



OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government, Housing and Planning Committee

Tuesday 16 May 2023

Session 6



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LOCAL GOVERNMENT, HOUSING AND PLANNING COMMITTEE
14th Meeting 2023, Session 6

CONVENER

*Ariane Burgess (Highlands and Islands) (Green)

DEPUTY CONVENER

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

COMMITTEE MEMBERS

*Miles Briggs (Lothian) (Con)

Mark Griffin (Central Scotland) (Lab)

*Ivan McKee (Glasgow Provan) (SNP)

*Marie McNair (Clydebank and Milngavie) (SNP)

*Annie Wells (Glasgow) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Rosemary Agnew (Scottish Public Services Ombudsman)

Naeem Bhatti (Scottish Government)

Callum Chomczuk (Chartered Institute of Housing Scotland)

Nicola Harcus (Scottish Housing Regulator)

Darren Knox (Scottish Government)

Paul McLennan (Minister for Housing)

Helen Shaw (Scottish Housing Regulator)

CLERK TO THE COMMITTEE

Euan Donald

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament
Local Government, Housing and
Planning Committee

Tuesday 16 May 2023

[The Convener opened the meeting at 09:30]

Decision on Taking Business in
Private

The Convener (Ariane Burgess): Good morning, and welcome to the 14th meeting in 2023 of the Local Government, Housing and Planning Committee.

We have received apologies from Mark Griffin for today's meeting. I remind all members and witnesses to ensure that their devices are on silent and that all other notifications are turned off.

The first item on our agenda is a decision on whether to take item 3 in private. Are members agreed?

Members indicated agreement.

Damp and Mould in Social and
Private Rented Housing

09:30

The Convener: The next item is to take evidence on damp and mould in social and private rented housing from two panels of witnesses. On panel 1, we are joined by Rosemary Agnew, who is the Scottish Public Services Ombudsman; Callum Chomczuk, who is the national director of the Chartered Institute of Housing Scotland; Nicola Marcus, who is the assistant director of regulation for the Scottish Housing Regulator; and Helen Shaw, who is the director of regulation for the SHR. I welcome our witnesses to the meeting.

I will begin. This question is for everybody, but witnesses do not need to respond to everything, and we have some questions that relate to your specific areas of work. I am interested to get your sense of the scale of the problem of dampness and mould in rented housing. For example, is it more prevalent in a particular house type or geographical area? Could data on that issue be improved? I will start with Callum Chomczuk.

Callum Chomczuk (Chartered Institute of Housing Scotland): It is hard to tell what the scale of the problem is—I think that you have heard that in previous evidence sessions. However, I also stress that it is an absolute priority for the sector to focus on the instances of damp and mould that are appearing and being presented to landlords across the sector. Over recent months—but also before that—we have found that landlords are doing more and more to try to measure the scale of the problem and to understand the state of their housing stock across Scotland.

We see landlords reflecting more on previous customer complaints and looking at patterns of complaints to understand instances of damp and mould. We are finding more systematising of data collection. Landlords are repeating tenants surveys to understand where there is damp and mould rather than requiring clients to come forward to report such instances, and they are looking at systematic ways to capture data. They are looking at things such as digital monitoring and technology to try to capture that information.

We do not have a complete picture, as the committee has heard in previous weeks, so we cannot say with confidence what the prevalence is, but the sector is taking steps to understand it much more deeply and to respond to it appropriately. We will probably get into some of the responses later in the meeting.

The Convener: Thanks. That systematic approach sounds like a good approach, because I have come across constituents for whom the challenge of the situation has such a strong impact on their mental health that they will not necessarily come forward about the issue. Rosemary Agnew, do you have a sense of the scale of the problem from people coming to you in your work?

Rosemary Agnew (Scottish Public Services Ombudsman): I echo what Callum Chomczuk said. The statistics are quite low in number, but we can identify some aspects. Recently, we started to log complaints specifically as mould or damp. Up to last year, they were generally logged in the housing repairs category. We have gone back to look at those cases. The numbers seem small—there were seven last year in which we had identified mould and damp as an issue, but there have already been 10 since April.

We are not able to identify specific themes, however, to echo something that Callum Chomczuk said, some general points are emerging in relation to complaints, including the fact that these cases are often resolved rather than investigated. We should bear in mind that I am specifically looking at those with a registered social landlord or local authority focus, but the issues tend to get fixed following a phone call, or further monitoring is done. Therefore, those cases are less likely to appear in investigation statistics, which suggests to me that landlords are taking the issue seriously.

Individual cases vary, but there are occasions where they are tagged as—I hate the phrase—a lifestyle issue. That might be the amount of washing or showering being done. Some cases are a result of that, but we have seen cases in which people have been moved from housing because the problem was basically intractable.

I think that the issue is being taken seriously, and we are sensing a shift to giving it more priority. However, there is probably more to be done from the physical building point of view.

We looked at our data on appeals on applications to the Scottish welfare fund. That is more interesting for us. That was a little trickier, as we do not track those specifically, but we noticed that there were seven cases involving the experience and impact of mould and damp on families with poor financial resilience. They are likely to be in a specific demographic rather than in specific geographical areas. Not all the cases involve registered social landlords. The claims to the fund have been about things such as a one-off leak causing mould as an on-going issue. There might be mouldy bedding or mouldy clothing. When people have low financial resilience, they probably struggle to pay their bills. The cost of living is going up, and they probably struggle to

pay for food and they will not have their heating on all the time. I do not think that that impact particularly gets picked up in the same way.

It is definitely about understanding the structural aspects. Is there an issue because of the type of building or what is being done to it? However, the people side of the issue probably needs more exploration.

The Convener: I put the same question to Helen Shaw. Do you have a sense of the scale of the problem? Do you get a sense that the problems might be in a particular type of housing or geographical area? I have even been thinking that they might not necessarily be in a particular geographical area but that they could be due to the ground on which the houses are built or the way in which they are built.

Helen Shaw (Scottish Housing Regulator): I echo very much what Callum Chomczuk and Rosemary Agnew have said. It is quite difficult to determine the scale of the problem because there are no national or direct measurements of the incidence of mould and damp in properties specifically. Our role relates to social landlords—local authorities and RSLs. The fundamental role of social landlords is to provide tenants with homes that are safe to live in, and our regulatory standards and requirements are very much focused on ensuring that they are delivering good outcomes for tenants.

On the stock quality, our focus is on monitoring landlords' performance against the Scottish housing quality standard. That includes references to properties meeting the tolerable standard, being free from serious disrepair and ensuring that all properties are energy efficient, have modern facilities, and are healthy, safe and secure. It is quite hard to look at those and think that it would be acceptable for properties to experience mould and damp.

From the statistics that we get from landlords, we know that, at March last year, 75 per cent of all social landlords' homes met the Scottish housing quality standard. That was a dip in performance from the previous year. Part of the reason why landlords told us that they were not complying with the SHQS was to do with issues other than mould and damp, such as the introduction of new requirements around electrical installation certificate testing and the linked smoke and heat detectors.

At the end of this month, we will receive the next round of the annual returns on the Scottish social housing charter from landlords. We will have a clearer picture from that data about what progress landlords have made in bringing their properties up to the SHQS.

The Convener: You mentioned the Scottish housing quality standard and the Scottish social housing charter. I would be interested to know whether you are considering any more specific monitoring of the prevalence of damp and mould in social housing. Do you think that we should be doing that?

Helen Shaw: We are doing a number of things. Every five years, we are required to review our regulatory framework and we have commenced that review this year. As part of that process, we had already identified what we felt was a potential gap in some of the data that we collect on tenant and resident safety. In the light of some of the events over the past few months, we have been looking specifically at what data we could collect on potential indicators to monitor progress with mould and damp. We will be consulting with stakeholders about our proposals on that, which will include opportunities for tenants and landlords to give us their views on what they feel are appropriate indicators. We think that we will look at how quickly landlords respond to issues of mould and damp and how quickly they rectify the problems that are being identified. However, we will be consulting with the sector during the next few months and we will be interested to hear tenants' and landlords' views about the best way for us to do that.

The Convener: Speed seems to be important, but it is good to be consulting everyone.

Callum Chomczuk: I will add to Helen Shaw's point about prevalence. Although, quite rightly, there has been a lot of attention on damp and mould in the past six to eight months, which suggests an increase in prevalence—we have seen a number of media reports and freedom of information requests—I do not think that we can necessarily make that assumption. The attention on the issue is encouraging tenants to come forward in a way that they previously would not have, which goes back to my earlier point: it is incredibly important for the sector to systematise its approach to ensure that we are capturing data rather than waiting for customers and tenants to come forward. We need to find a way to collect the data and respond to it in a timely and preventative manner.

Some of the headlines, such as one suggesting that we are seeing a double-digit increase in the prevalence of damp and mould, can be alarming. We should not be seeing damp and mould. However, from a sector point of view, we want to eliminate it as far as is practically possible. However, I do not think that the figures suggest that the problem has changed in many ways. We need to respond to the root cause of damp and mould, which is what landlords are looking to do.

The Convener: This question may have been answered by what you have just said. The housing ombudsman's follow-up report on dampness in English social housing noted that one clear area that landlords in England need to improve is the knowledge of their stock. How do social landlords currently monitor dampness problems in their properties in Scotland? Are you content that social landlords know their stock well enough to take proactive action to deal with potential dampness problems? I think that you are saying that there is a move to systematise and be more proactive.

Callum Chomczuk: There is. We are taking a lot of steps across the sector and we will continue to do so. When those steps are no longer sufficient, we will need to adapt and respond. We are looking at the quality of the stock and measuring the scale of the problem. That is the first part.

