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Scottish Covid-19 Inquiry

Day 73

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Thursday, 12 December 2024 extra help unit, which is a unit that helps vulnerable 2 (11.16 am) 2 energy consumers, so together we form the Citizens MR TURNER: Good morning, my Lord. 3 3 Advice network in Scotland. THE CHAIR: Good morning, Mr Turner. Now, today's witness? 4 We have twin aims of advice and advocacy. So you MR TURNER: The first witness today, my Lord, is Miss Aoife will have heard from our Bureaux colleagues about the Deery from Citizens Advice Scotland. advice they provide and what we do at CAS is to take the 7 THE CHAIR: Good morning, Miss Deery. evidence from the advice that is given through the A. Good morning. 8 Bureaux and drive positive change and seek to influence 8 THE CHAIR: Right. Now, Mr Turner will I'm sure have some with the evidence that we hold. questions for you. 10 10 Q. Thank you. With respect to that advice, how is that 11 AOIFE DEERY 11 ingathered for the purpose of your use at Citizens 12 Examination—in—chief by MR TURNER 12 Advice Scotland? 13 MR TURNER: Good morning, Miss Deery. 13 A. All of the bureaus report to Citizens Advice Scotland as A. Good morning. 14 14 part of their agreement with us, so to speak, about the Q. First of all, Miss Deery, just a quick reminder this 15 15 type of advice they provide, so they provide this in the 16 morning's hearing will be transcribed. If you could 16 form of what we call "advice code data". So for 17 speak as slowly and clearly as possible that would help 17 example, they will tell us how many housing cases 18 the stenographers greatly. 18 overall they have given advice on and then sub to that 19 First of all, could you state your full name? 19 they will tell us how many, for example, private rented 20 A. Yes, it is Aoife Catherine Deery. 20 sector housing advice cases and then sub to that reasons 21 Q. Thank you. What your current position? 2.1 for private rented sector advice, such as problems with A. My current position at Citizens Advice Scotland is 22 2.2 rent, problems with joint tenancies. 23 senior social justice policy officer. 23 So we get different levels of data from the Bureaux 24 Q. Thank you. And how long have you been holding that 2.4 so it gives us a good idea of what's going on. And just 25 25 to sort of demonstrate the scale of the advice that we 1 A. I have been in that role for approximately five years. give, last year we helped nearly 192,000 clients, we Q. You have provided a written statement to the Inquiry; is 2 dealt with over 680,000 advice issues and we have helped 2 3 that correct? 3 clients gain back over £158 million. 4 A. That's correct. 4 Q. Thank you. You mentioned that that's taking information Q. And that statement, my Lord, is reference SCI-WT04151. from the advice that the Bureaux give and we heard Together with that statement, Miss Deery, you provided a 6 ordinarily, other than during the pandemic, a lot of the 7 number of documents. We're going to touch upon some of 7 advice is given face to face in the Bureaux. 8 the things in the documents and indeed your statement 8 Is advice given out by other means as well as the this morning. We may not have an opportunity to get face-to-face advice in the Bureaux? 10 through everything, but his Lordship will have an 10 A. Yes, so we're a multichannel service, so to speak. We 11 opportunity to consider your statement in full and all 11 give out advice via telephone, via in-person visits to 12 the documentation so please don't be concerned if we 12 the Bureaux, as you referred to. We also have an advice 13 don't to get everything, we do just have an hour this 13 site which receives several million hits a year. It 14 14 covers all sorts of advice areas and is very popular and morning. 15 I am going to ask you a few questions, first of all, 15 was particularly popular during the pandemic as well. 16 if I may, about Citizens Advice Scotland. His Lordship 16 Q. Thank you. And you mentioned there telephone calls. 17 heard earlier in the week from a number of 17 Were there any changes to that during the pandemic, the 18 representatives of Citizens Advice Bureaux and he heard 18 way that was delivered? 19 that they are supported by Citizens Advice Scotland. I 19 A. Yes, that was sort of borne out of necessity. As with 20 wonder if you could tell us -- other than supporting the 20 many other organisations, our organisation had to move 2.1 Bureaux, I wonder if you could tell us what does 2.1 from being office based to being home based so our

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advisors were working from home and, therefore, the main

So our telephone service increased exponentially to

mode of clients being able to access our services was

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Citizens Advice Scotland do?

