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Ariane Burgess MSP
Convener
Local Government, Housing and Planning Committee

7 November 2025

Dear Ariane,

Thank you for the opportunity to give evidence to the Local Government, Housing and Planning Committee as part of its scrutiny of the Cladding Remediation Programme: Next Phase Plan of Action, and to discuss my priorities in my role as Cabinet Secretary for Housing.

I undertook to respond in writing to clarify a small number of issues requested by members at 7 October session. The requested detail, along with a timely update on the Housing (Scotland) Bill, which was successfully passed by Parliament on 30 September, can be found in Annex A.

In relation to Committee's interest in Heat in Buildings, I explained that I had asked the Regulatory Review Group (RRG) chaired by Professor Russel Griggs to advise me on appropriate sequencing of regulation, taking into account any cumulative requirements on the housing sector. The RRG have met with my officials, and we will continue to take a holistic approach when developing and applying future building standards. As you will be aware, we have now laid regulations to reform Energy Performance Certificates - a foundational step in clarifying what and how we will measure the energy performance of our buildings.

I would also like to thank the Committee for the consideration and work on building safety and maintenance, which informed the evidence and conclusions presented on 26 September. I have sought to address the questions posed within the letter in Annex B, C & D.

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The Committee may wish to note that further to the progress on the Cladding Remediation Programme detailed on 7 October, Official Statistics published on 28 October provide some extra detail including: Expression of Interest's received via the Single Open Call by local authority area, initial grant or funding offers by applicant type, completed SBAs by local authority area, and information relating to remediation and urgent interim measures: [Scotland's Cladding Remediation Programme update: Q3 2025 - gov.scot](https://www.gov.scot/publications/scotland-cladding-remediation-programme-update-q3-2025/pages/1-to-4.aspx).

I trust that the Committee is content that the update provided at my recent appearance, coupled with this letter, fulfils my commitment to providing a quarterly report on progress of the Cladding Remediation Programme. I will continue to adhere to my commitment and look forward to providing my next update in the new year.

I hope that the information I have supplied provides reassurance to your members of my priorities, and progress being made, on issues for which I hold responsibility as Cabinet Secretary for Housing. I look forward to our continued engagement as we work towards our broad shared intent of ensuring people have a safe, secure, and affordable place to live.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Máiri', with a stylized flourish extending to the right.

MÀIRI MCALLAN

ANNEX A - THE HOUSING (SCOTLAND) BILL & HOUSING EMERGENCY ACTION PLAN

The Housing (Scotland) Bill

The Housing (Scotland) Bill was successfully passed by Parliament on 30 September and will transform the lives of some of the most vulnerable people in Scotland. It will deliver a fairer deal for tenants - more affordable rents, safer homes, and stronger protections against eviction. The Bill will help prevent homelessness. It will also help to protect and promote new, much-needed investment in housing across Scotland.

Attention now turns to commencement of the Act once the Bill receives Royal Assent, which is expected in early to mid-November. My officials continue to work at pace to ensure critical elements of this legislation are commenced before this parliamentary session concludes. In particular, I aim to implement provisions in the Bill which introduce protections for tenants experiencing domestic abuse, and protections for social tenants against damp and mould (Awaab's Law).

The Bill gives Ministers the power to exempt certain properties from rent controls and work is underway to determine how exemptions could be provided for mid-market-rent and build-to-rent properties.

Domestic Abuse and Housing

We remain committed to bringing Part 2 of the Domestic Abuse (Protection) Scotland Act 2021 into force and aim to lay the necessary secondary legislation in December 2025, subject to approval of the necessary changes to court rules by the Scottish Civil Justice Council and the resolution of information sharing related issues with Police Scotland.

Now the Housing (Scotland) Bill has passed, we are working through the final set of measures to develop the detail that will support implementation, including setting out the approach to delivering any further secondary legislation arising from those measures. This could include bringing forward secondary legislation in this session, but the detail of this is still to be confirmed.

Awaab's Law

Work on introducing Awaab's Law in the private rented sector will also be initiated using powers in existing legislation. The Scottish Government hosted a series of roundtables during September 2025, working in conjunction with relevant stakeholders from the private and social rented sectors to ensure that any timescales for investigating and commencing repairs under Awaab's Law balances the needs of the tenants and supporting landlords. Our engagement on Awaab's Law also sought views on how landlords can draw upon existing learning and best practice on tackling damp and mould.

We are currently analysing the outputs of the roundtables to inform the introduction of Awaab's Law in Scotland from March 2026, subject to Parliament's agreement.

Secondary legislation will be subject to the negative procedure and will be laid early 2026 to facilitate implementation.

