

SOCIAL INCLUSION, HOUSING AND VOLUNTARY SECTOR COMMITTEE

Wednesday 15 November 2000
(Morning)

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CONTENTS

Wednesday 15 November 2000

	Col.
HOUSING BILL.....	1531
PETITIONS	1553

SOCIAL INCLUSION, HOUSING AND VOLUNTARY SECTOR COMMITTEE 35th Meeting 2000, Session 1

CONVENER

DEPUTY CONVENER

*Fiona Hyslop (Lothians) (SNP)

COMMITTEE MEMBERS

*Brian Adam (North-East Scotland) (SNP)

*Bill Aitken (Glasgow) (Con)

Robert Brown (Glasgow) (LD)

*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

*Johann Lamont (Glasgow Pollok) (Lab)

Mr John McAllion (Dundee East) (Lab)

Mr Keith Raffan (Mid Scotland and Fife) (LD)

*Mike Watson (Glasgow Cathcart) (Lab)

*Karen Whitefield (Airdrie and Shotts) (Lab)

*Ms Sandra White (Glasgow) (SNP)

*attended

WITNESSES

Ms Jess Barrow (Age Concern Scotland)

Ms Angela Yih (Age Concern Scotland)

CLERK TO THE COMMITTEE

Lee Bridges

SENIOR ASSISTANT CLERK

Mary Dinsdale

ASSISTANT CLERK

Rodger Evans

LOCATION

Committee Room 1

Scottish Parliament

Social Inclusion, Housing and Voluntary Sector Committee

Wednesday 15 November 2000

(Morning)

[THE DEPUTY CONVENER *opened the meeting at*
10:03]

The Deputy Convener (Fiona Hyslop): Welcome to this meeting of the Social Inclusion, Housing and Voluntary Sector Committee. We have apologies from Keith Raffan and Robert Brown.

I welcome Sandra White to her first meeting of the committee and ask her to declare any relevant interests.

Ms Sandra White (Glasgow) (SNP): I have no interests to declare.

The Deputy Convener: I ask members to agree to take in private item 4, which deals with questions to witnesses, item 8, which deals with the drugs inquiry, item 9, which deals with the committee's work programme, and item 10, which deals with the petition on asylum seekers. Are we agreed?

Members indicated agreement.

The Deputy Convener: I also ask members to agree to take in private items at our meetings on 15, 22 and 29 November and 6 December relating to the questioning of witnesses. Are we agreed?

Members indicated agreement.

The Deputy Convener: We will now move into private session to consider our questions for the witnesses from Age Concern Scotland.

10:04

Meeting continued in private.

10:15

Meeting resumed in public.

Housing Bill

The Deputy Convener: I welcome representatives of Age Concern Scotland to the committee. We have with us Angela Yih, the housing policy officer, and Jess Sparrow, the policy manager.

We have received copies of your response to

the consultation document on the housing bill. It makes for interesting reading and provides a perspective on housing that is not often aired. We have also received the note that you sent on Care & Repair (Age Concern Scotland) Ltd.

I invite you to make a short presentation to outline your concerns and what you want to ensure that the committee is aware of in our preparation for the forthcoming housing bill.

Ms Jess Barrow (Age Concern Scotland): It would be useful for us to outline the reasons why we take a particular interest in housing and what we view as some of the housing issues. That will set the scene for our response.

Most of you are probably aware that we live in an aging society. In about eight years' time, older people will outnumber children. In the next 20 to 30 years, the number of people aged over 80 will double. That has a significance for housing, which has to last for a long time. The decisions that are being made about our housing stock now will have far-reaching implications. We have to ensure that we take into account the needs of older people in the future.

According to the Scottish house condition survey, 50 per cent of people over 50 live in the owner-occupied sector. That is a significant change from the previous survey, which showed only 40 per cent doing so. The proportion of older people living in that sector will continue to rise. The house conditions survey also showed the poor condition of the housing that older people live in, particularly in the owner-occupied and private-rented sector. That is why our response focuses on repair and improvement grants and the tolerable standard. Those are important issues that we must get right at this point.

The issue of design and accessibility is particularly important. We have to ensure that the housing that is built now is suitable for the future. We reflect that in our call for the index of housing quality, which would supplement the tolerable standard. That must include barrier-free homes or lifetime homes as an aspiration. We have to build those houses now and ensure that the private sector does so, as the issue of owner-occupation is significant.

Advice and information are particularly important in a lot of the areas that the housing bill covers. We must ensure that older people who are buying their homes under the right to buy have the right information to make an informed decision about the rights and responsibilities of home ownership. That is important if home ownership is to be sustainable. We feel strongly that we must ensure that it is sustainable in the long run.

We have expertise in private sheltered and retirement housing, which we have studied over

the years. People buy a small sheltered or retirement house, where management services are provided by a private company or housing association. That field is currently unregulated and relies on the feudal system to give it any sort of legal structure. We welcome the land reform measures that are going ahead, but we do not feel that the proposals that we have seen so far are adequate to address the problems in that sector. We would like more rigorous regulation and we feel that the role of the housing regulator should be extended to cover those management services that are covered by registered social landlords. In an ideal world, that role could be extended even beyond that.

Other issues arise that may not have been touched on in our written response concerning the housing and support needs of older people. Better research is needed in that area. Two key pieces of research have been carried out. In 1990, the Scottish Office published "The Housing Needs of Elderly People in Scotland", which was followed in 1993 by a Scottish Homes document called "Housing the Elderly in the 1990s". Both studies are now out of date and we need to have a much more consistent look across the board at the housing and support needs of older people. We must ensure that the information is available locally to enable local authorities to meet older people's support needs when they are preparing strategic housing plans.

