new products on the market that could be used for fire suppression. The fire service and building standards are jointly looking at those.

One of the things that I have announced today is the review of fire safety and building standards, and we will see what proposals Dr Paul Stollard comes back with. The ministerial working group will interrogate all the information—we will look at it very carefully indeed.

**David McGown:** The fire service provided the information that the BBC used, which is completely factual.

I do not want to make light of the 15 tragic deaths in high-rise premises since 2009, but to provide some context I should say that Scotland experiences approximately 40 to 45 fire deaths per year. The number has been and continues to be on a steady decline. Over that period of about eight years in which 15 fire deaths occurred in high-rise premises, Scotland would have experienced around 360 fire deaths—I would need to get exact figures. The majority of our fire deaths in Scotland occur outwith high-rise premises. That is not to diminish the fact that, tragically, 15 people died in such premises, or that there is something that we can and should do about that.

10:30

I spoke about our home fire safety visits. The Scottish Fire and Rescue Service focuses on prevention measures—particularly bespoke, new and innovative prevention measures—to allow us to stop fire deaths happening. As you might expect, most of our fire deaths occur among the most vulnerable in society. In the past few years, many of those cases have been in single-person private dwellings in remote rural locations—those dwellings are at the other end of the scale from high-rise buildings.

I emphasise that we are doing a lot of work. The Scottish Fire and Rescue Service, the Fire Industry Association and the Buildings Research Establishment in Watford, which is carrying out tests on cladding, have just commissioned research that will look specifically at what we can do to target the most vulnerable better, provide bespoke and innovative ways to reduce the risk of their having a fire, and improve their chances of surviving if they happen to have one. There is already established research on the use of sprinklers and automatic fire suppression systems—there is quite a wide range of automatic fire suppression systems that can be put into industrial buildings or dwellings.

Our position is that the use of automatic fire suppression systems can be very effective indeed. Every piece of research shows that and this morning's BBC piece backs that up. However, it would be more effective to take a risk-based approach, and to apply resource and install such systems where the risk is, rather than to have sprinklers installed in buildings per se. We assume that the research that we commissioned will back up the research that has been conducted over the past five or six years. The BRE approached Scotland because we have a can-do approach and want to do something specific about the particular issue of reducing fire deaths across the country.

**Graham Simpson:** Is the BRE study looking at just the most vulnerable in society, or is it looking at fire safety systems more widely?

**David McGown:** It is specifically looking at the most vulnerable. We already have a range of evidence about the people who not only have a fire but succumb to the fire, who tend to be among the most vulnerable in society. We are talking about only 40 to 45 fire deaths per year, but we will not ignore the fact that we have to continue installing prevention measures in the homes of thousands of people across Scotland. We will focus on the most vulnerable, but not to the exclusion of other properties and individuals who may be at risk.

**Graham Simpson:** We have heard evidence about people doing small-scale repairs in their homes. They may start with a fire door and replace it, after some do-it-yourself or getting tradesmen in, with a door that is not a fire door. That has been a concern of the committee. Is that being addressed by the Government or the working group?

**Kevin Stewart:** I will certainly take a look at that. At the moment, if somebody was to replace a fire door, no building warrant would be required. However, the replacement door should not be of lesser quality in terms of rigour than the door that it is replacing. I have noted that, over the piece,

the committee has asked a number of questions about the issue. I will ensure that we and the groups that we are establishing look at the area to see whether it needs to be tightened up.

**The Convener:** I want to check something before we move on. Will those reviews of sprinkler systems and other forms of fire suppression systems link in with the on-going consultation on smoke and fire alarms? Obviously, a mixture of fire mitigation methods can be used to prevent fires from spreading or to stop them starting in the first place. Will sprinkler systems be looked at in isolation, or will that work link into the on-going consultation?

**Kevin Stewart:** The consultation on fire and smoke alarms in domestic dwellings was due to happen later this year, but we brought it forward to allow us to see what is required in that regard. At one of your previous meetings, Alexander Stewart said that some of the emphasis of late has been on the private rented sector, because it is seen as the most risky area. That is the case. We have developed much better regulation in the private rented sector, and it is now time for the social rented sector and owner-occupiers to catch up. That will be a 12-week consultation, after which we will look at what has come back and what is required.

Any work on fire suppression would come later. Obviously, the ministerial working group needs to have a rigorous look at all the issues and take advice from the Scottish Fire and Rescue Service, our building standards colleagues and others, including the groups that we have established, before we make a move in that regard.

**The Convener:** Do we know which high-rise properties currently have sprinkler systems and which do not have such systems? Is that information recorded in local authority building warrant records? If not, where is it held? If we wanted to introduce a measure relating to sprinkler or other systems, would the 32 local authorities just have to go through their records, or would we change the law and then expect the local authorities to comply with that change? There is a lot in that. How do we know what the current situation—not the legislative situation—is with sprinklers?

**Kevin Stewart:** I will bring in Mr Dodds on that.

**Bill Dodds:** That is a good question. For the building inventory, we will specifically ask whether high-rise buildings have sprinklers fitted. There is an issue about the readiness of existing high-rise buildings to facilitate sprinklers. Not all buildings are structurally sound enough to allow the retrospective installation of sprinklers. It is safe to say that there is only limited use of sprinklers in existing high-rise buildings—not that many high-

rise buildings in Scotland have them. We asked about that in one of our early information requests, but that threw up the requirement to have a more detailed and structured look at the existing stock to see exactly what is there. The installation of a sprinkler system requires a building warrant, so we would be able to find out about that quite quickly if the committee wanted that information.

We have asked local authorities for many pieces of information and they have been very supportive. The ministerial working group is trying its best to focus the information requests on the priority areas. That is why we felt that, for the building inventory, we could ask a contractor to work with local authorities to get all that essential information to us.

**Kevin Stewart:** In all of this, we have been fairly methodical in the work that we have carried out. As I said in my opening statement, it is pretty intensive work and, in the main, local authorities and other bodies have responded extremely well to the requests for information. People have asked me why we focused on certain areas first. Obviously, domestic properties where folk sleep at night have been the main focus, but we have been working through the list methodically.

Mr Dodds might want to say something about current standards in suppression systems, because it is important for the committee to know about standards for new buildings.

**Bill Dodds:** Absolutely. Our working party is looking at the new building regulations and will be charged with looking at the latest research. We have undertaken a number of pieces of research with our fire service colleagues to consider what types of buildings should be looked at. For example, high-rise buildings of over 18m need sprinklers, and we introduced sprinklers in schools. The programme looks at the latest research and changes to the regulations. The next building types that we will look at will definitely be student accommodation, hotels and other high-rise buildings that have sleeping accommodation. That will be very much part of the focus of the work that we will take forward.

We are absolutely not complacent in any way. Like my fire service colleague David McGown, we are absolutely convinced that sprinklers have a role to play beyond new builds, but we have to draw a distinction between putting them into new buildings and retrofitting quite intrusive systems in existing buildings. They probably need to be dealt with separately.

**The Convener:** Okay. Thank you. We will move on.

**Andy Wightman:** As Mr Dodds said, it is the building owner's responsibility to ensure the safety, upkeep and maintenance of the building.

We have heard quite a lot of complaints about the enforcement of building regulations. Obviously, Professor Cole will look at that issue.

My question is about the longer term. Some of the buildings are 100 years old or so. When people buy a property, they really do not know what is in it, what work has been done to it, or even whether there has been a breach of building regulations in the past that could have had an impact on the building—not necessarily a fire impact, but a structural impact, for example. Will consideration of that form part of Professor Cole's remit?

I am looking at your news release from 6 minutes past 10 this morning. It does not include the remits of the two working groups. Can you provide the committee with a copy of their remits?

**Kevin Stewart:** I will do that. I have announced the chairs of the groups today, but I have not had the opportunity to meet them to talk about their remits. Rather than dictating what their remits should be, I will meet them because we need to use their expertise to see what they think requires to be done. I have not had the opportunity to meet them because one of the gentlemen agreed only yesterday. However, I will do so, and we will let the committee know what the remits are after my discussions with them.

**Andy Wightman:** Okay. That is helpful. So those two people have taken on the roles without knowing what their remits are.

**Kevin Stewart:** They have a broad overview of the work that they are about to embark on. They are both experts in the field. Obviously, there are things that they might want to look at in depth, and I will not rule that out.

Mr Dodds knows the two individuals much better than I do, but I have had a fair number of dealings with Professor Cole of late, and I think that the committee would agree that he did a robust job in his report on Edinburgh's schools. I hope that the same will apply in the role that we have asked him to take.

**Bill Dodds:** We have shared draft remits with both chairs and they are reviewing them. They will, of course, want to work their way through them.

On your question about existing buildings, a previous parliamentary committee looked at that very issue—at aspects of dangerous buildings and building MOTs. Currently, the building standards system looks after new buildings. In 2003, powers were introduced to deal with defective buildings, which gave local authorities the ability to establish that something could become dangerous before it did so—for example, a chimney could start to look a bit shaky, but might not be dangerous. We have increased the powers—they are discretionary

powers—for local authorities to deal with defective buildings. In addition, there are pilots to address some of the issues with our historic buildings. However, those elements are not scheduled to be part of our work at present. I can discuss that with the minister if he wants to look at the matter further.

10:45

**Andy Wightman:** I can do no more than encourage you in that regard.

**Kevin Stewart:** There are some good graphs that show the procedures that local authorities should follow in dealing with dangerous and defective buildings. We can pass those to the committee if that would be helpful. They are quite easy to understand and they provide an indication of how the process works.

**The Convener:** Any information that you can provide would be very welcome.

**Kevin Stewart:** We will do that, convener.

**Andy Wightman:** I encourage you to take a look at the matter as part of your remit. You talk about building a database of high-rise buildings. There are 57 such buildings in Glasgow alone that were the subject of the controversy around cladding. If we assume that there are 30 properties in each building—there may well be more—that would mean that there are around 1,500 or 2,000 owners. Each owner will have bought a flat that met the building regulations—in fact, they would not even have questioned whether it met the regulations.

Now—five, 10, 15 or 20 years later—we know more, and yet those owners, as private individuals, are not going round testing their cladding or whatever. It is very difficult for them to understand that the building that they live in might need some attention. That is a problem in the short term, but even in the longer term—40, 50 or 60 years down the line—problems can arise as a consequence of our new understanding of buildings, materials and all the rest of it.

It seems quite important, therefore, that your remit should include—not to the exclusion of other things, obviously—some consideration of how we maintain from generation to generation institutional knowledge about what is in a building, what work has been done and what standards were applied.

**Kevin Stewart:** I will reflect on what Mr Wightman has asked for. I will not commit to anything because, as I pointed out, there is a raft of work that must be undertaken. We have approached the task methodically, and it may not be right to add a number of other things to the mix at the moment. However, I will reflect on what Mr Wightman has requested. I will look at the matter



in some depth, discuss it with my officials and then take a decision.

**Andy Wightman:** That is helpful. I have a number of questions about the database of high-rise buildings, but I am aware that we are short of time. Perhaps the minister can come back with some more information about the scope of the database, how frequently it will be updated, what information will be sought from owners and what the purpose of the database is with regard to ensuring the safety of high-rise buildings in the longer term.