The second part is about addressing the fundamental problem, which is identifying the root causes of damp and mould. Are we entering homes often enough? Are we using skilled consultants or contractors who are specialists in damp and mould? Are we ensuring that tenants are able to heat their homes properly so that they can address instances of damp and mould? There is a lot more that we can continue to do. I think that we are starting to make headway in monitoring the stock in a more thoughtful way.

Helen Shaw: I will add a couple of things to what Callum Chomczuk has said. In light of the events in Rochdale last year, we wrote to all social landlords before Christmas. We shared that letter with the committee. The purpose of the letter was to emphasise the importance of landlords looking at their systems and satisfying themselves that they had robust processes and systems in place for dealing with any complaints about problems with mould and damp. It also underlined the importance of understanding what processes and systems landlords have in place to make sure that those problems are fixed appropriately. We have asked all social landlords to tell us if they identified any issues with their systems and processes. Where those landlords have spoken to us, we are engaging with them, to get assurance about the steps that they are taking to improve those services.

Earlier this year, we published an updated version of our recommended practice on integrated asset management for all social landlords, which, as Callum Chomczuk has said, emphasises that landlords need to have good-quality, robust information about the condition of their stock so that that can inform their planned maintenance and investment programmes. That also needs to sit alongside the information that

they have about their tenants' needs. Those are both important pieces of work.

09:45

Rosemary Agnew: I will add one other thing about one-off events or things that can be fixed. We need clarity on what the landlord will do and pay for. For example, someone who has a damp problem because of a leak and needs dehumidifiers to run for 24 hours a day for a while but who is struggling to pay their electricity bill will struggle to do that. There needs to be clarity on what landlords will pay for when they do the fix.

The Convener: That is a very good point. I move to questions from Marie McNair.

Marie McNair (Clydebank and Milngavie) (SNP): At a previous committee session on this topic, Shelter Scotland, Living Rent and Citizens Advice Scotland advised that some landlords are still blaming their tenants for dampness and mould in their homes and saying that the problem was likely caused by lifestyle issues. Do you agree that that attitude still exists among some landlords and, if so, how can such attitudes be changed? I put that question to Helen Shaw first.

Helen Shaw: I hope that that is not the case. One other thing that we have done as a regulator is work with SFHA, the Chartered Institute of Housing and the Association of Local Authority Chief Housing Officers to provide advice for landlords about how to deal with issues around mould and damp. There is a clear message in that advice that it is not reasonable to blame tenants' lifestyles.

As Rosemary Agnew alluded to, there is a range of reasons why properties have mould and damp. Sometimes, it is caused by condensation, which results from normal daily living. You should be able to use your shower, wash your clothes and dry your clothes in your home.

We emphasise that landlords should listen to their tenants and understand the root causes of dampness and mould problems, and should work with tenants when appropriate to help support them to live in their house the best way that they can. That is our expectation and requirement of social landlords.

Marie McNair: Unfortunately, tenants getting blamed for dampness and mould is still an issue, but I hope that that changes. Does anyone else want to come in?

Rosemary Agnew: I will reflect on the real-life experience of somebody who had mould that was caused by condensation. They had had new double glazing fitted by their social housing landlord, and they had not been opening their windows because it was the middle of winter—it

was cold. They were drying their washing on their radiators, so there was a lot of condensation in the air. What that highlighted to me is that those are not problems that we should be looking to fix; those are issues that landlords should be encouraged to work with their tenants on, to help them understand and to support them through.

Such an issue can be insignificant for us but can be very significant if you are on a low income. You might say, "Don't worry about the mould in the bathroom; you just need to clean it off with bleach every day," but if you are struggling to pay for food, you are not going to double your bleach bill. I know that that might sound like a minor issue, but those things often have big impacts. If you have to juggle a couple of jobs, do you have time to do all that?

There needs to be a support-rather-than-fix attitude, and I think that we are moving towards that.

Callum Chomczuk: I absolutely agree; we cannot and should not blame tenants. It is not a lifestyle issue. The ombudsman in England is 100 per cent right: homes are supposed to be habitable.

I also agree with Helen Shaw that it is disappointing when tenants are blamed. It should not occur, but I accept that it does occur from time to time. As Rosemary Agnew says, tenants and landlords should work together.

Among landlords, a skill set is needed for the support of tenants. At times, it is probably too easy to blame the tenant. That is seen as a solution, because the responsibility is passed to someone else. If practitioners and landlords had more knowledge and skills to deal with some of the more challenging issues, such as structural issues in a home, we would not get as far as tenant blaming. The more that we increase the knowledge and the skills to deal with some of the complex structural issues that drive damp and mould in people's homes—it is not necessarily for a housing officer to make that assessment; a much more technical and specialist understanding is needed—the more closely we can work with tenants to address that. I hope that we will move past the discussion of the issue as being one of lifestyle, because it is far from being that.

Marie McNair: Are tenants definitely aware of their rights regarding the housing quality that they are entitled to, and of how to enforce those rights? How can landlords work with their tenants to promote their rights and ensure that complaints systems are clear and easy to use?

Rosemary Agnew: In our experience, tenants of RSLs tend to be aware of how to ask for repairs and maintenance and how to escalate things. That probably reflects the relationship that tenants have

with RSLs, because of things such as the housing charter.

In addition, RSLs are required to report on the numbers of complaints. We have seen press coverage of a sharp rise in complaints about mould and damp. I agree that that is not necessarily an indicator that the problem is getting bigger; it may be that people are more aware.

Whether making complaints means that someone is aware of their rights is debatable because, as was raised earlier, however accessible a complaints route is, vulnerable people do not necessarily use it, because they may feel disempowered. They do not want to be seen as a troublemaker. Their housing is important to them and they do not want to put their tenancy under threat. They may have limited time and resources—for example, they may be holding down several jobs or they may have caring responsibilities. Sometimes, there is an element of thinking, “I went to the office before and it didn’t get fixed, so there is no point.”

The understanding of rights probably relates more to tenant confidence. That is the point that Callum Chomczuk made, about having a joint skill set and working together. I recall that the Scottish Human Rights Commission worked closely with tenants in Leith, from 2015 to 2019. People increased their confidence in raising issues. The right question is probably not, “Do you know that you can do that?” but “Do you have the confidence, and is there the support, to do that?”

I have no data or views on matters outside the RSL sector.

Callum Chomczuk: Ahead of this session, we spoke to some of our members, including our tenant members, to get a sense of tenants’ priorities. I will bracket those into four pockets.

The first is clear and accessible information, exactly as you said: people want clarity around what their rights are and the steps that they can take to enforce them.

Secondly, people talked about third-party assurance. They would like to see the use of contractors and others who do not necessarily have the vested interest that a landlord or tenant does, but who is somebody who can speak with authority about some of the causes of and solutions to the problem.

The third priority is ensuring that there are regular inspections of the home and that issues are addressed as part of a proactive assessment process, rather than people coming forward with complaints.

The ultimate and most important priority is an adequate response. Tenants are reasonable. They recognise that, sometimes, given the scale of a

problem, it will not necessarily be addressed quickly, but they want landlords to respond quickly and then to work in partnership with them to address issues in the most reasonable timeframe.

Broadly, those were the four areas that tenants mentioned—I stress that that feedback came from social housing tenants rather than private rented tenants, but I imagine that the points are equally applicable.

Helen Shaw: Empowering tenants to hold their landlords to account is very much at the heart of what we do as a regulator. Our statutory objective is to protect the interests of tenants, and we certainly emphasise to landlords that it is important that they listen to their tenants and take any complaints seriously.

Although we do not have a role in dealing with individual complaints, we have worked closely with the Scottish Public Services Ombudsman to ensure that landlords make information available to tenants about how to raise complaints when things go wrong, which they do on occasion, and that the landlords learn from how they deal with those complaints.

Tenants can also come to us with significant performance failures. If a significant number of tenants have identified a failing on the part of their landlord and the landlord is not responding to that, they can approach us. We would consider whether there was a systemic failure within the landlord. We get fairly small numbers of applications for SPFs but we take all of them seriously and consider each of them on its own merits.

Nicola Harcus (Scottish Housing Regulator): Last December, we started to monitor damp and mould issues that come through to the regulator. Most of those related to individual complaints. We have signposted individuals to the SPSO or through their landlord. Previous to that, we did not monitor those issues separately; they were all part of the repairs element. We are also now keeping an eye on how that is being monitored.

Annie Wells (Glasgow) (Con): Good morning, panel. I have a specific question for Rosemary Agnew. We have spoken about complaints. Will you give us an overview of the scale of complaints that you get about social landlords’ services, specifically those that relate to tackling dampness and mould in housing? What are the key problems and outcomes in any complaints that you have considered? On top of that, given the increased focus on dampness and mould, do you expect an increase in the number of complaints? What do you expect social landlords to do now to address such complaints?

Rosemary Agnew: Last year, we had 618 complaints about housing. Those related to registered social landlords and local authorities.

About 40 per cent of those—245—were logged as repairs or maintenance. At that point, mould and damp would have been embedded within them. We introduced an identifier for mould and damp cases and started logging them. We also did a free-text search to look back over the cases and identified seven last year. Two were logged and seven came up in a search. That is probably a slight underestimate.

This year, bearing in mind that it is still only May, we have five open cases. We have already logged four in which we have given advice and referred the case back to the landlord as a complaint. We are not seeing and identifying huge numbers but the numbers are likely to rise because awareness is rising.

