

# Notice of meeting and agenda

## Housing, Homelessness and Fair Work Committee

**10.00 am Thursday, 3rd September, 2020**

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome to watch the live webcast on the Council's website.

### Contacts

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Tel: 0131 553 8242 / 0131 529 3009

## **1. Order of Business**

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- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **2. Declaration of Interests**

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **3. Deputations**

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- 3.1 If any.

## **4. Minutes**

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- 4.1 None.

## **5. Forward Planning**

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- 5.2 Housing, Homelessness and Fair Work Committee Rolling Actions Log 9 - 24

## **Business Bulletin**

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- 6.1 Business Bulletin 25 - 28

## **7. Executive Decisions**

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- 7.1 No Recourse to Public Funds – Legal Position – Report by the Executive Director for Communities and Families 29 - 34

## **8. Routine Decisions**

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- 8.1 Homelessness Services - Update – Report by the Executive Director for Communities and Families 35 - 42
- 8.2 Homelessness and Housing Support - Revenue Monitoring 2020/21 - month three position – Report by the Executive Director for 43 - 46

## Communities and Families

- |     |   |         |
|-----|---|---------|
| 8.3 | Revenue Monitoring Update – 2019/2020 provisional out-turn and 2020/2021 month three position – Report by the Executive Director of Place | 47 - 56 |
| 8.4 | The City of Edinburgh Council's Assurance Statement on Housing Services – Report by the Executive Director of Place                       | 57 - 72 |

## 9. Motions

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- 9.1 If any.

### Laurence Rockey

Head of Strategy and Communications

## Committee Members

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Councillor Kate Campbell (Convener), Councillor Mandy Watt (Vice-Convener), Councillor Chas Booth, Councillor Jim Campbell, Councillor David Key, Councillor Kevin Lang, Councillor John McLellan, Councillor Claire Miller, Councillor Gordon Munro, Councillor Iain Whyte and Councillor Norman Work

## Information about the Housing, Homelessness and Fair Work Committee

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The Housing, Homelessness and Fair Work Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. The meeting will be held by Microsoft Teams and will be webcast live for viewing by members of the public.

## Further information

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If you have any questions about the agenda or meeting arrangements, please contact Jamie Macrae, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 553 8242 / 0131 529 3009, email [jamie.macrae@edinburgh.gov.uk](mailto:jamie.macrae@edinburgh.gov.uk) / [sarah.stirling@edinburgh.gov.uk](mailto:sarah.stirling@edinburgh.gov.uk).

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <https://democracy.edinburgh.gov.uk/>.

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# Work Programme

## Housing, Homelessness and Fair Work Committee

3 September 2020

No.	Title / description	Purpose/Reason	Directorate and Lead Officer	Progress updates	Expected date
1	Place Directorate – Financial Monitoring	Quarterly and annual report	Executive Director of Place Lead Officer: Susan Hamilton 0131 469 3718 <a href="mailto:susan.hamilton@edinburgh.gov.uk">susan.hamilton@edinburgh.gov.uk</a>		September 2020 November 2020
2.	Communities and Families Directorate – Financial Monitoring	Quarterly and annual report	Executive Director for Communities and Families Lead Officer: Brendan O’Hara 0131 469 3620 <a href="mailto:Brenda.o'hara@edinburgh.gov.uk">Brenda.o'hara@edinburgh.gov.uk</a>		September 2020 November 2020
3	Marketing Edinburgh	Annual report	Executive Director of Place Lead Officer: Paul Lawrence 0131 529 7325 <a href="mailto:paul.lawrence@edinburgh.gov.uk">paul.lawrence@edinburgh.gov.uk</a>		November 2020

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Agenda Item 5.1

4	EDI Group	Annual Report and six-monthly update	Executive Director of Place Lead Officer: David Cooper 0131 529 6233 <a href="mailto:david.cooper@edinburgh.gov.uk">david.cooper@edinburgh.gov.uk</a>		November 2020  June 2021
5	EICC	Annual report	Executive Director of Place Lead Officer: David Cooper 0131 529 6233 <a href="mailto:david.cooper@edinburgh.gov.uk">david.cooper@edinburgh.gov.uk</a>		November 2020
6	Housing Revenue Account Capital Programme	Annual report	Executive Director of Place Lead Officer: Elaine Scott 0131 529 6789 <a href="mailto:elaine.scott@edinburgh.gov.uk">elaine.scott@edinburgh.gov.uk</a>		March 2021
7	Appointments to Working Groups	Annual report	Chief Executive Lead Officer: Jamie Macrae 0131 553 8242 <a href="mailto:jamie.macrae@edinburgh.gov.uk">jamie.macrae@edinburgh.gov.uk</a>		November 2020
8	City of Edinburgh Council Assurance Schedule on Housing Services	Annual report	Executive Director of Place Lead Officer: Elaine Scott 0131 529 6789 <a href="mailto:elaine.scott@edinburgh.gov.uk">elaine.scott@edinburgh.gov.uk</a>		September 2020
9	Strategic Housing Investment Plan (SHIP)	Annual report	Executive Director of Place Lead Officer: Elaine Scott 0131 529 6789 <a href="mailto:elaine.scott@edinburgh.gov.uk">elaine.scott@edinburgh.gov.uk</a>		January 2021

## Housing, Homelessness and Fair Work Committee Upcoming Reports

## Appendix 1

Report Title	Directorate	Lead Officer
<b>November 2020</b>		
Housing First – Year 1	Communities and Families	Nicky Brown
Homelessness Services – Statutory Returns	Communities and Families	Nicky Brown
Homelessness Internal Audit Update	Communities and Families	Nicky Brown/ Debbie Herbertson
Update on Scottish Government Consultation on Local Connection	Communities and Families	Nicky Brown
Communities and Families Directorate – Financial Monitoring	Communities and Families	Brendan O’Hara
Place Directorate – Financial Monitoring	Place	Susan Hamilton
Housing Sustainability	Place	Elaine Scott
Housing Service Improvement Plan	Place	Elaine Scott
Edinburgh Living Update	Place	Elaine Scott
Neighbourhood Alliance	Place	Elaine Scott

Housing Revenue Account Business Plan	Place	Elaine Scott
EICC Update	Place	David Cooper
EDI Update	Place	David Cooper
Economic Wellbeing Measures	Place	Chris Adams
Marketing Edinburgh	Place	Alison Coburn
Edinburgh Project Search – Grant Funding	Place	Elin Williamson
Appointment to Working Groups	Chief Executive	Jamie Macrae



# Rolling Actions Log

## Housing, Homelessness and Fair Work Committee

3 September 2020

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	07.06.18	<a href="#">Rapid Access Accommodation with Support for Edinburgh's Rough Sleepers</a>	<p>1) To agree to start a procurement process and return to Committee with a report outlining options for procuring an extended and improved Rapid Access Accommodation Service.</p> <p>2) To focus on partnerships with Third Sector for delivery.</p>	Executive Director for Communities & Families	January 2020	January 2020	<p><b>Recommended for Closure</b></p> <p>Report considered on 20 January 2020</p> <p>Procurement had been completed and Rapid Access Accommodation was in place.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
2	30.08.18	<a href="#">Tenant and Customer Engagement</a>	To agree that the funding for the Edinburgh Tenants Federation (ETF) and the Neighbourhood Alliance (NA) will be extended to 31 March 2020 subject to performance improvement milestones in the revised Service Level Agreements (SLA) being met.	Executive Director of Place	March 2020	January 2020	<p><b>Recommended for Closure</b></p> <p>Report considered on 20 January 2020.</p> <p>Work on the Service Level Agreement (SLA) has been progressed. Funding agreed until 31 March 2020 subject to performance improvement milestones in the revised SLA being met.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
3	24.01.19	<a href="#">Empty Homes Update</a>	Agree to receive an annual update on empty homes to include progress with piloting the use of Compulsory Purchase Orders.	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Update was provided in the Business Bulletin for January 2020
4	06.06.19	<a href="#">Mixed Tenure Improvement Strategy Update</a>	To agree to receive an update report in January 2020.	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Update was provided in the Business Bulletin for January 2020

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
5	06.06.19	<a href="#">Marketing Edinburgh Update</a>	<p>1) Note that a progress update will be included in the August Business Bulletin</p> <p>2) Notes that a detailed implementation plan for the future of Marketing Edinburgh being presented to the Committee on 31 October to ensure plans are firmly in place in advance of 1 April 2020.</p>	Executive Director of Place	<p>August 2019</p> <p>October 2019</p>	August 2019	<p>1) <b>Closed</b> Included in the Business Bulletin on 29 August 2019</p> <p>2) Update report was submitted in October 2019 and a further report in January 2020. Committee requested that this item remained open.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
6	06.06.19	<a href="#">Town Centre Fund – Allocations Report</a>	<p>1) Agrees that progress updates are provided in the Business Bulletins from 31 October 2019 and a report be brought back at the first Committee after the end of the financial year setting out project progress and outcomes as appropriate.</p> <p>2) Calls for a town centre investment strategic statement to enable future decision making.</p>	Executive Director of Place	<p>June 2020</p> <p>January 2020</p>	<p>June 2020</p> <p>January 2020</p>	<p><b>Recommended for Closure</b></p> <p>Report considered by the Policy and Sustainability Committee on 11 June 2020</p> <p><b>Recommended for Closure</b></p> <p>Report considered January 2020.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
7	06.06.19	Motion by the Green Group – Wellbeing Measures for Economic Success	Calls on officers to identify ways in which wellbeing measures can be incorporated into and strengthen the economic aims of this Council, and to make recommendations to the relevant executive committee(s).	Chief Executive (Strategy and Communications)	November 2020		An update will be reported in November.
8	29.08.19	<a href="#">Housing Revenue Account Budget Strategy 2020/21</a>	Agrees that a report on housing sustainability will be brought to committee within two cycles, with consideration of how targets for carbon payback periods could be included in future reporting	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Report considered January 2020.
9	29.08.19	<a href="#">Strategic Approach to Private Rented Sector</a>	Agrees to receive a report within two committee cycles on development of a broad policy framework to support Build to Rent (BTR).	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Report considered January 2020.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
10	29.08.19	<a href="#">Edinburgh Living: Progress Update</a>	Agrees to receive a report in two Committee cycles on the strategy for procuring new homes on private sector land.	Executive Director of Place	November 2020		Officers are in the process of taking necessary advice on procurement route options and having discussions with the private sector.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
11	29.08.19	<a href="#">Internal Audit – Homelessness Services</a>	<p>1) To agree that a briefing note would be circulated to members on the progress of management actions taken before the next committee meeting.</p> <p>2) To agree that a report would come back on the wider issues related to the internal audit.</p>	Executive Director for Communities and Families	<p>October 2019</p> <p>November 2020</p>	October 2019	<p>1) <b>Closed on 20 January 2020</b></p> <p>Briefing note circulated on 30 October 2019.</p> <p>2) The audit action dates were extended by 4 months due to COVID.</p> <p>A full report will be provided in due course which details the wider issues, complexities and progress to date against the recommendations.</p>