**The Convener:** Mr Wightman has rolled up all the questions that we are keen to ask. Minister, you have given us a general reflection on that, and you can write to us with that information after the meeting.

**Kevin Stewart:** I am more than willing to write to you in detail on that point or any other point.

**The Convener:** That is very helpful—we would like to know the answers.

Alexander Stewart has some questions.

**Alexander Stewart:** We have heard evidence about a skills shortage in the building industry, which has had a knock-on effect on standards and how things have progressed. What is the Scottish Government's view on how that should be addressed? What are you doing to tackle the skills shortage?

**Kevin Stewart:** In my day-to-day business, I have recently visited a fair number of building sites. When I am on a building site, I always ask whether there are any apprentices there because I am keen to hear their views, given that they are the future of the industry. Almost to a man and a woman—we are seeing more women in the construction industry, although I would like to see more—they say that they are enjoying their apprenticeship. When they are asked whether they would encourage their mates to join the industry, their answer is yes. We need to promote, in conjunction with the construction industry itself, the trade and the message that entering construction can lead to a good career.

It is disappointing in some regards that smaller building companies have more apprentices than some of the larger ones. I encourage the larger construction companies to look at workforce planning and take on more apprentices. My colleague Jamie Hepburn has had a number of discussions with the Construction Industry Training Board and others about apprenticeships and issues relating to getting folk into the construction industry. I do not have all the detail of that to hand, but I am more than willing to find out from Mr Hepburn exactly what has been going on and pass that information to Alexander Stewart.

One other thing to say about the construction industry is that, on a conservative estimate, at the moment 10 per cent of construction industry workers in Scotland are European. I have visited sites, including one in my own patch in Aberdeen, where 70 per cent of the construction workers are European nationals. It would be a great loss to us—a disaster, in fact—if those folks were to leave Scotland and the industry here.

**Alexander Stewart:** You made a valid point about the role of apprenticeships in making sure that we have a stream of people coming through. However, at the other end of the scale, we should also be encouraging older individuals to become more involved in the industry, as that is very important to enable us to move forward. We have a collective responsibility to ensure that the industry is progressing effectively. The point about European Union nationals is also valid—it is important that we do all that we can on that. The main thrust of the matter is how we develop the skills base and ensure that it continues to grow and develop within the industry. What things can the Scottish Government do to ensure that that happens and what support mechanisms can it provide to ensure that companies do that workforce planning and have that understanding?

**Kevin Stewart:** I have been making some suggestions to industry as I have been going out and about. Here in Edinburgh, I had the opportunity to meet three apprentices at a site in Pennywell—an area that is being regenerated and where good quality housing is being built. Two of the apprentices were very local and lived close to the site on which they were working and the other lived in Edinburgh, not far away. They were keen to tell me that they had never thought about entering the building industry when they were at school. A lot of things had come up during careers discussions at school, but construction was not one of them.

It would be good if the industry were to get into schools at an early stage. In the north-east of Scotland we saw a real problem with recruitment in oil and gas for a while. That industry went into schools to encourage folk down that career path and I think that the same could be done for construction. I will do anything that I can, or help ministerial colleagues to do what they can, to allow that to happen.

**The Convener:** I will give members a time check. We are running over our time, but we will continue this item until about 10 past 11, when we will need to move on, because we have another panel of witnesses to hear from. I hope that we can fit in some more questions before then.

**Elaine Smith:** I have a few questions on building standards issues. On Alexander Stewart's line of questioning, I recall that we used to have a

specific college of building in Glasgow, which I think is now part of the City of Glasgow College. I do not know whether it being part of that college has had any bearing on the courses that are run—that issue may be better left for another day.

Minister, you mentioned something about making sure that what is specified in construction is actually used. We heard evidence that the use of clerks of works can help to improve compliance with building standards. Have you any proposals for action that you could take to ensure that clerks of works are used in larger public and private sector projects? It might be difficult with private sector ones, but perhaps, when we put out contracts for bidding, the procurement process could contain something on the need for clerks.

**Kevin Stewart:** In parallel with the work that we are doing, separate work on procurement of public buildings is going on. I have previously given evidence to the Education and Skills Committee on school buildings and the Cole report. I also spoke to 30 out of the 32 local authorities the day after the Grenfell fire. That meeting was supposed to be primarily about Cole but became about Grenfell, which, again, shows that we were taking early action. At that meeting, and others that I have had since, it was said that public bodies that have used clerks of works on their projects have had the fewest problems with defects discovered at a later stage. It is wise for both the public sector and the private sector to look at the personnel that they have on the ground. In my opinion, having an experienced clerk of works might involve spending but will save a lot in the future.

I could probably provide the committee with some examples of that, rather than just an anecdote that might not be 100 per cent correct. The one that sticks in my mind is that Fife Council used clerks of works on its major projects and had very little difficulty. I am looking at Mr Dodds to see whether my memory serves me well.

**Bill Dodds:** I think that Glasgow City Council raised the issue last week when it was giving evidence about its schools. It has used clerks of works.

**Elaine Smith:** That was helpful. I am looking at the convener for confirmation, but I think that we would appreciate further information, minister.

**Kevin Stewart:** As I have said, I can provide further information on what is going on in parallel around procurement if that would be useful to the committee.

**Elaine Smith:** That would be helpful.

We have been taking evidence on whether verification should be kept in the public sector. If we look at the situation down south, we can see that the private sector sometimes carries out the

role of building control there. I would be grateful for your thoughts on that.

I want to tie that up with another issue. We have heard calls for building standards fee income to be ring fenced for the provision of building standards services. I would be grateful for your view on that suggestion, too.

I am conscious of time, so I am rolling up all my questions. We had a report from Unison called “Building stress: Overworked, stressed and stuck in the office.” In its key issues, it mentions that the overwhelming majority of respondents felt that their workload had got heavier in the past few years. They talked about morale being low and said that

“further budget cuts to local authorities, increased workload and the lack of a pay rise are the key reasons”

why they would not expect it to get any better.

Those are concerns about the functioning of the building control sector. So I have three questions, minister: on verification and the public sector, the ring fencing of income and the report about the workforce.

11:00

**Kevin Stewart:** I refer members to my entry in the register of interests, because I am a member of Unison.

I will start with the verification function. I took the decision in May to reappoint local authorities as the verifiers. I did that after reflecting for a long while and looking at the evidence that I had. I did it differently from my predecessors, in that I was not entirely happy, as the committee will have gathered from previous answers, about performance in three local authorities. Those authorities have been reappointed for one year only. The authorities that were performing averagely were reappointed for three years and those that were doing well were reappointed for six years. If I were not to reappoint a local authority in an area, that would not mean that I would necessarily appoint in the private sector. I could give the verification role to a neighbouring authority, for example. I will continue to look closely at all of that, including the audit that will take place in November.

On income, the committee will be aware that I took the decision to raise fees. I have gone round the country and have said that I have allowed for that increase in fees. The Government will retain some of that money to beef up building standards centrally, and I expect the rest of it to be used to boost building standard services in local authorities. I should point out that, where some authorities are not doing so well, it is not because

of a lack of fees coming in. I will continue to monitor the situation.

Ms Smith is well aware that the Government has tried not to ring fence or dictate to local authorities what they should be doing. I will keep an eye on things, and if there is no improvement I will obviously enter into discussions with COSLA if it is felt that there is a need to ring fence.

On the general scenario in relation to work, the First Minister has made it clear that the Government aims to remove the pay cap. It is incumbent on all employers, no matter who they are, whether in the public or the private sector, to make sure that their employees are in a positive place and that they are not overly stressed or burdened.

**Elaine Smith:** I want to follow up briefly on the issue of retaining some of the funding for Mr Dodd's department, as I assume you are talking about. Given the situation in Glasgow, where the offer of help was not taken up quickly, is there a place for a central flying squad type of arrangement in which officers who are centrally based could take on a role in the building regulation verification process? It seems as though I raised that issue a long time ago when I asked for comments at the start of the process of considering building regulations.

**Kevin Stewart:** Mr Dodds has been the flying squad of late. I do not know whether he will appreciate me calling him that—I will find out when we leave the room.

**The Convener:** Will that appear on your CV in the future, Mr Dodds? [*Laughter.*]

**Kevin Stewart:** One of the reasons why we have retained some of that money is to beef up our building standards division because so much of its work has been focused on helping others elsewhere. As I have said, Mr Dodds has been to Stirling, Edinburgh, Glasgow and many other places, so we have additional audits that we would not normally have had.

Any local authority can call on the expertise of our building standards division, so we are putting in place a team that will be able to respond to any needs. Under the 2003 act, building standards are a matter for local authorities. Local authorities are on the ground and are best placed to carry out verification and enforcement. However, if they require additional expertise, they know that they can come to us for that.

Beyond that, I repeat that, if a local authority were not performing or not dealing particularly well with the situation that it faced, I would look to use my powers under the 2003 act to deal with that. In order for me to do so, I would have to rely on

expertise from other authorities as well as our building standards division.

My main focus is to ensure that the right emphasis is put on investment in building standards not just by the Government but out there in all 32 local authorities. I hope that all elected members, whether in the Scottish Parliament or local authorities, will give more attention to building standards than we may have done in the past.

**Elaine Smith:** I have one final question, convener.

**The Convener:** I have another question, too, but you can ask your question first, Ms Smith. We have about three minutes left, so both of us will have to be brief.

**Elaine Smith:** Thank you, convener.

On a slightly different subject, the FBU highlighted a 24 per cent fall in the number of uniformed fire safety inspection officers, which the FBU said puts remaining staff under considerable pressure. Will the Scottish Government look at fire safety inspection officer staffing and funding in light of the increasing workloads?

**Kevin Stewart:** In the course of last week's debate, it came to light that the Government has put an extra £27.1 million into the Scottish Fire and Rescue Service in this financial year.

I will let Mr McGown answer on the point about the inspectors, who have been doing an immense job of work—they were doing that before the Grenfell fire, but they have done even more since then, and I am very thankful for their efforts.

**David McGown:** Just to confirm the figures, at the start of the Scottish Fire and Rescue Service, there were 89 uniformed fire safety enforcement officers. This year, we have 73 posts, five of which are currently being filled. We also have 13 specialist non-uniformed auditing officers, who carry out the same role as our fire safety enforcement officers. Our focus is on the work of those officers and our non-uniformed colleagues and the outcomes of that work.

The number of audits has remained stable over that period. We carry out upwards of 9,000 audits in relevant premises every year. More importantly for us, through those audits we are trying to achieve a fall in the number of fires in non-domestic premises. In the first quarter of this year, the number is at its lowest since the start of the Scottish Fire and Rescue Service.

We recognise the figures, which are as I have just reported. However, our outcomes, in terms of the number of non-domestic fires, are the best that they have been since the start of the service. We

want that to continue with the number of staff that we have.

**The Convener:** As a mopping-up exercise, I will finish with some of the questions that we hoped to ask. Maybe you can give us brief responses to them, minister, or you can write to us.

**Kevin Stewart:** If there is anything at all that you require, let us know and we will respond in writing as quickly as we can.