I expect RSLs to be aware of what the issues are so that the complaints do not arise in the first place. That is the ultimate aim, as my colleagues said. Complaints go to landlords in the first instance so, if a landlord has one, I expect them to try to resolve it and fix it quickly, not to wait and not to put somebody all the way through a complaints process.

We have some examples of cases that, when they came to us, we resolved and the landlords fixed the issue but that, ideally, should not have come to us. We have had examples of cases of a poor state of repair over several years with damp and mould. One complainer was decanted to another property and then had heating issues in the new property. There is something to be addressed about where you move people to and what checks you do before tenants even go into a property. At the point at which the issue was known about, the landlord acted quickly, sent engineers out, fixed the issue in good time and replaced the boiler.

10:00

We have also come across examples where there was a young child in the house and work that was urgently needed did not get done as quickly as it should have been done in the first instance. Housing associations are getting better at responding quickly but communication also underlay that complaint. There were issues with letting the tenant know what was happening when and when things would be fixed by. Communication is just as important as the issue.

I also expect housing associations to learn from complaints. They should monitor not just the issue but how they responded and what they learned from the complaint, to see whether anything more preventative might have been done that might apply to other instances. We have observed that, where there is an underlying issue, there is a tendency to bring in experts and consultants to try

to identify the problem. Ideally, associations should identify it before it becomes a problem.

Annie Wells: I have a question that is probably for Helen Shaw. You mentioned that, last year, you wrote to all social landlords asking them to consider the systems that they have in place to ensure that their homes are not affected by mould and damp. Do they have those systems in place now and how will you check that they are ensuring that?

Helen Shaw: I will highlight two points. When we wrote to landlords before Christmas and asked them to tell us whether there were any problems, a small number of them contacted us and told us that they could do more and were considering the systems and processes that they were putting in place. We have been engaging with those landlords to get that assurance and, from that engagement and the information that we have had from them, we have been encouraged.

As Callum Chomczuk said, the focus on damp and mould issues has made landlords think carefully about the systems and processes that they have in place and how they report on such issues. We have a sense that landlords are taking the matter seriously. They might not all be quite there yet because, sometimes, introducing new systems and processes takes a bit of time to work through, but we are encouraged by the direction of travel.

Annie Wells: That is excellent. Thank you very much for that.

Rosemary Agnew: The events at Rochdale were, unfortunately, a wake-up call because they changed the awareness of the risk. The situation is probably leading to a more risk-based approach to tenants' needs, not just individual people's needs. It changed the perspective rather than changing or adding to an existing problem.

Annie Wells: This question is probably for Callum Chomczuk and Helen Shaw.

Along with ALACHO and the SFHA, the SHR and CIHS produced a briefing note for social landlords on dampness. How will you ensure that the good practice in the briefing is being implemented? Is it being implemented more widely and is any follow-up work planned?

Callum Chomczuk: Yes. That briefing was published for practitioners—social landlords—in, I think, early February and, since then, we have continued to do a lot of work. We do master-classes and events. We have invited social landlords and all housing practitioners to attend round tables on damp and mould.

We have a subsequent briefing that is aimed at governing board members and considers the governance at local authority level and in housing

associations. It concerns how board members can address their concerns about assurance and ask challenging questions on stock quality and what landlords will do. That will continue—it is our job as national representative organisations in the housing sector, whether that is the Chartered Institute of Housing, the SFHA or others, to continue to challenge and provide advice and support.

Support is a big part of that, including signposting people to the right training, understanding where good practice is going on and disseminating it. The good practice guide that you talk about has a number of instances of good practice. One example is in East Dunbartonshire, where they use an independent contractor. That speaks to my earlier point around giving confidence to the landlord and tenant around identifying the root cause of the problem and addressing it.

The housing sector recognises its responsibility to provide good practice and support, and we will continue to do so.

Annie Wells: Perfect. Helen Shaw, do you have anything to add?

Helen Shaw: Just a couple of things. We require all social landlords to give us each year an annual assurance statement. That sets out or confirms that the landlords are complying with our regulatory standards and requirements. As part of that, we would expect landlords to be satisfying themselves that they meet all of their tenant and resident safety obligations, including handling instances of mould and damp. Therefore, we would be expecting landlords to tell us through the annual assurance statement if they were not complying with that.

This year, we have also restarted a programme of what we call annual assurance visits, whereby we go out and speak to a small number of landlords about the process that they have gone through to complete their annual assurance statements. We have just started that programme of visits for 11 landlords this year. One of the things that we are looking at as part of that process is how they satisfied themselves around tenant and resident safety. We will publish our findings and lessons learned from that once we have concluded those visits. That will help landlords to think about how they complete their next annual assurance statements that they produce to us at the end of October. As I say, we will also get the next round of the charter returns, which will include SHQS compliance, at the end of May.

Annie Wells: Perfect. Thank you.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Good morning, everyone. It is pretty

appalling, is it not, that we have had to wait for the inevitable tragedy to occur to waken everybody up to this issue? I have been a local councillor since 1992, and a member of the Parliament since 2007, and I would say that one of the most frequently occurring complaints that I have had as an elected member is about dampness and mould in tenants' houses. The situation is greatly improved where I am from, but the issue still exists.

Is it now time that the statutory definition of tolerable standard included mould and condensation as a recognised hazard? I would appreciate your views on that question.

Rosemary Agnew: I do not think that I have the technical answer to that, but I will give the human answer. I would not want to live in that, so why would anybody else? It comes back to the point that there needs to be a double understanding: one is structural, and is about property and root causes; the other is about people, who have a right to life and good housing. If it is a major problem, putting it as a standard would be one way of addressing it, because it is a way of holding people accountable.

Willie Coffey: Helen Shaw, what are your views on including mould and condensation in the statutory definition?

Helen Shaw: As Rosemary says, it is hard to look at some of the pictures and think that it is acceptable that people live in those conditions. For us as a regulator, it is about focusing on making sure that landlords have good information about the quality of their stock, irrespective of whether there is a specific reference to mould and damp in the tolerable standard, that they have appropriate investment plans and maintenance plans in place, and that they are keeping their properties in good condition. For us, that would be the important part. The question is whether inclusion in the definition would bring an extra lever in order to focus on that.

Certainly, in our approach to quality of stock, we are very much focused on making sure that the properties are warm, safe and dry and are in a reasonable condition for people to live in.

Willie Coffey: In your answer to an earlier question, Helen, you reminded us that 75 per cent of homes meet the current quality standard. That sounds great, but condensation and mould are not included in that. If they were included, the percentage of houses that meet the standard would drop considerably, would it not?

Helen Shaw: The housing quality standard talks about properties being “free from serious disrepair” and being warm, safe and dry. My point is that if there were a serious problem with condensation and mould and dampness—which are problems that arise for a complex set of

reasons—it would be hard to see how landlords could report that those properties were meeting the housing quality standard.

Willie Coffey: Thank you. Callum, should mould and condensation be formally defined in the standard as a key hazard in relation to whether a house is tolerable or not?

Callum Chomczuk: I think that there is a real case for doing that. The evidence that the committee has heard over the past few weeks suggests that.

My one concern is that we spend a lot of time looking at standards and definitions without getting to the actual cause. The point is, how does that help tenants today, tomorrow and even in the next few years? We talked earlier about tenants' rights, but what are the right mechanisms for enforcement? How can tenants actually take remedy and enforce their rights?

Do landlords have the funds to address the failings in the property? If the property is not habitable according to the standard, are they able to build new homes and replace stock outside the existing targets for building new homes? As I said earlier, do we have enough skills and knowledge in the sector?

It is encouraging that everybody wants to see higher standards in the housing sector, irrespective of tenure—that is an aspiration that everyone you hear from will share. However, the standards definitely have to be matched by the right level of enforcement mechanisms and the right amount of money so that we can deliver on them, and the right skills and knowledge so that practitioners can continue to meet the needs of tenants. In answer to your question, though: in principle, yes—absolutely.

Willie Coffey: Not to worry—I will ask the same question of the Minister for Housing when he joins us in the next session.

I will put another point to you. We recently heard that the United Kingdom Government is thinking about proposing amendments to its housing bill—the Social Housing (Regulation) Bill—to require social landlords to investigate and fix damp and mould in their properties and to apply time limits for doing that. Is that a potential direction of travel for Scotland to look at? I will ask the housing minister that, too, when he is here, but what do you think?

Callum Chomczuk: Going back to my earlier answer, I think that time limits for responding to a tenant would provide clarity. One complaint that tenants have is that they do not feel responded to in a timely manner. The complexity of the issue might make it difficult to give a timeframe for addressing it. Until someone has gone in and

actually looked at the cause of an issue, it is difficult to assess how long a remedy might take—it could take weeks or months. That aspect is difficult.

There is a more compelling case on the need for a timely response and ensuring that there is engagement between the landlord and tenant, but it would be difficult to put an absolute timeframe on a satisfactory remedy. It is more important to focus on the outcome of the tenant feeling that there is a satisfactory relationship between them and the landlord and that the issue is being addressed.

Willie Coffey: Should landlords be permitted to let a house that has clear signs of mould and condensation?

Callum Chomczuk: I do not think that that would be appropriate. To go back to a point that Rosemary Agnew made, I do not think that any individual or household would seek to take on a property with serious structural deficiencies or serious failings. I hope that landlords are not doing that at scale. I hope that social landlords are not looking at such houses at turnover time or when they are void and then looking to let them out again—that would be entirely inappropriate.

Rosemary Agnew: I was going to make that very point about not moving people into a property that has an issue in the first place.