A. Absolutely, yes. So for context, the Citizens Advice

network is made up of ourself at Citizens Advice

Scotland, our 59-members Citizens Advice Bureaux and the

1 the point where we set up a national helpline in and around 2022, because some Bureaux were busier than 3 others and so this would bring callers onto a sort of 4 national switchboard and then direct it to the next 5 available adviser, no matter where they were in the 6 country. So I think that gives a sense of how high demand for our service was. 8 Q. Thank you. If I could ask you now just about you 9 personal role. You mentioned that you're a senior 10 social justice policy officer, what does that involve? 11 A. Well, in my specific role there are a couple of senior 12 policy officers in my team, Social Justice, but I lead 13 on housing policy, so I specialise in housing policy. 14 I'm an expert in that area. 15 I liaise with our housing advisers to talk about 16 housing issues. Mainly centres around the private 17 rented sector, because that's where our evidence tells 18 us that most detriment is happening and I lead our 19 influencing on housing issues, but I also work closely 20 with my colleagues in social security and energy policy 21 as well as they're quite interlinked. 22 Q. Thank you. You have mentioned there the rented sector 23 and, frankly, Miss Deery, that's one of the things 2.4 I would like to talk to you about today.

You've mentioned that the Citizens Advice Bureaux

- 1 and, ultimately, Citizens Advice Scotland are providing 2 advice to people during the pandemic. I assume that includes tenants.
- 4 A. Yes, it does, absolutely.

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- 5 Q. I'll come back to that in a moment, but I wonder if you 6 could ask, other than Citizens Advice Bureaux, are there any other places that people would go for that advice?
- 8 A. Yes, there are. There are our partner organisations. 9 such as Shelter Scotland, Crisis, who provide specialist 10 housing advice.
- 11 I call them our partner organisations. We don't 12 have a formal partnership arrangement, but we work very 13 closely with them and our Bureaux would often signpost 14 to them, for example, on very specialist niche cases or 15 if we didn't have capacity to help. So there are other 16 places that people who are having housing issues could
- 17 18 Q. You have mentioned there a number of third sector organisations. Sorry. Do you want to?
- 20 A. Sorry.

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- 21 Q. Not at all.
- 22 You've had mentioned third sector organisation 23 there. Are there any public sector sources of
- 24 organisation?
- A. Absolutely, an individual should be able to approach

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their local council for advice, especially in regards to homelessness prevention, housing options. Those are the things that all local council should and do offer.

I think though given our I suppose footprint in most communities in Scotland, we're well-known locally and so people know us as an organisation who give housing advice. So they're quite likely to come to us, but, again, we do work with local councils, where 9 appropriate, to get the person the best outcome.

- 10 Q. Thank you. During the pandemic, were there any changes 11 to that public sector provision?
- 12 A. I would say during the pandemic that the public sector 13 was under strain. From a housing perspective, there was 14 the imperative or the impetus even to get people into 15 accommodations, especially those who were rough 16 sleeping. So there was a lot of pressure on
- 17 homelessness services, particularly which are delivered 18 through local councils, to provide accommodation. So in 19 that regard things did change.
- 20 Q. In terms of people's ability to access information from 21 the local authorities, did that change?
- 22 A. I'm not sure I could comment on that to be honest.
- 23 Q. Okay. That's fine.
- 24 Coming back to Citizens Advice Scotland. could I 25 ask, in terms of housing, what are the areas which