**The Convener:** I will put on the record two or three things that will inform our report.

We have heard that fire safety assessments of new-build properties can fall between two stools when buildings are partially occupied.

**Kevin Stewart:** What you have heard in evidence is not necessarily what happens, but we will clarify that with you.

**The Convener:** We would like clarity, or you could take on the suggestion that new-build properties should have a fire safety assessment prior to a completion certificate being signed. We will leave that sitting there.

The FBU suggested an intrusive inspection of all high-rise properties, and Mr McGown talked about the type of inspections that take place. We will leave that sitting there.

There does not appear to be a national standard for fire risk assessments, and there was a suggestion that there should be specific guidance to standardise the approach nationally. I am not saying that that is accurate; I am just saying that we heard that in evidence, so we are duty bound to raise it with you.

**Kevin Stewart:** Sure. We have seen that evidence and we will give you a detailed response about that in writing.

**The Convener:** It has been a long evidence session. I thank you, minister, and Mr McGown and Mr Dodds for your time.

**Kevin Stewart:** Thank you for the opportunity, convener.

**The Convener:** Do you have any final remarks before we close the evidence session?

**Kevin Stewart:** The ministerial working group and I will look carefully at the committee's recommendations. To ensure that people are safe in Scotland, we need to work in partnership, and I hope that we can do that with all partners across Scotland so that we get this absolutely right.

**The Convener:** I thank everyone for their time. We will suspend briefly before moving quickly on to agenda item 2.

11:12

*Meeting suspended.*

11:15

*On resuming—*

## Homelessness

**The Convener:** Under item 2, the committee will take evidence on its inquiry into homelessness. I welcome Bridget Curran, who is from the Glasgow housing options steering board; Fiona King, who is campaigns and public affairs manager at Shelter Scotland; Jules Oldham, who is head of policy and operations at Homeless Action Scotland; and Dr Neil Hamlet, who is from NHS Health Scotland. I thank you all for coming here and I apologise for the delay in starting this evidence session. We felt that we had to let the previous evidence session run its course, as it was on an issue that is quite significant—as is, of course, our tackling of homelessness. We are delighted to have you all here.

I am not sure whether you wish to make any opening remarks, but I will give you the opportunity to do so. I see lots of nodding heads. We will go from my left to right. Bridget, do you want to start?

**Bridget Curran (Glasgow Housing Options Steering Board):** Yes. Good morning, everyone. Thank you so much for the invite to talk to the committee. I am the housing options project manager and I am standing in for Susanne Millar, who is the chair of our housing options steering board. It is important to reflect the partnership within the steering board, which includes Glasgow city health and social care partnership, Glasgow City Council, the Wheatley Group, Glasgow and West of Scotland Forum of Housing Associations, the Scottish Federation of Housing Associations, Shelter—Fiona King is a former member of our board, and it is lovely to see her again—and the Glasgow Homelessness Network.

A key focus of our approach to homelessness prevention is tenancy sustainment. A central component of our approach has been to help to sustain people in their accommodation, for all the reasons why that is so important. The challenges that Glasgow faces are well documented, in terms of the scale of homelessness, the complexity of need and the complex housing landscape, with 60-plus community-based and national housing associations operating in the city. Partnership has been a central component of our strategy and we have sought the active involvement of registered social landlords and health, social work and third sector colleagues to develop and promote a culture of shared responsibility for vulnerable people, using housing advice for those at risk of homelessness in the city.

Our model is very practical. We have had a recent second independent evaluation, which is

the basis of our submission to the committee. It shows that our model protects people's rights under the homelessness legislation, provides very effective outcomes for customers with higher levels of need, demonstrates the business case for housing options in Glasgow and shows its significant potential prevention savings.

**Fiona King (Shelter Scotland):** Thank you for inviting Shelter Scotland to be involved in this timely inquiry, which we are delighted that the committee is having.

Shelter Scotland has offices across Scotland and various support projects and advice workers. We see the impact and consequence of homelessness daily. Last year, we helped more than 21,000 people who were facing homelessness or experiencing bad housing, and we had 800,000 unique visits to our online get advice service, so we know that there are high levels of housing need. We are striving to ensure that everyone in Scotland has a safe, secure and affordable home, because a home is the foundation of nearly everything else that a person can achieve as part of a thriving community.

The very high levels of housing need are the reason why this time last year we launched our far from fixed campaign. We have been calling for leadership and action on homelessness. A lot of good work is going on: there are a lot of good pilots, people and projects, and we want to see that work driven forward nationally. This inquiry is a perfect opportunity to drive forward some challenging recommendations.

There are real problems. Every 19 minutes, a household in Scotland becomes homeless, and there were 28,000 homelessness assessments last year. It is a big problem.

We want to see a strategic, whole-system response to homelessness and the prevention of homelessness. It cannot be the responsibility of just homelessness teams and the third sector. It is great to see Neil Hamlet here today, because we need health, social work, criminal justice and education—all parts of our public sector and third sector—working together.

We are in the middle of a housing crisis. In addition to the homelessness problem, there are 142,000 households waiting for housing on council waiting lists, which is part of the problem that we face. We also need temporary accommodation to be tackled in a meaningful way that addresses the conditions, the length of stay, how it is funded and whether it is working for people.

I am sure that we will talk about welfare reform, which is an on-going concern for everyone on the panel. We need to see how we can address the issue more comprehensively.

I am delighted that the committee heard from service users at last week's evidence session. It was an excellent though challenging session. One thing to come out of it was the need for good, joined-up housing support to help people to move away from homelessness. Service users must be at the heart of all this work, the committee's inquiry and any recommendations that it makes.

Those are big challenges, but there is a great opportunity for the committee and I look forward to the discussion.

**Jules Oldham (Homeless Action Scotland):** Good morning, and thanks for inviting Homeless Action Scotland here today. We are the national membership organisation for homelessness in Scotland and we are in our 43rd year. We represent everyone who works in homelessness across the country.

In particular, I look forward to discussing the use of bed-and-breakfast accommodation and night shelters. That issue is high on our agenda of priorities. We are pleased that the spotlight is now on rough sleeping, but we do not want simply to move people from sleeping on the streets to staying in bed-and-breakfast accommodation or inappropriate accommodation. I would welcome further discussion of that and many other points that I will address when we come to questions.

**Dr Neil Hamlet (NHS Health Scotland):** I am representing NHS Health Scotland, but I am also the co-author of a report that I wrote on behalf of the directors of public health across Scotland, which was called "Restoring the Public Health response to Homelessness in Scotland". That report came out in 2015 and, on the back of it, there has been quite a significant change in the relationship between public health, as well as healthcare services, and homelessness and housing.

In summary, a healthy home—I use the word "home" rather than the word "house"—is an underpinning bedrock for wellbeing right across the life course. It is important from conception right through to the deathbed, and, at each stage, the home has a significant part to play in allowing access to all the other resources that lead to wellbeing. It is also important in that, as health and social care come together, they talk about providing healthcare at home or in a homely setting. Once again, there is an underpinning need for housing, wellbeing and health to come together.

**The Convener:** I thank all our witnesses for their opening statements. We will move to questions.

**Graham Simpson:** Welcome to the committee. I will kick off with a general question for all of you, although it is based on the submission from

Homeless Action Scotland. That submission makes the bold statement:

"We know how to eradicate and prevent homelessness".

My question to all of you is this: how?

**Jules Oldham:** I do not think that there is just one answer. It would be lovely if we had just one answer, but that is not the case. The main reason behind homelessness in Scotland is relationship breakdown, so we need to see what we can do to prevent that.

We need to think about what we can do better around accommodation and fast and accessible routes to that accommodation. There is also the issue of support, where required, for that accommodation, and fast access to that support. We need to be realistic about that support, because somebody might need support for three or four months and then not need it for a year or two, but then need to access it again later on. We must also take into account people's mental health at their most vulnerable point and allow for not only support but support that has knowledge about how to help people in those critical circumstances.

As Fiona King mentioned, that will involve people from various areas of expertise working together. It is difficult for people with different budgets and pots of money to work in collaboration to support somebody who has a range of areas of need. We do not want to continue with the situation in which, because of the way in which budgets work, people have to go from pillar to post in order to get the right support. We have to ensure that people and their budgets work together to provide accommodation and support.

**Fiona King:** I echo a lot of what Jules Oldham has said. We agree that there is a lot of data out there and that there has been a lot of research. We know what help and advice would help prison leavers to avoid homelessness, wherever possible, and we know that people leaving care need certain support mechanisms. A lot of the work has been done, but we must take it forward in a comprehensive, sustained, well funded and strategic way. It is important that there is a supply of good quality affordable housing in the places where people want to live, and that involves a long-term commitment to the delivery of homes. That is one element, but the issue goes further than just bricks and mortar. What came out clearly from the session last week was that housing support that meets the needs of individual people is important. Homeless people are not one homogeneous group of people who all need the same thing. You heard from the people who have experience of care about their distinct support needs, and there are other people who have a range of support needs, such as money and debt

advice. If we do not put support in place, all that we are doing is giving people the keys to a home but ensuring that they are destined to fail.

Housing supply is essential, as is support, but we are not talking just about money, because it is also important to join up all the different priorities and ensure that various parts of the public sector and funded third sector work together. We have examples of instances in which different departments of the same council are not working strategically together and have obviously got their eyes on their own key performance indicators, outcomes and budgets. We do not want the housing management team, the homelessness team, the housing options team, the social work team and the environmental health team to be working against one another. We need all the departments to work together. Those are the three things that we now need to happen and which would help us to take a step forward in the way in which we respond to homelessness.

**Bridget Curran:** I support the comments of my colleagues. I would like to talk about our approach in Glasgow, which is a practical hands-on approach to the prevention of homelessness. We have a comprehensive housing interview with people who either present to homelessness services or come to registered social landlords for housing advice. That involves not only an assessment for homelessness or a waiting-list application but a comprehensive financial assessment, along with consent to share information in respect of the underpinning needs that the person might have that prevent them finding, securing and maintaining a home.

I very much take on board some of the difficulties that Fiona King and Jules Oldham have mentioned with regard to joint working across departments, and we have put in place active referral systems involving named contacts in health, social work, housing benefit, the Scottish welfare fund and third sector organisations. We have developed a range of support services that include low-level housing support and mediation services.

11:30

All that is supported by a bespoke joint training programme for RSL and homelessness staff. We have trained just under 1,000 staff in Glasgow to implement this practical approach, and we provide eight weeks of on-site coaching and mentoring in all our locations—we now cover 72 per cent of the city's social housing stock.

Perhaps I can give the committee two practical examples of how that work is being taken forward. One situation that we would want to improve radically is that of victims of domestic abuse

having to go homeless, and one of the Wheatley Group's policies is that such individuals do not have to present as homeless. There is a separating partners policy in the group's allocation policy that enables those people to access housing without having to become homeless. Granted, Wheatley is a big RSL that, like many of our RSL partners, has an enormous commitment to this issue, but our proposal is that protocols be developed across RSLs to enable the establishment of reciprocal arrangements.