No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
12	13.09.19	<a href="#">Original Edinburgh – Old Town Business Improvement District; Proposal and Ballot</a>	<p>1) To agree to communicate with the BID on the need for a baseline of public sector services.</p> <p>2) To agree that the Convener would meet with Police Scotland to discuss the baseline of public services.</p>	<p>Executive Director of Place</p> <p>Convener</p>	<p>June 2020</p> <p>October 2019</p>	<p>November 2019</p> <p>November 2019</p>	<p><b>Recommended for Closure</b></p> <p>The proposal to create an Old Town BID was not supported and therefore there is no baseline services agreement in place.</p> <p>The development of baseline services agreements in future will take account of feedback from Committee and from public sector partners including Police Scotland.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
13	31.10.19	<a href="#">Review of Scottish Government funded 'No One Left Behind' Employability Provision</a>	To receive a report regarding the recommendations for award of small grants funding at the next Housing, Homelessness and Fair Work Committee on 20 January 2020.	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Report considered January 2020.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
14	31.10.19	<a href="#">Edinburgh International Conference Centre Annual Update</a>	<p>1) To agree that a draft Service Level Agreement (SLA) be prepared and reported in two committee cycles.</p> <p>2) To request that officers ask the Board for details of how they planned to reduce their carbon footprint.</p> <p>3) To include in the SLA that audit actions be responded to within recommended timescales of the auditor.</p>	Executive Director of Place	<p>November 2020</p> <p>November 2019</p> <p>November 2019</p>		<p>This report will be considered in November 2020 to allow the current EICC business development opportunities to be considered at Council before the work on the SLA is progressed further</p> <p>EICC have been contacted for this information.</p> <p>As above.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
15	31.10.19	Private Sector Leasing Scheme – Update (B agenda)	To agree to circulate to members the information requested.	Executive Director for Communities and Families	January 2020	January 2020	<b>Recommended for Closure</b> Update was provided in the Business Bulletin for January 2020
16	31.10.19	Marketing Edinburgh Update (B agenda)	To note that an update report on the activities outlined would be prepared for Committee on 20 January 2020.	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Report considered January 2020
17	20.01.20	<a href="#">Support for Build to Rent</a>	To agree that the Convener would write to the Chancellor with regard to the gap in Edinburgh between LHA and the 30th percentile.	Convener	March 2020		<b>Recommended for Closure</b> Letter has been sent
18	20.01.20	<a href="#">Tenant Participation and Community Engagement</a>	To agree to circulate the annual Edinburgh Tenants Federation report.	Executive Director of Place	January 2020	January 2020	<b>Recommended for Closure</b> Link circulated 21 January 2020

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
19	20.01.20	<a href="#">The EDI Group – Update report</a>	To agree to circulate an updated copy of the chart at Appendix 2 which shows the delays in the projected timeline.	Executive Director of Place	February 2020		<b>Recommended for Closure</b> Circulated to members 27 February.
20	20.01.20	<a href="#">Investment in Town Centres – Strategic Statement</a>	<p>1) To agree to circulate a briefing note on the criteria that classified a local centre and a town centre.</p> <p>2) To agree that officers would engage with ward councillors within two months on the list of potential projects.</p>	Executive Director of Place	<p>March 2020</p> <p>March 2020</p>		<p><b>Recommended for Closure</b> Briefing note circulated 11 March 2020</p> <p><b>Recommended for Closure</b> This was reported to Policy and Sustainability Committee on 11 June 2020.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
21	20.01.20	<a href="#">Business Improvement Districts</a>	To agree to a further report on the procedure for any future ballot.	Executive Director of Place	Spring 2021		There are no forthcoming Business Improvement District Ballots. This will be covered when the next BID ballot is proposed (expected to be West End BID in 2021).
22	20.01.20	<a href="#">Sustainability – Carbon Neutral Economy</a>	Agrees that progress against the sustainability objective should be set out within the Economy Strategy Annual Update reports	Executive Director of Place	June 2020		<b>This action be transferred to the Policy and Sustainability Committee.</b>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
23	20.01.20	<a href="#">Advice Services Accreditation</a>	To agree that a briefing note would be circulated on the timeline for the Scottish Legal Aid Board audit once the timeline was available.	Executive for Communities and Families	March 2020		The Advice Shop is 20 <sup>th</sup> on a waiting list for review in 2020-21. This means that we are highly unlikely to be reviewed prior to April 2021. The reason being that Scottish Legal Aid Board (SLAB) only have funding for a limited number of reviews per year and that the priority is to re-accredit agencies whose accreditation is due to or has expired.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
24	20.01.20	<a href="#">Housing Service Improvement Plan: Update</a>	To agree to provide more detailed metrics in the next report in six months' time.	Executive Director of Place	November 2020		





# Business Bulletin

## Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 3 September 2020

# Housing, Homelessness and Fair Work Committee

Convener:	Members:	Contact:
<p>Convener Councillor Kate Campbell</p>  <p>Vice Convener Councillor Mandy Watt</p> 	<ul style="list-style-type: none"> <li>• Cllr Chas Booth</li> <li>• Cllr Jim Campbell</li> <li>• Cllr David Key</li> <li>• Cllr Kevin Lang</li> <li>• Cllr John McLellan</li> <li>• Cllr Claire Miller</li> <li>• Cllr Gordon Munro</li> <li>• Cllr Iain Whyte</li> <li>• Cllr Norman Work</li> </ul>	<p>Jamie Macrae Committee Officer Tel: 0131 553 8242</p> <p>Sarah Stirling Assistant Committee Officer Tel: 0131 529 3009</p>

## Recent News

### **Awards Success in Regeneration Programmes**

Since the start of the year the Council's new build affordable housing regeneration projects continue to receive recognition across a number of industry awards. These have recognised both the quality of design and placemaking of the projects as well as the wider benefits being delivered through community benefits programmes.

In April, North Sighthill won the RICS Social Impact Awards for the community benefits programme it has delivered as part of the delivery of 316 new homes. This included work with local schools, support for a community growing initiative and appointing a social enterprise to provide cleaning services to the site.

Greendykes Phase G and the new build projects at Royston and Dumbryden have been shortlisted for development awards at the Scottish Homes Awards with North Sighthill also making the shortlisting for the Community Contribution Award. Winners will be announced at the end of October

Granton Waterfront Masterplan and Greendykes Phase G have been shortlisted in the categories of Masterplanning and Affordable Housing in the Scottish Design Awards. Winners will be announced in September.

### **New Affordable Homes in Craigmillar**

The first tenants moved into new homes in Craigmillar in August following the lifting of Covid-19 restrictions. The highly energy-efficient development at Craigmillar features 194 homes with an innovative Sustainable Urban Drainage System for surface water collection and extensive communal green space at the heart of the redevelopment. The homes also benefit from a network of footpaths and cycle connections to Craigmillar Park. These properties will also test a number of elements of the "gold" building standards to

## Background

### **Contact:**

Tricia Hill

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Recent News	Background
<p>help inform the Council's approach to net zero carbon developments. Handover of homes will continue until November.</p>	
<p><b><u>Local Connection Consultation</u></b></p> <p>The Scottish Government have launched a consultation on the removal of Local Connection <a href="https://consult.gov.scot/housing-and-social-justice/modifying-local-connection-referrals/consult_view/">https://consult.gov.scot/housing-and-social-justice/modifying-local-connection-referrals/consult_view/</a>. This proposal would see local connection removed from the homeless assessment and would mean that households who do not have a local connection to a specific local authority area would be entitled to homeless assistance. The consultation invites comments on the suspension of local connection, the content of the proposed Ministerial Statement, the proposed factors to determine whether the capacity of a local authority to meet its homeless and housing duties are adversely impacted by the removal and comments on the proposal to use existing data returns (HL1) to the Scottish Government to monitor the change. The closing date for responses is 23 October 2020. Officers will prepare a draft response in advance of this date and circulate to Committee Members for comment, prior to submission to Scottish Government.</p>	<p><b><u>Contact:</u></b></p> <p>Jill Thomson  <a href="mailto:jill.thomson@edinburgh.gov.uk">jill.thomson@edinburgh.gov.uk</a>  0131 529 7183</p>
<p><b><u>West End BID</u></b></p> <p>The West End BID did not re-ballot in July 2020 due to the pandemic. The intention is to re-ballot in July 2021, however the board will make a final decision on this early in 2021 once they have had time to assess the impact from Covid-19. They have received support from Scotland's Towns Partnership and will be using that to keep the BID running until July 2021 – all charges for the period 1 April 2020 to the end of the BID Term have been written off.</p>	<p><b><u>Contact:</u></b></p> <p>Elin Williamson  <a href="mailto:elin.williamson@edinburgh.gov.uk">elin.williamson@edinburgh.gov.uk</a>  0131 469 2801</p>

## Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 3 September 2020

### No Recourse to Public Funds – Legal Position

Executive/routine  
Wards  
Council Commitments

#### 1. Recommendations

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- 1.1 To note the current legal position on people who are homeless with no recourse to public funds (NRPF).
- 1.2 To agree that the Council will continue to provide support to people who potentially have NRPF until the end of the current public health crisis.
- 1.3 To reconsider the Council's longer term position in light of the legal advice provided within this report.
- 1.4 To agree that officers will develop proposals for managing cases for those with NRPF and provide a report to the Housing, Homelessness and Fair Work Committee within one cycle.
- 1.5 To note that the Scottish Government and partners continue to engage with the UK Government around potential changes to legislation and resource provision for those with NRPF.