As a general observation, and not specifically about housing and timescales, once timescales are put in statute, they become a lot more difficult to change. If they are too long or too short, you are stuck with them for a while. An alternative approach might be to refer to timescales in secondary legislation or statutory guidelines, so that they can be changed, if needed. If you have a fixed time point, it sort of allows you to take that amount of time, whereas we want to encourage people to fix things straight away. Given the importance of the housing stock and the fact that there is not enough housing, we do not want properties to be stuck in a sort of limbo where they are not fixed or where people say, "Oh, it's all right. I've got a few more weeks or months to do this." That is just a general observation.

10:15

Willie Coffey: Helen, what do you think of the UK Government's potential approach to setting timescales?

Helen Shaw: At the moment, the social housing charter indicators are fairly strong in relation to how quickly landlords deal with emergency repairs or to getting repairs right first time, so there is already a bit of a mechanism and a focus in that respect. It is about understanding how landlords

are treating specific concerns about mould and damp, getting to the root cause of the problem and fixing it appropriately. I should say that, as part of our framework review, we will consult tenants and landlords on what a measure for addressing how quickly landlords should deal with these things would actually look like. We are keen to get the views of tenants and landlords on appropriate mechanisms in that respect.

As for your question whether it is reasonable for landlords to let properties that have mould and damp problems, I would probably say no. Again, I point to the charter, which already sets out that, when they allocate properties, landlords should ensure that they are

“clean, tidy and in a good state of repair”

and that they meet the SHQS

“and any other building quality standard in place.”

I would hope that landlords are not doing what you have asked about, and if that is happening, tenants need a mechanism for raising concerns about it.

Willie Coffey: But the absence of any reference to mould in those criteria allows landlords to legally allocate houses with mould in them. I absolutely believe that to be the case. Do you think that the criteria need to be changed to turn things around?

Helen Shaw: If that is happening, I agree that they would probably need to be changed.

Willie Coffey: Finally, a couple of weeks ago, our Living Rent colleagues suggested that a compensation element could be attached if the problem is not resolved in whatever timescale we think appropriate. Do you see that as workable, and do you support it?

Callum Chomczuk: The risk of such a mechanism is that it will take things away from tenants. Ultimately, who will pay for that? It will be the landlord, and the landlord’s income comes from tenants. I understand the principle that people should be compensated, but the mechanism for giving such compensation will be difficult.

As I have said, we face challenges across the housing sector. We have challenges with improvements as well as supply and affordability concerns. If such a principle were established, it would ensure that tenants were almost paying for repairs elsewhere. I understand that it is all about creating an incentive for landlords to respond more speedily, but I am probably a little bit uncomfortable with the proposal.

Willie Coffey: Rosemary, do you have any views on there being a compensation element in the process?

Rosemary Agnew: I would echo what Callum Chomczuk has said, but I would make a differentiation between being compensated and being reimbursed for the impact of, say, all your clothing and bedding going mouldy. That sort of reimbursement is, I think, different to compensation, and the two things probably need to be considered separately.

Willie Coffey: Do you have any comments, Helen?

Helen Shaw: I have not much more to add to what Callum Chomczuk and Rosemary Agnew have said.

Willie Coffey: Thank you very much for those contributions.

The Convener: We move to questions from Miles Briggs.

Miles Briggs (Lothian) (Con): Good morning, and thank you for joining us.

At our previous evidence session, Citizens Advice Scotland told the committee that some of its social housing clients had been

“told that there was not enough funding to resolve their problem and that they would have to wait until the next funding cycle to see whether it could be resolved.”—*[Official Report, Local Government, Housing and Planning Committee, 2 May 2023; c 9.]*

In your experience, is that a common occurrence? Should social landlords receive additional Scottish Government funding to help them to address dampness problems?

Callum Chomczuk: I am not aware of the prevalence of this data, so I will defer to Citizens Advice Scotland on that. However, the broader point about the funding challenge is true. Landlords have three competing priorities around affordability, new supply and investment in new stock, and they are challenging targets. We are finding that the sector is having to choose two out of three, and the priority has to be existing tenants, which means keeping rents as affordable as possible and investing in new stock, which will put at risk the Government’s plans and priorities for new supply. That is inevitable, and we have to be realistic about that. However, if we focus on improving stock further and we find new problems, as we are through this inquiry and the discussion about damp and mould, there will need to be further investment so that we can meet our ambition for improving the stock in Scotland.

I do not say that because I want to draw back from important new supply programmes, but landlords have to strike a balance and it is not feasible for them to move at the anticipated pace on affordability, new supply and retrofit.

Helen Shaw: From the data that we collect from RSLs, which does not cover local authorities, we know that in 2021-22, RSLs spent £680 million on repairs and maintenance, which was a 44 per cent increase on the previous 12 months. That is probably not unexpected when we think about the impact of the pandemic and the restrictions that were in place at the time, but it shows RSLs making significant investment in repairing and maintaining their stock.

Having said that, there are a number of pressures on landlords building new homes as well as investing in existing stock. That is a particular challenge, and we engage with landlords on that, because we are keen to understand how they manage their business in a way that allows them to maintain rents at an affordable level. That is very much at the heart of what tenants want.

Miles Briggs: That is helpful. Are you drilling down into the data to find out about the specific point that was put to us? I do not imagine that landlords record when they tell people that they do not have the resources so they have to wait for repairs. It is a difficult issue, as Citizens Advice Scotland said to us. Is it more common in certain parts of the country where councils have funding challenges? Have you captured anything specific to some local councils that are in that situation?

Helen Shaw: We do not get data from councils on their financial investment plans. We have information specifically on RSLs. We have certainly seen landlords looking at their business plans and how they cast their planned investment and maintenance programmes. I touched on some of the challenges to what landlords are looking to deliver in the way of new homes and investing in their existing homes.

The broader economic climate is also putting pressure on landlords. Their costs are increasing significantly—we are certainly hearing anecdotal evidence of significantly above-inflation increases in building and material costs and pressures around labour. We are therefore working with all RSLs to encourage them to look at their business plans and how they manage their businesses. Sometimes, what we have seen is that, to allow them to manage their business plans, they have to push out their planned investment and maintenance programmes.

Miles Briggs: This next question might be for Callum Chomczuk. In relation to private rented housing, do you have any views on how effective the repairing standard is, and how effective the tribunal for enforcing it is, as a way of ensuring that quality private rented housing is free of dampness and mould?

Callum Chomczuk: The institute does not have that information, but I know that a report called

“Rent Better”, which was published a number of years ago, looked at tenants’ experience of the tribunal system and found that to be wanting.

The tribunal did not necessarily address the issues and tended to undermine the relationship between the landlord and the tenant. The slow pace of the tribunal system and the unsatisfactory outcomes meant that the relationship with the landlord could break down. The poor supply of rental properties in certain pockets of the country also deters many tenants from dealing with issues: tenants feel lucky to have a property, which means that they do not want to create tension.

There is a need to create a responsive process in the private rented sector that will allow tenants to raise issues and landlords to address them. Private landlords are different: they do not have the capital and the scale of social landlords, and it can be difficult for them to address challenges in their stock. We need to find mechanisms and money to allow private landlords to improve housing conditions for tenants. There may be a need for an element of grant funding to support repairs in the private rented sector. That would lead to better housing outcomes for tenants, which is the priority for everyone.

Miles Briggs: I am looking at the issue as an Edinburgh MSP, and I can see problems with the housing market in the capital at the moment. Is there a specific problem with the quality of housing stock in Edinburgh? I submitted an FOI request about dampness surveys. The council’s response was that 122 such surveys had been undertaken in 2019, but that there were 1,215 last year. I think that problems are increasing in Edinburgh. Can you say from your experience whether Edinburgh is going in the wrong direction?

Callum Chomczuk: Our evidence and information do not show that there is anything unique about Edinburgh in comparison with other parts of the country. We spoke earlier about prevalence. I do not have geographically specific information, but the greater attention on damp and mould is undoubtedly bringing people forward. That is positive, because the more that we understand the prevalence of damp and mould, the more thoughtfully the sector will be able to respond.

Nicola Harcus: We have been engaging with the City of Edinburgh Council on the issue of damp and mould in its properties. We contacted the council in July last year following media reports of damp and mould, particularly in the Muirhouse and Moredun areas. We have had monthly contact with the council to establish the scale of the problem.

The council has an improvement plan in place and we monitor that regularly. The council is

making improvements and putting in and recruiting additional resources to deal with the issues. It is also looking to invest in retrofit energy efficiency improvements in those two areas of the city. Our engagement plan has been updated to reflect that and we will review the plan regularly with the council.

The Convener: I am going to stick with that area of discussion. Helen, you said that 75 per cent of housing stock meets the Scottish housing quality standard. We understand that some landlords' stock is consistently below average and we would be interested to hear what action you would take on that.

Helen Shaw: We carry out a risk assessment each year, and a key piece of intelligence that we look at is landlords' compliance with the Scottish housing quality standard. If an organisation significantly fails to comply with SHQS, we will engage with that landlord. Nicola Harcus referred to the engagement plan for the City of Edinburgh Council. We will publish engagement plans for landlords setting out the areas of risk that we have identified, the failures, and the assurances that we look for from those organisations. We will work with them to ensure that they are able to improve their compliance levels.

10:30

We have seen a particular issue with compliance with the electrical installation condition report requirements and the linked smoke and heat detectors. Those new requirements were introduced for landlords a couple of years ago and some have had difficulties in achieving the required compliance levels. We have engaged with those landlords and sought assurances about the plans that they have in place to deliver on the requirements. This year, when we published the outcomes from our annual risk assessment, we were dealing with nine RSLs on tenant and safety issues and five from which we sought further assurance on stock quality.