In my other example, I want to highlight the contrast between what would happen to a private rented sector tenant in Glasgow who had lost his job pre and post-housing options. Such a tenant would usually go homeless; however, under housing options, we were able to make representations to the landlord on that person's behalf to accept reduced rent through the local housing allowance for a period. That enabled the person to focus on what was the priority for them—finding another job—instead of their getting caught up in dealing with housing, finding temporary accommodation and so on. It was a very effective approach. One of our partners, Shelter, carried out the training on the private rented sector that propelled implementation of the programme.

**The Convener:** That was very helpful. Before I bring in Dr Hamlet, I note that Bridget Curran mentioned the Wheatley Group. I should put on record that, although I sometimes work very well with the organisation, I have to say that it has not, despite my efforts, engaged greatly with me in its consultation on changing its allocation policy under choice-based letting. Perhaps it is just the nature of being an MSP that you get to see the things that do not quite work instead of the success stories.

For the constituents I represent who might be watching, I had to put something on the record about how choice-based letting is or is not working for the Wheatley Group, but I am very grateful that Ms Curran has put on record the positive things that are happening. That is important, but if I had not said something, constituents of mine would certainly have been on the phone or emailing me.

I am sorry, Dr Hamlet, and thank you for indulging me.

**Dr Hamlet:** On the question of eradicating homelessness, I think that I am right in saying that Finland has made some excellent progress on that issue, and an examination of the policy changes that have been made in that country would bear fruit.

When I think about the eradication of homelessness, I use a framework that comprises five easily remembered words beginning with R.

The first word is rafters. It is all about the availability of housing, an issue that we know about and has already been mentioned.

The second is relationships. As we know, the greatest cause of homelessness is relationship breakdown. The creation of good relationships starts from the cradle, which brings in what we call ACEs—or adverse childhood experiences. Indeed, that was one of the key points about prevention that we raised back in the 2015 report.

Once you have rafters and relationships, you are in a position to take advantage of resources, which might be welfare benefits, a good education, a job or even just the network of people around you who prevent you from experiencing homelessness. The order is important here; you need the house and the relationship first, because that gives you access to the resources.

After that comes what I call restoration or recovery. All of us need sleep or a home where psychologically we feel safe and comfortable, where we are fed and where we can relate and get on with our living. Without that, our stress levels get very high; after all, the physiological need for sleep is as important as the physiological need for a house.

That brings in the issue of Maslow's hierarchy of needs. It would be interesting to debate how that hierarchy is inverted, as you will have seen in the responses that you have had from some of the experts by experience you have spoken to in previous weeks.

After that comes resilience because, if someone has those four other Rs, they will then be able to bounce back from a situation that could land them in a homeless setting.

I commend those five Rs to the committee.

**The Convener:** Thank you. There is a lot to follow up on there.

**Graham Simpson:** Indeed. I thank the witnesses for those comments and for their written submissions, which I enjoyed reading. I was particularly impressed with the one from the Glasgow housing options steering board, which told us in great detail how that approach operates. The joint working is really impressive. It is extraordinary that you have 52 partners in the city.

**Bridget Curran:** It is 56 now.

**Graham Simpson:** It has gone up. If you can get all of them working together, that is brilliant.

I want to ask about temporary accommodation, which has been mentioned. We have heard that there are real issues with the standard of temporary accommodation and with the length of time that people stay in it. Do you have any

thoughts on that or any evidence that we could use?

**Jules Oldham:** It is difficult to get the true statistics on temporary accommodation, because people often move in and out and go back to the local authority. The current figure is that 10,873 households are in temporary accommodation, but that does not give us the full picture. Somebody can arrive at temporary accommodation that is not entirely suitable for them because of the location, their circumstances or other people in the building, so they will return to the local authority and end up in different temporary accommodation, which again might not work for whatever reason. Basically, people go from pillar to post. On average, people go to three different places, going back and forth to the local authority, until they are in temporary accommodation that they will be in for some time. I highlight the fact that the figure is difficult to gauge, because it depends on whether, when that happens, it is seen as one case.

Bed and breakfasts are used too often now. About eight or nine years ago, when I worked in front-line services, I remember people saying that we were going to eradicate the use of bed and breakfasts. That was a goal, but it seems to have been dropped. I have discussed the issue with many local authorities in the past few weeks, and they all say that they need to use bed and breakfasts more and more. That is simply not acceptable. I realise that it cannot be changed overnight and that a long-term strategy is needed to really change things.

Just to give members a picture of how bed-and-breakfast temporary accommodation works, the person will arrive, often along with many others who are in the same circumstances, and be given a room. It will not be the sort of room that you get in the very nice bed and breakfasts that you would head to on your holidays—it will be a very basic room with basic amenities. People are often asked to leave at 7 or 8 o'clock every morning and they are then expected to have somewhere to go throughout the day, with very little funds available to them. They will be able to return only at 5 o'clock at night at best. They will not have access to somewhere to cook, and often there is not even a kettle or somewhere to do their laundry. None of those basic fundamentals is there. It is simply not acceptable that we are putting more and more people into that type of accommodation. There is no overnight solution to that—a national focus is needed to eradicate it.

The other element that I would like to highlight is night shelters, which are also increasing in use. When I was last in front-line services, a night shelter was used in the month of December. Churches would take it in turn to provide a floor space for people who were in dire need for that



night. They would return the next night if nothing else had been provided.

Now such provision is often needed in October through to February or March. It seems incredible that we have got to that position, and we need to work to provide support to remove that as any kind of resource. People in night shelters do not even have a bed; they just have a roof over their heads.

**Graham Simpson:** Are there night shelters only in Glasgow and Edinburgh, or are they found in other places?

**Jules Oldham:** The use of night shelters extends further than just Glasgow and Edinburgh. Obviously, the bigger numbers are in Glasgow and Edinburgh, but there are night shelters across the country. In Glasgow in particular, we have seen a real increase in their use. It is starting to become the norm, and that is not acceptable.

Alongside that, there is supported accommodation—albeit with some voids—yet people are going into night shelters, so we have got something wrong along the way. People are using the quick go-to solution rather than looking to us to provide something that is long term, permanent and a home.

**Fiona King:** Temporary accommodation is a huge issue, and I am glad that the committee is focusing on it. The world-leading homelessness legislation that we have in place is fantastic, but temporary accommodation is a critical part of that provision. Everyone cannot be provided with a permanent home on day 1.

In an ideal scenario, temporary accommodation would involve the provision of suitable accommodation for a short time and would be an opportunity for people to get the help, support and advice that they need to move away from homelessness. Unfortunately, the average length of time in temporary accommodation is 24 weeks. It is estimated that local authorities provided 3.8 million days of temporary accommodation in 2015-16. While that represents 10,000 households at any one time, it also represents millions of days' worth of temporary accommodation.

The picture is fragmented all over Scotland. There are different types of accommodation and different responses. Some of it is good; some of it is not quite where we would want it to be. It is incredibly stressful for people to be going in and out of temporary accommodation. It came out very clearly at last week's evidence session that people are literally going from pillar to post. The system is bafflingly complex. People at the point of crisis are getting two days here and seven nights there. Sometimes they are asked to leave and sometimes they can stay for a long time; sometimes housing benefit covers the cost and

sometimes it does not. The provision is not where we would want it to be.

We know that there has been an increase in the use of temporary accommodation—it is 3 per cent up, with 3 per cent more children in such accommodation this year than in the previous year. Although temporary accommodation is a critical part of the provision, there are big problems in the temporary accommodation system. To put a human face to that, we recently had a client who was a 16-year-old girl with a two-year-old child who was offered a fairly unsatisfactory B and B or a room in a Premier Inn on the side of the motorway. She is 16. Neither of those options was appropriate for her.

This is an opportunity to step back and ask what we want to achieve through temporary accommodation and what the purpose of it is. A large amount of money is being spent on temporary accommodation across the country. I am not sure that it is doing what we as a community, as social landlords and as people working in homelessness and housing would want it to do. We need to repurpose all of that time, energy and money into providing better temporary accommodation. We need to improve the standard, decrease the length of time that it is used for and make sure that there is support so that people are not left floundering.

I want to pick up on the point that Jules Oldham made about people not having the facilities to cook. If you put a 16-year-old with a two-year-old child in a room where they cannot cook, not only are you impacting on that person and the trauma of being homeless that they are suffering, but what are you doing to that two-year-old? That is pretty bad. I am not saying that that is happening everywhere or every time, but it is not unusual—people are stuck in temporary accommodation that does not suit their needs. We need to reflect on that and on what we could do better.

11:45

**The Convener:** We will hear from our other witnesses, Dr Hamlet and Bridget Curran, next. You are identifying the scale of the problem for Mr Simpson, but when the committee makes recommendations, we are keen to signpost possible solutions. I know that you want to get the scale of the problem out there, but please bear that in mind. That said, I am not expecting you to come up with all those solutions in your immediate answer to the question, Dr Hamlet.

**Dr Hamlet:** Nice and simple. At the root of the temporary housing issue is the lack of social housing. It goes back to the rafters—we need more houses in Scotland. If we had more houses, there would not be such a shortage and there

would not be the constant need to move people to and fro.

We need a change in the language. We talk about the agenda using housing terminology: we talk about temporary accommodation. If we think about the person who is experiencing homelessness, what they need is a restorative accommodation experience, because they will enter temporary accommodation having been through a very traumatising experience. Evidence tells us that people make an HL1 homelessness application quite late in their career of insecure housing. It is a desperate move for many people, and some people are never prepared to even make that desperate move to make an HL1 application.

People who have experienced homelessness are highly traumatised, either from an entire life or from a recent experience, and the first thing that they need is recovery. We should talk about recovery accommodation and focus on the person being re-empowered so that they can move on to whatever accommodation is available down the line.

**Bridget Curran:** My colleagues have all painted a picture of temporary accommodation that members will know exists, and I think that that's the issue of tenancy sustainment all the more important. We need to do everything that we can to help people to sustain their current accommodation. As all my colleagues have pointed out, that means getting in as early as possible to support vulnerable people.

In Glasgow, we were able to do two things. Our mediation service focused particularly on young people, but it is now available to other people. Where it was safe to do so, rather than putting young people into temporary accommodation with the associated consequences—it can lead young people on a certain pathway for some time thereafter—we worked with young people and their families to help them to return home or to make a planned move, if that was the best thing to do. We also help them to link into Jobs & Business Glasgow, because some of the issues to do with relationship breakdown are often about behaviour and lifestyle that could be addressed in other ways. The other related issue is people's income. We might talk about that in more detail later.

As part of housing options, we were very fortunate to have Scottish Legal Aid Board funding, which allowed us to co-locate a money advice worker in each of our three community homeless teams. That was hugely successful. We had the best return—we had £18 for every £1 spent on that, which was a fantastic return for direct client financial gain. It was also good for debt management, which meant that people paid their rent, gas and electricity. We were very sorry

to lose that money in March. It had a huge impact on supporting people at that stage before they moved to temporary accommodation.

**Jules Oldham:** I want to come back on the convener's request for some solutions. My suggestion is about temporary accommodation, rather than supported housing. I think that we should take a step away from the six-in-a-block accommodation that is often provided towards a broader range of individual flats and premises. That would involve working well with private landlords as well as offering local authority and social stock. If they were to get some support to get it right, we might also find that accidental landlords—people who had not planned to become landlords—would be up for being part of a temporary accommodation scheme.