Fuel poverty is an issue that we mentioned in our response. We welcome the Executive's initiative on central heating but much more needs to be done. Fuel poverty is still a serious issue for many older people, as I am sure members are aware.

I am happy to answer any questions that the committee wants to ask.

The Deputy Convener: Thank you. That was a comprehensive and interesting introduction. You have obviously identified some angles on the subject that we might not have picked up on first looking at the bill. You identified some of the different housing needs of older people and you touched on such basic issues as standards, information, regulation and the right to buy.

One of the positions that the Government wants to put forward is that, in future, only 20 per cent of housing would be for social rent, with 80 per cent being in home ownership. What implications do you think that would have for the elderly population? Is that something that you think is sustainable? What is your perspective?

Ms Barrow: One of the key things to consider is the income that is needed to maintain and sustain home ownership. Anybody who owns a home has to spend a certain amount of money on basic

maintenance to ensure that the house remains wind and watertight over the years. Very often, that is done just by moving house and trading up to a different house, but people have to spend quite a bit of money on home maintenance over the years.

If someone reaches retirement at the age of 60 or 65 and goes on to a limited retirement income, that may meet their basic everyday needs but it will not necessarily provide the resources needed to invest in maintaining a home. If they are living in that home for 20 or 30 years—for many people, retirement lasts as long as that—they often neglect a lot of basic things that need to be done, such as external maintenance and repair. The consequence of that is seen in the statistics from the Scottish house condition survey, which show that, in the owner-occupied sector, households headed by somebody over the age of 80 have some of the worst housing conditions.

There is a clear decline in housing quality as people age and a range of issues need to be addressed. We must consider sustainable home ownership and the grant system. We need to ensure that people make proper provision for the future and that they are aware of the rights and responsibilities of home ownership. The consideration of incomes of older people is a matter for the Government, although not for the committee.

The Deputy Convener: We will be discussing some aspects of care and repair and maintenance grants in a moment. It is an interesting idea that the right to buy might be included and promoted in the bill. We should consider the consequences of that.

Ms Angela Yih (Age Concern Scotland): If the Executive were serious about working towards a different balance of tenure, the private rental sector would have to be part of that. We would need to make speedy moves towards regulating that sector.

The Deputy Convener: Much of what you were talking about relates to the private rental sector and standards of private home ownership. We do not have the final version of the bill, but it appears that it might be more narrow in scope than we first thought and will focus on social housing. Does that cause you concern? What do you think the scope of the bill should be?

Ms Barrow: That is a difficult question. There is an enormous range of issues and it may be inappropriate to put everything into one bill. Indeed, it might be better to give certain issues more detailed consideration in a separate bill. We would not like certain elements to be dropped from the bill without a commitment to consider those in alternative legislation in the near future.

The Deputy Convener: Will anything in the proposals improve the position of older people? You have talked about what is missing from the document and what you would like to see happening, but is there anything that you would like to comment on because you think that it will make a difference?

Ms Barrow: The proposals on homelessness are to be welcomed. We have experience of the issues surrounding older homelessness and we led the field in carrying out research on that some years ago. The proposal to give people a right to register on housing lists is very important. We must ensure that those rights are protected. Issues about advice and information are particularly important in relation to older homelessness. Those aspects of the proposals will make a difference. However, many other aspects of the proposals are unlikely to make a direct difference to the lives of older people.

The Deputy Convener: Let us move on to explore other issues that you have raised, particularly on care and repair and maintenance grants.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): Before we move on to that, I would like to thank Age Concern for the briefing paper and response to the proposals. I found them very useful. Furthermore, I would like to thank you for using large print, because I forgot my glasses today.

In your response to the proposed housing bill, you mention the importance of targeting information at our elderly population. How could such provision be made in the housing bill?

Ms Barrow: Most older people turn to family and friends for advice about housing issues. That is backed up by research that we have carried out. The next port of call, regardless of tenure, is the local authority. It is important that we bear that in mind. Older people do not turn to a citizens' advice bureau or a housing aid centre. Other advice agencies and services are important, but first and foremost, older people turn to the local authority. Local authorities should be given a responsibility to ensure that independent housing advice services are provided and funded. Whether local authorities provide such services or refer people to them does not matter greatly. What is important is that those services are available and that people who turn to the local authority are directed immediately to someone who can provide them with independent advice.

Cathie Craigie: Do you think that it is necessary for local authorities to provide that advice? Should it be enshrined in legislation that they should do so, or should there be greater liaison between advice centres and local authorities and should the

production of better information be a matter for guidance?

Ms Barrow: It does not necessarily have to be local authorities that provide advice. There is perhaps a conflict of interest if the local authority is the landlord and it is advising its tenants. That issue needs to be considered. Local authorities must be able to refer people to somebody who can give advice. Support and funding for decent advice services is crucial. That is where local authorities have a role to play. Advice services should be a core part of their strategic housing services.

10:30

Cathie Craigie: Your submission deals at some length with the care and repair initiative and the Executive's proposals on repair and improvement grants, and you have briefed us this morning on Age Concern's ideas. Why do you place such importance on repair and improvement grant schemes to assist the elderly population?

Ms Yih: Age Concern, Shelter Scotland and local authorities identified that the mechanism for helping home owners on low incomes was the repair and improvement grant system. That is not always targeted at people on low incomes, but it is there for them. There was a very low take-up of the repair and improvement grant system by vulnerable people. Care and repair was set up to focus on the needs of older people and to help them to access funds. Repair and improvement grants made up the bulk of the funding, but private finance and charitable funding make a contribution to the total.