Ivan McKee (Glasgow Provan) (SNP): I draw the committee's attention to my entry in the register of members' interests with regard to rental properties.

My first question is about the impact of the cost of living situation, which Rosemary Agnew mentioned. If tenants are expected to deal with some of the dampness and mould problems by using heating more, is the cost of living crisis having a direct impact on those challenges?

Helen Shaw: The simple answer is yes. The cost of living crisis is absolutely having an impact. The feedback that we get is that energy costs are particularly challenging. If people are struggling to pay their energy bills, that will increase the risk of

them not turning the heating on and compounding mould and damp problems.

We did a piece of work with what we call our national panel of tenants and service users, which consists of just under 500 tenants and other service users. We work with them each year to do some research in which we ask a range of questions. The most recent research, which we published in August last year, highlighted the extent of the financial difficulties that tenants were experiencing. A quarter of the people who responded said that they were not currently managing well financially. Six out of 10 said that their financial circumstances were worse than they had been before the pandemic, seven out of 10 were concerned about the future affordability of their rent and half were experiencing difficulty heating their homes.

This year, we looked at those questions again and added some specific questions on home safety, including on mould and damp. Linked to that, we asked some questions about tenants' experiences of heating their homes. We have literally just received the first draft of those findings and we intend to finalise and publish the report over the summer. We can share it with you but, from our preliminary look at it, we think that the situations that we found last year are only getting worse this year.

Rosemary Agnew: We do not have the same sort of data, but we are seeing themes through applications for review in relation to the Scottish welfare fund. The theme that relates to the cost of living is about not just damp and mould but financial resilience. Whereas, at one point, people might have had the resilience to cope with a one-off event such as a leak in the property or a burst pipe, the cost of living pressures now mean that there is no way for them to react and put something right if it goes wrong in that way.

The other area that we have picked up through that work is such things as redecorating. The funding for that appears to be quite low so, if there is a one-off event and tenants do not have financial resilience, they sometimes have to live with the impact of that event for quite a long time. That is where the cost of living is probably having a significant impact.

Ivan McKee: My second question is about the potential for a new common housing standard. What are your views on that? Could it help to improve the quality of rental housing in relation to dampness and mould?

Callum Chomczuk: Irrespective of whether the tenure is private rented, social rented or owner-occupied, there is a case for a common housing standard.

We have a certain expectation about what the quality of housing should be. It is quite aspirational, but it is something that we should look at developing. However, in the short term, that will not address some of the issues that we have and which I have mentioned in my evidence. We need to look at the skills in the sector. If we are looking at a common housing standard, we need to be honest about the enforcement mechanisms. There may be a role in that regard for the new private rented sector regulator when that is developed. However, it is about having the funding to address the deficiencies and the knowledge among practitioners to address them. It is also about tenants being aware of their rights. That is fundamental.

The debate about a common housing quality standard is a really exciting one. It is an ambitious proposal. Whatever the standard was, the floor would have to be the Scottish housing quality standard. We cannot go below the highest level that we have at present—it would not make sense otherwise. We have to start there. It would take a serious amount of investment. It is a good debate to have, but we have to be honest about how we will deliver on that.

Helen Shaw: The only thing that I would add is that our role is in relation to social housing and we would expect a common housing standard to reflect the current housing quality standard as a minimum.

Ivan McKee: That is fine—thanks.

My next question is about the programmes that are being rolled out around net zero retrofit. Is there clarity on the technical standards and how we can ensure that contractors are up to scratch and able to deliver that retrofit without negatively impacting on dampness and mould challenges, taking into account the need for ventilation versus insulation and so on? Does anyone have thoughts on that?

Helen Shaw: I can try to answer that. There is an awful lot to unpack in that question. In relation to the work that social landlords are doing to meet the zero carbon agenda, it is probably fair to say that we are at the very early stages in terms of the financial information that we get from landlords. We are certainly encouraging landlords to start to consider how to factor in the funding to deliver that, but there are still some significant questions around how they will achieve it.

The Scottish Government is reviewing the energy efficiency standard. I understand that that work is being progressed, but we do not quite have clarity yet on what landlords are actually being asked to deliver. It is therefore quite difficult for landlords to have firm plans in place at this point in time.

Also, there is a lot of learning to be done on some of the technical solutions that are being considered in order to understand what they mean, including in terms of the tenant experience. We have heard back from landlords who have tested some of the stuff that is perhaps seen as more innovative, and one point to consider is that there is a journey for tenants and landlords about understanding how to live in those properties in a way that suits the tenants' needs and is affordable for them. There are some real challenges there.

Callum Chomczuk: I agree with everything that Helen Shaw has said. The only thing that I would add is that this is an incredibly new, emerging sector for everyone involved—for tenants, landlords and the technical sector. We need to have a little bit of humility in understanding that there are different solutions for different types of housing in different geographical areas, depending on the conditions. We do not have that knowledge yet. It is a question of moving at a pace that allows us to understand what the right heating solutions are for households in particular localities that will help to address their heating needs in an affordable way and move us towards net zero.

It is a very complicated issue and I do not think that anyone has the answers to that. We must approach the problem slowly and at a pace that we can afford, while recognising the climate emergency. As we apply different heating technologies to different archetypes of house, we will learn lessons that I hope we will be able to apply at scale. However, we need to be humble enough to recognise that what we will come up with will not be like a gas central heating system—it will not be a case of one size fits all.

Ivan McKee: My last question is about councils' ability to perform in a proactive way the strategic role that they have in relation to the stock in their area—private as well as social—and whether they have the resourcing in place to address those challenges. Who would like to respond to that? Callum, do you have any comments to make?

Callum Chomczuk: We have already talked about the money that is available in the sector. It is well recognised that there is not a lot of local authority enforcement in relation to the private rented sector because of the revenue considerations. That creates a challenge for the enforcement of standards in that sector. The situation in the social sector is different: the regulator provides the oversight and the support that are necessary for the sector to improve standards.

A previous witness, John Kerr, mentioned that the fact that local authorities receive general funding from general taxation makes it hard for them to decide to invest in enforcement in the private housing sector as opposed to investing in,

say, social care. That is a hard choice for them to make.

Ivan McKee: Thank you.

The Convener: If the resource was available to do enforcement, what would it look like? What would we see happening?

Callum Chomczuk: That goes back to some of the principles that we talked about earlier. It would involve working with landlords and letting agencies on visits, responding to issues and helping to direct tenants to the tribunal system.

There is a lot more that could be done. The principle is that authorities should be trying to work with landlords and letting agencies to address the problem. Housing teams should have the capacity to draw on some of the better guidance that exists across the social sector in order to find remedies. I think that that would be incredibly effective. That might be a role for the future private rented sector regulator.

The Convener: You brought up the issue of skills and workforce, which came up at our meeting two weeks ago. What do we need to do in that area? Do we have people who have sufficient expertise to handle damp and mould issues?

Callum Chomczuk: The picture is patchy; we do not have comprehensive coverage when it comes to expertise. That is why landlords will sometimes use contractors. They do not have the necessary expertise in house. We do not have comprehensive coverage across the sector, and certainly not in the private rented sector.

We need to make the expertise more available, accessible and affordable for associations, local authorities and others so that they can draw on that insight and ensure that it is part of the continuous improvement and training and development programmes for their staff. There needs to be investment in training not just on the customer-facing side but in relation to technical expertise. There is a huge amount more that we could do to ensure that there is on-going development of knowledge in that area.

The same is true of many aspects of housing. We cannot look at damp and mould in isolation. We are talking about the technical retrofitting of homes, and there are many other issues. However, I believe that landlords that are demonstrably investing in the skills and training of their staff and in customer service are less likely to have to deal with problems further down the line.

The Convener: Do we have the resources and the innovation that we need? Is there innovation that could be happening here? Do landlords have somewhere to go where they can get a greater understanding of what they could be doing?

Callum Chomczuk: There are a number of places where landlords can go. My organisation will provide support, training and qualifications, and the SFHA, ALACHO and the regulator will undoubtedly be able to signpost people to the right training. I think that that ecosystem exists.

We come back to the point that I made about what tenants are looking for—they want all the right information to be available in one place. There is something to be said for having that for landlords as well, so that they know where to go to access training, where to go to access funding to pay for training and where to go in order to be able to provide better advice.

Part of the work that we did with the regulator, ALACHO and the SFHA on the briefing paper was about pulling together a lot of the information for the social housing sector in one place. There is undoubtedly more that we can do in that regard. We should look to add to that over time but, from our perspective, that was a start.

The Convener: That was a spontaneous question that arose from what Callum said earlier. Would anyone else like to comment? You are welcome to do so, but you do not have to.

As no one has anything to add, I thank our witnesses. It has been really helpful to hear your evidence and to get your perspective, given your expertise in the area.

I will suspend the meeting briefly to allow a changeover of witnesses.

10:45

Meeting suspended.

10:51

On resuming—

The Convener: We are now joined by our second panel. Paul McLennan, who is the Minister for Housing, is joined by Scottish Government officials. Naeem Bhatti is head of the fuel poverty and housing standards unit, and Darren Knox is from the fuel poverty and house condition analysis team. I welcome the witnesses to the meeting, and invite Mr McLennan to make an opening statement.

The Minister for Housing (Paul McLennan): Thank you, convener. It is good to be back, but it is weird to be sitting at this side of the table, having been a member of the committee.

Good morning, and thank you for inviting me to speak about this important topic. I am grateful to all those who have contributed to the discussion thus far. I watched most of the earlier session this morning.