Looking to the longer term, we know that people are spending longer periods of time in temporary accommodation. Therefore, if someone who was in such a property for a year, which currently is not unusual, unfortunately, agreed to it—it would be up to them—that could become their permanent tenancy and another property could become temporary accommodation in its place. That would be a solution that would have a bit of fluidity to it, and it would also be empowering for the person. The period need not be 12 months; hopefully, it would be one that suited that person. If, for example, their child was about to start school, it would be good to be able to say to them, "We don't want you to face an upheaval three months down the line, so let's look at offering this as a permanent tenancy and we'll open up a temporary let elsewhere."

There are definitely solutions, but they stem from having more individual premises as opposed to putting everybody—not all of whom have support needs, or not to the same extent—into blocks of places. The overarching issue is that that's to be done in a way that enables people to stay in employment, which is not currently the case. It is often out of the question to take up or continue with employment because of cost, so we need to take that into account, too.

**Fiona King:** There are some things that we could do almost immediately. We would like temporary accommodation standards to be statutory rather than voluntary. We have been calling for that for quite some time. That statutory footing would focus resources in a slightly different way, as new laws tend to do, and would give our front-line workers the opportunity to take forward challenges. At the moment, we are not always able to legally challenge accommodation that is unsuitable. There is the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014, which is a strong piece of legislation, but it is

a pretty low bar. We want to move towards something that is a bit more aspirational.

The other thing would be to ensure that people are not left in temporary accommodation with no communication, information or support. If they have to be there for a length of time, which is the case at the moment with the housing shortage, we must make that time as beneficial as possible and not leave people with no clue about what is happening, because that only compounds their problems and the issues that they have.

**Jenny Gilruth:** Dr Hamlet's submission mentioned the multiple needs of homeless people in terms of overlapping drugs, alcohol and mental health issues, and other things that might have affected them. Fiona King's opening statement alluded to the experience of care experienced young people, and the panel will be aware that the committee heard from a number of care experienced young people last week. What are the views of the rest of the panel on the specific needs of care experienced young people with regard to homelessness?

**The Convener:** Bridget Curran—I nearly called you Margaret Curran there; I do apologise.

**Bridget Curran:** Not at all. In Glasgow, a lot of work was done between the RSLs, the former council and the Glasgow health and social care partnership to develop a protocol and a statement of best practice to meet the housing needs of young people who are leaving care. The Wheatley group has a strong record on that, as have a number of the RSLs. That best practice has been proven to be—as colleagues have commented—about the right support, such as helping to provide links to college and employment. That has been very successful. The tenancy sustainment levels for those tenancies are 92 or 93 per cent higher than for normal waiting list tenancies. It proves that, with energy and commitment, a substantial amount can be done to support young people.

**Dr Hamlet:** I am delighted by the order of the questions, because we have moved from rafters to relationships and I firmly believe that that is the right way to go about it.

We are talking here about the transition points at which people can fall into a state of homelessness. You cite leaving care, which is a very important one. I have tried to summarise those critical transition points, which are where we need to provide safety nets and springboards to help people not to fall or, if they fall, to come back up quickly.

I use the terms "leaving" and "losing", because there is either a leaving or a loss involved in almost every form of homelessness. As has been said, that may be the loss of a home or leaving an institution. There is a whole range of things. That

is a useful way to approach the whole concept. If we can identify the transition points, we can start to look at preventative approaches.

When we work our way through the chain of causality, we get back to the importance of adverse childhood experiences, which affect many children in care.

**Fiona King:** As Neil Hamlet said, it is about identifying those transition points, but we already know what they are. Care leavers are overrepresented in the homelessness figures. It is not a huge number, but they are overrepresented, as are prison leavers.

That brings us to the heart of prevention. We know that people are going to leave an institution—it does not come as a surprise to anyone—and that is exactly where we should be focusing resource. It is much more expensive, aside from being horrendous for the individual, to let people fall and have to keep picking them up again. We should go pre-emptive and try to tackle the issues by getting in there with a homeless application—or, ideally, we should not take a homeless application and should instead provide the housing and support that people need before they go down the homelessness route.

The people who gave evidence last week did a lot more justice to the experience than I would be able to, and they highlighted the things that they felt that they needed. It is about identifying the critical points, as we have already done, and front loading services. We need to get in there much, much earlier.

There is still too much focus on the point of crisis. Even the housing options approach, which we support 100 per cent and have been involved in, kicks in only when someone has identified a housing need. We need to wind back the clock a wee bit to identify where the cracks start to show, rather than waiting until people get into crisis.

**Bridget Curran:** Fiona King's point is well made. We need early intervention, and that is where housing associations can contribute. Speaking from a Glasgow perspective, housing associations are absolutely critical. Housing officers have their own patch and they know who their tenants are and where there are issues and difficulties.

Part of the difficulty for housing officers in Glasgow before the housing options approach was knowing who to contact if they anticipated a problem; how to secure support and assistance; and how to move up the chain and escalate issues. Joint work with housing options has made a huge impact on building relationships for the long term. It does not wave a magic wand and sort out complicated problems, but it means that people can find a pathway through them.

**Jenny Gilruth:** I appreciate what you say, Ms Curran. You opened by talking about the mediation that you offer in Glasgow. However, we heard last week that the UK Government's welfare reforms, including the universal credit roll-out, the benefits cap and cuts to housing benefit—all the issues that came up in evidence from our witnesses last week—are making people's lives far more difficult before they even get to the housing associations.

Statistics from the National Audit Office show that there has been a 60 per cent increase in the homeless population in England and Wales. Things are happening to the homeless population before they even arrive at your door. The Shelter submission states:

"It is unlikely that the Scottish Government will be able to sustainably mitigate all of these changes".

Does the rest of the panel agree with that statement?

**The Convener:** People have to get better at making eye contact with me. Fiona King can go first.

**Fiona King:** As we state in our submission, we have grave concerns about the roll-out of the welfare reforms and universal credit. We are involved in a lot of the working groups, and we submitted evidence on the Social Security (Scotland) Bill as part of the Scottish campaign on welfare reform group. We met the Minister for Social Security last week to discuss some of the specific things that Shelter would like to see in the bill.

You are right to say that welfare reform is creating an even more complicated, and at times detrimental, landscape for people. The system is getting harder to navigate, and we believe that some of the welfare reforms are pushing people further into poverty.

Young people are a particular group who are being disproportionately impacted on. I will not go into all the details of the very complicated welfare reforms that we are seeing, but if people are unable to afford to move into permanent lets, that throws a real spanner in the delivery of the system to address homelessness. That is a real problem that we are seeing.

There have been some positive steps forward. Trying to mitigate the effects of the removal of housing benefit for 18 to 21-year-olds is a great, positive step forward and mitigating the effects of the bedroom tax is really positive, but those are long-term and expensive commitments and we are seeing problems piling up on top of each other. The question is how long we will be able to do that mitigation.

12:00

**Jules Oldham:** In relation to universal credit, we know that arrears are one of the biggest concerns. I have spoken to a number of local authorities about that and about how their teams are dealing with things, and it seems that there is a bit of a disjoint between homelessness teams and eviction teams. That disjoint is not everywhere, but it is in enough local authorities across the country to be a concern to us. There is a need for eviction teams and homelessness teams to work closely together, and we certainly recommend that that approach be rolled out across the country.

As part of that, the current protocols on when evictions start to progress should also be looked at. We know that it is very likely that people will have at least six weeks of rent arrears but, from the statistics so far, that could even be 12 or 14 weeks' worth. Why are the protocols across the country not being looked at now? People who have rent arrears should be dealt with as core prevention cases, rather than us dealing with them experiencing a whole lot of stress because they have received paperwork and are about to be evicted—which is outwith their control. We could do prevention work right now, as universal credit is being rolled out, before it goes far and wide.

**Dr Hamlet:** We seem to have moved seamlessly from relationships to resources. That is a big issue, because we face a perfect storm with some of the impacts of welfare reform. We are seeing evidence of that. The question is what we can do about it.

Promising collaborations are appearing. For example, I have been at quite a number of events at which the Department for Work and Pensions has explained what kind of exceptions it can make for those who find themselves in a homeless setting, which front-line workers were perhaps unaware of. In Fife, we have been able to get very useful discussions at the local level between the DWP and folks who work in the Scottish Prison Service—the throughcare support workers whom members will have heard about. When those people get together, they start to find ways to help people such as the prisoner who is coming out through the prison gate and finds that he has no money for a fortnight.

There are promising pieces of work and it would be good to encourage them. If the committee has not received evidence from the DWP, it might be worth doing so.

**The Convener:** That is very helpful, Dr Hamlet.

**Bridget Curran:** I want to comment on mitigation and the importance of financial advice for people. Agencies are very worried about the impact of universal credit and welfare reform, and

people themselves are increasingly worried about how they will manage. Earlier, I spoke about our access to SLAB funding. More than half of the users of that service were tenants of RSLs, some of which had their own money advice services. People who are in debt sometimes find it very difficult to approach people and tell them the truth about their situation.

For information, one of our housing options team has been seconded to development and regeneration services in Glasgow City Council to develop a housing options response to the benefit cap for people in the private rented sector, and we are beginning to look at very interesting work that is emerging from that.

**Kenneth Gibson (Cunninghame North) (SNP):** I want to touch on the importance of financial advice. You said that, for every £1 that is invested, there is an £18 benefit. You also said that your funding from the Scottish Legal Aid Board was cut in March. What was the reason behind that cut, given the obvious benefits of that funding to your client base?

**Bridget Curran:** We were delighted to have had the funding for the period for which we had it.

**Kenneth Gibson:** Yes, you had it for two years.

**Bridget Curran:** I understand that the money was redirected elsewhere in Scotland. SLAB would have been happy to continue to fund our work, and we would love to get that funding back if that were possible.

**Kenneth Gibson:** How much money are we talking about?

**Bridget Curran:** It was £203,000, which resulted in £2.2 million in direct client gain and £1.45 million in debt management. Our twin approach was about both income maximisation and debt management, which, in our experience, is becoming a critical issue for people. Going back to our previous conversation, there are huge concerns about the impact that welfare reform will have on families and family incomes.

**Kenneth Gibson:** Yes. I see that 1,643 clients were assisted by that action, so it is concerning that the funding has been taken away.

All the written submissions are excellent, and, just this morning, we got the "Glasgow Housing Options evaluation 2016" report, which I do not think all members have had the opportunity to absorb yet. From what I have read of it, it is a fascinating document. Somewhat modestly, you say:

"The implementation of housing options in Glasgow coincides"—

you do not claim direct responsibility—

"with a steep decline in homeless assessments",

which have come down from 8,299 to 5,929 over three years. You talk about how, in Glasgow, the

"continued decline exceeds the Scottish rate"

and say that

"there is strong evidence that a rights based approach is a key principle of model operation."