Until we have a system in which home owners have a legal responsibility to maintain their property, there will always be houses in disrepair, and repair and improvement grants will be there to pick up the bill. We are a long way from a system in which home owners do not need some help from the public sector. There are changes in circumstances that cannot be foreseen. People's lifestyles may change, they become frail and physically disabled or they may lose their income—one cannot put the whole onus on home owners to maintain a property, even with legislation such as that relating to sinking funds for the maintenance of common property.

Care and repair exists to help older people, not just to spend repair and improvement grants, although that is an important part of that. Aids and adaptations work forms a part of care and repair. We work in partnership with occupational therapists and qualified architects to do such work.

Cathie Craigie: In your response to the Executive's proposals, you mention your concern that the decision not to ring-fence the funds that are available to local authorities for repair and

improvement grants has had an adverse effect on the amount of cash that is available. Do you have evidence that that has been the case? We put that point to the minister when we discussed budgets recently.

Ms Yih: That decision affects more than care and repair. It affects the whole private sector rehabilitation programme that local authorities have tried to implement. In certain cases they have legal responsibilities, but in many cases they can stand back from carrying them out and would do so if they did not have the resources. The abolition of ring fencing meant that, perfectly understandably, local authorities were allowed more discretion in how they spent their funds. Unfortunately, housing has ranked fairly low in political priorities for many years—it is encouraging to see it high in the agenda now—and other areas affecting people's lives, such as education, social work and transport are desperately important.

As we thought that it would, housing tended to lose out in funding battles, and the cuts that have taken place over the years make that obvious. In the past 10 years, the funding has been decimated. That has had a knock-on effect on care and repair, because that is where it gets most of its money.

Cathie Craigie: Thank you for the submission on care and repair, from which it appears that your organisation feels that the programme has been successful.

I understand that representatives from the Disabled Persons Housing Service gave evidence at a recent meeting of the Equal Opportunities Committee. They suggested that the care and repair organisation should be merged with their organisation. What do you think of that proposal? Does the scheme operate well now? Would a merger of the two organisations be useful?

Ms Barrow: The two organisations could benefit greatly from working together closely, but it must be remembered that the bodies have two different purposes, which are equally valid. Care and repair schemes were set up in response to the condition of older people's housing in the private sector and are meant to help older people to access grants. An enormous number of those people might be disabled and need aids and adaptations, but not all. Care and repair schemes deal with one problem that is a long way from being resolved.

As far as I am aware, the Disabled Persons Housing Service exists to respond to the housing needs of disabled people. I do not know a great deal about the service, but I know that it helps people to find appropriate housing, which is obviously cross-tenure housing. That service performs a useful function and both services can

benefit from working together closely. Our care and repair service in Edinburgh embarked on a pilot project of working with the Disabled Persons Housing Service. I cannot remember the number of care and repair projects throughout Scotland.

Ms Yih: There are more than 30.

Ms Barrow: The projects are managed independently. Age Concern manages two projects, but housing associations manage other projects. There is no single body that could be merged with the Disabled Persons Housing Service. The merger process would be long and complex and—in any case—the bodies exist to serve different purposes.

Cathie Craigie: In your response to the Executive's document, you talk about the tolerable standard. What are the advantages of enshrining the tolerable standard in statute, rather than in subordinate legislation or guidance?

Ms Yih: It is difficult to argue that we should leave the tolerable standard enshrined in a statute that was devised about 40 years ago, because we have moved on so much since then. The tolerable standard is simply a benchmark for the most basic housing conditions that we should expect, but the standard is out of date. It is fitting that we should change the primary legislation and that we should allow amendments to that standard through secondary legislation in the years ahead. We believe that we should not confine ourselves to secondary legislation, because the subject is far too important to be left to that. At the time that the statute was enacted, the standard that it set was well below what was recommended, even in the 1960s.

Cathie Craigie: Are you aware that the Executive has a group that is examining the tolerable standard with a view to changing that standard to reflect modern needs?

Ms Yih: Are you talking about the working party that has been studying the issue for two years?

Cathie Craigie: Yes.

Ms Yih: We are aware of it. That is why we are disappointed at what the Executive has come up with—or rather, what we think that it has come up with, because we have not heard anything.

Cathie Craigie: Have you submitted any evidence to that group?

Ms Barrow: Yes.

The Deputy Convener: You provide an interesting perspective. It is clear from your papers that you are keen that we should take action to introduce primary legislation rather than secondary legislation and guidance. We have heard such evidence from other bodies and when we study the proposed housing bill, we will stress the use of

primary rather than secondary legislation.

Johann Lamont (Glasgow Pollok) (Lab): I have a question about care and repair projects and the responsibility of home ownership. Are you arguing for a change in the right to buy?

Ms Barrow: No.

Johann Lamont: You have said that local authorities should identify responsibilities in relation to home ownership and the consequences of owning a home. Given such advice, some people would, presumably, not exercise their right to buy. However, there remains a problem for somebody who has bought property but does not have the means to sustain it. How would you deal with that in future? Would local authorities always have to mop up inappropriate decisions that people made when they bought their homes?

Ms Barrow: There are at least two separate issues to address, the first of which is the right to buy. We must ensure that people who exercise that right are fully aware of the rights and responsibilities of home ownership and that the right to buy does not affect the supply in certain areas of affordable housing for people who need that housing.

The other issue affects people who have always been home owners as well as people who exercise the right to buy. Home ownership brings huge responsibilities and as people grow old they find it harder and harder to meet those financial responsibilities.

Johann Lamont: Are you suggesting that the responsibility for dealing with that lies with local authorities?