- 1 people, tenants, come to ask questions about?
- A. Well, our primary area of housing advice that we gave
- out is on private rented sector housing and that's
- followed by local authority housing, but we also give 4
- out advice on owner occupier housing, as well as
- 6 registered landlord. So all tenures we give advice on.
- but private rented sector housing is the area that we
- give most advice on and then, sub to that, we give most
- 9 advice on rents and repairs.
- 10 Q. Rents and repairs. Were there any changes in terms of
- 11 the amount of information or the amount of contact that
- 12 you were receiving in respect of those matters during
- 13 the pandemic?
- 14 A. Yes. Earlier I referred to the advice code data that
- 15 the Bureaux report up to us. During the pandemic,
- 16 according to our analysis, comparing 2019 to 2020, we
- 17 saw that private rented sector housing advice demand was
- 18 increasing. In 2019 it was 17 per cent of all housing
- advice, in 2020 it was 23 per cent of all housing 19
- 20 advice.
- 21 That might sound like a small jump, but it equates
- 22 to thousands pieces of advice. We also saw that there
- 23 was an increase in people seeking advice on private
- 24 rented sector arrears as well, which indicated to us
- that people were finding themselves in financial

difficulty and finding it difficult to pay their rent, 1 particularly in the private rented sector. 3 Q. Thank you. Could we please have document SCI CAS XXX8, 4 please, on screen and if we could scroll down to page 3. 5 Sorry. First of all, sorry, could we go back to 6 page 1. I just want to make sure you know which 7 document we're looking at, Miss Deery. 8 A. Yes. 9

Q. Miss Deery, this is a document which you, Citizens 10 Advice Scotland, provided to the Inquiry. It's the 11 Citizens Advice Scotland response to the COVID-19's 12 Committee's call for views on COVID-19 legislation "Next 13 Steps" produced in February 2021.

14 Are you familiar with this document?

15 A. Yes. I believe I wrote it.

16 Q. Very familiar then. You have referred to information 17 and statistics that you ingathered in terms of the 18 number of calls. Could we have a look now at page 3.

19 And if you could roll down, please, just below that

20 graph. Thank you. Are these the statistics that you

21 were referring to a moment ago?

22 A. Yes, they are.

23 Q. Thank you. And you've referred there to the private 2.4 rented sector and you said the 17 per cent to 23 per

25 cent. I also see on there "environmental and neighbour

issues" from 7 to 11 per cent. Could you tell his 1 2 Lordship what that relates to?

3 A. Yes, I can. Environmental and neighbour issues is quite a wide advice code. As you can imagine, it takes in a 4 5 variety of different circumstances. It takes in 6 neighbour disputes, noise disputes, if somebody's foliage is hanging over to another person's garden, so border disputes like that. So quite a variety of, ${\sf I}$ 8 9 suppose, disagreements and issues that people are having 10 with their neighbours primarily.

11 And I think with the nature of the pandemic, more 12 people spending more time at home working from home, I 13 suppose it's not that surprising to us that people would 14 be more aware of their home circumstances and the 15 environment that they're working in and being -- notice 16 more issues and be more likely to seek advice on those

17 issues, such as noise. So that's where we're

18 attributing that increase to.

19 Q. Thank you. You spoke about rent and repairs being one 20 of the most common things that people talk to you about 21 in terms of the private rental sector.

22 Could I speak to first of all about rent. In terms 23 of the pandemic period, what kind of things were people 24 talking to you about in terms of rent?

A. Usually people approach us in regards to rent about rent

increases or problems with their rent. It could also be that they don't feel that they have been issued with a rent increase properly or the rent increase is unfair in some way, so it could be that they need help to access rent adjudication.

Again, quite a wide advice code, but people generally people come to us when something has gone wrong. We don't generally see the positive side of 9 things. I think you could predict that from the nature 10 of our service.

11 Q. Thank you. In terms of the pandemic, were there any particular trends that you saw in the type of advice 13 that was being given in respect of rent?

 $14\,$ $\,$ A. In respect of rent overall , I can't recall , but in 15 respect of rent arrears, which is a debt advice code, we 16 saw an increase, which I just referred to earlier. It 17 increased from about, I think, 6 per cent to 14 per cent 18 as a proportion of all debt advice, so quite a large

20 Q. Thank you. And on document SCI CAS XXX8, if we could

19 iump there

21 roll down to page 4, please. A little further. We see 22 there the numbers reported that you just indicated. Is

23 that correct?