**Alistair Gaw**

Executive Director for Communities and Families

Contact: Nicky Brown, Homelessness and Housing Support Senior Manager

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## NRPF – Legal Position

### 2. Executive Summary

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- 2.1 During the Covid-19 pandemic the Council, to support public health objectives, accommodated around 50 people, who at that point were believed to have NRPF. Under normal circumstances accommodation would not have been provided. A number of these service users are still likely to be in accommodation at the end of the public health crisis. This report confirms the legal position in relation to the provision of services to those with NRPF.

### 3. Background

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- 3.1 Since the beginning of lockdown restrictions, the Council has been required to secure additional temporary accommodation to meet public health objectives and manage a lack of throughput into all forms of settled accommodation, in order to fulfil its statutory duties to homeless people. This included accommodating around 50 people with NRPF.
- 3.2 On 9 July 2020, the Policy and Sustainability Committee considered a report on the provision of temporary accommodation since lockdown restrictions were put in place. This report included an update on the number of people with NRPF who had been accommodated and put forward three options for progressing their cases when the public health crisis ended.
- 3.3 These options were:
- (i) Continue to accommodate NRPF service users indefinitely;
  - (ii) provide accommodation for an extended period e.g. 90 days to allow advocacy and support to progress the case; or
  - (iii) immediately withdraw accommodation.
- 3.4 Some members of the Committee wished to remove the option to withdraw accommodation immediately, before any decisions were made on the level of support the Council would continue to provide.
- 3.5 Prior to any decision being made, officers were instructed to provide a report on the legal position in relation to the provision of services to those with NRPF.

## 4. Main report

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- 4.1 Paragraph 6 of the UK Government's Immigration Rules includes housing in its definition of "Public Funds".
- 4.2 In normal circumstances, where a service user has NRPF, they could not be allocated a local authority tenancy, or temporary accommodation.
- 4.3 The Council has accommodated people believed to have NRPF during the pandemic. Continuing to provide such accommodation post-pandemic would likely be deemed to be illegal and may prejudice a service user's immigration application and future status.
- 4.4 In certain circumstances, individuals with NRPF can access social work services. In terms of the Social Work (Scotland) Act 1968, applicants would be entitled to provision of temporary accommodation, only where necessary to avoid a breach of human rights.
- 4.5 However, the case of R. (Adam, Limbuela and Tesema) v Secretary of State for Home Department (2005 UKHL 66) established that, where an individual has failed to obtain asylum seeker status, it is not necessary to provide assistance to prevent a breach of human rights if this could be achieved by the person returning home.
- 4.6 The Social Work (Scotland) Act 1968 states that there is no entitlement to temporary accommodation solely to avoid destitution.
- 4.7 The Children (Scotland) Act 1995 states that in terms of children's needs there may be a requirement to provide temporary accommodation to both parent and children. This is a decision for Children's Services to make, taking into account the individual circumstances of each case to determine eligibility and funding, as well as the likely adverse impact on the child of not providing accommodation.
- 4.8 None of the present cases where accommodation has been provided during the pandemic includes children.
- 4.9 Frontline staff will be required to make decisions on the continued provision of accommodation for cases where people have NRPF. In light of recent fatalities in Glasgow, the Council should continue to risk assess staff, accommodation and those being accommodated. The Council may be vicariously liable should a staff member act unlawfully by continuing to provide accommodation to those with NRPF.
- 4.10 It is likely that most, if not all, local authorities will act in accordance with the legislation, meaning that they would not, under normal circumstances, provide accommodation to those who have NRPF.
- 4.11 If the Council chooses to take a different approach by undertaking to provide accommodation over and above existing statutory duties, it is possible that people assessed as having NRPF in Scotland and possibly the rest of the UK could present in Edinburgh.

- 4.12 Support and advocacy providers working with people with NRPF would become aware of this and would likely advise their clients to present in Edinburgh, leading to increased pressure on already stretched statutory services.
- 4.13 Should the Council choose to provide accommodation indefinitely to those with NRPF, who were accommodated during the pandemic, there is both a legal and financial risk to the Council.
- 4.14 Agreeing to accommodate households who have NRPF indefinitely is likely to cost in the region £22,630 per case per annum, with no Housing Benefit eligibility, and options for securing alternative accommodation would be limited, leading to longer stays in temporary accommodation.
- 4.15 Should the Council, post-pandemic and without a change in policy from the UK Government, continue to accommodate those with NRPF but refuse new presentations, a two-tier system may be created, which will be exposed to the risk of judicial review. A legal challenge of this nature would carry considerable associated financial and reputational risks.
- 4.16 The Scottish Government has written to the UK Government around existing resource provision and the ability to provide support for people who have NRPF. To date there has been no change in legislation.
- 4.17 The Scottish Government is seeking to work with partners across the sector to look at a collaborative response to ensuring that services continue to be provided to those with NRPF who face destitution.

## **5. Next Steps**

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- 5.1 The Council and its partners will continue to provide accommodation and support to those who potentially have NRPF until the public health crisis is over, in the interests of wider public health advice as supported by the Scottish Government.
- 5.2 Officers will continue to liaise with both public health colleagues and civil servants to establish a timeline for the end of the period by which all NRPF cases required to be accommodated to meet public health objectives.
- 5.3 Officers will continue to provide feedback to civil servants to inform their thinking around future provision of services to those with NRPF and to encourage the Scottish Government to provide clear national guidance on future delivery of services in this area.
- 5.4 The Scottish Government have set up a working group with partners, including third sector and local authority officers, to develop proposals for the continued provision of services to those with NRPF. The first meeting took place on 19 August 2020.



## **6. Financial impact**

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- 6.1 The average cost of providing temporary accommodation for a household with NRPF in Bed and Breakfast or a Shared House is £62 per night, with no Housing Benefit eligibility. The cost for 90 days is £5,580 and a full year would cost £22,630 per household. To accommodate 50 households with NRPF for 90 days, it would cost £0.279m and a full year would cost £1.132m.
- 6.2 In addition to accommodation costs, as these households are not entitled to any benefits, the Council would require to provide a subsistence payment to cover daily expenses including food; this is approximately £55 per week (depending on the size and needs of the household) which would cost an additional £0.035m for 90 days and £0.143m in a full year. In addition to accommodation and subsistence costs there may also be the need to provide support from other existing services, primarily from the Health and Social Care Partnership, in the form of; mental health, addictions or general health care needs. This inevitably places an additional demand on the support services within the city.

## **7. Stakeholder/Community Impact**

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- 7.1 N/A

## **8. Background reading/external references**

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- 8.1 [UK Government Immigration Rules](#)
- 8.2 [Children \(Scotland\) Act 1995](#)
- 8.3 [Social Work \(Scotland\) Act 1968](#)
- 8.4 [Decision, R. \(Adam and Limbuela\) v. Secretary of State for the Home Department 2005 UK House of Lords 66](#)

## **9. Appendices**

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- 9.1 None.

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# Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 3 September 2020

## Homelessness Services – Update

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

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- 1.1 To note the work to increase provision of self-contained properties to be used as temporary accommodation.
- 1.2 To note the development of a Rapid Rehousing Transition Plan (RRTP) for Edinburgh.
- 1.3 To note the previously approved decision to invest in Home Share properties and the progress in developing this service so far.
- 1.4 To note the current temporary accommodation that has been contracted since the Covid-19 pandemic.
- 1.5 To note the work on an exit strategy and transition post lock down to find positive solutions for people moving on from accommodation provided as a public health response to the Covid 19 pandemic.
- 1.6 To note that further work will be carried out to develop additional accommodation options.

#### **Alistair Gaw**

Executive Director, Communities and Families

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# Report

## Homelessness Services – Update

### 2. Executive Summary

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- 2.1 This report provides an update on the development of the Council's Temporary Accommodation Services, both pre and during the Covid-19 pandemic and responds to Councillor Watt's motion through the Policy and Sustainability Committee of 9 July 2020.

### 3. Background

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- 3.1 Since the beginning of lockdown restrictions, the Council has been required to secure additional temporary accommodation to meet public health objectives and manage a lack of throughput into all forms of settled accommodation, to fulfil its statutory duties to homeless people
- 3.2 As the Council moves into the adaptation and renewal phase, the Homelessness and Housing Support service will continue to discharge the Council's statutory duties to homeless people and develop services to meet demands. The future strategy will be outlined in the Council's Rapid Rehousing Transition Plan, which will be presented to the Housing, Homelessness and Fair Work Committee on 3 September 2020.

### 4. Main report

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- 4.1 During the period of the Covid-19 restrictions, the Council has secured access to around 500 additional bed spaces, which could be used to accommodate homeless people. Around 260 of these are self-contained properties.
- 4.2 These additional properties are a mixture of spot purchased accommodation and increases to existing contracted provision. Details of the breakdown of these can be found in Appendix 1.

- 4.3 Increasing the provision of self-contained properties is crucial in ensuring the Council can meet the conditions set out in the Unsuitable Accommodation Order. Previously the order focussed on ensuring that families with children were accommodated suitably. It also sought to ensure that families were, wherever possible, not accommodated in accommodation such as bed and breakfast accommodation.
- 4.4 The Scottish Government planned to introduce legislation to ensure that certain forms of accommodation, for example hotel and bed and breakfast accommodation, were deemed unsuitable for all households, not just those with children in May 2021.
- 4.5 The Scottish Government brought that forward to May 2020 but allowed some exemptions due to the Covid-19 pandemic. At this time, these exemptions will end on 31 January 2021. Officers continue to engage with civil servants on the method of reporting potential breaches of the unsuitable accommodation, as there is currently a lack of clarity on what is required.
- 4.6 A working group of local authority officers, civil servants and elected members has been formed to form the final guidance for the order and this will be discussed at the COSLA wellbeing board on 18 September 2020 prior to final guidance being published.
- 4.7 In addition to responding to the changes to the Unsuitable Accommodation Order, the Council is required by the Scottish Government to deliver a Rapid Rehousing Transition Plan (RRTP).
- 4.8 The RRTP has been developed by officers and will be presented to the Housing, Homelessness and Fair Work Committee on 3 September 2020 for approval.
- 4.9 The RRTP sets out how the Council will deliver rapid rehousing focussing on four key areas:
- 4.9.1 Preventing homelessness in the first place focussing on early intervention.
  - 4.9.2 Transforming temporary accommodation and moving away from the use of unsuitable accommodation.
  - 4.9.3 Supporting people to access settled accommodation as quickly as possible.
  - 4.9.4 Reducing the number of people rough sleeping in the city.
- 4.10 The Council has continued to develop services for homeless people. Home Share, where unrelated households can share a property in temporary accommodation has proven to be successful for those accessing it. To further increase the provision of this form of accommodation, a report was approved at Council on 6 February 2020 which gave officers permission to buy up to five properties for use as a Home Share.
- 4.11 To date, one property has been purchased. The temporary closure of the housing market has delayed progress in this area, but officers will continue to identify suitable properties.