As the Committee highlight's the Scottish Housing Regulator introduced 3 new indicators on damp and mould which landlords started collecting from 1 April 2025. After the first submission of this data in May 2026, the Regulator will review the usefulness of the new indicators and, if resources allow, carry out a thematic review of landlord's approach to preventing and resolving cases of damp and mould.

Regarding standard of repairs, I agree that all measures should be appropriate, considered and of good quality. The Scottish Government will issue guidance in connection with implementation of Awaab's Law, which will seek to ensure landlords appropriately identify and tackle the root cause of damp and mould.

In the private rented sector, where the requirements of the Repairing Standard are not being met, tenants can apply to the Tribunal for a determination. Where a tenant feels that they are vulnerable, they can contact their local authority who have powers to apply to the Tribunal on their behalf. In the social rented sector, tenants can contact their landlord and Scottish Public Services Ombudsman. Part of our engagement on Awaab's Law sought views on enforcement and remedial action which we will consider as we progress towards implementation.

Homelessness

I have noted the request to be kept up to date with homelessness statistics. Annual statistics, which are published twice a year, are publicly available and I would direct the Committee to [Homelessness statistics - gov.scot](https://www.gov.scot/publications/homelessness-statistics/2024-25/pages/1.aspx) . The most recent statistical update which provides information on homelessness in Scotland in the period from 1 April 2024 to 31 March 2025, alongside historical data, was published on 16 September: [Homelessness in Scotland: 2024-25 - gov.scot](https://www.gov.scot/publications/homelessness-in-scotland-2024-25/pages/1.aspx).

As requested by the Committee, I can confirm that the five local authorities with the most strained homelessness services are: City of Edinburgh Council, Glasgow City Council, South Lanarkshire Council, West Lothian Council and Fife Council.

Our latest national homelessness statistics for 2024-25, published on 16 September, show that, despite ongoing challenges, positive progress has been made in some parts of Scotland. 15 local authorities have reduced the number of households in temporary accommodation at 31 March 2025 compared to the same point in the previous year, and 18 local authorities have reduced the number of children in temporary accommodation over the same period. Aberdeen City, East Lothian and Inverclyde have seen the largest decreases in temporary accommodation use (15%, 11% and 10% respectively).

Aberdeen City and Aberdeenshire have more than halved the number of children in temporary accommodation in the last year (by 54% and 58% respectively) and Highland Council has reduced the number of children in temporary accommodation by 45%.

All-tenure delivery ambition

As you are aware, in the recently published Housing Emergency Action Plan, I committed to introduce a new all-tenure delivery ambition, working with the housebuilding sector through close collaboration and joint working to increase delivery across all sectors by at least 10% each year over the next three years.

As alluded to at our recent meeting, the figure on which the new all-tenure delivery ambition will be based is the all sector new build completions for year to end June 2025 (18,869 all sector new build completions), published on 30 September 2025 and available at [Housing statistics quarterly update: new housebuilding and affordable housing supply - gov.scot](https://gov.scot/housing-statistics-quarterly-update-new-housebuilding-and-affordable-housing-supply).

Rural Housing

The Scottish Government remains committed to delivering 110,000 affordable homes by 2032, of which at least 10% will be in rural and island communities. Management figures show that we are exceeding this commitment with over 20% of all affordable homes delivered being in rural and island areas.

Demand led funds, such as the £30 million Rural and Island Housing Fund and the £25 million Rural Affordable Homes for Key Workers Fund are key elements in addressing specific rural housing issues where they arise. The Rural and Islands Housing Fund has been extended to March 2028 as part of Programme for Government 2025-26

ANNEX B - BUILDING SAFETY AND MAINTENANCE

National construction database

Creation of a national construction database would be a considerable undertaking, requiring central funding to design and implement, and ongoing quality assurance work to deliver an accurate resource.

There are approximately 230,000 non-domestic buildings in Scotland¹, and these vary widely in terms of construction, size, and in particular their use, whether it's as shops, offices, factories, warehouses, or hotels, and around 2.45 million homes.²

Building warrant processes apply to proposed new work only and do not provide for assessment of existing buildings, unless construction work is proposed. The completion certificate stage could provide an opportunity for the provision of information which would be of use in a construction database.

The Building Standards Futures Board work has investigated the opportunities which Building Information Modelling (BIM) could offer in terms of the detail of building information which could be usefully collated into datasets. While BIM processes are applied in new large scale projects and in some smaller works, the application of detailed datasets, such as would identify useful building characteristics which could be collated, is not currently delivered.

Tenement Maintenance Working Group

The Scottish Law Commission published a discussion paper in April 2024: *Tenement law: compulsory owners' associations*, which sets out its initial views on this issue and asked for views from the public on the measures suggested. This is with a view to provide the Scottish Government with a report detailing their recommendations for consideration in Spring 2026.

