

SOCIAL INCLUSION, HOUSING AND VOLUNTARY SECTOR COMMITTEE

Wednesday 8 December 1999
(Morning)

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SOCIAL INCLUSION, HOUSING AND VOLUNTARY SECTOR COMMITTEE 12th Meeting

CONVENER :

*Ms Margaret Curran (Glasgow Baillieston) (Lab)

COMMITTEE MEMBERS :

*Bill Aitken (Glasgow) (Con)
*Robert Brown (Glasgow) (LD)
*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)
*Fiona Hyslop (Lothians) (SNP)
*Mr John McAllion (Dundee East) (Lab)
*Alex Neil (Central Scotland) (SNP)
*Mr Lloyd Quinan (West of Scotland) (SNP)
*Mr Keith Raffan (Mid Scotland and Fife) (LD)
*Mike Watson (Glasgow Cathcart) (Lab)
*Karen Whitefield (Airdrie and Shotts) (Lab)

*attended

THE FOLLOWING MEMBERS ALSO ATTENDED :

Malcolm Chisholm (Edinburgh North and Leith) (Lab)
Phil Gallie (South of Scotland) (Con)
Tommy Sheridan (Glasgow) (SSP)

WITNESSES :

Robert Aldridge (Scottish Council for Single Homeless)
Chris Campbell (Scottish Council for Single Homeless)
Gavin Corbett (Shelter Scotland)
Liz Nicholson (Shelter Scotland)

COMMITTEE CLERK :

Martin Verity

ASSISTANT CLERK :

Rodger Evans

Scottish Parliament

Social Inclusion, Housing and Voluntary Sector Committee

Wednesday 8 December 1999

(Morning)

[THE CONVENER opened the meeting at 10:02]

The Convener (Ms Margaret Curran): Good morning. I welcome Malcolm Chisholm and Tommy Sheridan to the committee. Both take an interest in our proceedings and will be familiar with the way that we do business.

Housing Stock Transfer

The Convener: We will start with a presentation from Shelter before moving on to contributions from Malcolm and Tommy, who will not, I hope, feel prohibited from joining in the discussion. We try to encourage a lively interaction between guests and members.

I welcome the representatives of Shelter to the committee. We have a strong relationship with Shelter and we respect the work that it does and the contribution that it makes.

Liz Nicholson (Shelter Scotland): I am the director of Shelter and with me is Gavin Corbett, a senior researcher.

Members of the committee will have received a copy of Shelter's written evidence. Despite the occasional press reports to the contrary, Shelter supports an increased role for independent landlords, provided that they have genuine community interests and that vulnerable homeless people are safeguarded and can have access to housing. We do not oppose stock transfer per se.

Homelessness might rise or fall as a result of aspects of stock transfer. We have been worried about the impact on rents of poverty and the reshaping of housing benefit. The UK Government seems to be shying away from making radical changes to housing benefit and I am pleased that the Executive has signalled its intention to move towards single social tenancy.

Much of the work that Shelter has done in the past 18 months has been on the detail of how the homelessness service will work after stock transfer. In particular, we have argued for councils to have a last resort power. They should be able to take over the responsibility for allocation of homes if a new landlord is not performing well. Eighteen months ago we asked what would happen if

councils were to retain the legal duty to house homeless people, but had no houses. The Executive met that question with indifference but I am pleased to say that Shelter's views have since been listened to. The proposals in our evidence have been discussed with the Executive and I believe that we are almost at the point of getting a form of protection built in to next year's housing bill.

I recognise the value of the committee's work in examining the detail of stock transfer as a way of informing the Executive's plans and I look forward to members' observations and questions.

The Convener: How has Shelter been involved in the development of housing policy since the establishment of the Scottish Parliament?

Why do you not oppose housing stock transfer? What benefits do you think it would bring? What is your experience of housing associations and do you think that they provide for the needs of homeless people?

Some of the evidence that we have heard suggests that housing associations contribute to social provision in an area. To tackle homelessness, we need a social strategy as well as a housing strategy. Have you any comments to make on that point?

Liz Nicholson: I will answer your first question and then, perhaps, you can remind me of the other questions.

Would you like to know what role Shelter has had in all areas of the Executive's housing policy or just as regards stock transfer?

The Convener: All housing policy, unless it will take too long to outline everything.

Liz Nicholson: Shelter has been represented on the rough sleepers initiative advisory group since before the opening of the Parliament. We have been involved in social inclusion and Gavin Corbett has been on an associated working party. We are involved with the homelessness task force. We spoke to the new housing partnership steering group in January, when we first put the case that we are making today. We have met the new housing partnership steering group twice in the past three weeks because we are examining the detail of what will happen to homeless people after the stock transfer. We met with the Executive prior to publication of the proposed legislation to make suggestions about how to combat homelessness.

The Convener: You have been reasonably well involved in the new housing partnership steering group. Do you want to draw anything about that to the attention of the committee?

Liz Nicholson: We have been invited to speak only about homelessness; we have not been

involved in any other aspects of the steering group's work. We asked to speak to the group purely on homelessness, and we have discussed such issues as temporary accommodation and what happens if a housing association or a registered social landlord does not allocate housing to homeless people.

The Convener: Do you believe, however, that the steering group is receptive, and that it is beginning to make progress?

Liz Nicholson: The steering group is beginning to listen. As I said, 18 months ago we were getting nowhere and there was not a lot of support for what we were saying. The issue of homelessness had been ignored and the documents that were produced on new housing partnerships contained a lot of information about tenant consultation but nothing about people who do not have a house. We were pushing for a long time before such people were put on the agenda. Although there has been no public announcement or written guidance for local authorities on what to do about homelessness—which is what we would like to be given to councils that are transferring their stock—the debate has shifted. It is accepted that homelessness must be addressed in the context of stock transfer.

The Convener: Thank you. Will you address the principle of housing stock transfer and tell us why, in your view, diversity helps us? You are not against stock transfer in principle. What is your experience of housing associations?

Liz Nicholson: We took a pragmatic approach to new housing partnerships when they were announced. We considered the conditions in council housing in which some of the people who come through our housing aid centres were living. We do not see a change in public sector borrowing requirement rules on the horizon. As a homelessness charity, we must consider improving homes and making things better for homeless people. As long as rents are affordable and the condition of housing is improved, and if people are secure in that housing and homeless people have access to houses, we will not oppose the stock transfer in principle. We are concerned that something better for homeless people should come out of stock transfers—that is what we want.

Our experience of housing associations is one of the reasons why we want the last resort power to take over allocations if a registered social landlord is not allocating housing to homeless people. That is not a general statement. There has been a reduction in the number of statutory homeless people who are housed by housing associations. If registered social landlords are to take on the role of local authorities in housing homeless people, we must ensure that there is no way that a community could exclude a homeless person.

That homeless person's right to housing—when the person has been assessed as homeless by the local authority—must remain intact, and the registered social landlord must allocate accommodation to that homeless person. That is crucial. There could be an unravelling of the rights of homeless people if no measures were in place during stock transfer to safeguard their rights.

The Convener: I will ask a final question, before I open up the debate. I want to develop the point about housing associations providing more than just housing and trying to meet social needs. I have more experience of disability, and I know that some housing associations have developed progressive models of housing for disabled people. Some have implemented interesting community development strategies. We must consider that issue in terms of homeless people as well. It is not only housing provision that is needed, but a package of social provision. Do you think that there will be an opportunity in the community housing sector to try to address those social needs?

Liz Nicholson: We have always argued that if more houses were built, and if the housing stock were improved, more jobs would be created—jobs that should be targeted at local people. In that way, we could channel work opportunities to homeless people. However, that is not an idea that we have explored in any great depth. Our concern is to ensure that people's rights will still exist after stock transfer.

The Convener: Thank you very much. I shall now open up the discussion.

Fiona Hyslop (Lothians) (SNP): There is obviously great concern over the record rising levels of homelessness announced in your report this week. In your evidence you show also that there has been a reduction in the number of nominations for homeless people in housing associations. The convener said that stock transfer would bring diversity, but in some places—in Glasgow, for example—wholesale stock transfer means that there will not be diversity. Either a housing company or housing associations will be the sole providers. How can we reconcile the two problem areas?

What impact will this week's announcement of the extension to housing associations of the right to buy have on housing provision, and do your conclusions reinforce the argument that there should be a statutory responsibility rather than a contractual responsibility to house homeless people?

10:15

Gavin Corbett (Shelter Scotland): Let me say something about the right to buy. As part of a

package, there will be built-in secure tenancies in the future. That measure is important, as it will remove, for example, some of the grounds for eviction that housing associations have that councils do not have. The Executive claims that the right to buy will have a minimal impact. We do not accept that, nor do we accept the Executive's analysis. Glasgow has been mentioned, but the point is particularly relevant to rural areas. We want the Executive, in its discussion paper, to be much more flexible about the right to buy. There is a strong case for considering the right to buy across the board, not only in housing associations, as there is concern over the supply of affordable housing.

Liz Nicholson: I would like to add an observation on statutory responsibility and whether that should be imposed on registered social landlords. We want that responsibility to remain with the local authority. The local authority has responsibilities under the Children (Scotland) Act 1995 and under community care legislation. We have discussed the matter internally, and we believe that the statutory responsibility for the homelessness service should remain with the local authority. The local authority should make the assessment and in that way, any community care needs or responsibilities under the Children (Scotland) Act 1995 should be picked up as well.

Once a person is assessed as homeless, the registered social landlord should bear the responsibility of housing them. The legislation that exists would have to be strengthened, but the statutory responsibility for homelessness should not pass to the registered social landlord; it should remain with the local authority. However, if a registered social landlord does not pick up those allocations to homeless people, there should be statutory protection for homeless people under the last resort power that we have talked about.