The tragic death of Awaab Ishak in Rochdale in 2020 has highlighted the issue of damp and mould in housing. No one should lose their life as a result of their home not being fit for purpose, and it is right that we consider what further actions we can take together here in Scotland to ensure that that never happens again.

The quality of housing has improved over a number of years due to this Government's action. The Scottish house condition survey shows that disrepair to critical elements of the home reduced by 9 percentage points between 2012 and 2019. It also found that more than 90 per cent of homes have no damp or condensation.

The introduction of the Scottish housing quality standard in social housing in 2012 and the strengthening of the repairing standard for the private rental sector show our commitment to making improvements. However, we recognise that there is much to do to make sure that we continue to eradicate the remaining poor-quality housing in Scotland. I know that we will talk about the scale of the issues later.

We heard witnesses at the committee meeting on 2 May talk about the impact of living with damp and mould. They said that damp and mould can negatively affect all parts of people's lives, including their physical and mental health, social connections, employment and education. We must keep that in mind as we move forward.

The Scottish Government takes the safety of tenants very seriously, and it is committed to tackling disrepair in housing and ensuring that good maintenance is given a high priority. Everyone should have a warm, safe and affordable home. Access to good-quality housing is the focus of our "Housing to 2040" strategy, and it is a vital part of our drive to secure economic growth, promote social justice, strengthen communities and tackle inequality.

I was therefore delighted to hear the national landlord representatives in the previous session talking about how seriously they take the issue of damp and mould in housing. That has been exemplified by the excellent guidance that the social sector produced in February this year, which makes it clear that responding to damp and mould primarily or initially as a lifestyle problem is inappropriate and ineffective.

The statutory guidance for the private sector on the updated repairing standard issued by the Scottish Government in March this year sets out private landlords' responsibilities on dealing with damp and mould. The Scottish Government will continue to work with stakeholders to strengthen the guidance that is available for landlords and to ensure that tenants are able to escalate their

concerns to the First-tier Tribunal for Scotland housing and property chamber, where needed.

As the Minister for Housing, I am determined to ensure that we continue to make progress in improving Scotland's housing, including eradicating the serious issue of damp and mould.

Thank you again for inviting me along today. I look forward to your questions.

The Convener: Thank you very much for that opening statement.

I would be interested to hear whether the Scottish Government has a good understanding at the national level of the scale of the problem of dampness and mould in Scotland's housing. We have heard in evidence in previous sessions and earlier this morning that there really is not enough data collection. Could the Government make any improvements in data collection?

Paul McLennan: I think that we have a good understanding. Obviously, the Scottish house condition survey is the main element of that just now. The last one was in 2019, and I think that we heard from witnesses this morning that the next one is due in January 2024. Over the past few years, Covid has had an impact on getting proper surveys done. I know that external surveys were carried out.

Some of the evidence that the committee took this morning from CIH, the Scottish Housing Regulator and the SPSO demonstrates that a real collaborative approach is needed. SHR and CIH mentioned that and the work that they are doing to try to gather information. Local authorities also seem to be doing that. One thing that I took from this morning's evidence session was that there is now more understanding of the reporting systems and where residents and tenants need to go for help. We have probably seen an increase in some of the figures—that was mentioned this morning—but it is good that tenants now have better understanding of that. The new survey that will come out in January 2024, which is about seven months away, will give us a greater understanding of the situation.

The Convener: Thank you for that.

Events over the past year have certainly been quite a wake-up call for everybody. Perhaps tenants have also been given the sense that they can raise the issue of damp and mould.

Shelter Scotland told the committee:

"There are ... structural issues that are ... important in trying to address"

problems of dampness; that, in particular,

"Not enough social homes are being offered";

and that funding needs to be available

“for building social homes and upgrading current homes without one impacting on the other”.—[*Official Report, Local Government, Housing and Planning Committee, 2 May 2023; c 3, 14.*]

Do you agree that the structural issue of supply is a fundamental problem and that addressing it might help to tackle dampness and mould? Do social landlords need any further funding support to help them to deal with specific problems of dampness and mould in their homes?

Paul McLennan: There are a number of issues. Callum Chomczuk from CIH talked about the issues that social landlords currently face. I think that he mentioned three elements: the retrofitting agenda, existing repairs and, most important, the affordable housing supply programme.

One of the key things—I have already met the City of Edinburgh Council and Glasgow City Council about this, and I plan to meet as many local authorities as I can in the next months—is to try to understand the individual circumstances. Obviously, the affordable housing supply programme is an important part of delivery, because local authorities have to comply with the new standards to ensure that there is no damp or mould.

As we know, it is a struggle to address the issues around construction inflation, which is around 20 per cent, and interest rates are also causing an issue. Yes, we must increase what we are doing around the affordable housing supply programme—there is no doubt about that—but we need to get a greater understanding of all the local authorities. Certainly, the meetings that I have had with the City of Edinburgh Council and Glasgow City Council in the past week or so have given me a greater understanding, which is important.

On other schemes, other funds are available, including the social housing net zero heat fund, which local authorities can use. It is about getting an understanding of local authorities and exactly where they sit. The affordable housing supply programme is incredibly important, but we need a greater understanding of where each local authority sits, and we need to measure the impact of what they are doing in their individual circumstances.

The Convener: I can imagine that, in your new role, you are trying to get that understanding of what is really going on and to take that nuanced approach.

The committee has heard that the cost of living crisis can cause or exacerbate dampness problems, because tenants cannot always afford to put their heating on. The SFHA welcomed the fuel insecurity fund, but suggested that it could be moved on to a long-term footing to help social landlords to plan. What more can the Scottish

Government do to help tenants with the cost of living crisis and their energy costs?

Paul McLennan: The SFHA made a good point, and that was picked up by the First Minister, who tripled the fund to £30 million to recognise that there is an issue in that regard. That is the broader picture.

We are talking about heating costs, but food costs are also going up, so there is a broader impact. We will be undertaking an evaluation of the effectiveness of the fuel insecurity fund. A key point is that I also have responsibility for debt and welfare advice, so I have had initial meetings with agencies about that. It is about trying to ensure that they have the capacity to deal with the issue. That is an incredibly important issue that I have already raised with them, because we want to ensure that people can access that advice as well as the fuel insecurity fund.

We will evaluate the scheme later on this year. It has had a positive impact so far, but the issue is not going to go away this year. I think that it will continue for a number of years, so we need to support the sector in dealing with it. As I said, the fuel insecurity fund does that, and I have talked before about the net zero energy fund. It is about trying to understand how we can accelerate the programme, because the more houses that are net zero and more energy efficient, the better the housing stock becomes in each area and across Scotland.

11:00

The Convener: It is absolutely the case that we need that acceleration to improve our housing stock.

We will move to questions from Annie Wells.

Annie Wells: Good morning, minister. Some witnesses in the previous evidence session said that it is difficult for tenants to enforce their right to live in good-quality homes that are free from dampness. We have also heard that it can be particularly difficult for private tenants to enforce their rights and that the tribunal process is not as accessible as it could be. Do you agree with that? If so, how can the Scottish Government help to improve the situation?

Paul McLennan: There are a number of points to make. One is that it depends on where you are in the country. That is an important aspect, and that is why it is important for me to get around as many local authorities as I can. As I said, I had a chat with Glasgow City Council just last week. That council and the City of Edinburgh Council raised that issue. However, it is important to go to authorities in the Highlands, for example, which

might have a completely different view in the context of where they are.

One of the key things to know—this might not be known; I suppose that it is about getting the message out there—is that local authorities can make representation as a third party. Therefore, it is about trying to understand how local authorities interact with tenants and residents on that.

Another key thing that I have talked about is the organisations that are out there that can provide support. Annie Wells may know that I was a councillor for 15 years. I interacted with Shelter a number of times on those issues. It was helpful, as was the citizens advice bureau. The other organisation that can help is the Scottish Association of Law Centres. Those organisations were very helpful.

I go back to the point that Callum Chomczuk from CIH made. I suppose that there is more understanding of the issue. One of the key challenges for the Scottish Government, through debt and welfare agencies, and for local authorities is to make sure that the information about support is out there for tenants.

The housing and property chamber is probably less adversarial, but even just saying to somebody that they are going to the First-tier Tribunal would probably put them off. There are previous examples that showed that that did put people off.

For me, it is about trying to ensure that there is a support mechanism for tenants, because as soon as people see the word “tribunal”, they automatically back off. It is about working with the debt and welfare agencies and local authorities to make sure that they get the message out. That is incredibly important. As I said, I knew people who backed off in my 15 years as a councillor. I saw examples of that.

As I said, we are trying to work at that. That is part of the reason why I am trying to go around as many local authorities as possible. I am trying to understand where they sit and what we can do. A one-size-fits-all approach will not suit everybody. We need to understand how we can support the smaller and the more remote local authorities as well as the big ones in Edinburgh, Glasgow, Dundee, Aberdeen and so on.

Willie Coffey: Good morning, minister. It is good to see you on that side of the table. You are very welcome.

You and I were local councillors for many years. One big issue that recurred year after year was dampness and mould in the various housing stocks. I will go straight to what I think is an important question to ask you. Do you think that it is now time that the Government included mould and condensation as recognised hazards as part

of the statutory definition of what a tolerable standard is?

Paul McLennan: I knew that that question was coming because I watched the earlier session and heard you saying that you were going to ask it later on.

Willie Coffey: You were warned.

Paul McLennan: It was quite important that we saw in some of the feedback that came through that there can be complex issues around damp and mould. There is already guidance out there—a briefing that went out on 1 March was referred to—and that continues. That issue merits further discussion. I think that we heard that from the witnesses this morning. I have meetings with CIH and the regulator coming up, and we will probably discuss that.