24 A. That's correct.

Q. Thank you. And I'll come back to this in a moment,

1 Miss Deery, but I see there's two lines that follow each other. There's the private landlord, which is the 6 to

14 per cent, and then below it we see registered social

4 landlords. Do you see that?

A. I do. 5

6 Q. Could you explain to his Lordship very briefly -- I'm sure his Lordship is fully aware, but just for those who 8 may be watching, could you please explain what's the

9 difference between those two lines.

10 A. Rent private landlord is where the person is renting in 11 the private rental sector from a private landlord.

12 although this is misleading because that takes in

13 letting agents as well. That is not exclusive of

14 private letting agents so consider both private

15 landlords and letting agents. And then registered

16 social landlords are effectively housing associations,

although technically "registered social landlords" also 17 18 takes in local authorities, because their social housing

providers.

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20 Not very clear, not the easiest to understand, but 21 from your understanding and for the understanding of 22 this session "registered social landlords" are

23 effectively housing associations so social housing

24 providers.

Q. Thank you. We see on there the figures for the rent

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arrears going from 27 per cent to 26 per cent over the 1 same period that they were increasing for private landlords. Is that a significant difference? 4 A. I think it's notable. I think you'll see as well so for 5 local authorities, so "LA", the second row, they also 6 saw a more significant decrease. We attribute this to the fact that social rented tenants often have greater 8 support through housing officers, they are more linked 9 up to benefits systems and they're more linked up to 10 in-house advice and, potentially, are more aware of 11 organisations such as us. 12 So I suppose in a nutshell they're more supported 13 than private sector tenants. And we saw during the 14 pandemic too that more private sector tenants were 15 coming to us for the first time and it's the first time 16 they had sort of engaged with an agency or engaged with 17 the benefit system. So I think potentially that drop in 18 arrears for ourselves and local authority tenants could be linked to the fact that they're receiving more 19 20 support from their effectively social landlord. 21 Q. Thank you. In respect of rent arrears, are there any 22 particular demographics that are particularly affected 23 by that? 2.4 A. Well, during the pandemic we saw that a lot of people who are approaching us were male, as in a different to

1 our usual advice cohort, so to speak, male, 2 non-pensioner, single households. They often haven't 3 been in touch with the benefit system, as I mentioned 4 before. We saw a lot of people or more people who are 5 in full -time employment or just, I suppose, exiting 6 $\operatorname{full}-\operatorname{time}$ employment. Because of the pandemic they had lost their employment. So we were seeing more people as 8 well coming from higher SIMD levels areas, so social 9 index of multiple deprivation, so people who were coming 10 from less deprived areas. 11 So what I'm trying to say is a greater spread of 12 people from all SIMD levels were coming to us during the 13 pandemic. We usually or most of our sort of client 14 base, usual client base, are from SIMD levels 1 and 2, 15 so they're the most deprived areas in Scotland. 16 Q. Just in terms of scale, could you just clarify how many 17 levels are there? 18 A. Sorry, yes, there are five levels in the SIMD scale: one 19 being the most deprived and five being the least 20 deprived. So we were saying more people during the 21 pandemic coming from levels three, four and five, as 22 opposed to seeing mainly, before this, more people from 23 levels one and two. 2.4 Q. And again, it may seem most obvious thing in the world to you, Miss Deery, but in terms of the levels, is the

saying levels one and two is that the bottom 40 per cent in terms of deprivation? A. Yes, sorry, I see what you're saying. Yes, roughly so,

country split evenly between those levels? Are those

roughly 20 per cent of the country each? So when you're

5 6 yes.

7 Q. Thank you. You mentioned there that the type of people 8 you were seeing were non-pensionable or non-pension-aged 9 people, is there anything you can infer from that?

10 A. What we can infer, which I think is probably not a 11 surprise, is that a lot of these clients were previously 12 working, they were often again not in touch with the 13 benefit system, they generally didn't have dependents. 14 So I suppose the social security net wasn't really $\,--\,$ 15 isn't really designed around them. They don't have 16 disabilities , for example.