Ms Barrow: Although the responsibility lies with the home owner, we have seen that many older people do not have the resources to meet their responsibilities. In such cases, should we, as a society, decide to let people live in housing that is in poor condition—some people still have outside toilets and inadequate bathrooms and kitchens—or should we decide to do something about the situation? There are two ways of tackling the problem. Either we enforce the responsibilities of home ownership through a system of compulsory factoring and make it compulsory for people to pay into a kind of sinking fund for future repairs and maintenance, or we allow for the grants system to support that. Any future solution might contain an element of both. However, we must accept that home owners who live for many years on a low retirement income will not be able to maintain their homes and keep them up to an acceptable standard.

Johann Lamont: Would a grants system be means-tested to ensure that it was targeted at people who could not afford to maintain their

homes, rather than at people who chose not to maintain them?

Ms Barrow: Means-testing is a very sensitive issue. As we have seen in all sorts of areas, the difficulty is that any system that is means-tested will exclude people who are worried about the stigma of means-testing but who would still qualify for help. The issue should be approached with great care.

Cathie Craigie: I have much experience of dealing with repair and improvement grants and I totally disagree with your comment about the stigma of means-testing. Perhaps politicians and others remember such means-testing from years ago. With the right advice, older people are happy to give information in order to qualify for grant assistance. I agree with how the proposed bill would deal with people who bought former local authority housing without having proper information on the responsibility that they were taking on. Perhaps such people are falling through the net because we are cutting the cake in thinner slices. I ask—

The Deputy Convener: Cathie, you will have your opportunity to put your views later.

Cathie Craigie: I want to discuss the stigma issue.

Ms Yih: I understand what Cathie Craigie is saying. However, our response highlights that we recognise—as do many other housing providers and landlords—the difficulties that often come with means-testing. We must consider the fact that much of the housing stock is tenemental property and we must keep in mind what is sensible when means are being tested. We speak to local housing associations and local authority landlords when we are trying to make improvements to a block of 12 flats.

Means-testing is complicated and leads to all sorts of unpleasantness between neighbours. Grants should be targeted and spent sensibly, but not everybody needs a 100 per cent grant—grants should be concentrated on younger families or whatever. The improvements should be got off the ground without more time being spent on administration and so on.

Johann Lamont: You identified the responsibilities that are attached to home ownership, but we cannot have a grant system that allows people to choose not to exercise their responsibility because that system says that somebody else will exercise that responsibility for the owner. That would mean that we were unable to target grants in the way in which you suggest, because we would have to lump together those who chose not to exercise their responsibility with those who could not exercise it. If it is accepted that responsibility is attached to home ownership,

how could we allow a grant system to indicate that people can avoid exercising that responsibility?

10:45

Ms Yih: We are a long way from a society in which such responsibility is enshrined. At present, we do not inform people about what could happen to them—I am talking about landlords and the right to buy, as well as estate agents, solicitors and so on. It will be some time before we implement a system that helps people both to understand their rights and responsibilities and to pay for their repairs. We will still have improvement and repair grants and there will always be exceptional cases.

Johann Lamont: Those grants will always be available to folk who have no money.

The Deputy Convener: Brian Adam wants to pursue a similar point, so I will bring him in briefly and then move on to Mike Watson.

Brian Adam (North-East Scotland) (SNP): I would like the witnesses to elaborate on sinking funds. Some elderly people contacted me because they were concerned about how sinking funds operated, particularly when the factor or the previous owner of the property was able to transfer responsibilities. Would you like the housing bill to include provisions that would help to make sinking funds more transparent and to make those who are in charge of those funds more accountable?

Ms Barrow: That must be legislated for, whether in the housing bill or in the proposed land reform legislation. Without a shadow of doubt, sinking funds must be controlled, those in charge of them must be made accountable and the funds must be held in trust for the owners. We have seen cases where that has not happened, in which sinking funds were put at risk by the insolvency of the managing agent. Those funds belong to the older people—it is their money. There have been serious cases that we do not want to see repeated. While this important issue must be addressed through legislation, I am not entirely sure that the housing bill, if enacted, would be the right legislation through which to address it.

Mike Watson (Glasgow Cathcart) (Lab): I will wind up this important session on means-testing and so on. Page 18 of your response to the housing proposals states:

"We require reassurance that the introduction of means-testing is not an attempt to reduce further the resources available at present."

The Executive will respond that that is not its intention. What would you regard as suitable reassurance on means-testing?

Ms Barrow: That is a difficult question. The housing bill could place some kind of responsibility

on local authorities by requiring them to have both a strategic plan to address disrepair in the private sector and properly costed proposals on how they would meet those needs. Perhaps the bill could include a commitment from the Executive to give due consideration to how the problem of disrepair in the private sector will be addressed.

Mike Watson: So, your concern is not about the totality of resources, it is about whether people are able to undertake whatever improvements are required in, for example, the block of 12 flats that you mentioned. Other members have had similar problems with constituents who say that improvements cannot be carried out because two or three people either cannot or will not contribute. We should ensure that the resources are provided for such work to go ahead.

Ms Barrow: Yes.

Mike Watson: I am interested in the document that the witnesses provided on care and repair projects and I want to ask one or two follow-up questions about it. I am sorry to throw back at the witnesses some of the points that were made in the response, two of which seem to impact directly on this issue.

In your response to the Executive's proposals, you state:

"There should be further consideration given to the introduction of a minor works grant for Care and Repair, waiving the standard conditions."

Could you say a bit about what you had in mind and what effect you think such a grant would have if it were to be introduced?