Fiona Hyslop: I would like clarification on that. Are you saying that the statutory responsibility for homeless people should remain with the council, although you would like some statutory responsibilities to house homeless people to be imposed on the registered social landlords, as a last resort?

Liz Nicholson: As a last resort, yes. We hope that, in the first instance, a registered social landlord would allocate housing, and that several different levels of dispute resolution could be used before exercising a draconian power to remove those allocations from that registered social landlord. We are talking about local authorities and registered social landlords. We must ensure that mechanisms are in place to ensure that a person who is assessed as homeless can also have the power to enforce an allocation if one is not made. Much detail must be worked out concerning the

way in which those measures would work in practice.

Fiona Hyslop: I would like to ask Gavin Corbett about the rural aspect of the right to buy. It was announced this week that 18,000 additional homes will be built, mostly in rural areas. That is the same number that Scottish Homes planned to build anyway. If additional stock were removed from rural areas, is not there a danger that there might be a distinct shortage of housing, which might accentuate homelessness?

Gavin Corbett: The announcement about that development was a red herring. It seems strange to say that, as we expect houses to be lost, we are putting in place measures to increase the supply of houses. Why not consider the housing stock that has been lost in the first place? The development programme announcement, although I have not looked at it in detail yet, does not seem to propose much of an increase on what is already there.

Sometimes houses cannot be replaced. Some villages have only so much space for housing development; there is only so much capacity for the water infrastructure and so on. There is a strong case to say that villages have had their diversity of housing stock reduced because of the right to buy, and that it should go no further. The Executive needs to consider that as well as simply trying to offset it through its development programme.

Mr John McAllion (Dundee East) (Lab): Some local authorities in England and Wales have contracted out their homelessness services. Would you like that to be outlawed in the forthcoming housing bill?

Liz Nicholson: Yes.

Mr McAllion: Good. I should be neutral, but I am not.

The key to tackling homelessness is access to affordable rented housing. Do you think that councils being forced to sell 360,000 houses to sitting tenants has had an impact on homelessness in Scotland? Do you accept the Executive's view that extending the right to buy to housing association tenants will only lead to around 850 properties being bought by sitting tenants a year?

Liz Nicholson: I do not think that we can ignore the fact that, since 1980, we have lost so much housing stock. A line on a graph showing the level of homelessness would go up as that of stock declined. There are many reasons why people become homeless, but addressing the shortage of decent affordable housing has to be our No 1 priority.

We have not had a chance to consider the right

to buy in any detail, as we only got the paper on that late yesterday. If we consider the measures that are being put in place, I think that the right to buy will have a drastic effect on homelessness unless there is more flexibility, for the reasons that Gavin Corbett mentioned. Gavin may want to comment on the right to buy.

Gavin Corbett: I think that it is very unlikely that only 850 houses will be sold. Over the past five years, people have been saying that the right to buy is on its last legs, and that all the houses that could have been bought have been bought. Sales continue to tick along quite healthily: there were more than 20,000 last year. The idea that the model predicting only 850 sales is robust is very questionable, and I hope that, if the Executive decides to proceed, it will reconsider the matter and monitor the take-up that has occurred.

Mr McAllion: One of the changes in housing over the past four years has been the transfer by Scottish Homes of thousands of houses to housing associations. However, the evidence that you are presenting is that, while there are more housing association houses than ever, fewer councils are able to successfully nominate tenants to them. What is the problem with housing associations? Why are they not accepting local authority nominations?

Liz Nicholson: I am not saying that housing associations are the only culprits. Local authorities do not always give the required information on nominations. If we want to improve the situation for homeless people, we want clear information from both sides: from the local authority and the housing association.

Housing associations have said in the past that they do not house as many statutory homeless people because they build for people with special needs and single people. They are not housing homeless families. On housing transfer, a lot more houses would be suitable for families who become homeless. There should have been a rise in the number of allocations to statutory homeless people by housing associations over the past few years, but the number has gone down instead.

The anecdotal evidence is that housing associations are frequently used for transfers. People might serve their time in a council house and will get a council house allocated to them if they become homeless. They will serve their time and then go for a transfer, and may get a housing association house. Over the past few years, there has definitely been a decrease in direct allocation to statutory homeless people.

Gavin Corbett: The current nomination arrangements do not work. That is why we say that there should be a new legal duty for local authorities and housing associations to enter into

a specific agreement covering the housing of vulnerable people. That would have a clear prescribed form, and the Scottish Federation of Housing Associations and the Convention of Scottish Local Authorities are working on that.

Mr McAllion: Most housing associations have an agreement with local authorities about accepting up to 50 per cent of councils' nominations, but that does not seem to work. Are you suggesting that agreements between local authorities and registered social landlords do not work, and that you need to have statutory backing to make them work?

Gavin Corbett: One of the reasons why the current agreements do not work is that there has not been investment. Housing associations still only take up a bit of the housing stock, and most homeless people get local authority housing. The effort that would be required for a watertight nomination arrangement with all the new landlords is just not worth it, but investment has to be made when most or all housing stock is transferred. It is important that there is a statutory duty on agreements between local authorities and housing associations, and we suggest that that could be achieved by an amendment to the Housing (Scotland) Act 1987.

Mr Keith Raffan (Mid Scotland and Fife) (LD): I want to press you on the subject of the right to buy and the announcement that was made yesterday. Your assessment is very different from that of the Minister for Communities, and I have heard her argue the point in some detail.

She would claim that the predictions of the number of houses that will be sold are very reliable. I would like to hear you rebut that in detail. The figures of 850 houses sold and 18,000 houses to be built suggest that one house will be sold and 10 will replace that one. I accept that there is a serious under-provision of socially rented housing in rural areas in particular—the region that I represent is largely composed of rural areas—but the minister would say that the plans developed with local authorities for making land available in the right places will not increase but reduce problems in rural areas, and will tackle the under-provision there for the first time.

Gavin Corbett: One of the problems is that we have not been able to see the detailed figures that the Executive produces. We have heard a verbal presentation of them. I believe that the Minister for Communities said that the right to buy had not been as much of a problem in rural areas as had been claimed by Shelter, which showed that it was more serious in rural areas than in urban areas.

The figures in the Executive's analysis include new town development corporation and Scottish Homes sales figures, which makes urban right-to-

buy sales figures look a lot higher than would otherwise be the case—I realise that that is quite a complicated point. The definition of rural areas is another detailed matter. When a definition that includes towns such as Kilmarnock, Perth and Inverness is used, that will produce very broad-brush comparisons. That definition has been used—it is the one that COSLA used—because of the size of local authorities post-reorganisation. The picture produced is unreliable.

The housing associations have been asked by the Scottish Federation of Housing Associations to speak about their experience of what the right to buy would mean for their areas. One prediction that the Executive made was of about two sales in the Western Isles. If we were to approach members of the housing associations in the Western Isles and ask them if sales would be affected if they extend the right to buy to their properties, they would laugh.

Not enough account is taken of the experience that has been gained, and somebody sitting in an office in Edinburgh—to be crude about it—has based their assessment on a deterministic national model, which I do not think is reliable. It would be useful to see the detailed figures. Rather than forming the basis for policy, the crude modelling that has been presented should not have any more status than one estimate.

Mr Raffan: Do you have a system for monitoring what is happening? You are talking about averages and broad estimates made somewhere in Edinburgh. Your organisation obviously keeps closely in touch with rural housing associations, but do you monitor what is happening?

10:30

Gavin Corbett: We rely on the Executive's statistics, which tend to lag a year behind. We talk quite a lot to rural housing associations, and we would like to talk more to rural organisations to hear the evidence that they have collected. I am pretty sure that their views will be very different from the Executive's. We hope that the Executive will listen to the counter-arguments and counter-evidence.

Mr Raffan: In its written evidence, the Scottish Council for Single Homeless makes the case that resources transfers would enable rehabilitation and would improve the existing housing stock. You do not make that point, although it is fairly obvious.

Liz Nicholson: We do. We saw stock transfers as a way of improving the circumstances of homeless people, and improving the houses to which they are allocated. We thought that if requirements on the four conditions—affordability, condition of the house, security and access—were met, the lives of homeless people could be

improved.

Mr Raffan: You say "if" they were met.

Liz Nicholson: Yes.

Mr Raffan: So you are sceptical?

Liz Nicholson: I think that new housing partnerships are bringing new money into local authority housing if the stock is transferred. Houses will improve and some houses will be built as a result. That would not happen unless we changed the public sector borrowing requirement.

Gavin Corbett: One of the reasons why we have not focused on that point is because the debate has so far been dominated by detailed arguments about finance while policy issues have been ignored. This is a chance to redress the balance.

In the long term, changing the names on the title deeds will not change the economics of people having low incomes and housing stock needing investment. New housing partnerships change the speed at which investment can be made. That should be welcomed, because we have a housing crisis today, not just tomorrow.

Mike Watson (Glasgow Cathcart) (Lab): Liz said in her opening statement that Shelter supported independent landlords having a greater role, as long as they have a genuine community interest. How do you define a genuine community interest? To what extent have housing associations demonstrated it, as far as homeless people are concerned?

My second point picks up on the points that John McAllion raised on the relationship between local authorities and housing associations, and the nomination arrangements. Gavin has just said that those arrangements do not work, and the figures in your report underline that. Is that because local authorities do not ask housing associations to take enough homeless people? Or do they ask, and the housing associations reply that they do not have enough accommodation?

You point out that, although housing associations are taking on more former local authority stock, and should be housing an increasing proportion of homeless people, they are not. If stock transfers were to go through, they would have to take that responsibility. Are they equipped to take up that challenge? I do not really want to go into this, but if stock transfers were to go through, I assume that a majority of the staff would also transfer.