> So they often fell through the gaps and what they were entitled to when they lost any employment was Universal Credit at the standard allowance and Lthink it's worth noting that a lot of clients, even though I'm here to talk primarily about housing, housing and social security are obviously very closely linked, when a lot of clients came to us in the circumstance, who were this demographic, they were surprised at how little they received through Universal Credit, for example, and how

1 little support was available to people like them and 2 specifically in relation to housing.

The housing cost element of Universal Credit often didn't cover their whole rent if they were in the private rented sector so there was a gap between what they could receive or what they were eligible for and what their actual rent was and we know that drove some people into financial difficulty.

9 Q. And is that then reflected do you think in the arrears 10 that you're seeing?

11 A. I think so, ves.

12 Q. Thank you. Sticking with demographics for a moment, 13 were there any other particular groups that were notable 14 in terms of you were seeing coming for advice at that 15 period?

16 A. My colleagues did a piece of work to look at who was 17 coming for COVID-19-type advice, so not just housing but 18 across the board, across all types of advice that we 19 were giving set out so went through cases and were able 20 to tag them as COVID-19 related. It didn't show 21 particularly that anyone with protected characteristics 22 that more people in that group were coming to us for 23

advice.

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As I said earlier, we were getting a slightly higher number of males coming, rather than females. We know as

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well that it's slightly more likely for people in the 2 Black and ethnic minority community to be living in the 3 private rented sector so they might be affected by 4 private rented sector issues that we've discussed 5 otherwise, but these sort of differences are slight, I 6 suppose, and I think it would be really useful for ourselves and other agencies and the Scottish Government 8 to look at that in a bit more detail, but we didn't --9 in short, I suppose we didn't see huge demographic 10 changes during the pandemic, which is why we've really 11 advocated for any responses to be universal and to be 12 13 Q. Thank you. You've mentioned and we've talked about the 14 number of contacts that you were receiving through your channels of presumably primarily the call centre at the 15 16 time or the call line at the time. You've also 17 mentioned that advice was given through your website as 18 19 Was there any data gathered from your website in 20 respect of these matters? 21 A. I actually don't have it to hand, but we know that views 22 of our website increased exponentially, particularly 23 around up-to-date advice on COVID rules and regulations.

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website and people were searching for a wide variety of

We were sharing the advice given from government on our

advice, but most often around housing around debt. I think it's important as well to mention that people rarely come with one advice need and because of the holistic nature of our service, it's often the case that people come for housing and debt advice, but also while they're with us, they will also receive energy advice, for example, because our advisors will say, "While I have you, are you able to pay your bills? Are you struggling in any way? Let's see what help we might be able to access for you." So that's what I would say.

11 Q. Thank you. In respect of the clients who come to see 12 you, if they don't pay the rent, what is the ultimate 13 sanction for them?

14 A. Well, it's eviction, unsurprisingly. We encourage, 15 obviously, all clients who are in arrears to pay their 16 arrears, if they can, but it is more often than not the 17 case that they cannot, that they've got other debts as 18 well, but obviously rent is a priority debt. They need 19 to pay the rent in order to stay in their home.

> I think the pandemic as well really highlighted the importance of a safe secure affordable home, but we will look for -- our advisers will look for any source of help. We will make sure that people are claiming and receiving the benefits they're entitled to.

What we also saw during the pandemic, especially

with such a high number of new claimants, that the housing cost element was left off or incorrectly calculated for new tenants too so that was affecting how they were able to pay their rent.

So as I say, advisers helped as much as they could for -- helped clients as much as they could to access everything they were eligible for, but some still found themselves in difficulty .

Q. Thank you. You've indicated there the ultimate sanction is eviction. I would like to ask you some questions about evictions, if I may.

I dare say getting evicted is not good at the best of times. I just wonder if you could tell his Lordship whether there were any particular concerns regarding being evicted during the pandemic?