Ms Yih: We had in mind the experience of care and repair projects in dealing with older people. Some older people ended up saying, "No, I won't bother, thank you", although they might have needed only a roof repair or to have a heating system or window fixed. That happened because, if the grant conditions were stuck to rigidly, those older people would have ended up having to do 10 other things to their houses. They would have had to borrow more money, double the work and move out and then back in when all they wanted was, for example, to have their sink repaired.

The grant system does not accommodate such minor work and we have argued for a long time that it should—that has been done in England. I know that there have been some operational difficulties, but I do not think that the future of the minor works grant is in doubt. How it is managed is, however. In previous years we have asked for minor works grants. We have sounded out some projects and can still see the advantages of such grants.

Mike Watson: I admit that I am not familiar with the details of care and repair projects. Am I correct

in saying that not only elderly people can benefit, but that vulnerable and low-income people can benefit?

Ms Yih: It is nearly always older people who benefit, although there are some cases in which clients have been disabled but not retired.

Mike Watson: I am interested in the minor works grant. Given that local authorities are the main funders of care and repair, is not it up to individual local authorities to decide what the minimum level is, or is that not possible?

Ms Yih: No.

Mike Watson: What is the typical grant that is offered under care and repair?

Ms Yih: The grant could be anything from £5,000 to £15,000. However, the issue is not so much the amount as the set of conditions that go with grants—that is, what must be done to a house to bring it up to a level at which it meets grant standard. The money could not be used simply to put in a central heating system or to repair plumbing. The issue is less about the money than it is about the fact that the conditions impose a requirement to do more work on a house, rather than focusing on what an individual older person needs. There has always been the philosophical argument that the grants system does not exist to help individuals, but to improve the housing stock, but there must be a way to mix both aims.

Mike Watson: You touched on central heating, which I want to come on to, and the scheme that will start in April, which you will be aware of. I believe that that funding will amount to £105 million over three years. Do you have fears that that will affect the amount of money that is available for other essential care and repair work?

Ms Yih: No. The Executive has made a commitment that that is separate funding. However, we would like care and repair to have a role in the dialogue about how the scheme will work.

Mike Watson: I am sorry; I might not have made myself clear. I did not mean funding in terms of care and repair projects, but in terms of the general amount of grant funding that is available, such as private sector grants.

Finally, the last page of the submission mentions the care and repair forum. It says that the

"Forum . . . has been established by and for project staff to provide . . . information".

Is Age Concern Scotland part of that forum? That is not clear from the paper.

Ms Yih: Age Concern Scotland is part of that forum only in so far as some of our employees are project workers. It is an employee-led forum. It has

a national role and it is funded by the Executive.

Mike Watson: The final points in the submission are the forum's recommendations, one of which is that the forum is seeking

"Recognition of the experience . . . of Age Concern Scotland and Shelter Scotland".

I appreciate that you are not part of the forum, but does that point refer to recognition of your experience by local authorities, by the Executive or by the Minister for Social Justice?

Ms Yih: We were talking about the future of care and repair and the move to give it a wider role in care in the community. At the moment, care and repair is focused on housing and most of the money comes from the private sector housing budget. We were implying that, if care and repair was to be developed or widened, a range of bodies would have to be consulted.

Mike Watson: Do you mean that money should come from health and social work services budgets?

Ms Yih: I believe that some health and social work budgets are being used, but such use is patchy.

The Deputy Convener: Can we move on? There are a lot of issues about revenue and the administration of care and repair projects, but we should concentrate on the legislative implications. That was an interesting session. I let it run on a bit because there were issues to pursue, but I am conscious of the time and would like to move on to other matters.

Ms White: Good morning, Jess. I am wearing a different hat from when you last saw me.

In your opening statement, you mentioned the fact that 50 per cent of older people are owner-occupiers. That leaves a large percentage of people in rented accommodation. In your response to the Executive's proposals for the housing bill, you do not say anything about homelessness. Do you regard homelessness as an issue for older people and for Age Concern? Do you have a view on the Executive's response?

Ms Barrow: Homelessness is an issue for older people. There is very little with which we disagree in the proposals. Organisations such as Shelter and the Scottish Council for Single Homeless are much better qualified than we are to comment on the issue of homelessness. We have found that there is a lack of appropriate services for older homeless people—services to prevent homelessness in the first place or to prevent it recurring once a person has been rehoused. Research by Help the Aged has resulted in similar findings. We need to ensure that the services that are available are appropriate for older people.

However, that might be outwith the scope of the bill.

Ms White: I assume that Age Concern works closely with the other agencies that are involved with homeless people, to provide those agencies with information.

Ms Barrow: We do. The research that we did on older homelessness was done jointly with the Scottish Council for Single Homeless. In the past we have worked with Shelter—we will do so again in the future.

Ms White: My next question relates to a big area, but I will ask it anyway. Some of the issues have already been dealt with but, if we have omitted something, the witnesses are welcome to bring it up. Could a specific function that would improve housing for older people be given to the proposed successor to Scottish Homes?

Ms Barrow: I made a point about research that would enable us to identify people's needs and their wishes, which is very important. Previous research focused on people's housing needs and their ability to get around their houses. It did not ask whether people wanted to continue living in those houses or what services would suit them. We must ensure that any future research is focused on the wishes and the needs of older people.

In its strategic planning for housing provision, the successor to Scottish Homes might want to ensure that we get a local picture and a national picture. Although the Scottish house condition survey contains a wealth of useful information, it contains national information and there is not enough local detail. Local authorities might know a great deal about their stock, but not about privately owned stock. The private rented sector is an important but neglected area.

The Deputy Convener: You spoke about the need for a regulatory regime for private retirement housing—that is an important part of your evidence to the committee.

We will now consider the proposals for the single social tenancy.