- 4.12 During the pandemic, the Council and its partners secured two large scale hotels, to provide accommodation with support for rough sleepers and others in housing crisis. A report was presented to the Policy and Sustainability Committee on 9 July, which outlined the exit strategies from these two properties.
- 4.13 The dates for the closures of the hotels were 16 July 2020 for the Old Waverley Hotel and 14 September for the Cairn Hotel. The exit from the Old Waverley was completed to schedule with full move on and support plans for all residents and the exit from the Cairn Hotel is currently on schedule.
- 4.14 The Council's previous RRTP identified that even if all available social lets were made available to homeless people it would be insufficient to address demand (pre-Covid).
- 4.15 Our priority remains to support people to move into permanent housing. The Council has one of the largest affordable house building programmes in Scotland and we are also purchasing homes on the open market, as part of our acquisitions and disposals strategy.
- 4.16 Furthermore, officers are currently exploring the future use of short term let accommodation in Edinburgh as a way to increase the supply of permanent homes available in the city.
- 4.17 The Council is currently working with Registered Social Landlord (RSL) partners and developers to support delivery of affordable housing on private sector sites and developing a framework to enable Edinburgh Living to acquire more new build homes.
- 4.18 Officers are also working with Link Housing Association to acquire more homes for the Private Sector Leasing Scheme, many of which are expected to come from the Short Term Let (STL) market.
- 4.19 With regards to the progress of the PSL scheme, COVID-19 has required some implementation work to be delayed ensuring that the core service is maintained safely. Progress is now picking up for the second quarter of 2020/21 and PSL property numbers have begun to grow – 1410 properties at the end of June 2020. Link are also responding to same-day referrals from the Temporary Accommodation Service.
- 4.20 Link Housing has purchased eight properties with plans to buy £30 million on properties to invest in the scheme and have more than 40 Landlord properties under procurement in addition to those procured since 1 April 2020.
- 4.21 At present, officers are exploring the possibility of acquiring hotel type accommodation for use as additional rapid access accommodation, however officers are not aware of any opportunities to purchase other forms of accommodation for example hotels and/or student accommodation for use as temporary accommodation at the moment. If opportunities are brought forward, we will explore suitability for the client group and, if appropriate, present business cases for consideration by Committee.

## **5. Next Steps**

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- 5.1 The Housing, Homelessness and Fair Work Committee will consider the RRTP and if approved this will be submitted to the Scottish Government.
- 5.2 Officers will continue to seek to identify appropriate properties for use as Home Share as instructed by members.
- 5.3 Officers will work with partners and landlords in the city to increase the amount of suitable temporary accommodation available.
- 5.4 Officers will bring back a further report to Council detailing the outcomes of the exploratory work regarding the future use of short term lets and the potential acquisition of hotel accommodation for rough sleepers.
- 5.5 Link Housing Association will continue to increase the number of properties in the Private Sector Leasing Scheme, through either purchase or leasing additional stock.
- 5.6 Officers will ensure that the exit from the Cairn Hotel is managed to schedule and that appropriate support plans exist for all residents.

## **6. Financial impact**

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- 6.1 The cost of temporary accommodation continues to grow, due to a shortage of suitable move-on accommodation. Due to Covid-19 restrictions, there has been a further increase in demand and a reduction in the number of allocations being made to permanent accommodation.
- 6.2 The financial impact in 2020/21 will depend on the number of homeless presentations as restrictions are relaxed and how quickly allocations to permanent accommodation can be made. The net pressure forecast for 2020/21 is currently £5.7m which is primarily related to the impact of Covid-19. This is based on the number of households currently in temporary accommodation, including those previously rough sleeping or using night shelters and those with no recourse to public funds (NRPF). The forecast pressure allows for an element of growth in numbers over the remainder of the financial year.
- 6.3 The service is currently developing financial plans that seek to address the current £5.7m pressure and achieve the aims of the RRTP over the next 5 years. The financial implications, will be considered in the 2021/22 budget process.

## **7. Stakeholder/Community Impact**

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- 7.1 N/a

## **8. Background reading/external references**

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8.1 [Rapid Rehousing Transition Plan](#)

## **9. Appendices**

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9.1 Appendix 1 – Breakdown of Temporary Accommodation



## Appendix 1

Breakdown of additional temporary accommodation sourced during the period of the Covid-19 restrictions used to accommodate people that are homeless:

**The Council has secured access to around 500 additional bed spaces.**

Around 260 of these are self-contained properties

### SELF CONTAINED PROPERTIES

107 – Interim Accommodation Framework

153 – Spot purchase

TOTAL: 260 properties.

Additional Information on Interim Accommodation Framework

- *Contract start date is 10 February 2020 for 24 month period with opportunity to extend for further 12 months.*
- *A minimum of two months' notice must be given if withdrawing properties from contract.*

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# Housing, Homelessness and Fair Work Committee

10am, Thursday, 3 September 2020

## Homelessness and Housing Support - Revenue Monitoring 2020/21 – month three position

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

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- 1.1 Members of the Housing, Homelessness and Fair Work Committee are asked to:
  - 1.1.1 note an overall net residual budget pressure of £8.3m for Communities and Families at month three;
  - 1.1.2 note that this pressure includes a net residual budget pressure of £5.7m for the Homelessness and Housing Support service;
  - 1.1.3 note that the net pressure of £5.7m relates to the impact of the Covid-19 pandemic;
  - 1.1.4 note that an approved saving of £0.060m in 2020/21 has been assessed as amber, and is at risk of not being delivered until 2021/22;

**Alistair Gaw**

Executive Director of Communities and Families

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## Revenue Monitoring 2020/21 – month three position

### 2. Executive Summary

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- 2.1 The report sets out the projected month three revenue monitoring position for the Homelessness and Housing Support service, based on analysis of actual expenditure and income to the end of June 2020, and expenditure and income projections for the remainder of the financial year.
- 2.2 The projected net residual budget pressure of £5.7m is part of an overall net residual budget pressure of £8.3m for Communities and Families.
- 2.3 The Executive Director of Communities and Families is fully committed to making all efforts to identify management action to reduce the budget pressures, while addressing the impact of the pandemic.

### 3. Background

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- 3.1 Homelessness and Housing Support is part of the Safer and Stronger Communities service area within the Communities and Families directorate.
- 3.2 The 2020/21 net budget for Homelessness and Housing Support is £30.7m.
- 3.3 This report sets out the projected overall position for the Homelessness and Housing Support revenue expenditure budget for 2020/21.

### 4. Main report

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#### Overall Position

- 4.1 The Homelessness and Housing Support service is projecting net budget pressures of £5.7m at month three, which is related to the Covid-19 pandemic. This is part of an overall net residual budget pressure of £8.3m for Communities and Families.

### **Budget Pressures £5.7m**

- 4.2 The cost of temporary accommodation continues to grow, due to a shortage of suitable move-on accommodation and an increasing average length of stay. Due to Covid-19 restrictions, there has been a further increase in demand and the number of allocations that could be made to permanent accommodation was temporarily reduced, however, the Council and its partners are now beginning to let homes again which is having a positive impact.
- 4.3 Since the beginning of COVID -19 restrictions the Council has been required to secure additional temporary accommodation to meet public health objectives and manage a lack of throughput into all forms of settled accommodation to fulfil its statutory duties to homeless people.
- 4.4 The financial impact in 2020/21 will depend on the number of homeless presentations as restrictions are relaxed and how quickly allocations to permanent accommodation can be made. The net pressure forecast for 2020/21 is currently £5.7m which is related to the impact of Covid-19. This is based on the number of households currently in temporary accommodation, including those previously rough sleeping or using night shelters and those with no recourse to public funds (NRPF). The forecast pressure allows for an element of growth in numbers over the remainder of the financial year.

### **Savings Delivery – Approved Savings 2020/21 Budget**

- 4.5 An approved budget saving of £0.060m for Homelessness and Housing Support relates to the adoption of the Scottish Government Framework for electricity and gas. Progress in the delivery of the saving is reviewed regularly and a red, amber, green (RAG) analysis has been undertaken in consultation with senior management. Due to delays on the part of suppliers, this saving has been assessed as amber and is at risk of not being delivered until 2021/22.

## **5. Next Steps**

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- 5.1 Work is ongoing to identify mitigating measures and to change the current mix of temporary accommodation, reducing the reliance on expensive and unsuitable accommodation.
- 5.2 The service is currently developing financial plans that seek to address the current £5.7m pressure and achieve the aims of the Rapid Rehousing Transition Plan.
- 5.3 A separate report to the Housing, Homelessness and Fair Work Committee will consider the Rapid Rehousing Transition Plan and if approved, this will be submitted to the Scottish Government.
- 5.4 Officers will continue to seek to identify appropriate properties for use as Home Share as instructed by members.
- 5.5 Officers will work with partners and landlords in the city to increase the amount of suitable temporary accommodation available.

## **6. Financial impact**

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- 6.1 The report highlights 2020/21 projected net budget pressures of £5.7m for Homelessness and Housing Support services. This is included in the overall net residual budget pressure of £8.3m for Communities and Families.
- 6.2 The £5.7m net pressure is directly related to the Covid-19 pandemic.
- 6.3 This position is subject to active monitoring, management of risks and identification of further mitigation.
- 6.4 The service is currently developing financial plans that seek to address the current £5.7m pressure and achieve the aims of the Rapid Rehousing Transition Plan. The financial implications will be considered in the 2021/22 budget process.

## **7. Stakeholder / Community Impact**

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- 7.1 There is no direct relevance to the report's contents. The Council undertook a budget engagement exercise when developing the 2020/21 revenue budget.
- 7.2 There is no direct relevance of the report's contents to impacts on carbon, adaptation to climate change and sustainable development. The Council's revenue budget includes expenditure impacting upon carbon, adaptation to climate change and contributing to sustainable development. In addition, all budget proposals are now subject to an upfront assessment across these areas.