Reform of construction products regulation

Whilst this is an area of reserved responsibility it is important that the construction products that we use to build our homes, schools, hospitals and other buildings can deliver the performance required. Reform of regulation must result in trust being regained in the products that manufacturers place on the market.

The UK Government's consultation on reform of construction product regulation was launched earlier this year, and we await the publication of their response. My officials are in regular contact with those in the Ministry of Housing, Communities and Local Government and I understand that a White Paper will be brought forward in 2026.

¹ <https://www.gov.scot/policies/energy-efficiency/energy-efficiency-in-non-domestic-buildings/>

² <https://www.gov.scot/policies/energy-efficiency/energy-efficiency-in-homes/>

ANNEX C - RAAC

Guidance on RAAC

The Scottish Government has routinely engaged with professional bodies and industry professionals supporting the development of guidance on RAAC in domestic settings. I welcome the publication in April by the Royal Institution of Chartered Surveyors (RICS) of a consumer guide providing straightforward information on RAAC.

More technical level guidance on RAAC in domestic properties, led by the Institution of Structural Engineers, is currently in the final stages of preparation with publication expected by the end of year.

Once completed, it is the expectation that this guidance will also be made publicly available and widely disseminated across stakeholder networks, including through the Cross Sector Building Safety Forum, Local Authority Building Standards Scotland (LABSS) and the newly established RAAC in Housing Leadership Group.

As part of this process, we will also be liaising with the financial services industry, including with the Association of British Insurers and UK Finance to support understanding of the guidance in the financial sector and the wider implications for the provision of insurance and mortgage products.

Financial support for RAAC

The Scottish Government fully supports the efforts of Local Authorities to find solutions for tenants and homeowners within existing financial arrangements and advocates that public representatives at all levels should work together and reach resolutions for people affected by RAAC.

As Cabinet Secretary for Housing I have met with Council representatives, affected residents and campaign groups in Dundee and Aberdeen. Further meetings are being arranged in Clackmannanshire and West Lothian Council areas.

The Scottish Government has agreed to apply flexibility in respect of a historic £10m commitment to Aberdeen City Council, pivoting an infrastructure commitment to support delivery of new affordable housing. This will, in turn, free up to £10m of ACC's own resources which they can direct to help address RAAC, though of course it is a matter for Aberdeen how to best support affected households.

I would again wish to record that the Scottish Government continues to consider that the presence of RAAC across the nations of the UK emphasises the need for a UK wide approach to this issue with the setting up of a RAAC remediation fund. The UK Government is the only government across the UK with the financial flexibility to meet these costs – noting also that many of the affected properties were sold under UK Right to Buy legislation long before the devolution era. More broadly, I would also observe that the UK Government should take more of a leadership role in considering changes that could be made to legislation in support of those impacted

by RAAC, for example, concerning consumer protection and financial products such as insurance - areas currently reserved.

As Cabinet Secretary for Housing one of my early actions was to write to the then Deputy Prime Minister to urge the UK Government to support RAAC remediation. Regrettably, the reply reiterated that the UK Government had no plans to set up any RAAC scheme or fund to address RAAC in residential settings.

Last month I wrote to Steve Reed MP, the newly appointed Secretary of State for Housing, Communities and Local Government, stressing this point and offering to work together with him on the question of financial support. I also noted the markedly different approach to the collection of housing data between England and Scotland. Our awareness of the presence of RAAC in social housing stock in Scotland is underpinned by the comprehensive data collection exercise undertaken by Local Authorities and Registered Social Landlords (RSLs) and overseen by the Scottish Housing Regulator. This contrasts with what I understand to be a desk-based exercise in England.

The Scottish Building Safety Levy (SBSL) is being established, subject to the agreement of Parliament. Scottish Ministers have been clear that income raised will provide funding for Scotland's Cladding Remediation Programme, to tackle unsafe cladding on buildings. This is commensurate with the funding approach being taken in other parts of the UK. We do not consider that it would be appropriate for SBSL funding to be used to support RAAC remediation. Such a change of purpose would require extensive assessment and consultation.

It is also highly likely that present day developers would object to remedying property issues largely dating from the 1950s-1970s for which they have no responsibility and are essentially matters of building maintenance - the responsibility for which is essentially a matter for the building owner.

RAAC remediation in terraced properties

The Scottish Government acknowledges that the issue of access for the purposes of survey and, potentially, remediation, work in mixed tenure properties continues to be raised, including at the first meeting of the newly established RAAC in Housing Leadership Group.

Following discussion at the Leadership Group and as an action arising from the meeting, officials are seeking advice on whether any further legislative powers are available to councils where owners are refusing access for surveys or remedial works in mixed tenure blocks.