Karen Whitefield (Airdrie and Shotts) (Lab): The new single social tenancy will introduce two specific new grounds on which a tenancy can be terminated: a history of rent arrears or anti-social behaviour. Are you concerned that the introduction of those provisions would cause difficulties for older people, or do you think that they would benefit?

Ms Barrow: To some extent, the difficulties that older people experience will be no different from those that face other age groups. In our response, we have tried to focus on the areas in which the situation of older people differs from that of other

people. If persistent rent arrears were to be made a ground for eviction, that could pose problems for people who have difficulty claiming housing benefit. However, those are concerns not only for older people. I am certain that other organisations have raised those concerns with the committee—we must ensure that those concerns are addressed properly.

11:00

Some older people will be delighted by the thought that their anti-social neighbours will be evicted, but some older people might themselves be considered anti-social, whether through mental illness, health problems or the fact that their televisions are too loud because they are deaf. There are all sorts of reasons. The issue cuts both ways and the desire to evict those who display anti-social behaviour is not exclusive to older people.

Karen Whitefield: What can we do to ensure that older people do not accrue high rent arrears? What early intervention could we consider to prevent them from experiencing difficulties with housing benefit?

Ms Yih: That would probably be down to landlords' good management policies. Often, people get into difficulties because of delays in receiving housing benefit or a lack of awareness of benefits. It might be that they cannot read or understand some of the letters that they receive. Most social landlords will have arrears management policies and legislation cannot prevent people getting into debt. We and other organisations think that it is not sensible that people could be taken to court and possibly lose their homes because they owed a couple of hundred pounds. Most tenants do not receive proper legal advice in court, which is why evictions go ahead. We would like managers to do their best with the resources that they have to keep in touch with the tenants.

Karen Whitefield: Your submission raised concerns about succession rights under the new single social tenancy. I am especially interested in the rights of carers. How can we strengthen their succession rights? A carer might have cared for someone for a number of years and—as the cared-for person's needs increase—the carer might feel that it is necessary to be there to look after that person for 24 hours a day. The carer might give up their home and move in with the person for whom they are caring. How can we ensure that, while there is no abuse of the system, carers' rights are protected when the people for whom they care die?

Ms Barrow: It is not always easy to predict when somebody is going to die or move into care, so it would be quite difficult to abuse the system

deliberately. Either way, somebody will lose out. We feel strongly that carers ought to be given succession rights without a qualifying period, because it is not possible to predict when a person's need for care will change. It is hard to know how the system could be abused if such rights were to be given.

Karen Whitefield: My final question concerns responsibilities. Do you think that the proposed codification of repairs that should be the responsibility of landlords and repairs that should be the responsibility of tenants should allow discretion for older people, who might be frailer or disadvantaged?

Ms Barrow: Some older people have difficulty even changing a light bulb or hanging curtains, which can make a real difference to their lives. Perhaps discretion should be allowed. However, other older people are perfectly capable. What is needed is investment in systems that will support frail people who cannot manage, whether they are disabled or old. That is the way to go, rather than provision of a blanket exemption for older people.

Bill Aitken (Glasgow) (Con): The Scottish Executive reckons that, by 2020, 80 per cent of Scotland's housing stock will be owner occupied and 20 per cent will be in the public sector. Given that as recently as 1980 something like 62 per cent of the Scottish population lived in public sector housing, that is a fairly dramatic turnaround. How will that impact on elderly people?

Ms Barrow: The shift in housing tenure has a huge impact on older people. Another issue is how people use the equity on their house. For example, people phone up to say that their father is going into residential care and that they will have to sell the house that he bought 10 years ago—after he was encouraged to do so—to pay for his care. The interrelationship between people moving into owner occupation and having to use the resources to pay for care is significant. The other issue is owner occupiers in poor-condition housing that they are unable to take responsibility for maintaining, which I have mentioned time and again.

Bill Aitken: The current generation of elderly people grew up after the war, when public sector housing was the zenith of housing ambition. Times have changed and owner occupation is the first resort for young people; social housing is largely the last resort. How will the generational differences impact, especially given that only 20 per cent of housing will be social?

Ms Barrow: I am not sure what you mean.

Bill Aitken: Given that there will be a dramatic reduction in the amount of social housing that is available and that the mindset of a lot of older people favours council housing—there are

historical reasons for that, such as the post-war housing shortage—will not a shortage of council housing have a disproportionate effect on elderly people?

Ms Barrow: Not necessarily. Proportionately, more older people live in council housing than younger people do. Some of them have been living in council housing for many years. If the proportion has declined in general, it is because people have chosen to exercise the right to buy and have chosen to move into owner occupation. The older population is not nearly so likely to move house as the younger population—older people tend to be fairly settled. When older people move, it will often be to smaller, more accessible and more manageable housing. They may seek sheltered housing. Many of them will look to the rented sector to make such a move. The social rented sector needs to provide small, manageable and accessible housing that is easy to heat and cheap to run, but there is a role for such housing in the private sector as well.

Bill Aitken: Under the single tenancy proposals, the right to buy would be extended fairly dramatically to include housing associations, which are exempt at present. It is clear that you have concerns about that. What are your suggestions for that aspect of the bill, if we assume that it is included?

Ms Barrow: Our concern is the supply of affordable housing, given that older people live on low incomes and that they may look to housing associations when they have to find new housing. I would not want to deny any individual the right to buy their house—many people have chosen to do that—but it is important to balance the right of individuals with people's need for affordable rented housing. It is important that the supply of affordable rented housing is maintained and, given that we have an aging population, that such housing is accessible, warm and manageable. The sector is particularly important and it must be protected.

Johann Lamont: The Executive proposes that short single tenancies should be used for certain types of special needs housing where there is a sharing of common facilities or services. What is your view on that proposal, given that it could have a significant impact on the group that you represent?