Liz Nicholson: By community interest we do not necessarily mean small housing associations. We want to provide a well-managed service. We are not saying that wholesale stock transfer will be detrimental to one particular landlord. We are

interested in the management of that housing stock and its access and affordability. Community-based housing associations in Scotland have been successful in some areas, although I would not say that they had been especially successful in housing homeless people.

We have to ensure that tenants are involved; but that is not an area that we have dwelt on. The area that we have dwelt on is the need to ensure that independent landlords are giving homeless people houses. That is our key concern. People must get secure, affordable housing.

Gavin Corbett: As for the problems with nomination arrangements, research into the question "Whose fault is it?"—to put it crudely—suggests that faults lie on both sides: local authorities seem reluctant to use their full powers for nominations, and there have been some problems with individual housing associations and other organisations negotiating or acting on an agreement in good faith.

Going back to a point made earlier, one of the reasons why those problems have not been flushed out into the open before now is that housing associations have been very much minority players. They have had a very specialist role of providing for groups of people or communities. Only recently, with the Scottish Homes stock transfer, have they become mainstream providers. The debate has not kept up with developments, which move very quickly. That is why we suggest that there should be additional statutory powers rather than a reliance on the current fairly weak framework.

Liz Nicholson: I would like to answer the question on whether registered social landlords are equipped to deal with homelessness. I do not think that local authorities are, at the moment. They provide a service in assessing homeless people which, as we have already said, should remain with them. However, the service is inconsistent across the country. Local authorities do not all follow the code of guidance on homelessness legislation. A lot of homeless people—families as well as single people—need support, and that support is not in place. Suitable housing for homeless people is not available in Scotland.

When transfer happens, we want to ensure that homeless people's rights are not reduced. However, I would not say that local authorities are doing an especially good job of housing homeless people. That may be because of a lack of resources, or because of council policies or practices. We are not saying that local authorities are doing a wonderful job that we want to continue with registered social landlords. We would not have a record 45,000 applications in Scotland if they were doing a good job, or were sufficiently

resourced to do that job.

We should not ignore the fact that there is a homelessness crisis. That crisis will not be resolved by new housing partnerships. People's rights must not be reduced. We hope that they will be increased by new housing partnerships, but there is a lot of work to do.

Robert Brown (Glasgow) (LD): I would like to ask about the code of guidance. You suggested that local authorities did not follow the code in a number of respects. Have you done some research into that, and can you provide us—although perhaps not at the moment—with some more detail?

Liz Nicholson: I cannot provide detail at the moment, but we have housing aid centres across Scotland and we spend a lot of our time challenging housing association decisions because they do not follow the code of guidance. If local authorities adopted the code as policy, we would see a major improvement in homelessness. Some local authorities have done so, and some have not.

Robert Brown: Has any research indicated which local authorities are falling short, and in which respects?

Gavin Corbett: Research published by the Scottish Office in 1994 pointed out some of the diversity. For example, the extent to which local authorities accept that young people have a priority need varies a lot. However, 1994 is quite a while ago and was before reorganisation, so we cannot say that the research reflects current policy. Other areas of diversity include the factors to consider with someone who is intentionally homeless. There is some variation in almost every area. The issue of young people, which is as important today as it was in the early 1990s, stands out. However, we do not have anything more recent than the 1994 research.

Robert Brown: That was a slight diversion from the questions that I had intended to ask. Shelter has been questioned about the rural aspect of the right to buy. What is the position in Glasgow, where, because there are more houses, the statistics should be closer to the figures on which the Scottish Executive is relying? Are your concerns about the right to buy in rural areas the same as your fears about the right to buy in the new single social tenancy scheme in urban areas?

On the same point, do you intend to carry out any research to try to construct an alternative model and can you supply the committee with that information in due course?

Gavin Corbett: I am not sure whether I can provide such a sophisticated model; perhaps I can give the committee a critique of the Executive's

projections instead.

I did not mean to imply that right to buy is an issue only in rural areas. However, that is where housing shortages have been most acute. In areas such as Glasgow, where the debate is very much about strengthening and empowering communities, there is a 20-year-old national policy that is hostile to the idea of community empowerment—it has very specific and inflexible rules about selling houses and it gives no discretion to the local authority or other community representatives.

Robert Brown: Do you share the concerns expressed in the submission from the Scottish Council for Single Homeless that, if we get the balance wrong on this, people may be stuck in temporary accommodation?

Liz Nicholson: Yes. Although local authorities own temporary accommodation and permanent housing, there is an incentive to move people out of temporary accommodation because it is more expensive. If registered social landlords have only permanent housing, there is less of an incentive for them to allocate such housing quickly.

With the housing partnership steering group, we have been investigating circumstances in which a registered social landlord can refuse to allocate housing. They cannot make such a refusal if someone has a right to housing; however, there might be some flexibility over where and when such allocations are made, as housing might not be available.

The issue comes down to good monitoring by local authorities and by the registered social landlords to find out whether people are staying in temporary accommodation and what dispute resolution process is in place to ensure that people are being allocated housing quickly when stock becomes available.

Robert Brown: Do you agree that the central issue is about the procedures of both the council and the landlords?

Liz Nicholson: A paper on temporary accommodation that we submitted to the housing partnership steering group and the homelessness task force argues that the responsibility for temporary accommodation should remain with the local authority. However, that is part of the overall contract between the RSL and the local authority about how allocations are made and how the legislation can be strengthened.

Robert Brown: Convener, I wonder whether that paper can be made available to the committee. I think that it might be quite useful.

The Convener: I should tell the witnesses that the committee will sometimes ask for particular material, although we hope that any witnesses will

continue to submit material throughout the process.

I have had an indication that Tommy Sheridan and Malcolm Chisholm want to speak. With the committee's permission, I will take them next.

10:45

Tommy Sheridan (Glasgow) (SSP): I have the greatest respect for Shelter's work, Liz, but I am a little disappointed with your evidence. I hoped that you would differentiate between stock transfers that have taken place and those that have been proposed. Since 1946, 12,000 properties in Glasgow have been transferred. There are now proposals to transfer 95,000 properties, 5,000 of which are empty. A detailed feasibility study estimates that 20,000 properties will either be demolished or will transfer in smaller packages, which will leave 75,000 core houses in some form of housing company or trust.

I had hoped that Shelter would have been able to differentiate between a stock transfer that is part of a community regeneration scheme and encourages investment from the private sector, the housing sector and the council, and a transfer such as the one in Glasgow, which will lose 20,000 properties. I had also hoped that there would be an examination of how that would impact on homelessness, given that the problem in cities such as Glasgow is less a lack of homes than a lack of adequate homes. What is the difference between support for the principle of stock transfer and support for this specific transfer?

Liz Nicholson: I will return to my point about how we decided to approach this issue. Our housing aid centre in Glasgow is always dealing with people who have presented themselves as homeless and are allocated a house by the local authority, but who leave the property after a few weeks because, for example, it is in a poor state of repair. One of the major problems in Glasgow is the condition of some of its housing stock. I would question whether the 20,000 properties to which you refer are suitable for housing for homeless people. If this stock transfer will help to house homeless people in Glasgow in better housing, a homelessness charity cannot say that people should wait in poor housing that is causing health problems because it objects to the principle of stock transfer.

Tommy Sheridan: I have a very small supplementary question, Liz. I cannot see how moving from 95,000 properties, 5,000 of which are empty because they are unsuitable, to 75,000 will improve the provision for homeless people. That is why I am worried about the stock transfer.

Liz Nicholson: Other reasons apart from a shortage of housing are responsible for

homelessness in Glasgow. Most people in Glasgow who are assessed as homeless will be allocated a house. However, it is the condition and location of houses and other problems that stem from poverty that give rise to repeated homelessness.

Gavin Corbett: Glasgow's problems have been recognised by the homelessness task force. However, let us hope that the task force is robust enough to say that the Glasgow stock transfer plans are inconsistent with the assessment of the city's homelessness problem. We are debating stock transfers at a Scottish level and perhaps not fully recognising the fact that there will be huge diversity between Glasgow and Dumfries and Galloway or Shetland.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): Thank you for your paper and for your evidence so far—the questions have been answered in depth.

On the agreements between housing associations and local authorities, the evidence here is that allocations are not working. There are agreements, but the housing associations are not allocating as many houses to homeless families as they should be. Your paper suggests the development of common housing registers. Is there any indication, where they are operating, that they encourage the housing association to allocate more houses to homeless families?

Liz Nicholson: Common housing registers have not been developed in Scotland to the extent that they have been down south. The point about a common housing register is that, where there are a number of different landlords in an area, people can make just one application for housing. We should have such registers to simplify applications for housing in a complex market. However, a more general housing allocation policy for all social landlords, in which homeless people had priority for housing, and an amendment to the Housing (Scotland) Act 1987 to that effect would help homeless people more.

Gavin Corbett: The common housing register sometimes seems like a technical arrangement to make life a bit easier for housing managers. There is nothing wrong with that, but before we even take a step forward we should stop the practice of excluding people from housing registers. If there is one register, everyone must be allowed access to it. That should be an essential precondition of common housing registers. Currently, many people are excluded.

An allocation policy should provide the same starting point for housing associations and local authorities, which will increasingly house the same kind of tenants. In our evidence and in that of the Scottish Council for Single Homeless, there are

elements of the statutory framework for local authorities under the Housing (Scotland) Act 1987. That should be extended to all landlords. I am not saying that the allocation policies should be the same, but there should be a similar starting point on which landlords can build to meet the needs of their area.