That all looks very positive. In addition, Homeless Action Scotland's submission says that, with regard to the options approach, there are definite areas of improvement—you touch on that towards the end of your paper, and I will ask colleagues about that in a minute. However, although, just a minute ago, Fiona King said that Shelter Scotland is 100 per cent supportive of the housing options model, page 11 of its submission states:

"We share the concerns raised across the sector that Housing Options is sometimes being misused to essentially gatekeep homeless services and resources. ... Housing Options must not be used as a rationing tool for housing."

I want to square the circle and find out what people think about the housing options model. Does it work successfully? What are the drawbacks of the model?

I will ask a final question before Bridget Curran answers—I see that she is desperate to answer. On page 7 of the evaluation, you say:

"Despite this positivity, staff don't feel confident in delivering tailored advice on every housing option given the poor availability of quality housing system intelligence."

Will you kick off with your successes and talk about areas in which you feel that further improvements can be made? We will then go on to what Jules Oldham and Fiona King think about the model. Dr Hamlet might also have some comments to make.

**The Convener:** Fiona King is also bursting to get in—that is a technical expression—although more subtly. Because Bridget Curran might be able to respond to some of the concerns that Fiona King has, it might be best to let Fiona King in first.

**Fiona King:** Shelter Scotland is 100 per cent behind the housing options model when it is applied correctly—that is the key. We have published two housing options investigations and reports, which I will happily forward to the committee, and I was on the steering board in Glasgow for a time.

The idea is that you look at someone in a holistic way—their financial situation, their requirements and their housing experience—and consider all their options before giving them advice, support and guidance to make a choice that suits them. You cannot argue with that as a model. It is a much more mature and holistic way

of trying to match a house or home with a person. However, the undercurrent is that we are, in essence, trying to ration a pretty scarce resource.

Everyone on the panel will be aware that the Scottish Housing Regulator published a report on the housing options model and identified some pretty substantial queries about its application. It is applied differently across the 32 local authorities and the statistics and impacts are quite different; there are different models and it is approached in different ways.

The issue of people being denied access to services is really important, and Shelter Scotland is looking into it in more detail. It is difficult to quantify how many people are being turned away from services, but we have anecdotal evidence from our front-line staff that, in some places, on some occasions, people are not able to make a homelessness application. That is a problem. Statistically, it is unclear how big a problem it is, but in offering someone a housing options service and looking at all the different things that may impact on their housing solution, we do not want to see them being denied the right to make a homelessness application. That is a statutory right, as is temporary accommodation. Housing options does not trump that; it should be part of the mix.

The model that was being designed in Glasgow when I was a part of it absolutely understood that housing options and homelessness are two halves of the same coin. The problem arises if the housing options approach is used in a way that does not allow someone to make a homelessness application if they wish to. However, that is a difficult thing to quantify and we are doing a bit more work on that.

**The Convener:** Mr Gibson, did you mention that Jules Oldham might have something to add?

**Kenneth Gibson:** Yes. I quoted from her submission, in which she said that there was definitely room for improvement. Can she expand a wee bit on that?

**Jules Oldham:** Yes. The ethos is brilliant—we are absolutely behind that, but a housing options worker needs to have a wealth of knowledge and that, therefore, requires a wealth of training. We know that the toolkit started to come together some five years ago, but it has yet to come to fruition. Meantime, quite a few bits and pieces of training are happening all over the country, but if I was a housing options worker I would find it quite tricky to have the vast array of knowledge that is required to be able to give people really tailored support.

We are hoping to see both a bit of momentum on the toolkit and an understanding that that and the training available are not going to answer everything. There is also now a need for it to move

outwith the local authorities. Many third sector organisations still do not know about housing options. That feels like a bit of a missed trick as far as I am concerned. By now, third sector organisations and local authorities should know how to work really well together in order to provide the broadest range of possibilities for someone.

We sat in on a number of assessments in different local authorities to get a feel for what was happening—who was doing what and in what ways. We saw great work taking place, but there was often a bit a repetition in what was being offered within local authorities. Of course, there are only so many options available within one area, but we felt that the options were also restrained when somebody did not have the full range of knowledge.

For example, does a housing options worker have enough knowledge to help someone who has a mental health issue by being able to pick up on that or are they able to give the right direction if somebody is in need of help with their mortgage arrears? It is quite a skill set that we are asking for, so significant input is needed on training. Those are quite diverse topics and it takes a lot of training to have the right skill set to cover all of that. We need to get a bit of momentum on the training and also to bring in the third sector wherever possible, to be upping the skills back and forwards.

**Dr Hamlet:** People who are approaching housing options have obviously got a degree of housing insecurity. That brings up the issue of the interplay between physical and mental ill health and housing insecurity. We need to bring together the importance of secure housing and the wellbeing of the individual, and I think that we are beginning to do that. People might be turning up to general practice surgeries with headaches and psychological issues, but the solution might well lie in housing. Giving people directional referrals from housing options staff—not just homeless application officers—to health and from health to housing options is one of those upstream preventative approaches.

12:15

How can we make that happen? It would be lovely if it were written into the new evolving arrangements around primary care contracts, if that were possible. In the public health sphere, we are trying to make inroads into attendance at the housing hubs that you might have heard about, wherein councils meet in groupings of about five or six. Public health can make a valid contribution to the debates that are had at those meetings.

**The Convener:** I know that Bridget Curran wants to talk about housing options in relation to

the experience in Glasgow. There is a lot in that, and any information that you can give us would be helpful.

**Bridget Curran:** Neil Hamlet mentioned the housing hubs. The west of Scotland housing hub has been critical to the development of our thinking, because it brings us together with partner local authorities. Wheatley is the only RSL that is in any of the hubs. It is a place of really good argument and discussion, and we would love to have Neil Hamlet along to a meeting of that hub—I will organise an invitation.

We believe that our housing options approach has made a significant contribution to the reduction of homelessness. We would not take away from the commitment and work of a great deal of people who have been involved in trying to address homelessness in Glasgow and are doing a lot of good work, but our contribution has been extremely strong.

On the issue of gatekeeping, our steering board actively sought the contribution of Shelter and the Glasgow Homelessness Network so that we could have third sector representation on the board from the start, to ensure that the critique that Fiona King has highlighted was part of our thinking from day 1. We knew that concerns about gatekeeping were legitimate and we knew from the experience in England that, in relation to some of the huge reductions in homelessness that have taken place there, there might have been some concern about gatekeeping, and we wanted to ensure that that did not happen in Glasgow.

Our second independent evaluation comprehensively demonstrated that it does not happen. There are higher levels of homelessness applications in Glasgow than in the rest of Scotland. Of the people who approach housing options for homelessness advice, 20 per cent intend to make a homelessness application. After receiving that advice, 24 per cent consider making a homelessness application, and 26 per cent subsequently do so. We are very confident that gatekeeping is not an issue for us.

In Glasgow, we do not have housing stock, so we do not have a housing service. My understanding is that, in other local authority areas, the housing options approach is delivered through the housing service, and has a focus on homelessness prevention and dealing with homeless applications. In Glasgow, we have had to work with RSLs, which means that we have had to develop our tenancy sustainment element and have had to talk with housing colleagues about what makes it difficult to keep people in their accommodation. In those discussions, they have told us that the relevant issues involve joint work with health and housing benefit and the Scottish welfare fund. Therefore, we have invested heavily

in developing proactive partnerships in which there is a raft—to use Neil Hamlet's phrase again—of colleagues in health and social work in the north-east of Glasgow, the north-west of Glasgow and the south of Glasgow actively working alongside not housing options officers but colleagues in community homelessness teams and RSLs to support people.

The fact that we have a steering board that has continued to meet during the five years of the development of the housing options approach demonstrates the commitment of the Glasgow health and social care partnership. Homelessness is a key priority in its strategic plan. There has also been commitment from the west of Scotland forum, the Scottish Federation of Housing Associations, Shelter and GHN to ensure that our approach is robust and meets people's needs.

I am glad that Kenneth Gibson raised the point about staff. We want to do a lot more to encourage staff to be more confident with regard to the range of options that are available, and we are doing lots of work on that. There is one situation that I always think about, which concerned a couple who lived in a third-floor tenement flat in the east end of Glasgow. They were adequately housed so, had they gone to the local housing association, they would have been told that, as that was the case, there was not much that it could do. With the housing options approach, the housing officer in the housing association did a financial assessment and looked at other options. That couple are now living in a shared-equity front-and-back-door house of their dreams. There are lots of opportunities and more options to develop.

**The Convener:** Fiona King might want to come back in on some of that.

**Fiona King:** I want to say briefly that it is encouraging to hear Bridget Curran talk about the model and how it is developing in Glasgow. The interplay between the statutory duties and the housing options approach is complicated and varies in local authority areas, but the absolutely critical point is that, for some people, there will not be any option other than making a homelessness application. The private rented sector, rent deposit guarantee schemes, family mediation, transfers and all those other things might not be an option for some people—by which I mean people with the most complex situations and the multiple exclusion homeless. It is critical that those people are helped and facilitated, and enabled to make homelessness applications without delay. Prevention is the key to addressing homelessness but, when someone is clearly homeless and needs assistance, that is why the legislation is in place. That is absolutely the right thing to happen, and temporary accommodation is absolutely the right thing for them. The two things should not be

confused. For some people, there are no other options.

**Kenneth Gibson:** Thank you. I think that everyone would agree that prevention is better than cure.

As regards training, I note that the evaluation report says that

“the longer the housing options model is delivered, the more competent staff become with its delivery”,

and I am sure that we will see further progress.

Fiona King talked about different models of approach across Scotland. The housing hubs idea seems to be a great one for exchanging best practice, but is there a best model or does it have to be adapted to local circumstances? Is there a consensus on where housing options fits in the picture on addressing homelessness in Scotland?

**Fiona King:** Every housing options service needs to be tailored to the local area. Every local authority has a different interplay with housing associations and different geography, people, client groups and job markets. When the Scottish Government introduced the housing options model, it was deliberately left to local authorities to develop their own models. The hubs were supposed to facilitate that and the joint working. There is a lot of best practice sharing, and there have been a lot of conferences, events, papers and evaluations. The best way forward is to continue to share that best practice. Although the models might be different, the regulator has a role in checking for consistency, in terms of a minimum standard and outcomes for individuals. What will apply in Glasgow, with its 69 housing associations—

**Bridget Curran:** Almost—it is 67.

**Fiona King:** That will be different from what will happen in Moray, up in the islands or in Fife. I understand why there was not a consistent roll-out of one approach—it just would not apply in every circumstance—but toolkits and Scottish Government monitoring and evaluation have a real role in ensuring that it is not a case of anything goes.

**Neil Hamlet:** I hope that the committee is aware of the data linkage work that is being done by the National Records of Scotland, which is mentioned at reference 5 in NHS Health Scotland’s submission. That will be ready shortly and will give us 15 years’ worth of data in relation to HL1 data and health outcomes. I believe that it has also managed to source what will now be a couple of years’ worth of PREVENT1 data, which is the database on the housing options approach. That could give the committee a very early picture of what has been a different outcome, from the perspective of healthcare needs, with the arrival of

the housing options approach. It might be worth seeking that evidence if it is ready at a time when you are still considering the subject.