## **8. Background reading / external references**

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- 8.1 None

## **9. Appendices**

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- 9.1 None

# Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 3 September 2020

## Revenue Monitoring Update – 2019/2020 provisional out-turn and 2020/2021 month three position

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

- 1.1 It is recommended that the Committee notes:
- 1.1.1 that the Housing Revenue Account (HRA) provisional out-turn for 2019/2020 was a balanced position after a contribution of £7.477m to capital investment;
  - 1.1.2 the Place General Fund (GF) provisional out-turn for 2019/2020 was a £7.0m overspend (£5.3m excluding Covid-19 impact). Services within the remit of this Committee achieved balanced provisional out-turns in 2019/2020;
  - 1.1.3 that the HRA projected position for the 2020/2021 financial year is a balanced position after a contribution of £14.174m towards in-year capital investment and the future strategic housing investment programme;
  - 1.1.4 the Place GF revenue budget forecast for 2020/2021 is a projected £3.020m overspend (excluding Covid-19 impact) including a forecast budget pressure of £0.250m for services within the remit of this Committee;
  - 1.1.5 note that the Executive Director of Place is taking measures to reduce budget pressures and progress will be reported to Committee at agreed frequencies.

**Paul Lawrence**

Executive Director of Place

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## Revenue Monitoring Update – 2019/2020 provisional out-turn and 2020/2021 month three position

### 2. Executive Summary

---

- 2.1 The report sets out the provisional out-turn for the 2019/2020 financial year and the projected month three revenue monitoring position for the Housing Revenue Account (HRA) and Place Directorate GF services. The provisional outturn is based on the unaudited accounts for 2019/2020 and the month three forecast is based on analysis of actual expenditure and income to the end of June 2020, and expenditure and income projections for the remainder of the 2020/2021 financial year.
- 2.2 The 2019/2020 provisional out-turn for the HRA was in the main as reported at month nine to this Committee ([19 March 2020](#)). Accrued interest income was received from Edinburgh Living in quarter four of 2019/2020 which increased the in-year contribution to capital investment from revenue to £7.477m.
- 2.3 The 2019/2020 provisional out-turn for the GF was in line with in-year projections. A balanced position was achieved for services within the remit of the Committee.
- 2.4 At month three, the 2020/2021 full year forecast for the HRA is a balanced position after providing £14.174m towards capital investment from revenue; £3.656m in-year contribution as per the approved capital investment programme and £10.518m towards financing the strategic investment programme in forthcoming years.
- 2.5 Excluding the costs of the Coronavirus pandemic, the period three projection for the Place GF 2020/21 revenue budget is a net residual budget pressure of £3.020m.
- 2.6 At month three the GF services within the remit of this Committee are forecasting a budget pressure in 2020/2021 of £0.250m. This represents the 'at risk' element of the approved budget saving in respect of Business Growth and Inclusion services.
- 2.7 At month three, the GF Covid-19 impact for Place Directorate has been forecast to be a net cost in the region of £29m with £3.235m of this relating to the net loss of income to Housing Property Services from the reduced volume of jobs undertaken due to the operating context.
- 2.8 The Executive Director of Place is fully committed to making all efforts to identify management action to reduce the budget pressures. However, given the magnitude of these pressures, there is the potential for a significant level of overspend.



### 3. Background

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- 3.1 The HRA is a ring-fenced statutory account. The HRA is funded from rents relating to Council housing and related assets and is used to fund the provision of Council housing in line with tenants' priorities.
- 3.2 In [February 2020](#), the Council approved a five-year HRA Budget Strategy. This was informed by extensive consultation with tenants, focused on investing in homes and services that reduce tenants' cost of living and includes significant investment in both new and existing affordable housing, while keeping rent increases affordable.
- 3.3 The approved HRA budget for 2020/21 is derived from the longer-term strategy. It comprises a budgeted revenue income of £103.138m and costs of £92.540m. This enables a budgeted contribution of £6.942m to the Strategic Housing Investment Fund in accordance with the finance strategy for future planned investment after making a £3.656m revenue contribution towards in-year capital investment. The total budgeted contribution from 2020/2021 revenue is £10.598m.
- 3.4 The portfolio of services under the remit of the Committee have a GF gross revenue budget of £77.550m in 2020/21 which is netted to £0.859m after budgeted income of £76.691m is considered.
- 3.5 This report provides an update on financial performance against the above revenue budgets. A separate report to the Council's Finance and Resources Committee on 27 August 2020 set out the projected position on the Council's HRA and General Fund Capital Investment Programme.

### 4. Main report

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#### **Overall Position – Provisional Out-turn 2019/2020**

#### **Housing Revenue Account**

- 4.1 The HRA outturn position was balanced after making a contribution of £7.477m towards in-year capital investment. This contribution was materially more positive than the approved Business Plan budget of £2.647m. This arose, in turn, from treasury management savings and reductions in the operating costs of maintaining and managing the housing estate. This meant that a lower level of reserves required to be drawn down from the Strategic Housing Investment Fund during the year to meet the cost of approved projects. The funds held in the Strategic Housing Investment Fund are earmarked for investment in existing housing stock and future capital investment in new homes through the Council's own housing development programme.
- 4.2 There was a positive variance at the out-turn in respect of net income when compared to the reported HRA month nine position. A material element in this positive movement was the £1.319m unbudgeted income from Edinburgh Living as settlement of accrued interest incurred by the HRA whilst handed over homes were in development. A summary of the HRA 2019/2020 revenue out-turn and comparison to the month nine reported forecast is shown within Appendix 1.

- 4.3 The Housing Services Improvement Plan delivered positive budget impacts in 2019/2020. The spend on revenue repairs and maintenance in 2019/2020 at £21.091m is £1.546m less than the out-turn spend in 2018/2019. Following the implementation of Total Mobile in September 2019 a 7% efficiency in repairs and maintenance expenditure compared to 2018/2019 has been achieved.

#### **General Fund**

- 4.4 The overall Place GF out-turn for 2019/2020 (excluding Covid-19 impacts), was a £5.345m over-spend. All Place GF services within the remit of the Committee delivered balanced budgets.
- 4.5 £2.0m of GF 2019/2020 approved savings and management actions which were within the remit of the Committee were achieved.

#### **Overall Position – Month Three Forecast 2020/2021**

##### **Housing Revenue Account**

- 4.6 At month three, the forecast 2020/2021 position for the HRA is balanced with a contribution to in year capital spend of £3.656m and £10.518m currently forecast to be transferred to the Strategic Housing Investment Fund as part of the HRA investment programme future funding strategy. Overall, when looking at the bottom line available for future HRA investment this compares favourably by £3.576m to the budget agreed in February 2020. Forecasts and variances against budget are shown within Appendix 2.
- 4.7 Most of the variances forecast at month three, both adverse and favourable are linked to the economic outlook and changes to operations in the current Covid-19 era:
- 4.7.1 **Income** - The rent collection service has been fully maintained during the Covid-19 emergency. An acceleration in the number of tenants moving to Universal Credit (UC) during the period accounts for the reduction in income at period three, due to lag times in the current four-week payment schedule for any direct payment of housing costs. Income collection risks will be mitigated through early contact and advice and information being provided to support tenants in changes in their household incomes and for those moving on to UC. Flexible payment methods are available to enable tenants to continue to make payments at this time. Changes are also due to be made by the DWP in the payment schedules for housing costs to align this with the UC payment dates for tenants. This will reduce the fluctuations in income due to the current four-week payment schedule and assist tenants with household budgeting. More broadly, the HRA Business Plan, has made prudent assumptions for the reduction in income expected due to the move to UC, any increases can be managed in year by drawing down on a ringfenced contingency fund. In addition, work is underway to determine the unbudgeted forecast level of income from Edinburgh Living as settlement of accrued interest incurred by the HRA whilst handed over homes were in development. The overall income recovery position will continue to be monitored closely through the financial year; and

- 4.7.2 **Costs** - For health and safety reasons in response to the pandemic the repairs and maintenance service, carried out by Housing Property on behalf of the HRA, was scaled back to emergency repairs only. As a result, the volume of jobs completed and associated income in the first quarter of the year were significantly less than originally projected. Modelling has been undertaken to reflect reductions in volumes of work and associated operating costs which has resulted in an estimated £3.235m reduction in Housing Property Services GF income in 2020/2021. Work is underway to improve this position throughout the year through efficiencies in operating costs, a reduction in the use of external contractors and, linked to Covid-19 recovery, reviewing the adaptation plan and timeline to safely bring service works back online sooner. This would have the effect of generating more income on the GF side and pushing up HRA operation costs due to increased activity earlier than assumed in the forecast.

### **General Fund**

- 4.8 At month three, the 2020/2021 forecast net pressure within Place GF budgets overall is £3.020m. Gross pressures of £8.690m have been identified and £5.670m of management actions have been agreed across the Directorate.
- 4.9 At month three, the forecast position for GF services within the remit of the Committee is a £0.250m over-spend (excluding Covid-19 impact). This represents the 'at risk' element of the approved budget saving of £0.500m in respect of Business Growth and Inclusion third party contractual spend.

### **Savings Delivery – General Fund Approved Savings 2020/2021**

- 4.10 The approved budget savings for Place Directorate in 2020/2021 total £4.508m. Approved savings within the remit of the Committee total £0.990m and relate to Marketing Edinburgh and Business Growth and Inclusion as shown in Appendix 3.
- 4.11 A risk assessment exercise has been undertaken and this indicates that, on the basis of actions planned or already undertaken, £2.438m of the Directorate approved savings including £0.250m of the savings which fall under the jurisdiction of this Committee are 'at risk' of non-delivery within the 2020/2021 financial year.

## **5. Next Steps**

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- 5.1 The Place directorate is committed to delivering mitigating management action to address identified budget pressures wherever possible. Progress will be reported to Committee at agreed frequencies.

## **6. Financial impact**

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- 6.1 The Council's Financial Regulations set out Executive Directors' responsibilities in respect of financial management, including regular consideration of their service budgets. The Executive Director of Place regularly reviews the directorate budget position alongside the identification and implementation of management actions to mitigate budget pressures.

## **7. Stakeholder/Community Impact**

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- 7.1 Consultation was undertaken as part of the HRA and GF budget setting processes.
- 7.2 Successful delivery of the HRA budget will support investments to improve the energy efficiency of Council Homes.

## **8. Background reading/external references**

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- 8.1 None.