Ms Yih: It would be a positive step, as the benefits would mostly be seen by those who have not yet been given any rights or tenancy agreements. It would also give people time to find out whether, with support, they could maintain their tenancies. It is not appropriate for some people with high support needs to have the onus of the tenancy. We believe that the proposal will help people. However, we were concerned that it

would be like a test; we stress the fact that, unless support is given, a probationary tenancy might not be helpful.

Johann Lamont: Your theme of having support and advice available at all stages would apply in this instance as well.

Ms Barrow: Yes.

Johann Lamont: You argue that all registered social landlords should participate in the common housing register, although the Executive has proposed a voluntary national framework. What would be the advantages of incorporating the requirement in legislation?

Ms Barrow: It would make housing more accessible by ensuring that people know where to go to get help. I must raise the issue of older people from minority communities. Our research shows that an enormous number of those people do not know what housing associations or sheltered housing are. That lack of information denies them access to those types of housing. Anything that we can do to make it easier for them to find out about housing would be positive and, although there are other ways of doing that, common housing registers would be one way.

It is not only minority communities that are ignorant of housing associations; an enormous number of older people do not know about them either. They think that the place to go for housing is the council or the corporation. When I have talked to older people about housing associations, they have told me that the council has said that it would put their names down for housing. That means that they are missing out on the allocations that are made on a basis other than a referral from a council. Applying for council housing is a long and complicated process.

The Deputy Convener: There is general agreement about the need to have a common housing register. Johann Lamont's question was whether it needed to be a requirement in legislation rather than a voluntary scheme.

Ms Yih: Landlords are having difficulties in agreeing on this and need to be pushed a little.

Johann Lamont: That assumes that the problem arises from a reluctance to agree, rather than from a wrestling with the difficulties of the process.

Ms Yih: We are not assuming that there is a reluctance. The problem is that arguments over costs and operational issues could continue for some time.

Johann Lamont: Could the complexities be dealt with by legislating for a common housing register? You referred to support and advice being given to people. Would a voluntary framework

backed up with support and advice provide the end result of ensuring that people were aware of their housing options?

Ms Barrow: It might and it might not. We have an opportunity to legislate on the issue rather than wait and see whether a voluntary framework works. We should take the opportunity to legislate and ensure that common housing registers are introduced.

Johann Lamont: You mentioned the needs of the ethnic minority communities. You will be aware that all Scottish Parliament legislation should undergo an equality impact assessment. I would be interested if you developed some of the points that you made about the experience of the ethnic minorities. Are there other groups among the elderly of whom we should be aware? The fact that we often regard the elderly as one group raises an equality issue. I would be interested in your comments on the experience of older women in particular. I suspect that older women are more likely to be impoverished than older men are.

11:15

Ms Barrow: There are equalities issues. The issue for women is largely one of poverty. Women live longer and the older a person is the less likely they are to have a decent income, mainly because an enormous number of pensions are not index linked. You are right to say that older women tend to be more impoverished.

As I said, there are issues about the minority ethnic communities, but there are also issues about people with disabilities and mental health problems. Such people have diverse housing needs. That goes back to my point that we must ensure that people's housing support needs are assessed properly. We must take into account people's varying needs. For example, someone may be old, but they may have mental health problems, disabilities or come from a minority ethnic community. We must ensure that such needs are properly assessed and addressed.

Johann Lamont: Women are also less likely to have good pensions, which must add to the problem.

Ms Barrow: That is right.

Mike Watson: I am interested in the strategic role of local authorities. In the consultation document, the Executive proposed that local authorities should consult organisations representing ethnic minorities and people with disabilities. However, it did not mention the elderly. Do you think that organisations such as yours should be consulted? You did not mention that in your response to the document.

Ms Barrow: No, we did not. However, we

should be consulted, as should other organisations representing older people—we do not have a monopoly. One of the points that we have been making about equality issues is that age must be seen as an important part of any equality agenda.

Ms Yih: It is important to point out that there are different views about what consultation means. Often when we are asked to speak on behalf of older people, we have to make it clear that consulting and involving older people will take time and resources. We cannot always bring older people to meetings such as this one, but there are other ways of hearing their voices. If the Executive wants to involve users, it must recognise that that costs money.

Mike Watson: That is a fair point. If you were given the right to be consulted, what distinctive points would you bring to local housing plans?

Ms Barrow: We would bring a range of issues to bear. I have noticed that, when housing plans discuss community care and older people, they focus on care and repair as though no other aspects of community care need to be considered. However, there are aspects such as gardening services and helping people to change light bulbs. Local authority housing plans should cover a range of issues. That is the dimension that we would bring to the process that other groups might not.

Cathie Craigie: In your response to Mike Watson's question, you mentioned the minor works grant. You also spoke about the need to raise tolerable standards. One of the concepts behind the introduction of the repair and improvements grant scheme was that it would be a carrot to encourage people to bring their houses up to a tolerable standard. I have had experience of cases similar to those you mentioned. I know of a housing action area that had to pass someone over because the old person was not up to dealing with the works that would have to be done to qualify for a grant. If we were to introduce a minor works grant, would that not discourage people from carrying out proper works to bring the house up to an acceptable standard?

Ms Yih: I understand what you mean. I suppose that that has been the Executive's argument with us about what grants are for. However, care and repair's experience is that its client groups are not necessarily involved in rehabilitation programmes in tenements. There will be individuals living in poor housing conditions in rural areas. When care and repair is set up, there should be flexibility to deal with a particular type of person without necessarily making the grant available under all circumstances. Care and repair projects demonstrate the need for flexibility in systems that can be quite rigid.