The other thing that I want to draw the committee’s attention to, speaking as a doctor rather than a housing expert, is that the thinking on housing support is based on 17 areas from the supporting people period. We have moved on a long way from that. We now think much more out of our boxes. I suggest a review of what is considered to be housing support with the aim of making it more holistic.

**Bridget Curran:** I want to bring to the attention of the committee the significance of the housing options toolkit that is being developed. It is being taken forward by North Lanarkshire Council on behalf of the west of Scotland hub and will be used across all the hubs. Every Scottish local authority has signed up to it. It is about to go into procurement and should be operational from April next year.

The toolkit covers a wide range and extends into the areas that we have talked about—not just housing advice, but health and wellbeing, and the roofs, rafters, resources and relationships scenario that Neil Hamlet talked about. It will be very helpful in ensuring not uniformity, because that is not the answer, but consistency and high-quality customer-focused advice for people in housing need.

To support Fiona King’s point about complex and multiple needs, I bring it to the committee’s attention that, in our evaluation we asked the team to look at whether our model met the needs of those with complex multiple needs. We had one-to-one interviews with a range of service users, supported by third sector organisations. The answer was that it did not. For many, their immediate focus is on survival and on the associated consequences of the problems that they face.

**The Convener:** I want to give a time check to witnesses. I know that we were delayed in starting, and I want to give the maximum time for evidence. We have perhaps 10 or 15 minutes left. I hope to get some more questions in.

I am keen for all witnesses to put your views on record, but if those views reinforce what someone else has said, just let us know that you agree and that will let us move forward as effectively as possible.

**Alexander Stewart:** I want to ask about the housing first proposals. There has been some positive feedback and discussion about how those are working. I know that the national health service has looked at two local authorities’ use of that specific response. How does that concept play in



supporting the response to homelessness in Scotland and how beneficial has it been so far?

**The Convener:** The committee is going to Finland next week to take a substantial amount of evidence from stakeholder groups in relation to housing first and wider housing and homelessness policy. We are conscious that, other than New York, Finland is the only area to have scaled up the programme significantly. We want to get a real feel for it as a committee. The panel's answers will help to inform us ahead of our trip.

**Jules Oldham:** We wholly back the importance of housing first and were one of the first organisations to bring it over here. We did not put it out there ourselves, but we worked with Turning Point so that it could come about. We have done a few evaluations of local authorities who have embarked on housing first and we are totally behind it.

It is important to know that housing first is for a very small number of people. To make it work, it is necessary to focus on those who will meet the requirements of the model. We would like it to be used far and wide across the country but, were it to be used for those who do not meet the model requirements, it would become diluted and would not have the effect that it should. We are all for it, but we should proceed with caution to ensure that it benefits those whom it is intended to benefit.

A few local authorities have already said that they are embarking on housing first when they are not actually doing so—they are maybe doing a homes first scenario. When we delve into that, we find that the local authority is applying the homelessness legislation well and people are getting a tenancy when one is available and being provided with support. That is not housing first, although it is really good practice and we want to see that as well.

So my points are that housing first should not be diluted—it absolutely should be there for those whom it will benefit—and that good practice should be happening as well, but let us not call that housing first.

12:30

**The Convener:** That is helpful.

**Fiona King:** I will try to be brief. I broadly agree with everything that Jules Oldham said. The outcomes for housing first are fantastic on the very small scales in which it has been delivered in the pilots that have been carried out, but it requires choice and flexibility in both housing provision and support, of which we do not have an abundance at the moment.

If the committee took anything away from the evidence session last week, I hope that it was that

there is a desperate need for better housing support. To replicate the outcomes of the models and pilots of housing first, we would effectively need to provide non-time-limited 24-hour support, and at the moment we are struggling to supply basic housing support.

Aspirationally, housing first is fantastic, and for the client groups for whom it really works it is a great thing. Should someone get a house at the point at which they find themselves in a housing crisis? Absolutely—it is not rocket science. If someone does not have a house, should they get one? Yes. If we had all of the houses that are needed to be able to allocate one every time someone walks into their local authority in a housing crisis, we would do that. There is a real resource question, but we support the model and we would like it to be rolled out. However, it should not be a comprehensive roll-out; it is part of the solution but not the panacea to homelessness in Scotland.

**Dr Hamlet:** The evidence base is absolutely rock solid, and particularly the European evidence, because it is closer than the North American experience. We are still building the evidence base in Scotland, but what we have is positive. England already has a network of people working on housing first and we really have to do it. The challenge is the resourcing thereof, and adherence to fidelity of the model.

**Bridget Curran:** Housing first has operated in Glasgow, and the Glasgow health and social care partnership is actively involved in developing the model further. It is working with third sector colleagues through the city ambition network initiative and with the Glasgow Homelessness Network and Big Society Capital.

**Alexander Stewart:** It is quite evident that housing first is a piece of the jigsaw of the dilemma of tackling homelessness, but only one piece. As witnesses have rightly indicated, if the financial resource and support mechanisms are not available to follow it up, it is going to capture only a small number of individuals and it is not going to change the dimensions of the problem. Last week, we heard some harrowing evidence from people who found that the support mechanism was not in place for them in supported accommodation.

If we agree that housing first is something that we should be signing up to, we need to ask how much emphasis we should give to it to ensure that it does not become something that everyone is trying, but not managing, to achieve because if they are following normal practice and procedure, someone would get the normal housing support and—if everything is working—that will succeed. My concern is that too much emphasis may be put by some individuals and local authorities on what

housing first can achieve for them in the short term. As I understand it, that is where witnesses see it falling, if it is going to fall in some way and not be successful at achieving everything that it should.

**The Convener:** I do not think that there was a question wrapped up in that, but did Fiona King want to come in?

**Fiona King:** Neil Hamlet was right. We need fidelity to the model if we want to achieve the outcomes of the pilots and projects that we have seen—we have to stick rigidly to the model. Any dilution of that is not housing first; it is correctly applying the homelessness legislation that we have and giving someone a house and support as quickly and correctly as possible.

**The Convener:** I think that the committee will want to tease out how Finland has avoided some of those pitfalls in its upscaling of the system. If you have any additional information, or any questions on housing first in a Finnish context that you would want to ask if you were us, please drop an email—just comments and observations, not a big written submission—to the committee clerking team. We want to ensure that our knowledge base is as strong as it can be before we head out there.

**Jules Oldham:** Having done a few evaluations, I would want to check first with the relevant local authorities that it is okay to share that information. If they are fine with that, we will share the details of those evaluations with the committee.

**The Convener:** That would be very helpful.

**Bridget Curran:** On the same theme, there has been an evaluation of the Turning Point Scotland scheme in Glasgow, so I will check whether information on it can be made available.

**The Convener:** It has just been whispered in my ear that we are taking evidence from Turning Point on 25 October, but it would be good to have any information that you can provide ahead of the committee's visit.

**Elaine Smith:** Jules Oldham said earlier that, eight or nine years ago, we were supposed to be moving away from B and B accommodation for homeless people. I was a homelessness officer 30 years ago, and we were supposed to be moving away from it then. Back then, one of the ways of trying not to use B and B accommodation was to build decent homeless units. In the area I worked in, people lived in self-contained flats where they had the use of a kitchen and so on. It is a shame that we do not seem to have moved very far forward in all that time.

Shelter says that rough sleeping is the tip of the iceberg, and we know that there are many other homeless situations and reasons for homelessness. However, rough sleeping is

obviously quite visible, and it is becoming more so, so I want to explore that a bit more.

The Homelessness etc (Scotland) Act 2003 took away the need for a priority need assessment as part of the homelessness assessment. At that point, I thought that that would help the rough sleeping situation, because it would mean that anyone would be entitled to be put in temporary accommodation of some kind—basically to be given shelter, I suppose. However, that does not seem to have worked.

That is partly a gatekeeping issue. People turn up and are told that there is nothing; they then have to get a lawyer's letter to take back to the housing provider—the local authority—to try to get action.

Is it appropriate that the schemes that operate in our big cities and elsewhere are predominantly Christian organisations that provide night shelter-type accommodation? In Edinburgh, Bethany Christian Trust, as I understand it, uses different church halls every night. In Glasgow, Glasgow City Mission provides night shelter accommodation; initially, people could stay for one month, but now the time period is longer. That is the case in towns as well as cities. In Coatbridge, for example, church halls are being opened to give people overnight accommodation.

Although I do not think that we would want hostel-type accommodation to be a long-term option, is it an answer? I am asking what the answer is. Jules Oldham mentioned in her submission that there is hostel-type accommodation available that is not being used. Do we need more of that type of accommodation?

**Jules Oldham:** We still have a situation in which, as you said, people are turning up to local authorities and being told that there is nothing. We need to look at that.

However, we also need to look at cases in which people turn up and are offered the kind of accommodation that you mention, and they say, "Actually, I'd rather be on the street." We have to—

**Elaine Smith:** Can you clarify what type of accommodation that is? Are you referring to hostel-style accommodation or night shelters?

**Jules Oldham:** It is more likely to be accommodation with other people. It could be a night shelter or some kind of temporary accommodation, or a supported place. If people feel at their most vulnerable, they do not want to be in a building with many other people who feel that way too, and who might have what may seem like many more needs. If someone is trying to steer clear of addiction and is offered a place in accommodation where there are other people with

addictions, they might feel that the safer option is to say, "No, I'm not taking that up." That is why we say that we should move away from larger accommodation units, particularly on the temporary side. I know that we have, on the whole, moved away from 30-bed hostels. However, when it comes to temporary accommodation of any type—I am not talking about supported housing—it seems to be better if that is individual properties.

**Elaine Smith:** It seems to me that the 30-bed hostels have been replaced by Bethany Christian Trust church halls and sleeping bags or Glasgow City Mission halls and sleeping bags. Are those a better option? If you were to take away those options, or if those organisations were no longer to provide that shelter, what would be the result? That is where I find it difficult. I do not think that it is a brilliant idea to go back to accommodation in the style of Peter McCann house, but what has replaced it? Christian charities giving out sleeping bags and shelter.

**Jules Oldham:** I agree that that is completely wrong, which is why we are asking for a long-term focus on working towards not having that option. I do not think that I could say that we should not have that option this winter, because we need the resources and the time to provide the correct accommodation. However, we have got to the point at which bed spaces are available but people are going to the churches. I do not know how that has come about.

I do not think the fact that the shelter is being provided by a religious organisation is the issue. To be honest, it is more about the fact that we are ghetto-ing people in any type of accommodation, particularly in the winter months.

**Elaine Smith:** For clarification, I did not mean that the issue is that the shelter is being provided by religious organisations; it is simply that those organisations—and other charitable organisations—are leading the response in the big cities and some towns. They are stepping into the breach when I, personally, think that the state should be providing accommodation. Would that take us back to the days of Peter McCann house in Glasgow, and would that be a backwards step?

**Jules Oldham:** The answer is that we need to have a long-term focus. There needs to be a nationwide push to come up with a range of different types and styles of temporary accommodation across cities for this winter. That is not to say that we should close the night shelters; however, I hope that next winter we will have got somewhere with that plan so that people do not need to go there. Certainly, they should not have to do so during the winter after that. We need a cross-country focus with a strategy behind it to move us to no longer needing those church halls.