## **9. Appendices**

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- 9.1 Appendix 1 - Place Directorate - HRA: 2019/2020 – Provisional Out-turn Position
- 9.2 Appendix 2 - Place Directorate - HRA Revenue Projection: 2020/2021
- 9.3 Appendix 3 - 2020/2021 – GF Approved Savings - Month three assessment

**Appendix 1 – Place Directorate - HRA Revenue Projection: 2019/2020 – Provisional Out-turn Position.**

	2019/2020 Budget	2019/2020 Out-turn	2019/2020 Out-turn Variance	Month 9 Reported Variance
	£m	£m	£m	£m
Net Income	-100.661	-102.453	-1.792	0.000
Strategic Housing Investment Funds	-20.353	-15.523	4.830	3.281
<b>Total Income</b>	<b>-121.014</b>	<b>-117.976</b>	<b>3.038</b>	<b>3.281</b>
Housing Management	31.915	31.681	-0.234	-0.386
Repairs and Maintenance	20.987	21.091	0.103	0.000
Environmental Maintenance	2.754	3.508	0.754	0.576
Debt Service	42.358	38.696	-3.662	-3.471
	98.014	94.976	-3.038	-3.281
Housing Investment (CFCR)	23.000	23.000	0.000	0.000
<b>Total Expenditure</b>	<b>121.014</b>	<b>117.976</b>	<b>-3.038</b>	<b>-3.281</b>
<b>In year contribution to capital investment</b>	<b>2.647</b>	<b>7.477</b>	<b>4.830</b>	<b>3.281</b>
Note: The reserve draw-down is from the Strategic Housing Investment Fund which is made up of the Repairs and Renewals Reserve and the Council Tax Discount Fund. The forecast reserve drawdown forms part of the approved capital programme for 2019/2020.				
CFCR denotes Capital Funded from Current Revenue.				

**Appendix 2 – Place Directorate - HRA Revenue Projection: 2020/2021 – Month three forecasted position.**

	2020/2021 Budget	2020/2021 Month three forecast	2020/2021 Month three forecast variance
	£m	£m	£m
Net Income	-103.138	-103.138	0.000
Strategic Housing Investment Funds	6.942	10.518	3.576
<b>Total Income</b>	<b>-96.196</b>	<b>-92.620</b>	<b>3.576</b>
Housing Management	33.339	32.857	-0.482
Repairs and Maintenance	19.691	17.000	-2.691
Environmental Maintenance	2.787	2.770	-0.017
Debt Service	36.723	36.337	-0.386
	92.540	88.965	-3.576
Housing Investment (CFCR)	3.656	3.656	0.000
<b>Total Expenditure</b>	<b>96.196</b>	<b>92.621</b>	<b>-3.576</b>
<b>In year contribution to capital investment</b>	<b>10.598</b>	<b>14.174</b>	<b>3.576</b>
Note: The reserve draw-down is from the Strategic Housing Investment Fund which is made up of the Repairs and Renewals Reserve and the Council Tax Discount Fund. The forecast reserve drawdown forms part of the approved capital programme for 2020/2021.			
CFCR denotes Capital Funded from Current Revenue.			

**Appendix 3 – Housing, Homelessness and Fair Work – General Fund – 2020/2021 – Approved Savings, Efficiencies and Mitigations - Month three forecasted position.**

**2020/21 Approved Savings within the remit of Housing, Homelessness and Fair Work.**

<b>Saving</b>	<b>Green £m</b>	<b>Amber £m</b>	<b>Red £m</b>	<b>Black £m</b>	<b>Total £m</b>
	<b>Delivered</b>	<b>In Progress</b>	<b>Limited Assurance</b>	<b>At Risk *</b>	
<b>Business Growth and Inclusion.</b>	<b>0.000</b>	<b>0.250</b>	<b>0.000</b>	<b>0.250 MC</b>	<b>0.500</b>
<b>Marketing Edinburgh</b>	<b>0.490</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.490</b>
<b>Total</b>	<b>0.490</b>	<b>0.250</b>	<b>0.000</b>	<b>0.250</b>	<b>0.990</b>
<b>% of Total</b>	<b>50%</b>	<b>25%</b>	<b>0%</b>	<b>25%</b>	<b>100%</b>

**\*PD = Project Design**

**\*MC= Material Change in Circumstances**

**GF month three forecast for services within the remit of The Committee is £0.250m and representative of the ‘at risk’ element of approved savings above.**

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# Housing, Homelessness and Fair Work Committee

10.00am, Thursday, 3 September 2020

## The City of Edinburgh Council's Assurance Statement on Housing Services

Executive/routine	Routine
Wards	All
Council Commitments	<a href="#">39</a>

### 1. Recommendations

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- 1.1 It is recommended that the Housing, Homelessness and Fair Work Committee approves the City of Edinburgh Council Assurance Statement on housing services for submission to the Scottish Housing Regulator (SHR) by annual deadline of 31 October 2020.

**Paul Lawrence**

Executive Director of Place

Elaine E Scott, Housing Services Manager

Email: [elaine.scott@edinburgh.gov.uk](mailto:elaine.scott@edinburgh.gov.uk) Tel: 0131 529 2277

## The City of Edinburgh Council's Assurance Statement on Housing Services

### 2. Executive Summary

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- 2.1 The [Scottish Housing Regulator](#) (SHR) requires all social landlords to submit an Annual Assurance Statement, by 31 October each year, providing assurance that their organisation complies with the [relevant requirements of chapter 3 of the Regulatory Framework](#).
- 2.2 The Assurance Statement confirms where the Council meets the SHR required standards and outcomes and provides information on areas for improvement and any associated management actions. Following committee approval, the Assurance Statement is published on the SHR website.

### 3. Background

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- 3.1 [The Housing \(Scotland\) Act 2010](#) sets out the requirement for a social housing charter and the statutory objectives, functions, duties and powers of the SHR.
- 3.2 The [Scottish Social Housing Charter](#) (SSHC) set the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The SHR monitors, assesses and reports on the Charter. The SHR's statutory objective is to safeguard and promote the interests of current and future tenants, people who are homeless, factored owners and Gypsy/Travellers.
- 3.3 [A Regulatory Framework](#) sets out the approach to regulation. The SHR monitors, assesses, reports and intervenes (as appropriate) in relation to Scottish social landlords' performance of housing activities. The current framework came into force in April 2019 and it requires all social landlords to submit an Annual Assurance Statement providing assurance that their organisation complies with the relevant requirements of Chapter Three of the framework.
- 3.4 All Scottish social landlords are required to report performance to the SHR annually (by 31 May) through the [Annual Return on the Charter](#) (ARC) and to tenants by 31 October (the SHR is consulting on extending the deadline this year due to Covid-19 impact). The SHR analyses each charter return and then

publishes an individual Engagement Plan for each landlord, which focuses on areas for improvement. Due to Covid-19, the SHR is not producing engagement plans in 2020.

- 3.5 Following submission of the Council's 2019 Assurance Statement approved by Committee on [31 October 2019](#), the SHR requested further information and assurance on three areas related to homeless services: how people access the service; temporary accommodation; and outcomes for people who are homeless. The SHR subsequently published the Council's [Engagement Plan](#) on its website noting that the Council has taken steps to improve performance, including improving the quality of the temporary accommodation the Council provides and developing a comprehensive improvement plan to cover all aspects of its homelessness service.
- 3.6 The SHR also sought further information and assurance on the Council's progress towards meeting the Energy Efficiency Standard for Social Housing (ESSH), noting that the Council had achieved 56% compliance. Currently 71% of homes meet ESSH with 86% expected to be compliant by the end of 2020. In addition, the percentage of Council homes meeting the Scottish Housing Quality Standard (SHQS) has increased to 89%.

## 4. Main report

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- 4.1 Alongside meeting SSHC requirements and reporting performance to the SHR and tenants, social landlords must prepare an [Annual Assurance Statement](#) on how they meet (or don't meet) their statutory and legal obligations. These statements are part of the overall regulatory oversight that the SHR has of landlords; they must be made available to tenants and other service users and are publicised on the SHR website.
- 4.2 As the governing body, the Housing, Homelessness and Fair Work Committee is required to approve the City of Edinburgh Council Assurance Statement (Appendix 1) and an Assurance Statement Summary of Compliance (Appendix 2).
- 4.3 The Council assures performance continuously and maintains regular dialogue with the SHR on areas of challenge and improvement to ensure services are delivered in accordance with legislation, regulatory standards and best practice guidance.

### **COVID-19**

- 4.4 During the Covid-19 pandemic the SHR introduced requirements for social landlords to provide monthly monitoring information covering income collection; tenancy turnover/available homes; and homelessness. The Council has submitted the reports as required. In addition, a general service update was submitted at the end of March 2020 outlining all Covid-19 emergency initiatives

being implemented by the Council, including the establishment of the local community resilience centres.

- 4.5 Since the start of the Covid-19 lockdown a number of services provided to tenants had to be revised and, in some cases, suspended for a short time, to ensure the safety of tenants, other citizens and Council employees. During the period since the initial lockdown and the phased easing of restrictions the focus for the housing service has been ensuring the health and safety of tenants, maintaining core services and providing proactive reassurance and contact for tenants. In doing this the Council has followed Scottish Government and Public Health Scotland guidance and taken account of relevant regulatory guidance.

#### **Performance Update 2019/20**

- 4.6 During 2019/20, the Council improved performance in tenancy sustainment, reducing evictions and turnover of properties; adaptation completions; reducing the time to re-let homes and tenancy offer refusals. The areas of challenge remain those already identified within the key workstreams in the agreed [Housing Service Improvement Plan](#) (HSIP).
- 4.7 With regards to the areas for improvement identified by the SHR for homelessness services, there has been success in increasing the number of self-contained flats by 21.7%. This is in recognition that due to the housing market in Edinburgh, the numbers presenting as homeless and the shortage of social housing to meet demand, we have relied on the provision of Bed and Breakfast and shared accommodation. The impact of Covid 19 has however increased the challenge for the city, and whilst we were successful in housing all who required to due to the public health crisis, this does leave Edinburgh with an increased challenge in moving away from bed and breakfast accommodation to using more suitable temporary accommodation. Effort continues to be placed on bringing on more temporary flats and a progress report on the Private Sector Leasing Scheme, which was extended last year, will be brought to the next Committee.
- 4.8 The main aim of the plan is to significantly improve customer satisfaction, operating performance and reduce costs over a three-year period. Based on tenant feedback, six improvement workstreams are being prioritised: in particular repairs and maintenance but also rent collection; lettings; estate management; housing quality; and housing development.
- 4.9 The initial phases of a Total Mobile rollout for repairs have improved efficiency through the introduction of an automated appointment system and mobile working for operatives, which is helping to make the service more modern, accessible and responsive to the needs of tenants. Enhancements are also being made to tenant contact channels, with the introduction of text message alerts and appointment reminders scheduled for implementation autumn 2020.
- 4.10 Wider rollout of mobile working to housing/concierge officers is currently being scoped, along with further improvements to systems, contract management, and back-office functions to drive efficiencies, improvements and savings. Estate

management and digital improvements will be a key focus for the HSIP over the coming year, along with ongoing work to improve the tenant experience of moving in to their home and starting a tenancy.