Cathie Craigie: Could you expand a bit on paragraph 4.3 of your paper—on arbitration—where you say that agreements should be set out? I like the sound of that.

Gavin Corbett: There would be two options here. First, we could expand the role of the housing association ombudsman so that there is a kind of national arbitration system. Secondly, we could do what Berwickshire Housing Association does and appoint an arbiter at the beginning of the year who can be called in if there is a dispute. Our view is that a local appointment would be fine. It is important that a clear mechanism comes into play if arbitration does not work.

It is not good enough for an arbiter to be locked in a protracted dispute while someone is having to live in a bed and breakfast. That is why we have suggested that local authorities should be able to say, "We have been to arbitration. You are still not accepting the decision of the arbiter. We have the power to resume allocations for a month, six months or longer." It is important that the mechanism is given teeth in that way.

Karen Whitefield (Airdrie and Shotts) (Lab): Coming in at this stage means that many of the questions that I wanted to ask have already been answered, which is good.

On the general issue of stock transfers, you stated in your written submission that housing stock transfers present the opportunity to improve services for homeless people and not just to protect those services. I know that Shelter is committed to ensuring that the voice of homeless people is heard in influencing and shaping the formulation of policy. In reaching your view, did you consult homeless people? If so, how did you do that?

My second question concerns arbitration, so thank you for explaining that in more detail. Who would Shelter prefer to be responsible as the final arbitrator?

Liz Nicholson: At this point, we have not consulted homeless people. However, one of the proposals that we put to the homelessness task force was that homeless people should be consulted on all areas of its work, such as the consideration of new legislation, good practice and so on. To be honest, we are a small charity and consultation costs a lot of money. In England, we have run focus groups with homeless people to consider changes in legislation, but that cost a lot.

We do not have the funds in Scotland. I hope that the Executive will pick up on that and will consult homeless people on those areas.

Gavin Corbett: On the question of who should have the ultimate say, if local authorities retain the legal responsibility for homelessness, they should have the final word on what happens. It is important that arbitrations are negotiated through the individual landlords. That is a role for the national regulator, whether it is Scottish Homes or another organisation. Individuals should be able to appeal directly to the local authority. If local authorities are legally responsible for homelessness, they must have the final say.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I have two questions, but I will ask only one because we are running over time and I am an intruder.

Are you saying that the way forward is not to deny the right to buy to housing association tenants, which would be inconsistent with a single social tenancy, but to reform it for all tenants? If that is what you are saying, what changes would be necessary to the right to buy in the interests of homeless people?

Gavin Corbett: I am in the fortunate position that, about three weeks ago, the Chartered Institute of Public Finance and Accountability asked me to do a talk today on the right to buy, which makes the question topical. The right to buy would be less of a problem if it were not so inflexible. We have put forward a range of proposals to the Executive that would make the right to buy the servant of housing policy rather than its driver. That would include consideration of discounts—why are discounts set at 60 or 70 per cent across the whole country, with no variation? It would also include consideration of the clawback period. If someone receives a subsidy from Scottish Homes—a rural home ownership grant—they have to pay the money back if they sell their home within 10 years. However, with the right to buy, the money has to be paid back if the house is sold within three years. Why are there such inconsistencies?

The proposals include consideration of the situation in rural areas, where there are constraints on the capacity of villages to build replacement housing. At this stage, the diversity of such communities is undermined if there are further sales. We have to draw up criteria for those things.

We are trying to put forward a range of options to include recognition of the legitimacy of public policy, meeting people's aspirations to become home owners without compromising the wider interests of the community and making the right to buy more flexible. Whether it would still be called

the right to buy in that context is questionable.

The Convener: Thank you. We will now move on, but the witnesses are welcome to stay. We try to pull everything together at the end of the session and to make recommendations for specific pieces of work that we may ask for from the witnesses. Thank you. The discussion was extremely interesting and stimulating. It certainly helped me to understand some of the issues that have been flagged up. I am sure that the committee will be interested in pursuing some of them and we look forward to a continuing dialogue with Shelter.

11:00

I welcome Robert Aldridge and Chris Campbell from the Scottish Council for Single Homeless. You will have got a flavour of where we are in our discussions and will probably have guessed a number of the questions that we will ask you. We have great respect for the work of the Scottish Council for Single Homeless. A number of us have been involved with you.

You state in your paper:

"Stock transfers offer an opportunity not only to protect the interests of homeless people and those currently excluded, but also the chance to improve their position."

Can we explore that? Will you also tell us a bit more about the research in which you are involved? I appreciate that it has not yet been concluded, but an insight into it would be useful.

Robert Aldridge (Scottish Council for Single Homeless): Inevitably, there will be an amount of overlap between what we say and what Shelter has said. If you prefer, I will go straight into answering the questions rather than giving a presentation.

The Convener: I am sorry. I did not give you the chance to make a two-minute presentation.

Robert Aldridge: That is okay. I am happy to move straight to the questions. We are keen for the opportunity offered by new housing partnerships to be used as a means of enhancing the chances of homeless people being housed in better accommodation. In the past, we have been concerned that most of the discussion about new housing partnerships has been about financial arrangements and the mechanism of stock transfer. We are pleased that people are now beginning to consider the implications for homelessness and that the new housing partnership advisory group is beginning to discuss that aspect.

A lot of what is being discussed in those forums is about protecting homeless people's rights and ensuring that their situation does not get any worse. However, the contractual arrangements

that local authorities have with new landlords offer an opportunity to improve the position of homeless people, although no one has begun to consider how that might be done. Contracts allow an element of flexibility and of improvement. Nevertheless, we believe that there must be a statutory base below which the service should not fall. That is part of the rest of our evidence.

Scottish Homes is funding our research into the experience of stock transfers in England, where many local authorities are considerably further down the line, to identify any lessons that can be learned for Scotland. We are also examining the preparations that Scottish local authorities are making for the homelessness function in their stock transfers.

We are now about two and a half months into a six-month research programme. We have found that the situation in England is quite patchy. One local authority in particular contracted out its homelessness function and has now taken it back, because things were not working out properly. On the other hand, we have found authorities where that function remains contracted out. We do not have the full details yet of why that should be the case. The analysis has not yet been carried out.

The Convener: What is your experience of housing associations? How have they responded to the needs of homeless people? Mike Watson asked earlier whether they are up to the change. What is your view? What is your experience of local authorities?

Robert Aldridge: Our response will be similar to that given by Shelter. The housing association movement in Scotland has largely comprised small housing associations, of which there are different kinds—specialist and community-based associations and a smaller group of general needs associations. Quite a large change is happening; some housing associations are taking on a large, general needs stock. They will have to adapt their procedures to cope with that.

Our research has found that nominations are not working well universally. Sometimes that is largely the fault of the local authority. It may offer a housing association tenancy to a good tenant as a reward, which means that it will not nominate homeless people to housing association tenancies. Sometimes it is the fault of individual housing associations, which do not meet their obligations. The picture is patchy. We cannot say that it is the fault of X or Y that nominations are not happening overall.

The Convener: Do you have examples of good practice as well as of bad practice?

Robert Aldridge: Not to hand.

The Convener: I did not mean necessarily to

hand, but do you have them somewhere?

Robert Aldridge: The research includes examples of good practice.

In relation to the housing of statutory homeless people, housing associations have been set up to house specific groups of people. If a housing association has been set up to house single people, it will not be able to accept referrals from, for example, homeless families. There is a lot of information behind the statistics that needs to be examined in more detail.

The Convener: I may come back to some of the points you made about specialist associations.

Alex Neil (Central Scotland) (SNP): I am a bit surprised by both your and Shelter's enthusiasm for stock transfers. According to the evidence that we have had so far, the financial success of stock transfer depends heavily on the income stream, which boils down to two things—relatively high rents and security of income, including housing benefit income. We know that there is a close link between homelessness and poverty. Are you sure, therefore, that when stock transfers take place there will be enough houses at the right rental level to accommodate the poor people who are homeless?

Robert Aldridge: No one can be sure. We want to concentrate on ensuring that houses of the right quality are available. Stock transfers are happening. We must ensure that when they happen, they do so in the way that is most beneficial to homeless people and that safeguards are in place to ensure that homeless people get a proper crack of the whip. I appreciate your concern, which we share, that some of the stock transfer arrangements may mean that rents will have to increase above the rate of inflation, which could lead, for example, to an increase in the poverty trap.

Housing benefit is available to assist people, although a number of the Government's comments suggest that the whole housing benefit regime may be up for review. We certainly have very strong concerns about the original proposal that every person will have to pay a proportion of rent from their own resources, because that is simply not feasible.

I share your concerns about poverty and homelessness, but we are well on the road to new housing partnerships. We must ensure that the interests of homeless people are safeguarded within that context. That is the issue on which we have been concentrating our resources.

Alex Neil: Does not that come back to the point Tommy Sheridan made: that until now stock transfers have been small and have taken place within the existing housing benefit regime? What

we are talking about here is, first, a massive stock transfer in Glasgow, with heavy involvement from the private financial sector, which has to make a substantial return to make the investment in the first place and, secondly, a housing benefit reform the details of which we do not yet know. I find it amazing that groups representing the homeless are so enthusiastic about stock transfers when they do not know the answers to questions about housing benefit reform.

Robert Aldridge: I think that enthusiastic is not the right word. Stock transfers are on the agenda and are happening. As charities, we are ever the pragmatists and have to deal with the situation as it is. We know that stock transfers are happening and we are trying to ensure that the best possible deal for homeless people is available under the stock transfer regime.