At the moment, the tolerable standard sets out what the housing should be. It should be free from damp and mould. Specific definitions can be quite complex, but I think that satisfactory guidance is out there at the moment. Witnesses in this morning’s evidence session were tentative in their answers on that.

Does Naeem Bhatti have anything to add in that regard?

Naeem Bhatti (Scottish Government): As the minister said, the tolerable standard, which covers all homes, including those in the rented sector, requires homes to be

“substantially free from rising or penetrating damp”

and to have

“satisfactory provision ... for ventilation ... heating”

and “thermal insulation”. Therefore, even though condensation damp is not specifically mentioned, its underlying causes are adequately covered in the tolerable standard and the SHQS, and the updated repairing standard also requires private landlords to have consideration of that. However, as the minister said, we can consider that further.

Willie Coffey: The consequence of that is that, at the moment, it is entirely possible, legitimate and legal for a landlord to allocate to a family a house that has mould in it. That could happen today or tomorrow. Do we not want to have a serious look at that issue and clarify and embrace it as part of what the tolerable standard should be?

Paul McLennan: I heard you asking earlier this morning about whether properties in that condition should be let out. Obviously, the answer to that should be no. One of the issues that I have taken away from that is the question of where legally we sit on that. I can come back to the committee on that. I think that we have heard about the moral aspect. Should such a property be let out? The

answer is no, but I want to take that issue away and check the legality of where we sit and the powers that we have in that regard. I can certainly come back to the committee on that.

Does Naeem Bhatti have anything to add?

Naeem Bhatti: I will pick up on the point that the regulator made about what the social housing charter requires for homes before landlords can rent them out. They have to be clean, tidy and free from serious disrepair. Landlords should not rent out homes that are in a serious state of disrepair or any kind of disrepair. They have to fix that before they let a home out. However, as the minister said—and, I think, as the regulator said, as well—if there are cases in which homes in a state of disrepair are being let out, we will need to look into them and see what more we can do.

That points towards the guidance that has been issued by SHR and others and making it clear that we need to look at the issues of damp and mould for social housing provision guidance. The repairing standard guidance makes it clear that homes should be fit for human habitation. As the minister said, we will look into that further to see what more we need to do to make it work. As he said, and as others have rightly recognised, landlords should not rent out homes that are not fit for human habitation.

Willie Coffey: I have a question about our colleagues down south. The UK Government is proposing to amend its Social Housing (Regulation) Bill, which will require social landlords to investigate and fix damp and mould in their properties. The UK Government is thinking about specifying time limits in order to achieve that. Might we embrace that direction of travel in Scotland?

Paul McLennan: At the moment, social landlords have to set out repair timelines in their repairs policy, under the categories of emergency, urgent and routine. You would think that serious cases of damp and mould would be classed as emergency or, certainly, urgent repairs. Tenants in the social sector already have a right to repair scheme, so repairs can be carried out. As part of that scheme, tenants can be entitled to compensation. This morning, the SPSO talked about compensation and reimbursement. The key difference is that damp and mould in a house can impact carpets, wallpaper and curtains, so that issue needs to be picked up.

Part of the discussion this morning was about setting timelines and having a timely response. I will probably investigate that issue further when I meet the regulator and the CIH, because it needs more investigation. As the CIH highlighted this morning, setting out timelines could hold things back, so there needs to be further discussion on

the definition of a timely response. The CIH made that point today, and I will certainly discuss it.

The sector is already trying to set out its own guidance—indeed, it did so in February—so it is trying to get ahead of the game in Scotland in that respect.

When I meet the regulator, the CIH and local authorities over the next few months, a key thing for me will be to understand where they sit and to build up that relationship as housing minister. I think, though, that we are already ahead of the game with that. I note that, this morning, the regulator mentioned her review of the guidelines, and I imagine that that will be part of the discussion that I will have with her later this year.

Willie Coffey: Are you open to reviewing what the social housing charter might look like in the broader context of those discussions?

Paul McLennan: The charter was reviewed just last November, and I think that, at the time, the stakeholder feedback was that things were going relatively well. I am encouraged by the reports that are being made, because the more that people report these things, the more that we will be aware of the prevalence of damp and mould. However, it is an on-going process; the charter will obviously be reviewed on an on-going basis. As I said, the feedback that we got from the previous consultation was that things were going quite well.

Of course, this is all about meeting the Scottish housing quality standard, which needs to be in place but which nevertheless provides some flexibility in the charter. As I said, the charter will be reviewed on a regular and on-going basis, but the feedback that we got from stakeholders was that things were going relatively well. That was just last November, or six to nine months ago, so that feedback is still relatively new.

Willie Coffey: I just want to go back to what you have said. Are authorities required to formally record that a tenant has complained about mould, dampness and condensation? It seems to me that, if we were to capture that information, it would influence what the charter might look like as we move forward. Is that a formal part of what authorities have to gather?

Paul McLennan: I think so, but I will ask Naeem Bhatti to respond on that. On your previous question, though, I should say that the charter is reviewed every five years, but there are on-going discussions and it is looked at on an on-going basis.

Naeem Bhatti: As the minister has said, the charter sets out the outcomes that landlords should be achieving; it does not replace any of their legal duties. The committee heard from the previous panel, especially the regulator, that

landlords have to report their repairs and how well they have complied in that respect. As the regulator said, it is looking at drilling down into the issue and at the various elements of the repairs that are carried out. This is a regulatory matter, and the regulator is looking at other ways of enhancing our reporting on it.

Willie Coffey: I am sorry to harp on about the issue, but it is really important to people who have had to suffer over the years. According to the house condition survey, 192,000 homes in Scotland have condensation, and I would argue that many of them suffer from mould, too. However, the point is that we do not know, because we do not collect that information. How many of those 192,000 houses in Scotland with condensation have mould? We do not know that, and I am just asking whether we should begin to gather that information.

Paul McLennan: The house condition survey mentions condensation and mould, but I should say first of all that the prevalence of those things is coming down. For example, the prevalence of condensation has come down from 11 per cent in 2011 to 8 per cent in 2019, which is quite a difference. Similarly, the prevalence of mould dropped from 12 per cent to 9 per cent—or from 290,000 homes to 230,000. I also point out that, according to the survey, less than 2 per cent of homes were affected.

This comes back to the duty on local authorities to go out and do that work themselves, as we have been talking about this morning. Indeed, they have the moral authority to do so. I cannot recall who said it, but people have been trying to do tenant surveys to find out more about the matter. I know that we will probably come on to how we resource that later on in the committee's questions.

11:15

The Scottish Government works collaboratively with the CIH and local authorities on establishing the cause and extent of the problem. Is it 95 per cent or less than 2 per cent? I am not saying that that is not an issue, but we have to focus, first and foremost, on the most urgent cases.

I hope that the updated survey will give us a more accurate figure. I mentioned that Covid did not allow us to go into people's properties to see the conditions. Once we get the results of the survey in 2024, which was carried out during 2022, we will have a more accurate reflection of where that issue sits than we had a couple of years ago, when only external investigations were taking place.

Willie Coffey: Thank you for all those answers.

Miles Briggs: I have a further question on repair works. Minister, you touched on the meetings that you plan to have with the Scottish Housing Regulator. Does it have the powers to deal with landlords who let out poor-quality homes with damp and mould issues? Will you consider that issue?

Paul McLennan: The regulator sits on its own with regard to that issue and does not report to me. That is a key point. Earlier, the regulator talked about indicators for damp and mould. At the moment, it has the necessary powers. I think that it said that it would publish a review in April 2024. I have a meeting with the regulator relatively shortly, and I will ask for a report when the indicators come in in 2024. It would be worth having a meeting about anything that it brings forward.

One key thing that the regulator mentioned was consulting stakeholders. It could take another month or two for it to review the survey results, but it is incredibly important that it consults stakeholders. I noticed that you talked about Edinburgh earlier. It is important that the regulator speaks to a mix of local authorities, not only to your Edinburghs and your Glasgows. As I mentioned to Annie Wells, the more remote local authorities need to be included, too.

There should not be a one-size-fits-all approach to the issue, and the regulator will pick that up. I imagine that I will meet the regulator soon after that report is published. That is for the regulator to take forward.

Miles Briggs: That is helpful. Since you were appointed to this role, I have been on at you quite extensively about the Edinburgh situation. Do you believe that damp and mould issues are more prevalent in certain council areas or housing associations? Can you comment on the maintenance aspect and the inspection regime? I am not sure that we have got underneath the Scotland-wide figure to see whether there are outliers.

As an Edinburgh MSP, my post-pandemic mailbag on the issue is much fuller. Given the property market in Edinburgh, people are perhaps moving into houses that they should not be. Have you and your officials done any work on where that is a problem?

Paul McLennan: The latest house condition survey had figures for each local authority. I will bring in Darren Knox on that in a second. Edinburgh did not come high on that list, but that is not to say that it is not an issue now, because that survey took place in 2019.

As I said, I am trying to get around as many local authorities as possible, and you and I have met to discuss housing issues in Edinburgh. I will

be meeting the City of Edinburgh Council every four to six weeks to talk about broader issues, and this issue will be part of those discussions. There has been discussion about engagement with Edinburgh through the regulator, and I imagine that I will pick up that issue with the regulator.

I will bring in Darren Knox if there is anything that he wants to add. Miles Briggs and I will meet on a regular basis about the issues in Edinburgh, and I will discuss them with the council. I am more than happy to keep up the discussions on damp and mould and other issues.