A. Absolutely. As you've pointed out, eviction is a difficult traumatic experience for people to go through, at the best of times, even if the letter of the law is followed

We know that there was an eviction moratorium that was in place during part of the pandemic which aimed to keep people effectively safely at home which we regarded as very important. However, what we did see during the pandemic was people continuing to be evicted, despite the rules, despite the public health orders in place and

often illegal evicted and by that I mean the proper process was followed. It could be administrative, as in not being given the correct notice paperwork, but it also could be highly informal and really fast, I suppose, as in a person being texted to say "You need to leave the property within a week or two weeks", which is just, again, hugely traumatic.

And in the context of the pandemic, when public services are under so much pressure, what are the options for these people? What we found is that they really struggled to find alternative accommodation and had to resort to sleeping rough, sofa surfing or just living in other highly unsuitable accommodation or 14 accessing temporary accommodation or attempting to access temporary accommodation through their local council, which was not always able to be provided.

17 Q. You've mentioned there temporary accommodation. Given 18 that during the pandemic we were trying to avoid contact 19 with people at a lot of times, is there any particular 20 issues that arise from people being placed in temporary accommodation in that way? 21

22 A. Yes, I would say that a significant issue around 23 temporary accommodation that was used was that it was 24 communal style, not all of it. Local authorities use a variety of accommodation, whatever is available to them.

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That could be individual flats and houses, but there was use, an extensive use, of hostels and B&B, which again is communal style.

So when we were in a situation where we were trying

So when we were in a situation where we were trying to limit contact between people, I don't see how that is conducive to that.

O. Thank you. In respect of the document that we have on

Q. Thank you. In respect of the document that we have on screen, SCI CAS XXX8, could we please go to the last page, page 7, and the statistics on there, please, thank you.

We see here, Miss Deery, again, the comparison between 2019 and 2020 in respect of harassment, illegal evictions, complaints and harassments and landlords and then wider advice in respect of the private rental sector as against housing advice. You mentioned the increases in respect of illegal evictions, et cetera. Is that reflected in those tables?

18 A. It is, yes.

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Q. Thank you. And again, just as a more general point, we
see there that the private rental sector advice
increased at a greater rate than housing advice
generally?

23 A. That's correct, yes.

Q. Thank you. You were telling his Lordship about forced
 evictions, illegal evictions, other harassments, lack of

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following the correct protocols and procedures. Were there any sanctions against landlords that you heard about in respect of that?

A. I would say sanctions against landlords I would characterise them as very limited. This is an ongoing, long—standing problem in the private rented sector in that there isn't sufficient enforcement against poor practice.

I also need to caveat that there are many, many, as in the majority of landlords are brilliant landlords who want to do the best by their tenants and during the pandemic, at their own financial disadvantage, they wanted to help their tenants in whatever way they could.

So there is many fantastic landlords out there.

However, there is a notable minority of landlords who did not abide by the law, effectively, who applied rent increases, attempted to evict, illegally evicted, without very much consequence as we saw it. This was an issue that we highlighted regularly to the Scottish Government as a problem as it's a complete power imbalance between tenants and landlords. Tenants find it very difficult to stand their ground. They didn't really have alternative accommodation and often awareness of rights and responsibilities is low. People

didn't realise what had happened was illegal until after

the fact and then they came to agencies such as ourselves for advice.

But getting back to the point, no, consequences were very limited for landlords and it's something that we continue to call for that there needs to be stronger enforcement against landlords. For example, it's very difficult to get a landlord taken off the landlord register. This could be because of resource and capacity within local authorities who really have the primary responsibility for this and it's maybe just not something they're able to stretch their resource to do, but it does have such a detrimental impact on tenants and the wider private rented sector, because I think any good landlord doesn't want to operate in a sector where there are bad landlords who bring their business effectively into disrepute.

17 THE CHAIR: Are there any statistics that are available for what's called "rogue landlords"?

what's called "rogue landlords"?
A. Again, very limited, unfortunately. I think there are some statistics on the number of removals from the landlord register, but not a breakdown of reasons. So exploration of that area I think is really critical to understanding what is actually happening in the private rented sector a bit better.

5 THE CHAIR: Sorry, Mr Turner.

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1 MR TURNER: Obliged, my Lord.