Bill Aitken (Glasgow) (Con): My question relates to temporary accommodation. As you state in your paper, there is no indication of what the Executive's intentions are in that respect. I would be interested to know what your preferred option would be—Shelter may want to contribute as well. Do you feel that the local authority should retain a pool of houses to be used for temporary accommodation—possibly on the social work account—or do you feel that there should be a statutory obligation on the new housing provider to have such a pool? How do you think it would be best administered?

Robert Aldridge: We share Shelter's view that it would be best for the local authority to retain a stock of temporary accommodation. I would need to think a little more about whether that should be on the social work account or the housing account, because this is essentially a housing matter rather than a social work matter.

The key point that concerns us is how we ensure homeless people move on. At the moment, there is a strong move towards examining how to create balanced communities in housing associations. We are concerned that people with the most acute housing need may have to wait a considerable time before they fit into the balance that has been identified for a community.

We have to ensure that there are procedures in place to ensure that people in the greatest housing need move on from temporary accommodation as quickly as possible. It is a problem that there is no financial incentive for the new landlord to take on somebody who is in temporary accommodation. We are concerned that, with a plethora of landlords, a number of refusals will be made one after the other. That is why the partnerships advisory group's investigation of why and when a registered social landlord would be permitted to refuse an allocation is so important. Time scales are important, and it is important that individuals

are not pushed from pillar to post.

Bill Aitken: You have flagged up an important issue—balanced communities. You will appreciate that communities sometimes do not wish to be particularly balanced because they feel that the introduction of some elements among the people with whom you deal might be disruptive. How do you think we can reassure the wider community that that will not present much of a difficulty?

Robert Aldridge: I am not sure exactly to whom you are referring as disruptive. People who are homeless cover a broad spectrum. They are individuals with a broad spectrum of needs.

Bill Aitken: Exactly. That is why I referred to some elements.

Robert Aldridge: At the moment, any community with social rented housing—primarily local authority housing—has a duty to accept people who have been homeless. There is no evidence that people who have been homeless are any more or less disruptive to a community than anybody else.

Mr McAllion: You said that local authorities should retain the homelessness service. In Dundee, for example, there is a homelessness unit in a network of flats across the city, which is funded from the housing revenue account. If the houses are transferred, there will be no housing revenue account. Would keeping the bare framework of a homelessness unit and a number of temporary flats provide sufficient revenue through rents and housing benefit to fund the homelessness service? I doubt that very much. Where would the funding come from for local authorities to retain that service?

Robert Aldridge: That requires a legislative change. I believe that it should not be paid for through the housing revenue account. It is an anomaly from previous years that the housing revenue account—essentially, tenants' rents—pays for a service for anybody who becomes homeless. That cost should fall on the entire community rather than just on council tenants.

Mr McAllion: In Dundee, Glasgow and West Dunbartonshire, there are real problems with the council tax—structural problems that leave Dundee always having high council tax. Adding to that would be greatly resented. Should there not be some kind of central funding? Should not grants be made available to local authorities to provide this service, rather than it being made the responsibility of local council tax payers? The areas with the worst homelessness are those with the highest council taxes and the lowest income.

11:15

Robert Aldridge: In the past, housing support

grant took some account of the amount that was spent on homelessness—it still includes a portion for hostels, although it is very small at the moment. We would welcome any central funding of the homelessness service to assist local authorities.

Mr McAllion: You mentioned that a number of housing associations are not playing their part in providing houses for homeless people. Scottish Homes is meant to be monitoring housing associations. Are services to homeless people one of the criteria that it uses?

Chris Campbell (Scottish Council for Single Homeless): Scottish Homes has recently sent out a letter to ascertain local authorities' views on the service they are getting from individual housing associations when taking homeless people through the nomination route. I am not sure how much information it has received from that, but information that is received in future will be interesting.

Mr McAllion: So, previously, no one was monitoring this?

Chris Campbell: I have the benefit of having recently joined SCSH after 10 years' service with Scottish Homes—albeit not in regulation supervision—and I believe that the answer is, "Not a lot."

Mr McAllion: In its paper about the right to buy, the Government says that there will be 850 right-to-buy sales every year. Conveniently, that happens to be a figure that does not affect the overall financial viability of housing associations. Do you think that that is wishful thinking, or is it based on hard evidence?

Chris Campbell: I think that it is interesting. I would like to ask whether the Scottish Executive, when coming up with the estimate of 850, has examined the hard evidence that would be available through Scottish Homes on the effect of the Scottish Homes stock transfer programme over the past few years. If it did that, the Executive might find that it has pitched its estimate rather low.

Mr McAllion: The Executive claims to have arrived at the figure through consultation with Scottish Homes.

The Convener: That is a shame.

Chris Campbell: That is another interesting remark, I must say.

Mr McAllion: Perhaps we should get Scottish Homes back here.

The Convener: John McAllion can be relied on to ask the questions relating to hard evidence.

Robert Brown: I want to return to the

procedures used by housing associations. They vary between different associations but, as I understand it, there is frequently a 50:50 nomination arrangement. For example, the first house to come up might be allocated by the housing association under its rules, and the next might be made available to the council under its rules. It is difficult to see why that should produce the figures that you have identified here. Can you shed any more light on that?

Robert Aldridge: What you have described happens in some cases, but not in all. There are very different nomination arrangements between individual associations and local authorities. It is a two-way process and some local authorities use their nomination arrangements for purposes other than housing homeless people. The picture is very variable.

Robert Brown: Is the 50:50 type of arrangement that I have described common? Does it normally work? Are other sorts of arrangement the problem?

Chris Campbell: Yes, with respect to new properties.

Robert Brown: Do you have any suggestions for the committee, about the changes that might be made in the procedures when the new stock transfer arrangements go ahead? What should we encourage, through a code of guidance for housing associations and councils?

Robert Aldridge: Could you repeat the question, please?

Robert Brown: If stock transfers go ahead, we must consider how to deal with homelessness and keeping communities together. We have various priorities. Can you suggest any changes in procedures which—forgetting arbitration, if it all goes wrong—might make the change happen in the way that the policy makers want, in a more automatic way? Are there any procedural aspects that you have considered, which might be of help?

Robert Aldridge: One of the things that we will examine in our research is the situation of nominations in England, which appears to be much better than in Scotland. One factor—I do not know whether it is the determining factor—is that local authorities have control of a social housing grant, which is essentially the local funding of housing associations or social landlords. Local authorities disburse the funding. I do not know whether it is that element of a financial incentive to make things work that assists, but we shall consider that option in our research.

There are procedures that must be built up locally, between local authorities and the new landlords. When they draw up their contracts and so on, that must be done, but within a legal

framework. As Liz Nicholson and Gavin Corbett said, we need a basic statutory framework within which everybody will work, so that people will not be denied access to a housing list or a housing association for arbitrary or unacceptable reasons. We have provided an example of measures that might be introduced, such as a credit check on a prospective tenant or a check on whether a prospective tenant has a connection with that particular community. If that were implemented, it would further marginalise people who are socially excluded.

Karen Whitefield: We have already had a discussion about the deregulation and contracting-out legislation in England. In your written submission, you strongly urge us not to go down that avenue in Scotland. First, could you expand further on why you think that we should not pursue that in Scotland?

Secondly, I should be interested to hear your suggestions for improving the current nomination arrangements between housing associations and local authorities.

My third and final question is on the last section of your submission, on partial transfers. You note particular concerns about partial transfers and the possibility that they will lead to local authorities having sole responsibility for the provision of housing for people with multiple problems. Does that mean that you are against partial transfers? If so, can you expand a little on your reasons?

Robert Aldridge: If I forget some of the latter points, please remind me of them.

We would echo what the Shelter representatives said in their evidence, on the deregulation and contracting-out legislation. It is important that the homelessness service remains with the local authority, so that it is clear that an applicant who is aggrieved will be able to make their appeal to the local authority about a homelessness service decision. It is a matter of clarity and transparency. We also believe that, as the local authority is the strategic authority that must have an overview of all housing matters in its area, including homelessness, it is appropriate for that function to continue to lie with the local authority. If we introduced the contracting-out legislation, it would simply confuse applicants and obscure where the clear strategic responsibility for homelessness lies.

I shall now refer to partial transfers, and shall return to nominations later. Most of the discussion, as well as concerning financial implications and the mechanisms for stock transfer, has related to authorities that are planning to transfer all their housing stock. Far more complicated arguments will emerge when there is a partial transfer. If local authorities are left with residual housing, which nobody is willing to take from them, as well as the

responsibility to house homeless people, and there is not a very clear legal commitment from the other landlords in the area to accept homeless people, there will be a danger of increasing the concentration of people who have multiple problems in the residual housing stock. That issue must be teased out and taken into account when there is partial transfer.

Karen Whitefield: Whether there is partial transfer will depend on the local authority. For example, it is likely that my own local authority in North Lanarkshire will seek to transfer much of its stock, and it is regarded as a good landlord. The residual stock that the local authority may retain will be of a high standard. All of North Lanarkshire's housing stock has central heating and double-glazing. People are pleased to be local authority tenants. For such tenants, in that and other local authority areas, the problem will not exist, as the local authority will not be the sole provider of housing for problematic cases.

Robert Aldridge: That is right. I accept that. The main issue is to ensure that each of the landlords that has received transferred stock accepts its share of responsibility for housing homeless people, and that that responsibility is not left with a much smaller element of stock that is retained by the local authority.

As Gavin Corbett said, research has been carried out on the nominations procedures. I do not have an instant, magical answer. Although alternate letting ensures that 50 per cent of the lets are to local authority nominees, that system is probably too crude to be effective. I hope that we are moving towards an assessment of individuals' housing needs, and trying to provide the most appropriate accommodation. Although the 50:50 allocation to housing association applicants and local authority nominees is attractive, in that it meets the 50 per cent objective, I am not sure whether it would meet the objective of housing individual applicants in the most suitable way.