Cathie Craigie: Is that different from repairs and improvements? Do you see the possibility of a third category—a minor works grant, but with a specified list of things that could come under it?

Ms Yih: That is happening already, but not necessarily with the grant money. If the Executive wanted to widen care and repair schemes to help people other than those who fitted the grant criteria, a minor works grant would be a suitable way of doing it.

The Deputy Convener: I must bring this item to a close. The evidence was interesting and it is important that we take your perspective into account when we consider the housing bill. We will want to pursue certain issues with you at a later date. We will be interested to hear your views on the housing bill when it is published. Thank you for taking the time to give evidence. Yours will be one of the organisations with which we will have a continuous dialogue.

Petitions

The Deputy Convener: We have two petitions, the first of which is PE277, from David Emslie, which calls for the Parliament to initiate a public inquiry into the administration of Grampian Housing Association Ltd, with a view to the introduction of legislation to allow monitoring and audit of housing associations.

The Public Petitions Committee has passed the petition to this committee for information and to the Executive for further information on whether the issues raised are to be addressed as part of the consultation on the new executive housing agency. The clerk's recommendation is that the committee notes the petition and asks the Public Petitions Committee to keep the committee advised on the Executive's response. Regulation issues will be part of the proposed housing bill, so that seems a reasonable request to make.

Karen Whitefield: I agree—we should accept the recommendation. However, it would be helpful to write to the Public Petitions Committee to say that, in this committee's housing stock transfer inquiry, we took considerable evidence on the issue of the regulation of housing associations, about which we made several recommendations. We will come back to that subject, especially during our evidence taking at stage 1 of the housing bill. We should inform the Public Petitions Committee that we will have a watching brief on this.

Mike Watson: I have an observation on the case that the petition involves, as it raises an important issue. The individual was taken to court by the housing association; he won his case and had his rent and repairs costs reduced. However, all the other tenants receiving the same level of service did not consequently have their costs reduced. The petition has a worrying context.

I know that we cannot go into the details of the case, but the Public Petitions Committee does not seem to want to take a view on it, other than to ask what the Executive will do in general terms. When a petitioner brings a petition to the Parliament, they have a right to have a view expressed on the case that they have brought. This individual has one of the strongest cases that I have seen in any petition that has come before this committee.

The Deputy Convener: As for regulation, the issue is one of the individual as opposed to the collective. I suggest that we respond to the Public Petitions Committee along the lines proposed by Karen Whitefield, referring to the recommendations that were in the stock transfer report, but that we express our concern about how

the petitioner had recourse to law but other tenants did not receive the same benefits.

Ms White: I do not know whether I must declare an interest as a member of the Public Petitions Committee.

Mike Watson: I saw your name on the documents.

Ms White: I thought that I should clarify my position. I am pleased that this committee has had the courtesy to read the petition and to recommend that a letter should be sent back to the Public Petitions Committee. As Mike Watson suggested, it is unfortunate that the Public Petitions Committee does not have the power to take action and can only pass a petition to a relevant committee. Members of that committee are pleased that members of this committee take cognisance of the fact that the complaint is serious. I am pleased with the recommendation.

Perhaps I should declare another interest: I am convener of the cross-party group on older people, age and aging. Another issue that the committee will discuss is refugees, and I am a member of the cross-party group on refugees and asylum seekers.

The Deputy Convener: So we will expand our response a bit, instead of just noting the petition. Do we agree to make points with reference to our housing stock transfer report and to communicate our concerns about regulation to the Executive?

Members indicated agreement.

Brian Adam: The general issues that Mr Emslie raises are important. Will we consider taking evidence from him or relevant organisations when the housing bill is introduced? The bill might close any loopholes in current legislation.

The Deputy Convener: The issue involves the rights of tenants with regard to councils and housing associations. That will be part and parcel of the evidence that we take on the housing bill. The committee has expressed concerns about regulation of social landlords and will return to that subject. We will schedule that as part of the evidence taking on the housing bill at stage 1 and beyond.

Petition PE280, from the Scottish Allotments and Gardens Society, calls on the Parliament to recognise the importance and popularity of allotments and to establish an allotments working group to protect and promote allotment provision in Scotland. The Public Petitions Committee passed the petition to us, the Rural Affairs Committee and the Local Government Committee for information and to the Convention of Scottish Local Authorities to seek its views. The Public Petitions Committee has also written to the Scottish Executive to ask for its views on the issue

in the context of its land reform and housing stock transfer proposals. The clerk's recommendation is that we note the social inclusion issues raised and request that the Public Petitions Committee advises us of the views of COSLA and the Scottish Executive.

Cathie Craigie: As the petition says, the number of allotment places available has decreased over the years, but the waiting list for places has increased in most areas. Allotments can help to provide a great way of life. The petition raises not just social inclusion issues, but health issues and other matters across the board. I would like us to support the petition through the people who can make a difference—COSLA and the Scottish Executive. Local government must make a commitment to ensuring that allotment sites are not snapped up by developers and that places are filled as soon as they become empty. As I understand it, there are huge waiting lists for allotments. Demand is in decline in some areas—for example, allotments seem to have fallen out of favour with the good and worthy people of Springburn in Glasgow—but in other areas the demand is great.

The Deputy Convener: Several committee members take the train between Glasgow and Edinburgh; when the train passes Murrayfield, we see extensive allotments out of the window. Cathie Craigie is right. The first step is to take the views of local authorities and COSLA. We will keep a watching brief and we will want to be advised of COSLA's response. Do we accept the clerk's recommendation?

Members indicated agreement.

11:29

Meeting continued in private until 12:25.

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