Darren Knox (Scottish Government): As the minister said, we monitor levels of damp, condensation and mould through the house condition survey. We provide estimates at local authority level based on a three-year average. The latest data is from 2017 to 2019. There is nothing in that data to suggest that the Edinburgh figures were any higher than the national average, but the figures on mould in some local authority areas—East Lothian, Dundee, Aberdeen, East Renfrewshire, Angus, Perth and Kinross and Glasgow—were higher than the national average.

As the minister said, a key point is that the data relates to the period between 2017 and 2019. The house condition survey was impacted by the Covid pandemic. The 2020 survey was unable to be completed, and the 2021 survey was undertaken using a different approach from previous years, which meant that surveyors were not able to enter properties and could not record the presence of damp, mould and condensation. However, in April 2022, we returned to the usual approach to conducting the house condition survey. The fieldwork has been completed, and we will publish the key findings in January 2024. I acknowledge that, in the past, we might not have reported in sufficient detail on damp, mould and condensation. Given the clear user interest, we will look to publish more information on that.

Marie McNair: The committee heard that there is some good practice on preventing and tackling dampness and mould but that that needs to be more widespread and should be shared with private landlords. How can the Scottish Government help to facilitate the sharing of good practice?

Paul McLennan: That is an important point. Talking about the private rented sector and the social rented sector, rather than the owner-occupied sector, the prevalence of damp and mould was 12 per cent in the social rented sector and 12 per cent in the private rented sector.

We have talked about what we are doing in the social rented sector, but how we engage with the private rented sector is important. The Scottish Government issued a new repair standard in

March 2023, which provided statutory guidance for private landlords on dampness and mould, among other things. The social rented sector has come together and has taken a lead on the issue, and I will have meetings with other stakeholders in the private rented sector to talk about it.

I encourage the private rented sector to work towards good practice. That will be key in order to establish what support the private rented sector needs from the Scottish Government. For me, a lot of it comes back to the information that can go out to residents and tenants, which is key. Sometimes, it is easier for the social rented sector to share information with, say, 6,000, 7,000 or 8,000 tenants, whereas the private sector is different—probably more diverse.

The Convener: I will follow up on that. At the end of the previous evidence session, Callum Chomczuk suggested that we need all the right information in one place for both tenants and landlords. Is that something that the Government could help with?

Paul McLennan: I picked that up from Callum Chomczuk in the previous session and from others during previous committee meetings. My officials and I can take that away and consider it. We have talked about the private rented sector, RSLs and council housing, and so on. There is an element of how we can standardise information. I have taken that away from the evidence that the committee has heard, and I will speak to my officials and come back to you.

The Convener: Something else that has come up in the evidence is the issue of accessible language. We have the information but we need to consider whether it is accessible to people when they find it.

Paul McLennan: It comes back to the point that you mentioned before, convener. If, in certain circumstances, people feel that there is no support, they tend not to look for it. We need to see how we can be more proactive in providing our support—that is an important part of looking at this issue.

Ivan McKee: I will touch on two issues. Can you give us any updates on the work that is being done to progress the housing to 2040 strategy and the commitment to introduce a new housing quality standard? Will that specifically cover the issue of dampness and mould? I know that you touched on some of that in your previous answers, but I would like your response on the specific point.

Paul McLennan: A strategic board was set up for housing to 2040, and the present Deputy First Minister chaired the first meeting, in March. Going forward, I will chair that group. We do not have a date for the next meeting as yet, but we plan for it

to be before the summer recess. At the moment, we are setting out the strategic objectives. Those issues have not been discussed, but some of what has been raised at committee will be discussed by the strategic board. Stakeholders will feed into that as well, and I imagine that they will raise the issue. We hope to report some progress on that to the committee and the Parliament. We have had only one meeting so far and the next strategic meeting will be in June. There will probably be progress on the strategic objectives by that time, and the housing to 2040 strategic board will look at them. There are plans to get that in the diary for before the summer recess.

Ivan McKee: We will look forward to getting an update on that.

Paul McLennan: Yes—we can report back to the committee on that.

Ivan McKee: The other issue concerns the work on retrofitting. There are various issues in relation to tenants understanding what that looks like and how to use new heating systems, as well as the interplay between retrofitting for net zero and insulation versus maintaining ventilation to ensure that buildings are up to standard with regard to combating dampness and mould. Some issues were also raised recently about standards for contractors who do the retrofits. Will you give us an overview of your thinking on that?

Paul McLennan: There are three issues on that. I mentioned what CIH said. One issue is where investment goes for repairs. We also talked about where investment goes towards the affordable housing supply programme, and we talked about the retrofitting agenda, which is incredibly important. There are two or three key points in my head in that regard.

We talked about repairs, and it is important to get a greater understanding of the issues, particularly regarding damp and mould.

On the affordable housing supply programme, we need to talk to as many local authorities as possible, because each local authority might have a different perspective. It was informative for me to speak to City of Edinburgh Council and Glasgow City Council and to learn about where their balance sits in the housing mix. That included retrofitting. I am also keen to go out and speak to the rural authorities, to discover whether they have a different outlook and perspective on the matter and how we can advance an affordable housing supply programme on a larger scale in rural areas.

Where does that fit in with retrofitting? Local authorities have to produce their local heat and energy efficiency strategies—LHEES—by the end of this year. Those will set out what each local authority requires for retrofitting across the private

sector, the public sector and RSLs. That will be informative.

The Net Zero, Energy and Transport Committee has had discussions about what local authorities need to do in order to deliver that programme. The recommendations that it made were probably more for the Minister for Energy but are relevant for me in deciding what we need to do to support the programme. That is an important factor as well.

The question is how we finance the programme. The Scottish Government is putting £1.8 billion towards it in this session of Parliament. Last week, I met officials from the four home nations and the issue was discussed—no country has the funds to develop and support that programme over the necessary period of time. A green finance and reporting group reports to Mr Harvie on how we finance the programme. There are also discussions with the private sector about how it can move towards the retrofitting agenda.

There is quite a mix, and we are making progress. The heat in buildings strategy is being developed through Mr Harvie. We need to understand where the mix is in each local authority, but it is a matter of considering repair standards, retrofitting and the affordable housing supply programme. The question is how, within the available finance packet, we can get the balance right in each local authority and across Scotland.

Ivan McKee: So, you are comfortable that, in terms of the technology, what we are doing on net zero is not potentially exacerbating dampness and mould problems and that there is a process for ensuring that contractors are up to the right standard and are able to implement a retrofit that will not cause any dampness and mould problems.

Paul McLennan: One of the key things—I do not think that we have referred to it—is the energy efficiency standard for social housing 2—ESSH2. At the moment, it comes back to the local authorities and the LHEES, which is incredibly important. Let us take my local authority area, East Lothian, for example. There is a lot of rural housing there, so how do we ensure that there are systems that do not exacerbate damp and mould? Through the LHEES, we will ask what technology is relevant for each place. It might be the same for all tenements in Glasgow, for example. Part of the work on the LHEES, which is due out by the end of the year, will focus on what technology is relevant in particular parts of the country.

You asked about climate and rural issues, and we have been talking about tenements in Glasgow. The LHEES will be an incredibly important part of what each local authority is doing and will set out what technology will be used.

Ivan McKee: Thank you.

11:30

The Convener: You have talked about the new housing standard, minister, but we already have a housing standard. How do we enforce it? If we bring in a new standard, how will we ensure that it is being met by, say, housing companies?

Paul McLennan: At the moment, we have the Scottish housing quality standard. We have discussed how it is measured, but there is an onus on local authorities, private landlords and RSLs to look at it.

As for the new housing standard, I would point out that the housing to 2040 strategic board has met once, and the new standard is being brought forward by the Government as part of that. Work is being progressed on it, and we will report back to the committee on it. It is a matter of engaging with stakeholders, and it is certainly one of the issues that will be raised in the meeting that we are planning to have.

We have talked before about the Parliament looking at an all-tenure standard, and work is being progressed on that. However, I think that, as far as the standards are concerned, it would be worth coming back to the committee at a later stage on the issue. Progress is still at an early stage, and feedback from stakeholders will be incredibly important in developing the policy and taking it forward.

The Convener: You have talked about raising stakeholder awareness of the housing standards and have said that you will have a meeting. What kind of things do you think it will be important to raise with stakeholders or make them more aware of?

Paul McLennan: There are a number of things in that regard that we have talked about this morning, one of which is the information that is out there. There is also the reporting issue. A key thing that struck me this morning was the collaborative approach that the CIHS and the regulator are taking with the Government to ensure that we are all working together, because it is really important that we join the dots in relation to this.

Another important issue that we need to look at is the all-tenure standard. As far as the housing to 2040 strategic board is concerned, stakeholder involvement at an early stage will be incredibly important in developing such things.

Going back to Mr Coffey's point about taking a timeous approach, I think that stakeholders will certainly discuss that issue. We and the regulator have talked about what she will be doing with her guidelines, and we will be working very closely

with other bodies as they develop their own thoughts.

The Convener: That concludes our questions. It is really great to have a minister for housing, because that is what the committee has been missing. It allows us to get deeper into the issues that we need to address, so we very much appreciate your coming along and giving us evidence.

Paul McLennan: I will be back in a few weeks' time to talk about another important issue.

The Convener: It is also very good to hear that you are proactively getting out and talking to all local authorities and really understanding that housing issues are different in different parts of Scotland, because of climate, geography and countless other things. Having you in this role is a tremendous thing.

Paul McLennan: Thanks, convener.

The Convener: As we previously agreed to take item 3 in private, I now close the public part of the meeting.

11:33

Meeting continued in private until 11:48.

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