Karen Whitefield: Thank you.

Fiona Hyslop: We are concerned about the impact of partial transfers. In previous evidence sessions, concern has been raised that we might be developing housing ghettos for those who have difficulties. We are receiving that strong message.

I want to address the right to buy, again. It seems to be a red herring to quote the figures 43,000 and 850 in the context of stock transfer. Those figures represent only existing stock, whereas a vastly increased amount of stock would be involved in stock transfer.

You say that you would expect the new landlords to have a pool of temporary accommodation. However, they would have no income stream from that pool of temporary

accommodation. Also, I am sure that private financiers would balk at the prospect of the right to buy, as they would have to revisit their figures, which means that rents would increase. If rents increased, there would be problems for homeless people in sustaining their tenancies.

So much that we are hearing today is predicated on statutory responsibilities and measures that would be introduced through a housing bill that will not be introduced until late in the summer. There is a danger that many assumptions are being made. Do you have every confidence that the homelessness problem will be enhanced by the new housing partnerships, or is much of what you are saying predicated on assumptions that statutory responsibilities will be met and that private financiers will not be scared by the right to buy and revise their figures?

Is not much of what we have heard today the best-case scenario? Might it be helpful for us also to hear the average-case and worst-case scenarios, to give us a balanced view of the impact of the new housing partnerships?

Robert Aldridge: Those are important questions. Both the Scottish Council for Single Homeless and Shelter are here because we believe that, unless some of the matters that we are bringing to the committee's attention, such as the safeguards, are addressed in the housing bill, there is a danger that the situation could get much worse for homeless people. We have concentrated our evidence on trying to ensure that that does not happen.

11:30

The worst-case scenario for homeless people and for those who do not have a connection with a particular community would be if the legislation was not amended and did not impose a duty on registered social landlords to co-operate in assisting local authorities with their homelessness duty. That might allow social landlords to refuse nominations and referrals for a range of reasons or to exclude people from a housing list because of poor credit references and so on. We are here to say that we are extremely concerned about the bill—the homelessness issues must be dealt with as part of the stock transfer process, and there is an urgent need to put in place the statutory framework.

We have considerable concerns about the extension of the right to buy to all tenants of housing associations, although tenants of charitable housing associations will be excluded. No one has a problem with continuing the preserved right to buy for tenants who had a right to buy and who are transferring to a new landlord from a local authority landlord. However, should

new tenants of the new landlord have a right to buy? Should existing tenants of existing housing associations have the right to buy extended to them?

We were particularly concerned about the suggestion in the Executive's paper on housing and anti-social behaviour, which was released yesterday, that Scottish Homes investment should be directed at replacing stock lost through the right to buy, rather than enhancing the social rented stock, which that investment would have been used for.

Mike Watson: I am sorry about my nasal tones—they are getting worse.

In response to Fiona Hyslop's questions, you referred to the extent to which statutory provision should be made for the code of guidance, which you said needed to be reviewed. Your submission states that

"local authorities 'must have regard' to the Code".

Should that be given statutory backing and apply to the new landlords, if the provisions on housing stock transfer in the bill are accepted? I have another question, but could you deal with that point first?

Robert Aldridge: The SCSH has always taken the view that the code of guidance should have the force of law, rather than local authorities simply having to have regard to it when exercising their homelessness function. We think that the code should also be extended to new social landlords, because if they accept transferred stock and take on the role of the landlord, it would seem strange if they did not have the same minimum responsibilities towards homeless people as are suggested in the code. However, for the code to be effective, it will have to be reviewed and slightly rewritten, as it deals both with the interpretation of the homelessness legislation in relation to the homelessness function, which we hope will remain with the local authorities, and with good practice for landlords. Those two elements should be teased out and reviewed.

Mike Watson: But you say that the code needs to be strengthened and, when you say "reviewed", presumably you do not think that it is strong enough. You say that it is "largely very good", but—

Robert Aldridge: Yes, I think that it is "largely very good". There may be small matters that should be examined in detail, but it is more important that people implement the code of guidance, as Liz Nicholson said. I would prefer people to implement it properly rather than spending a long time strengthening it without it being implemented.

Mike Watson: Can that be done without giving

the code statutory backing?

Robert Aldridge: It would be most helpful if social landlords had a statutory duty to abide by the code.

Mike Watson: Finally, what does the SCSH think that the effect of the right to buy will be on the amount of accommodation available to homeless people if slightly more people than are currently estimated opt to take up their right to buy?

Robert Aldridge: The effect will vary from area to area. Particular reference has been made to rural areas, but it will affect communities in many areas. The Scottish Executive takes a broad-brush approach in its figures, but if the right to buy is extended, virtually all the rented housing stock might disappear in certain communities. The sale of four houses might make the difference between a sustainable community and an unsustainable one. Housing associations have invested in a number of rural areas because of a shortage of affordable rented housing, to make those communities sustainable. It would seem strange to permit that stock to be sold off and new houses to be built—that seems to be doing things the wrong way round.

Mike Watson: Does that mean that you are more concerned about the rural and smaller urban areas than about the big cities?

Robert Aldridge: The extension of the right to buy will affect urban areas differently. In Glasgow, there is a crude surplus of housing and it might be less of an issue in those circumstances, but there is a much smaller pool of rented housing in other cities, and there might be bigger effects in those areas. As Gavin Corbett said, the right to buy is a blunt instrument, and because it is a right, it applies everywhere. The most fragile areas are probably most likely to be hit hardest by the right to buy. The policy needs a major review, to ensure that communities are not made unsustainable.

The Convener: In response to Malcolm Chisholm's question, Gavin said that a number of other right-to-buy issues, such as discount levels and so on, should be considered and that we should focus on them. Do you recommend a similar approach?

Robert Aldridge: Absolutely. The level of discount is very large. The Executive paper, to which I referred, suggests that the cap on the discount should be maintained, but that would affect only a small minority of cases—few people get a £30,000 discount on their house.

It is clear that all social landlords are able to sell their houses to tenants—there is nothing to stop them doing that or deciding what discount to offer. We must consider where the right to buy should

come in, at what level the discount should be set and whether we can replace with other socially rented houses the houses that are lost through the right to buy, to ensure that the pool of available houses does not continue to shrink.

The Convener: I have a question about the needs of single people, on which, unfortunately, we do not have time to focus, although I know that that is a critical issue for you and for housing in Scotland. Is there proper provision for single people? Rather than addressing their needs through overall policy, do we need to develop strategies for specialist provision for them? If we need such strategies, is the debate on housing policy taking us there?

Robert Aldridge: I do not think that single people need specialist provision, as single people become couples and couples become single people.

We need to re-examine homelessness legislation—the idea has been floated by the homelessness task force. Twenty years ago, that legislation gave priority to people with children and people with additional needs, due, for example, to old age or disability, but most single people who were homeless were not given priority for rehousing. There may be a need to make homelessness legislation fit current demographic patterns. Perhaps a minimum level of support should be given to anybody who is homeless.

The Convener: Do we need to think again about liaison on mental health or community care issues between, for example, the health service and social work services? Is there an opportunity in the housing debate to consider that matter, or would that be a diversion?

I am taking you into another subject.

Robert Aldridge: That would be an interesting debate.

The Convener: Maybe that is for another time.

Cathie Craigie: Your submission states that the housing association movement claims that it houses more people from the non-statutory homeless list and that that balances up the relatively low proportion of statutory homeless people. Do you have figures to back up that statement?

Robert Aldridge: There is some evidence in the Scottish continuous recording—SCORE—research that is done by the housing association movement. That research monitors lettings, although it has gaps and is not hugely reliable or accurate. If housing associations will now be asked to concentrate on, and meet targets for, statutory homeless people, that should not prevent them housing non-statutory homeless people, which many housing associations do particularly

well.

Cathie Craigie: I wish to follow up on an answer that you gave to a question by John McAllion about the housing revenue account and the situation in Dundee, where the provision for temporary accommodation for the homeless comes from the revenue account. I know that that is not the practice in all local authority areas. What is the most common way of operating? Does the rent payer or the taxpayer shoulder the burden?

Robert Aldridge: I do not have an accurate answer to that. I notice some body language suggesting that Gavin Corbett does.

Gavin Corbett: About £3 million of the cost of provision of temporary accommodation for the homeless comes from housing support grants; about £5 million comes from revenue support grants; and the rest, which may be quite a lot, must come from rents. The Convention of Scottish Local Authorities has undertaken to examine this issue in more detail for the reason that John McAllion mentioned, that the whole system collapses when there is not a big housing revenue account to support it.

Cathie Craigie: My authority recognised years ago that that burden should not be borne by the rent payer, but by the general taxpayer, and we were able to make that change. I campaigned for it quite strongly at the time. Perhaps we could take a closer interest in that issue.

Fiona Hyslop: I have a quick question on the duty of new landlords to co-operate with councils to house homeless people. Do you think that a duty to co-operate is sufficient, or would it only be acceptable if it were backed up by statutory letting orders?

Robert Aldridge: We concur with Shelter witnesses that, ultimately, there must be some means of enforcement. We do not expect things to go wrong, but there has to be some safety measure. I agree that we need to amend section 38 of the Housing (Scotland) Act 1987, but we need to have some other form of regulatory measure.

11:45

Mr McAllion: By and large—this is anecdotal—local authorities house the most difficult tenants, because they have a statutory duty to do so. If that duty is to be transferred to registered social landlords who have no expertise or experience of dealing with difficult tenants, is there not a danger that those landlords will resort to eviction, so that there will be more homeless people?