- 4.11 During the Covid-19 pandemic the Council has maintained an essential repairs service with operatives trained to ensure their own and tenant safety. Gas safety checks have been carried out in line with national industry guidance. At 31 March 2020, 99.18% of homes requiring a gas safety check had received this with the remainder scheduled to follow our force of law procedure in March. In accordance with Scottish Government Guidance forced entries are not currently being carried out. The Council is continuing to prioritise checks where it is safe to do so.
- 4.12 During the Covid-19 pandemic, the Council has used significantly more temporary accommodation in order to support vulnerable people and ensure the spread of the virus is minimised amongst the homeless population. Pre Covid-19, the average number of households in temporary accommodation was 2,035. In July 2020, there were 2,394 households in temporary accommodation. Homeless households are continuing to be prioritised for available social rented housing that is starting to be let again following safe working practices being put in place by the Council and other landlords to let homes safely. Separate reports on the Rapid Rehousing Transition Plan Update and the Homelessness Services Update are also being reported to this Committee.
- 4.13 The Assurance Statement guidance requires all landlords to collect data relating to the protected characteristics of existing tenants, new tenants, people on waiting lists, governing body members and staff, people who apply to the Council as homeless and those who live on the Gypsy/Traveller site. Landlords will be expected to meet this duty from 2020/21 onwards. Further guidance on the requirements will be provided in due course by the SHR.

## **5. Next Steps**

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- 5.1 The approved Assurance Statement will be submitted to the SHR and made available to tenants (online and hard copy provided on request). The SHR will publicise the statement on its website.
- 5.2 The SHR will be updated on progress on any improvement actions at regular meetings held between the Council and SHR.
- 5.3 Regular updates on the HSIP continue to be provided for the Housing, Homelessness and Fair Work Committee.

## **6. Financial impact**

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- 6.1 There are no adverse financial impacts arising from this report. Work on assurance will assist with ensuring best value for tenants and other service users.

## **7. Stakeholder/Community Impact**

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- 7.1 There are no adverse stakeholder/community impact implications arising from this report. Work on assurance will strengthen tenant scrutiny and approaches to involving tenants and other service users.
- 7.2 The Council's SHR Landlord Performance Report, Engagement Plan and Assurance Statement are available online. The Housing Service's newsletter, the Tenants' Courier, delivered to every tenant, advises where the documents can be found and that hard copies can be provided on request.

## **8. Background reading/external references**

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- 8.1 [www.scottishhousingregulator.gov.uk/for-landlords/regulatory-framework](http://www.scottishhousingregulator.gov.uk/for-landlords/regulatory-framework)
- 8.2 [www.scottishhousingregulator.gov.uk/for-landlords/statutory-guidance/annual-assurance-statement](http://www.scottishhousingregulator.gov.uk/for-landlords/statutory-guidance/annual-assurance-statement)

## **9. Appendices**

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- 9.1 Appendix 1 - City of Edinburgh Council Assurance Statement 2020
- 9.2 Appendix 2 - Assurance Statement Assessment Summary

## **APPENDIX 1**

### **City of Edinburgh Council Assurance Statement**

**31 October 2020**

The City of Edinburgh Council complies with duties, obligations and responsibilities placed on landlords by legislation and through statutory guidance and is working towards delivering the outcomes set out in the Scottish Social Housing Charter for tenants, people who are homeless and others service users.

The one exception to this is in relation to duty in relation to homelessness, where the Council is not always able to provide accommodation to those who are statutorily homeless and require it. Although there has been a reduction in failures to accommodate, the Council is seeking to reduce this further. A significant number of these instances relate to approaches to the Council out with normal working hours. To tackle this issue the Council has increased the provision of temporary accommodation, including, specifically, rapid access accommodation which can be accessed twenty-four hours a day. The latest version of the Council's Rapid Rehousing Transition Plan, highlights the need for additional accommodation for those with complex needs to further reduce the number of failures to accommodate. In addition to this, the Council is committed to reviewing its procedures for out of hours approaches and working with civil servants and colleagues in other local authorities to share best practice.

Also, the Council has seen significant number of breaches of the Unsuitable Accommodation Order, where families with children are placed in unsuitable accommodation for more than 7 days. These breaches have reduced in number significantly in 2020. The Council has significantly increased the number of self-contained properties available to tackle this and the upcoming extension to the unsuitable accommodation order and service developments and the transformation of temporary accommodation services will maintain this progress.

A Housing Service Improvement Plan (HSIP) is in place to significantly improve customer satisfaction, operating performance and reduce costs over a three-year period. Based on tenant feedback, six improvement workstreams are being prioritised: in particular repairs and maintenance but also rent collection, lettings, estate management, housing quality and housebuilding. The initial phases of a Total Mobile rollout for repairs have improved efficiency through the introduction of an automated appointment system, which is helping to make the service more modern, accessible and responsive to the needs of tenants

Covid-19 means that 2020 has been and is still being an exceptionally challenging year for landlords bringing significant additional pressures: Services have had to be revised and, in some cases, suspended for a short time, to ensure the safety of tenants, other citizens and Council employees. The Council has been and is following UK and Scottish government guidance and has taken account of updated regulatory guidance. The

Council's focus has been on tackling emergencies and maintaining core services while complying with coronavirus restrictions.

As Convenor of the City of Edinburgh Council Housing, Homelessness and Fair Work Committee, I can confirm that the appropriate evidence to support the level of assurance has been considered and confirmed.

Signed \_\_\_\_\_

Date of signing \_\_\_\_\_

Councillor Kate Campbell, Convenor of the Housing, Homelessness and Fair Work Committee





# Scottish Housing Regulator (SHR) – Annual Assurance Statement (AAS)

## Assessment of Compliance

### Requirements for All Local Authorities

SHR Requirements	Status	Evidence	Action
Covid-19 - monthly landlord performance return.		These have been completed as required.	Continue to provide the reports to the SHR as required.
Prepare an Annual Assurance Statement in accordance with published guidance, submit it to the SHR between April and the end of October each year, and make it available to tenants and other service users.		The Council submits an Annual Return on the Charter (ARC) that sets out performance in delivering the standards and outcomes in the Scottish Social Housing Charter.  There is ongoing regular dialogue with the SHR on areas for improvement and the plans in place to address these.	The Assurance Statement is scheduled to be signed off by Committee on 3 September 2020. The Statement was signed off on time last year. The autumn edition of the Council tenant newsletter advises tenants how to access the AAS.
Notify the SHR during the year of any material changes to the assurance in our Assurance Statement.		There have been no material changes.	Pre Covid-19, the Council met the SHR quarterly. Monthly performance reports are now provided to the SHR as required.
Have assurance and evidence that we are meeting all our legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.		Services are delivered in accordance with legislation, regulatory standards and taking account of best practice guidance: <ul style="list-style-type: none"> <li>Internal Audit reviews are carried out on the housing service, most recently on contract management arrangements and processes within Housing Property and Homelessness Services. Audits are reported to Governance Risk and Best Value and Improvement Plans implemented.</li> </ul>	The Council does not currently fully comply with its duty to offer temporary or emergency accommodation for people experiencing homelessness, due to the continued reliance on the use of bed and breakfast accommodation.  Plans are in place and work ongoing to providing appropriate accommodation for homeless families (through the Rapid Rehousing Plan and informed by

- The housing service itself carries out annual reviews on key housing and homeless policies. Assurance is reported to Committee.
- Benchmarking of services via Housemark, the Scottish Rent Forum, and Scotland's Housing Network. The Council completed a self-assessment in advance of Audit Scotland's Best Value audit, which has now been complete. The Council awaits any Audit Scotland recommendations, which will be taken forward as required.
- Regular engagement with Scottish Government is taking place on actions being taken by the Council to ensure compliance with the duty to offer temporary or emergency accommodation.
- Strategy and policy reports are approved by relevant committees in accordance with the Council's Governance Framework.
- An Equality, Diversity and Rights Framework 2017-21 was agreed by Corporate Policy and Strategy Committee in February 2019; Integrated Impact Assessments (IIAs) are required for projects and policy changes.
- Partnership working in Localities model with Police Scotland, including participation in Multi-Agency Risk Assessment Conferences.
- A pilot Mixed Tenure Improvement Service (MTIS) has been approved as part of the wider mixed tenure investment strategy to improve tenant satisfaction with the condition of their homes and support owners carry out essential repairs to their block.

the Homelessness Taskforce. Regular reports are provided to Committee).

There has been a 21.7% increase in the number of self-contained flats secured since March 2020.

The service is now using 463 CEC, 72 RSL and 632 Private self-contained flats for temporary accommodation.

There are 644 Shared House spaces and 378 Bed and Breakfast spaces, 19 additional hotel bed spaces were acquired during Covid lockdown, enquiries are ongoing to source additional hotel accommodation, now Tourist type accommodations have reopened the service is placing people in Premier Inn/Travelodges etc when there are no alternatives and it is safe to do so.

The service secured an additional 208 flats( 154 from the PRS, 27 from CEC/MMR and 27 from RSL partners, , it is expected another 20 private rented flats will be brought into use in the next 3 to 4 weeks.

The Council is also using 160 Hotel Apartments in the tourist sector.