**The Convener:** Do the other witnesses want to give their thoughts on the subject of rough sleeping?

**Fiona King:** What we are seeing is the tip of the iceberg, as it is difficult to quantify the problem. We know that there has been a 10 per cent increase in rough sleeping, but that figure comes from asking people who have made a homelessness application whether they slept rough the night before, and that is a narrow group. Most people would agree, anecdotally, that the visible forms of rough sleeping are increasing, although that is unquantifiable.

It is incredibly hard to understand fully the different forms of rough sleeping, and it is also the most complicated area. There are lots of reasons why individuals may not engage with services—I am sure that Neil Hamlet knows a lot more about that. Someone who has suffered trauma and who has complex needs may have had negative experiences and may distrust the institutions that we would hope they would engage with. Last week, we heard from a service user who approached the council repeatedly but was told that there was nothing for him, so he slept rough. It is worth reflecting on the fact that he was sleeping in the waiting room and was turned away repeatedly. There was progress only when a legal agency got involved and advocated on his behalf.

Some of the issue is housing, some of it is poor practice on the front line and some of it is people stuff, which is hard to disentangle. Some of it is the baggage that people come with and their complex needs.

It would definitely help if more temporary accommodation was made readily available on a daily basis, but that would not solve the rough sleeping issue. If people who have had a lot of courage in going to the local authority to make an application are turned away, that could be the one time that they chose to engage with services, and they could then be lost. That is when people get into cycles of repeat homelessness and long-term rough sleeping.

12:45

**Dr Hamlet:** I am delighted that the committee has already received evidence from people whom I call experts by experience. A trend that I have seen over the past two to three years is increased expertise of those experts by experience. I refer in particular to work that has been done by Pathway in London. Folk who have been through the experience are right up for being able to talk about their experience and provide solid evidence-based advice on what they see as the best way forward. I commend the committee for taking that evidence,

and I hope that it will have more experts by experience saying which is the best way forward.

**Bridget Curran:** From a housing options perspective, as I have said previously, we do not provide a huge response directly for people with multiple and complex needs, but we are very pleased about the First Minister's announcement on the newly established group, which is chaired by Jon Sparkes. Susanne Millar from the Glasgow health and social care partnership will represent the GHSCP on that. That is a good opportunity to look at the complexity of the issues and potential solutions and ways forward.

**The Convener:** I apologise to the deputy convener, but we have to move on. I am conscious that we have had a number of questions about recent Scottish Government announcements on homelessness. Was Mr Wightman going to ask about those announcements?

**Andy Wightman:** No.

**The Convener:** If the witnesses want to make any observations on the recent Scottish Government announcements, they should feel free to do so now. It would be good if they did that briefly, as we are almost out of time. That would allow us to mop up that issue and not have to ask about it separately. Bridget Curran has been very helpful. Are there any other comments? The witnesses do not have to comment.

**Fiona King:** We are really pleased by what has been announced and to be part of the action group, and we will work with all the partners. We have a solid evidence base, and we are excited about taking things forward in the short-life action group. We want to see some action.

**The Convener:** Okay. That point was well made.

**Dr Hamlet:** On the programme for government, I said at the start that we need to re-engage public health with housing. That is where we began as a specialism. With the opportunity to have a new public health body in Scotland, we need to not miss the opportunity for housing expertise to be part and parcel of that so that we can prevent homelessness as upstream as possible.

**The Convener:** Does Jules Oldham want to add anything?

**Jules Oldham:** We would say exactly the same as Shelter Scotland on that. We are looking forward to being on the board of the group, and we are delighted with what has been said so far.

**The Convener:** I am breaking all my own rules by letting Bridget Curran back in. However, on you go.

**Bridget Curran:** Thank you very much. I should have said earlier that we are delighted by the First Minister's announcement and, in particular, about the wide-ranging review and the review of the legislative framework, because we would like the opportunity to say again that we would like people to have a statutory right to a housing options service.

**The Convener:** It is important that you put that on the record. Thank you.

Our final line of questioning this afternoon—time is getting on—is from Andy Wightman.

**Andy Wightman:** I am conscious of the time. There is a lot that I want to talk about, but I will restrict myself to one thing.

In a number of your submissions, you talk about a rights-based approach to housing. In the context of human rights becoming more important in public policy, that is very welcome. Do you want to reflect on the evidence that we heard last week from Thomas Lyon, for example? He had a litany of tragic circumstances, all as a consequence of the fact that he was evicted 10 years ago because his landlord went bankrupt. The private rented sector has tripled since 1999, and I have constituents in Edinburgh who have been driven out of the private rented sector because they could not afford the rent. They are now incurring far higher costs than they would have done, because of the council's obligation to pick all that up.

I wonder whether we need to challenge some of the rights in respect of property ownership. We have more than 30,000 empty homes and yet we are spending billions building new ones. Even under the Private Housing Tenancies (Scotland) Act 2016, landlords still have the right to evict someone if they want to sell the property. As a consequence, they can trigger a whole series of events that we hope will not be as tragic as those in Mr Lyon's case but which may well be.

Do we need to revisit the idea that someone who is in secure accommodation in the private rented sector should be able to be evicted because the landlord—whether the owner or the creditor—wants to sell?

**Bridget Curran:** We come across that situation in housing options. People will come for housing advice, perhaps because their landlord has to sell the property because they are not making the mortgage payments, and there will be a host of issues around that. We give them good-quality housing options advice.

There are several things that could be done to improve the private rented sector. We had a discussion on that in Glasgow with the integration joint board subgroup on housing, health and social work, on which there is private sector

representation. The representatives talked about the accredited landlord scheme that is in operation and the opportunities to work with accredited landlords who would not behave in that way with tenants. We want to take that forward.

There are clearly issues of affordability of rent charges, willingness to accept tenants on benefits, the appetite to work with community homeless teams to offer longer-term tenancies, willingness to agree to adaptations and the use of key safes, and people's knowledge of how they can access support for tenancies in difficulties, alongside maintaining and ensuring the safety of their properties.

**Fiona King:** There are huge questions there about the private rented sector.

**The Convener:** I apologise for asking, but would you answer those huge questions in about two minutes?

**Fiona King:** Most critically, the private rented sector legislation that will come into force towards the end of this year will put tenants on a much firmer, rights-based footing. The landlord will still be able to evict to sell the home—and blocking that would be problematic—but there will be a restricted list of reasons why the landlord can evict a tenant and the landlord has to have a specific reason.

Removing the carte blanche to evict anyone was a huge step forward and puts tenants in the private rented sector in Scotland on a much surer footing than in any other part of the UK. That is really positive.

Getting information to private tenants is difficult. There are no tenant organisations and tenants are not a homogeneous group. We have a private rented sector panel through which we are trying to get the views of private rented sector tenants. Getting advice and information out to all private rented tenants and particularly those who are at risk of losing their home is important.

Affordability is a huge issue. There is the option in the legislation of rent pressure zones, but as far as I know no council has taken that forward. It will be interesting to see whether any council decides to activate the right to introduce such zones. The problems in the private rented sector are numerous. Some of the solutions are coming, but we need better landlord registration and better enforcement of landlord registration. A few positive steps are being taken and the new legislation will certainly help.

The example of Thomas Lyon was a terrible set of circumstances, which was initiated through no fault of his own. Issues on the private rented sector aside, the response that he got from anyone he engaged with was not what it should

have been. The part that is most within the scope of the committee's inquiry is why one incident sparked 10 years' worth of chaos; that is the pressing issue.

**Dr Hamlet:** I strongly support the notion in the question that a human rights approach should underpin housing policy. I see that from multiple angles, not least some of the work that came out on those with no recourse to public funds. A human rights approach is the way forward.

I refer members to one of the later chapters—I cannot remember which one—of the 2015 report of the Commission on Housing and Wellbeing, “A blueprint for Scotland's future”. It contained an interesting discussion of housing in Scotland, and the issues of rights and economics around it. It would be useful to have a discussion around that.

**The Convener:** Would Bridget Curran like to add anything?

**Bridget Curran:** I have already responded to the question.

**The Convener:** I apologise—it has been a very long morning. Jules Oldham?

**Jules Oldham:** I was in Dundee yesterday and saw something really interesting. Dundee City Council—perhaps in collaboration with Shelter—has a timely project that involves working on a one-to-one basis with landlords to ensure that they can get all their paperwork right and that they can discuss potential issues that might arise with tenants in such a way that the issues can be prevented. Having projects in which councils can work with landlords to prevent problems seems like such a simple solution.

In one of the cases that we discussed yesterday, a landlord reduced the rent to bring it into line with what their tenant could afford, just in order to avoid having to get somebody else in, because they trusted that tenant and were happy with them. Who would have thought that that could happen? It happened because of good communication and the knowledge that there is good support from the council. That approach has enabled some positive results, and I think that we can learn from that. It is quite a useful project.

**Andy Wightman:** I have a brief final question, convener.

**The Convener:** Please make it very brief, Mr Wightman. I apologise for having to ask you to be brief, because I appreciate that you waited until the very end of the session. However, we are nearly at the end of our time.

**Andy Wightman:** I wanted to respond to Fiona King by saying that I am not suggesting that all those grounds for eviction be removed; I am simply questioning grounds 1 and 2, which are the

grounds to repossess on the basis of a sale by an owner or a creditor—that situation is not present virtually anywhere else in Europe. In the case of Thomas Lyon, that is the issue that triggered his problems. As we move forward with the growth in this sector, I envisage that becoming more and more of a problem. Is the view of Shelter that those grounds should remain or that they should be removed?

**Fiona King:** Currently, we work with the legislation and we were happy with the grounds, because they represent a significant step forward from what was removed. I would need to come back to you and the committee on the issue of fundamental changes to private rented sector policy. I do not have information on that to hand at the moment.

**The Convener:** The committee might or might not take forward an interest in that. It is an important issue, particularly in relation to some of the evidence that we heard last week, but it is at the fringes of what we have been looking at.

Again, I apologise for curtailing Mr Wightman's line of questioning. I thank everyone for attending this morning—again, I apologise for the delay. I hope that you found the lines of questioning rewarding; they were certainly helpful for our inquiry. We will stay in contact with you and keep you posted on how our inquiry unfolds.

## Subordinate Legislation

### Charities Accounts (Scotland) Amendment Regulations 2017 (SSI 2017/284)

12:58

**The Convener:** Agenda item 3 is consideration of Scottish statutory instrument SSI 2017/284. The instrument was laid under the negative procedure, which means that its provisions will come into force unless the Parliament votes to do so on a motion to annul the instrument.

The Delegated Powers and Law Reform Committee considered the instrument at its meeting on 19 September 2017 and determined that it did not need to draw the attention of the Parliament to the instrument on any grounds within its remit. No motions to annul have been lodged.

As members have no comments to make on the instrument, I invite the committee to agree that it does not wish to make any recommendations in relation to the instrument. Are we agreed?

**Members** *indicated agreement.*

**The Convener:** As previously agreed, we now move into private session.

12:59

*Meeting continued in private until 13:03.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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