Robert Aldridge: That raises housing management issues such as the need for training. In a previous paper we talked not only about the

homelessness function, but about housing management procedures that need to be adopted by registered social landlords. I hope that the matter of difficult tenants will be monitored carefully by Scottish Homes in its regulatory capacity. It is important that we do not have evictions and homelessness on a massive scale, and that we do not create a new revolving door.

Mr McAllion: Anti-social behaviour has become a big issue recently, and evictions are more common than ever. What is the view of the homelessness organisations about the eviction of people for anti-social behaviour? Should such people have rights? Also, should anybody be evicted for rent arrears?

Robert Aldridge: People mean different things by anti-social behaviour. In the most extreme cases, where everything else has failed, eviction has to happen, but that will only apply to a very small minority of cases of what is generally described as anti-social behaviour. There are other options.

The effectiveness of anti-social behaviour orders, which were introduced in recent legislation, has not yet been monitored. The advantage of such orders is that they can be levied on people other than tenants and they do not result in people losing their homes.

It is also important that there should not be different rules on anti-social behaviour for tenants and owner-occupiers. Why should a person lose their home just because they are a tenant, when they would not lose their home if they were an owner-occupier who was anti-social?

There are other extensive powers that exist to help, such as mediation, which is expensive but is probably one of the most effective ways of dealing with the problem. It helps people to learn how to live together in situations affected by the less extreme forms of anti-social behaviour, such as neighbour nuisance. There are a whole range of solutions to what is commonly known as anti-social behaviour. Eviction should only be a last resort and should only apply to a very small minority of cases.

On rent arrears, I am concerned that the new landlords may be under strong financial pressure to perform well in rent collection. We must ensure that there are sufficient safeguards so that people are not evicted without very good cause. Again, in extreme cases, eviction might be necessary, but before the need for it is reached, a whole lot of issues, such as money advice, should be addressed.

The Convener: I will draw this part of the meeting to a close. I formally thank Shelter and the Scottish Council for Single Homeless.

We will now move on to a short discussion about issues that have been raised and which we might want to follow up at a later date with our witnesses, who are welcome to stay for the discussion. What issues that are specific to the organisations and related to further investigations do members want to follow up?

Mike Watson: Given that the right-to-buy issue has become more important than it seemed to be a month ago, I think that we should consider that in relation to the single tenancy announcement that was made this week.

The Convener: Would we need committee time to explore that?

Mike Watson: I think so. We might want to get the minister to tell us what the plans are.

Fiona Hyslop: It is clear that the right-to-buy issue will have an impact on lenders' calculations and we can deal with the issue when we speak to the lenders. We should speak to the minister about it, but we are due to see her anyway and we will ensure that we discuss the right to buy.

There has been a bit of confusion in what we have heard. We heard about scenario planning, and the pragmatism that is involved was evident. When we do a report, we will have to take a snapshot in time. That will involve a judgment call, but questioning the minister on the points that have been raised today would help us.

The Convener: We can ask the minister about a lot of specific issues. Today's discussion has helped us understand the issue of housing stock transfer. We have a greater depth of understanding now.

Mr McAllion: The Executive said that it would carry out a careful study, in collaboration with Scottish Homes, of the implications of extending the right to buy to housing associations. Could we have a copy of that study?

The Convener: I will ask Martin Verity, the clerk, to write to the Executive on the matter.

Cathie Craigie: I would like to gather further statistical information on the issues that were raised in today's presentations. I am interested in information about partnerships between housing associations and local authorities, particularly in relation to joint letting allocation policies, and in the arbitration issue.

The Convener: I want members to highlight specific issues. I will inform the Scottish Parliament information centre of our research needs soon. Fiona Hyslop is laughing about SPICe having yet another responsibility piled upon it. I want to be able to ask the organisations specific questions as well.

Mr Lloyd Quinan (West of Scotland) (SNP): I

am concerned that there is a teed-up question that will allow the Executive to make a public statement. I am deeply concerned that that question comes from a member of this committee. I want to know whether Ms Whitefield had prior knowledge of what the statement was going to be or whether the question came to her in a blinding flash of inspiration.

The Convener: With respect, that is not a matter for this committee. If you want to pursue your inquiry, there are other channels through which you can do so.

Mr Quinan: It is obviously a matter for the committee, as I am talking about a member of the committee.

Karen Whitefield: I did not have prior knowledge. Lloyd, if you look back through the *Official Report*, you will see that I have raised the issue of a single social tenancy with various bodies that have given evidence. I take an interest in the matter, which is why I lodged the question, an answer to which was sent to me yesterday.

The Convener: Thank you for answering that question, Karen. However, I want to make it clear that it is not appropriate for members of the committee to be interrogated like that. Of course, members can seek clarification on issues that concern them, but there are parliamentary procedures for doing that.

Mr Quinan: Can you explain them to me?

The Convener: I refer you to the clerk for that information.

Alex Neil: All the evidence that we have heard has stressed the importance of housing benefit reform. I know that I keep going on about that, but it is crucial to stock transfers. Jeff Rooker, Minister of State at the Department of Social Security, made a statement yesterday that seemed to suggest that housing benefit reform would be timetabled well into next year, if indeed it takes place this side of the next general election.

It was clear from Robert Aldridge's evidence that reform is predicated on a housing benefit regime that can cater for the consequences of stock transfer. I would like Martin Verity, on behalf of the committee, to write to Alistair Darling asking when housing benefit reform proposals can be expected. We cannot reach a conclusion on stock transfer without knowing what the timetable and the substance of housing benefit reform will be.

We met members of the House of Commons Select Committee on Social Security last night. The members with whom I was talking, all of whom were new Labour—

The Convener: Are you sure about that, Alex?

Alex Neil: They were all new Labour members;

John McAllion was the only old Labour member there. It was clear that members of that committee share some of our concerns, so it would be useful to have a reply from the Secretary of State about that.

We still have not heard from Scottish Homes about its analysis. Given that it was promised six weeks ago, I suspect that Scottish Homes is in cahoots with the Executive and is trying to fiddle the figures.

The Convener: Hang on a minute, Alex. We will get clarification on that from the clerk.

Martin Verity (Committee Clerk): Unless we are talking at cross-purposes, which we might be, we had more information from Scottish Homes yesterday. I have circulated it to members.

Alex Neil: Is that the comparative analysis between private and public funding?

Martin Verity: Scottish Homes provided the information after discussion with the Executive.

Alex Neil: Was that provided by e-mail?

Martin Verity: No. I circulated paper copies.

Alex Neil: Well, I do not have a copy.

The Convener: Is that it there?

Alex Neil: So it is. I shall look at this.

The Convener: I assume that you will want to raise the issue again once you have considered that information. We will have to consider the financial issues again.

Mr McAllion: This is the social inclusion committee as well as the housing committee. It strikes me that current housing policy is predicated on perpetuating a rent regime that makes 80 per cent of Glasgow tenants dependent on housing benefit. That social exclusion prevents them from being able to pay their rent, and we should question the policy that keeps rents at such an artificially high level that people cannot afford to pay them.

The Convener: There are big issues about rent levels.

Mr McAllion: They are huge issues and should be considered as part of this whole investigation.

The Convener: I shall come back to Alex Neil's points later. I want to explore the connections between social policies and housing policies. If the new housing associations do not liaise properly with social work and have no effective mechanism for ensuring that the health services and social work services meet the needs of homeless people, we could end up with another package of problems. Considering immediate housing needs simply on a short-term basis will create more

social problems further down the line, and that should be explored as part of our social inclusion agenda.

Robert Brown: It struck me that a critique of the right to buy is something that Shelter might be able to do for us once it has studied the papers. It would also be useful to find out whether research has been done into the allocation regimes that are used by housing associations. The business of the disappearing allocations—if I can put it that way—is something that we need to know more about. We must establish which of the regimes that are in operation work and which do not.

The Convener: John McAllion raised the issue of central funding for the homeless service. I need more clarification about that. We have noted those issues and, as I said, we will pursue them.

As Alex Neil suggested, we should start by writing to Alistair Darling and at least ask about the time scale for housing benefit reform. We will start with that, as Alex suggested.

Bill Aitken: I think that that is sensible, but I would not expect much to happen. The expression "bottling it" might apply to the Government's attitude to housing benefit.

The Convener: We are showing our colours now.

Alex Neil: The key issue is that all the evidence we have had on financing stock transfers shows that we are dependent on the income stream. In turn, the income stream is dependent on the security of income that housing benefit provides. Based on the evidence that we have received from everybody on stock transfers, I suggest that stock transfers are not a financially viable proposition until we know what the housing benefit reforms will be.

12:00

Bill Aitken: The situation requires clarification. Sensing the vibes, I do not think that there will be significant changes.

The Convener: It is proper to seek clarification as the issue is so important for us.

The role of finance has come up in every evidence session. We must explore that in greater depth as it will be a major factor in our discussions. John McAllion is pursuing that—is that on our agenda?

Mr McAllion: Yes.

The Convener: John can pick up those issues. We could, perhaps, add one or two people to the evidence sessions in January and February. We are requesting that Wendy Alexander come to the first meeting in February. I intend to take about 15

minutes at a prior meeting to discuss our line of questioning to the minister because we have left so many issues saying, "We will raise that with the minister." I will ask for a paper to be drawn up so that we have an effective line of questioning and can make the best use of the time. We will address so many issues at that meeting that we must ensure that we manage the time properly.

Alex Neil: Should we not welcome Mr Gallie to the meeting and welcome his concern for social inclusion?

The Convener: Mr Gallie is welcome to our meeting. You are sitting in the gallery—the body of the kirk, as it were—you can join us at the top table.

He cannot resist, can he?