Home Share where 3 to 5 separate individuals share a property is being successfully trialled with 26 people currently sharing, as more opportunities arise for this type of

			<p>accommodation the service will expand this accommodation option.</p> <p>The PSL and Private Rented Temporary Accommodation(STL/IA) contracts will provide additional flats assisting the Council to meet the Unsuitable Accommodation Order.</p> <p>On 1 April 2020 there were 1376 PSL properties which has risen to 1435 despite the Covid-19 lockdown restrictions.</p> <p>55 Housing First properties have now been allocated to people with complex needs and a history of rough sleeping and accessing and leaving the service, this will assist in reducing repeat presentations.</p> <p>68 Rapid Access Accommodation beds are used to accommodate rough sleepers allowing them to engage and work with services transitioning them onto appropriate supported accommodations.</p>
<p>Notify the SHR of any tenant and resident safety matters which have been reported to or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.</p>		<p>No health and safety matters have been reported to the Health and Safety Executive in the last 12 months.</p>	

<p>Make our Engagement Plan easily available and accessible to our tenants and service users, including online.</p>		<p>The 2019 SHR Engagement Plan for the Council is available online. (Due to Covid-19, the SHR is not producing engagement plans in 2020).</p>	<p>The autumn edition of the tenants' newsletter (issued October 2019) notified tenants how to access the Engagement Plan.</p>
<p>Register all requirements for providing data to the SHR with the ICO's as a purpose for which they are acquiring data under the Data Protection Act 2018.</p>		<ul style="list-style-type: none"> <li>• By law, data controllers must pay a fee to register with the UK Information Commissioner who is the data protection regulator within the UK.</li> <li>• The City of Edinburgh Council data controller registration number is Z5545409.</li> </ul>	<p>None</p>
<p>Submit an Annual Return on the Charter to the SHR each year in accordance with the SHR published guidance.</p>		<ul style="list-style-type: none"> <li>• The ARC has been completed and returned to the Scottish Housing Regulator each year since 2013/14.</li> <li>• The last ARC return was submitted on 31 July 2020 and will be published by the SHR in due course.</li> </ul>	<p>Improvements in data collection on repairs through the introduction of Total Mobile is helping to support service improvement and inform future service planning. Covid-19 has impacted on progress.</p>
<p>Involve tenants, and where relevant, other service users, in the preparation and scrutiny of performance information. We must:</p> <ul style="list-style-type: none"> <li>• agree our approach with tenants</li> <li>• ensure that it is effective and meaningful – that the chosen approach gives tenants a real and demonstrable say in the assessment of performance</li> <li>• publicise the approach to tenants</li> <li>• ensure that it can be verified and be able to show that the</li> </ul>		<ul style="list-style-type: none"> <li>• Covid-19 has meant a shift to online engagement with tenants. Edinburgh Tenants' Federation (ETF) has been assisting tenants not online to access the resources required and the Council has provided four Kindle Fires via community benefits to date with discussions ongoing to access more. The latest annual tenant survey has also recently been carried out as a telephone survey rather than face to face.</li> <li>• Annual funding provided to ETF and the Neighbourhood Alliance (NA) to support tenant participation and engagement - SLAs has been approved until 31 March 2022 for ETF and 31 March 2021 for NA.</li> <li>• Eight RTOs were provided with running cost funding in 2019/20. Start up and running cost grants provided.</li> <li>• HRA Scrutiny Group and a programme of tenant led inspections delivered by ETF.</li> </ul>	<p>The latest <a href="#">Tenant Participation Strategy</a> was approved by the City of Edinburgh Council on 20 January 2020 and a Tenant Scrutiny Framework is being developed in conjunction with ETF.</p> <p>Discussions are also ongoing to finalise the implementation of a new and wider grants programme, which will include funding opportunities for health and digital activity.</p> <p>Ongoing discussion with tenants and other service users to ensure that their views inform the development of housing services.</p>

agreed approach to involving tenants has happened

- involve other service users in an appropriate way, having asked and had regard to their needs and wishes.

- The Rent Matters Working Group advises on the Housing Budget Consultation.
- Consultation is ongoing to update the Tenant Scrutiny Framework with ETF by the end of 2020.
- An online tenant group is being established to contribute to the Housing Service Improvement Plan.
- A programme of market research with tenants and other service users is in place to ensure customer insight, this includes an annual tenant survey and regular targeted focus groups.
- Homelessness service users have been heavily involved in informing changes to the services they receive, especially the introduction of shared housing and a move away from traditional bed and breakfast temporary accommodation.
- Consultation is carried out with owners in multi-storey blocks on a regular basis and particularly where major investment work is required. Regular meetings held, and newsletters provided as required.
- Service user group established at Gypsy Traveller site. Extensive consultation on site redevelopment. Plans now in place for a site that will meet the needs of Gypsy Travellers as identified by the community themselves. Covid-19 has impacted on progress.

<p>Report our performance in achieving or progressing towards the Charter outcomes and standards to our tenants and other service users (no later than 31 October each year). We must agree the format of performance reporting with tenants, ensuring that it is accessible for tenants and other service users, with plain and jargon free language.</p>		<ul style="list-style-type: none"> <li>• Initial consultation carried out with tenants before the first report in 2014.</li> <li>• An annual performance report is provided to tenants. The report is made available online along with the SHR Landlord Report, Assurance Statement and Engagement Plan.</li> </ul>	<p>A decision on how to report performance information to tenants will be made when the SHR confirms the reporting deadline. Previously the Tenants' Courier has included the performance information, improvement actions and consultation on how tenants want performance to be reported to them in future. The Courier is posted to all tenants and available online. Following a recent consultation, the majority of respondents wanted to continue to receive written performance reports.</p>
<p>When reporting our performance to tenants and other service users we must:</p> <p>Page 70 provide them with an assessment of performance in delivering each of the Charter outcomes and standards which are relevant to the Council</p> <ul style="list-style-type: none"> <li>• include relevant comparisons – these should include comparisons with previous years, with other landlords and with national performance</li> <li>• set out how and when we intend to address areas for improvement</li> <li>• give tenants and other service users a way to feed back their</li> </ul>		<ul style="list-style-type: none"> <li>• The annual performance report is normally included in the autumn editions of the Tenants' Courier newsletter, which is posted to all tenants and made available online. This may change following the Regulator's consultation on a reporting timescale for 2020, which is expected to delay the reporting requirement to the end of December 2020.</li> </ul>	<p>The autumn edition of the Tenants' Courier (issued 31 October 2019) included performance information, improvement actions and consultation on how tenants want performance to be reported to them in future. The Courier is posted to all tenants and available online.</p>

views on the style and form of the reporting.			
Make the SHR report on our performance easily available to our tenants, including online.		<ul style="list-style-type: none"> <li>The report for 2018/19 is currently online.</li> <li>The 2019/20 report will be available online by the end of 2020.</li> </ul>	Report available online by the end of 2020. The Tenants' Courier, delivered to every Council home and available online, includes information on how to access the Performance Report, the Landlord Engagement Plan and the Assurance Statement.
Have effective arrangements and a policy for whistleblowing by staff and elected members, which it makes easily available and which we promote.		<ul style="list-style-type: none"> <li>The Council's current whistleblowing policy was agreed in March 2018.</li> <li>Details are available for staff on the Council's intranet site.</li> </ul>	Continue to include in the annual mandatory policy refresh for all staff.
Make information on reporting significant performance failures, including the SHR leaflet, available to its tenants.		<ul style="list-style-type: none"> <li>Information was included in the autumn edition of the Tenants' Courier (issued in October 2019), which was delivered to every Council home and will be repeated in a 2020 edition.</li> <li>The Courier is also published and advertised online.</li> </ul>	A direct link to the website to report significant performance failures has been provided to tenants along with an extract of the leaflet with tenants advised on ways to access further information.
Provide tenants and other service users with the information they need to exercise their right to complain and seek redress and respond to tenants within the timescales outlined in our service standards, in accordance with guidance from the Scottish Public Services Ombudsman (SPSO).		<ul style="list-style-type: none"> <li>Details on how to complain are available on the Council's website and in Locality offices.</li> <li>There have been some challenges meeting timescales and actions are being taken to improve.</li> <li>Complaints processes are reviewed regularly to ensure compliance with SPSO requirements.</li> </ul>	Provide complaint information for all new tenants via tenancy start up packs.
Ensure we have effective arrangements to learn from complaints and from other tenant		<ul style="list-style-type: none"> <li>Complaints performance data is used to inform service improvement, e.g. the Stair Cleaning Board reviews complaints quarterly to inform discussions and Housing Property hold regular workshops with tenants who have</li> </ul>	The introduction of Total Mobile will enable further in-depth analysis on the types of complaints being made and actions required on recurring issues.



<p>and service user feedback, in accordance with SPSO guidance.</p>		<p>made a recent repair complaint to help with assessing improvements required.</p> <ul style="list-style-type: none"> <li>• Biannual Updates are provided to committee on the Housing Service Improvement Programme.</li> </ul>	
<p>Have assurance and evidence that we consider equality and human rights issues properly when making all of our decisions, in the design and review of internal and external policies, and in day-to-day service delivery.</p>		<p>The Council framework for Integrated Impact Assessments (IIA) cover duties in relation to equalities, socio-economic disadvantage, climate change, sustainability, the environment and human rights.</p> <p>Integrated Impact assessments are required when introducing new policies, changes to existing policies, strategies and when implementing service improvements. IIAs are published online.</p>	<p>IIA and action plans are subject to audit to ensure compliance.</p> <p>IIA framework will be applied to ongoing service improvement projects being implemented across the key workstreams in the Housing Service Improvement Plan.</p>
<p>To comply with these duties, we must collect data relating to each of the protected characteristics of our existing tenants, new tenants, people on waiting lists, governing body members and staff. We must also collect data on protected characteristics for people who apply to us as homeless and those who live on our Gypsy/Traveller site.</p>		<ul style="list-style-type: none"> <li>• Information on all the protected characteristics is not asked for in all cases. E.g. applicants are asked about age, ethnicity and gender of involved parties only. Annually information on the ethnicity of EdIndex applicants is shared with the Edinburgh Partnership Board. In contrast additional data is collected on those who are homeless, but not CEC tenants.</li> <li>• Information sharing Protocols are in place for sharing sensitive data (EdIndex, SAVOLO).</li> <li>• GDPR/DPIA is considered for projects. A Council Data Privacy Statement is in place. Use of Mandates for individual cases.</li> <li>• An Equality, Diversity and Rights Framework 201/21 was agreed by Corporate Policy and Strategy Committee in February 2019; Integrated Impact Assessments (IIAs) are required for projects and policy changes.</li> </ul>	<p>The Council will review requirements in line with data protection regulations to ensure a consistent approach to collection, that is both reasonable and relevant.</p> <p>We await further guidance from the SHR on the requirement to collect data on all the protected characteristics, though this may be delayed due to Covid-19.</p>