Scottish Government role in RAAC remediation

Throughout this time the Scottish Government has taken a leading role in co-ordinating the national response to addressing the issues raised by RAAC. In August 2023 the Scottish Government formed the RAAC Cross Sector Working Group bringing together stakeholders from across the public and private sectors as well as the construction industry to work in partnership and share information about RAAC.

The work of the SG-led Cross Sector Working Group has helped provide a comprehensive picture of the presence of RAAC across the public sector.

The Scottish Government has actively encouraged the dissemination of relevant information and encouraged impacted organisations to keep building users fully informed of their RAAC remediation plans, including in the housing, education and health sectors.

Ongoing work with the Institution of Structural Engineers, including on the development of guidance specific to the residential housing sector, is an example of the Scottish Government's continuing commitment to proactively supporting remediation work and I listed at the top of the section, some of the work I have undertaken since taking up post as Housing Secretary.

ANNEX D - CLADDING REMEDIATION

Pilot Programme

Each and every building in the pilot programme was placed on a pathway to assessment and underwent pre- assessment checks to ensure that they qualified for a statutory SBA in accordance with Housing (Cladding Remediation) (Scotland) Act 2024.

51 were confirmed to be out of scope for an SBA when assessed by an appointed Fire engineer. Of the remaining 56 buildings within scope:

- 10 of the buildings have been allocated to four developers, who have taken responsibility for required assessment, mitigation and remediation works of these buildings. The four developers have been participating in negotiations regarding the Developer Remediation Contract. Commensurate with the commitments set out in the Cladding Remediation Next Phase Plan of Action, I issued a formal invitation to sign the Developer Remediation Contract to participating developers on 31 October 2025, requesting signature by 28 November. Once the contract is signed, we will receive regular updates from each developer on the progress of remediation works across all buildings under their responsibility.
- 2 were identified by the fire engineers as being low risk and not requiring an SBA.
- 12 have had an SBA commissioned by Scottish Government. The Scottish Government have now received all SBA reports and peer reviews for the buildings. These have started to enter Stage 2 of the Single Open Call design phase with planning and grant funding being offered.
- 32 required an SBA – all building owners currently have opportunity to receive funding for a Single Building Assessment through the Single Open Call. As at 30 September, the majority had submitted an Expression of Interest, and will receive the required funding to complete an SBA. Officials will continue to engage with the remaining building owners to ensure they begin the pathway to assessment.

It is important for the Committee to recognise we are in a completely new phase as announced on the 7th August, including a mass expansion of assessment across tenures – which will allow us to prioritise accordingly; prioritisation of those high-rise buildings with previously reported riskier cladding; and a significant assurance exercise with the social housing sector; and an expansion of the open call backed with additional funding so those across tenures can inform us of any building that may have unsafe cladding.

Learning from the Pilot programme was vital as it underlined the complexity of what we faced and thus what we needed to do including legislation and development of the Single Building Assessment Standards. Both of which are statutory underpinnings which now allow us to take forward assessment and remediation.

Single Building Assessment's

As of 30 September 2025, the Scottish Government Cladding Remediation Programme had been informed that 16 Single Building Assessments (SBAs), based on the specification published in June 2024, had been completed. This includes 13 high-priority SBAs that the Scottish Government commissioned for buildings which were due to be returned by end of August 2025.

It is important to recognise carrying out an SBA is a unique process for each building and from award of contract/procurement they can take an average of 3-4 months to complete this can become significantly longer dependant on findings during the assessments and/or if Urgent Interim Measures are recommended.

It is expected that over the coming months a significant increase will be seen in completed SBAs as a result of the Single Open Call. As at 30 September 1,062 Expressions of Interest for funding to carry out an SBA have been received through the Single Open Call. In response, the Cladding Remediation have already issued 478 initial grant offer or funding letters to owners and their representatives as at 30 September. This represents up to almost £24 million worth of funding offered so far.

The Single Open Call has, as hoped, provided a mechanism for owners or their representatives across tenures to come forward and inform us about their buildings they consider may have unsafe cladding. It should be noted that some Expressions of Interest submitted will not be eligible for funding from the Cladding Remediation Programme to carry out an SBA for various reasons, such as a developer being responsible for assessment and remediation, or not meeting the criteria for an SBA to be required, for example the building(s) not being 11m or more in height.

Interlinked Fire Alarms

The installation of an integrated fire alarm system may be recommended as part of the Fire Engineers assessment during the SBA process. Scottish Government has committed to grant funding for design, purchase and installation of these systems.

Funding will be available to private, multi-owner buildings, and will be allocated through a prioritisation framework primarily based on the risk level output of the SBA.

Institutional owners are already responsible for such systems in social housing, though where necessary funding will be considered to support upgrades to ensure resident safety. Buildings where developers have been identified and are taking responsibility for assessment and remediation are not eligible for funding as the developer is responsible to fund such measures.