Phil Gallie (South of Scotland) (Con): I never miss an opportunity.

The fact is that we have a couple of visitors from Romania today—Zinca and Diane—who have come to have a look at the committee. Our stay will be brief. Thank you for your welcome.

The Convener: Zinca and Diane are welcome to Scotland and to the committee.

Abolition of Poindings and Warrant Sales Bill: Stage 1

The Convener: I assume that people have given this issue some thought. Can I move to the recommendation, which is point 8? There was discussion in the social inclusion group about the need to examine credit and debt. I think that Robert Brown mentioned it.

Robert Brown: I feel that I have not yet got a handle on credit in relation to loan sharks and what the effects of the warrant sale bill might be. We ought to examine that. Information on that might come out of the evidence sessions with Citizens Advice Scotland and the Department of Social Security, but I suspect that their evidence might be more anecdotal than we would like. I wonder whether research or studies have been carried out on credit and debt. It crossed my mind that it might be worthwhile talking to an organisation such as Scottish Provident, which is in the private sector but deals with people who are dependent on certain sorts of finance. Scottish Provident might have more experience in this area than almost anybody else.

Cathie Craigie: I agree with that.

Mike Watson: Much of the evidence that we have heard indicates that many poindings are carried out by local authorities in pursuit of rent arrears. We could, perhaps, invite West

Dunbartonshire Council to give evidence. It has a policy of not implementing poinding or warrant sales in any circumstances. It gave a presentation yesterday that my assistant attended and I know that John McAllion was also at that Poverty Alliance meeting. I could not go, but my assistant said that she was very impressed with the evidence that was given. It might be useful for the council to come and speak to us.

The Convener: The line that I took when negotiating with the conveners group was that many local authority people would visit the Local Government Committee. However, having read that committee's minutes, it seems that it has heard evidence only from Glasgow City Council, so it might be interesting for us to hear from West Dunbartonshire Council.

Bill Aitken: We would want a copy of the Glasgow submission in order to balance the evidence.

The Convener: Yes.

Mike Watson: Given that Glasgow City Council is the only local authority to have given evidence and if the Local Government Committee has not chosen to invite any others, there is no reason why we should not invite them. There is a spot available on 19 January.

The Convener: We must stick to the timetable.

Mr McAllion: It might be unnecessary to extend this. The Credit Services Association has already given evidence to another committee, so there is no reason for us to talk to Scottish Provident. COSLA has also given evidence to the Local Government Committee. I am anxious to get on with it.

The Convener: None of what is being suggested will delay matters.

Mr McAllion: There is a danger that the matter could be put off time and again until it falls off the agenda.

The Convener: I have committed myself to getting the report to the Justice and Home Affairs Committee and I will make sure that it is done by 26 January, come hell or high water.

Mr McAllion: We can hardly invite loan sharks to give evidence.

The Convener: Have you got contacts?

Mr McAllion: I doubt there is any official research that can tell us about the extent of loan sharking.

The Convener: Let us consider that. West Dunbartonshire Council and Scottish Provident might be able to give us written evidence. We need to check how detailed the Credit Services

Association submission is. We will definitely meet the deadline.

Alex Neil: I think that it would be a good idea to hear from West Dunbartonshire Council because it has the best collection record in Scotland.

We still do not have clarification on who from the Department of Social Security will give evidence. It should be one of the ministers, because if the Department of Social Security opposes the bill, that is a political decision.

The Convener: You had left the meeting when we discussed the matter. We agreed that we would hear evidence from the civil servants for a start and, if we thought that there were further issues to be raised, we would reconsider talking to a minister.

Alex Neil: Will we have time to do that?

The Convener: That was the decision that we made. Let us not change decisions from meeting to meeting.

Alex Neil: I am not changing the decision, but if we are going to get the report in on time, we cannot wait until January to invite a minister to come and give evidence. If we are going to invite a minister, we have to do it now—this is the last meeting before Christmas.

The Convener: With all due respect, that was raised at the last meeting and following the discussion we decided to settle for the officials. Martin Verity has sent an e-mail asking members for their preferred line of questioning. If we are not happy after that, we will reconsider our position. It is bad for the committee to change its decisions meeting after meeting.

Alex Neil: I am not trying to change the decision. If, having heard evidence from officials, we decide to see a minister, there will be no time. It would be unreasonable to invite a minister on 12 January to give evidence a week later. I suggest that we take a decision to invite a minister now or that we give that minister warning that we might invite him to come up in January. We cannot give a minister one week's notice.

Mr McAllion: At the last meeting, we decided that this was not necessarily the issue on which we wanted to confront Westminster ministers—there will be other things that we will want Alistair Darling to come and talk about. I suggested that housing benefit might be an issue that we would like to speak about. We should not throw away the opportunity to speak to him. His evidence on this is not necessary.

The Convener: We had this discussion at the last meeting.

Alex Neil: Was the decision made not to invite ministers?

The Convener: You were not here at the last meeting, Alex—we are revisiting the discussion. We took the view that we would not rule out the idea of pursuing ministers for their views on pointings and warrant sales. However, we decided to begin with the officials because, as John McAllion said, there are many issues that we want to discuss with Alistair Darling.

Alex Neil: In that case, I would like you to write to Alistair Darling on behalf of the committee to ask if the written submission and the oral evidence from the DSS reflect his political judgment on the matter. Is he opposed to the bill?

The Convener: Let us find out what the evidence is. I want to pursue our line of questioning and to hear what the DSS has to say. If we still feel that there are issues to be addressed when we have concluded our questioning, there will be opportunities for the committee to pursue those issues. I am getting frustrated because every time an issue is raised we want UK ministers to come before the committee.

Fiona Hyslop: It is a timing issue. Even if we decide on 12 December that we want to write a letter, that might be too late. It is not unreasonable to write a letter to Alistair Darling now to ask him what his political position is.

The Convener: We could write on 12 December and have an answer before we conclude this matter on 26 January.

Fiona Hyslop: My experience of Government and Executive ministers is that that might not happen, which is why I am concerned.

The Convener: It is my responsibility to run this committee in a managed way. We cannot keep changing decisions. We will stick with the decision that we made previously. Once we have heard the DSS evidence, we will have the opportunity to reflect on it.

Alex Neil: But my recommendation is that meantime, we write to Alistair Darling to ask him what his position is, as the Secretary of State for Social Security, on this bill.

The Convener: We took a decision at the last committee meeting—

Alex Neil: That is not contradictory.

The Convener: We took a decision that we would hear the DSS evidence, and follow that up appropriately. Can we stick with that, please?

Mr McAllion: DSS officials will not come up here and say that something is not Government policy. They are officials speaking on behalf of the Government. Whatever they say is Alistair Darling's policy. That is the reality.

Alex Neil: He should be held to account for it.

The Convener: Do not worry. John McAllion will hold Alistair Darling to account, as will we all.

Voluntary Sector

The Convener: We now move on to the voluntary sector report, which we have a paper on.

Karen Whitefield: I wrote this paper, and I am keen to get committee members' views on it.

It is some time since I was appointed the committee's reporter on the voluntary sector. Requests to meet me to discuss issues have come in fast and furious. I have been reluctant to respond to any of them until I had clarification from other members on my role and what they expect me to do.

I decided that the best way to take this matter forward was to write a paper, which Martin Verity has circulated to all committee members. I am happy to take on board any suggestions or, if everyone agrees, to work on the basis that I am responsible for liaising with the voluntary sector and for being the first point of contact. I will work in a similar way to John when he reported on housing policy.

Robert Brown: I apologise to Karen for not coming back to her sooner. This is all fine, but we were looking to home in on the voluntary sector issues that might be priorities for the committee. We should find out what the issues are before finding out how to deal with them. A number of matters, such as charity law, need to be taken on board. It is a matter of trying to fit into our agenda a couple of issues that we want to take further. Issues might arise from Karen's discussions with groups or from what we have discussed already.

Karen Whitefield: I am happy to come back with a programme of work, but before I start down that road I want to be clear about my role and what I could and could not do.

One of our early briefings, which was from the Scottish Council for Voluntary Organisations, flagged up a number of recommended areas that the committee should look at, from Scottish Criminal Record Office checks to charity law. I am happy to come back in the new year with an outline and proposals for work for the committee.

Bill Aitken: It was an excellent paper, but we will have to prioritise. The steer that I got from your paper was in the direction of charity law. Undoubtedly, that inhibits a number of organisations. During your deliberations, Karen, did you speak to anyone from the Justice and Home Affairs Committee? I ask because there is an Executive committee to review charity law. If it

is felt that our committee should have input, I suggest that we have a briefing session on charity law in order that we can comment on it intelligently.

Karen Whitefield: I have not spoken to anyone from the Justice and Home Affairs Committee—I have not taken this work forward because I have no formal agreement from this committee. However, I am happy to speak to members of the Justice and Home Affairs Committee.

As many people will know, the Executive has commissioned a report from the University of Abertay Dundee, and the professor who is working on it gave a presentation at the recent SCVO conference. I understand that the report will be with the Executive soon, and that the Minister for Communities has overall responsibility for it. The committee should be the lead committee in that matter, but that does not mean that the Justice and Home Affairs Committee would not have some input.

The Convener: Could you pursue that matter quickly and come back to us on that report?

Karen Whitefield: Yes.

The Convener: In the early days, John McAllion kept us up to date when we were looking at other issues. It would be useful if you gave us a regular briefing on the programme of work. It might be useful if you spoke to Robert Brown and others to get detailed input between committee meetings.

We will now move on to discuss our timetable of future business. Are we agreed that the official report is not required for this part of the meeting?

Members indicated agreement.

12:16

Meeting continued in public until 12:33.

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