You mentioned there local authorities, in particular in respect of the landlord's register. Who is responsible or do you know who's responsible for enforcement of landlords' responsibilities?

6 A. Specifically within local councils, I'm not aware.

Q. No. As a generality, is it local authorities that hold
 that responsibility? Is there anyone else people could
 or should have been looking to at the time?

10 A. Well, I suppose it's a live issue at the moment about
11 how illegal evictions should be treated. I think by
12 Police Scotland who we have engaged with and other
13 organisations have engaged with, they understand the
14 matter as being a civil matter and not a criminal matter
15 and so that's currently being worked out. And of course
16 if it was a criminal matter the police responses to it
17 would be different and we think it should be considered

18 a criminal matter.
19 Q. Thank you. You mentioned that not all landlords are
20 rogues and that some were supportive. I appreciate that
21 Citizens Advice Scotland probably only hear or hear more
22 about the bad things than the good, but are you aware
23 from your discussions with the general public of the
24 kind of things that landlords were doing to support

their tenants at the time?

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A. Yes, and you're completely right, we generally and mostly see when things are going wrong, but we do have landlords who use our service, who approach Bureaux for 4 advice, mainly as they were getting into mortgage 5 difficulties and mortgage arrears themselves through 6 their tenants not being able to pay, but they were, for example, not charging tenants full rent, letting tenants 8 go -- skip a month in rent, for example, trying to refer 9 them to advice agencies such as ourselves if they knew 10 that that her tenant was getting into difficulties 11 either with rent or with energy bills, et cetera. So 12 many landlords were doing just that, being very active 13 and being very supportive towards their tenants. $14\,$ $\,$ Q. Thank you. That's obviously support that's coming from 15 landlords in a private capacity. I would like to talk 16 to you now about support for tenants coming from a 17 public capacity from government and others. You 18 mentioned substantive support in terms of eviction 19 moratorium, could you explain to his Lordship what that 20 amounted to? 21 A. In effect, an eviction moratorium is a temporary ban on 22 the enforcement of eviction orders. So an eviction 23 order could be granted, so an eviction is deemed to be 2.4 valid, and there were exceptions to the eviction 25 moratorium as well, such as extreme antisocial

behaviour, but it was aimed at reducing the amount of evictions that were enforced so people actually had to physically leave the property.

So we think it had a positive impact for public health reasons primarily in the early stages of the pandemic and also it increased communication between landlords and tenants, because it forced people to discuss their circumstances and try and find a way forward. Of course it didn't work in all circumstances, but it was really a well-intentioned policy for emergency circumstances so we think it was proportionate.

13 Q. Thank you. You mentioned the moratorium, you mentioned 14 earlier on about people not following the correct 15 processes in terms of getting to the point of eviction.

16 Were there any changes in terms of those processes

17 during the pandemic do you know?

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18 A. As the pandemic went on, we went into different eviction 19 rules , depending on where -- parts of the country were

20 level 1, 2, et cetera. So in some areas it could be 21

that you could be evicted under some circumstances, 22

while in other areas you couldn't and I think that was

23 quite difficult to follow. When there were different

24 rules in place in different parts of the country, it was hard for tenants and landlords to know what applied to

them and what didn't.

I think it also changed every three months or so and so it was a case of -- well three to six months, apologies. It was a case of really staying on top of the rules and regulations. That's something that we played a role in. We tried to keep -- well, primarily our advisers as up to date as possible with the changing rules and regulations and through our public advice site that information was there as well. So the processes did change. It was a bit of a moving feast and I think it was reasonably fairly difficult for people to follow them and follow the rules without getting advice from organisations such as ourselves.

14 Q. Thank you. The Inquiry has noted during our own looking 15 at the legislation, which you discussed there, there 16 were changes to the notice periods that people had to 17 serve before eviction could proceed and certain of the 18 criteria were made more discretionary in terms of Sheriff's ability to grant or indeed the Tribunal, it 19 20 would be, to grant evictions.

> All of those substantive assistance that were given to tenants, did Citizens Advice Scotland have any input in respect of those matters being put in place?

2.4 A. We did, yes. We actively campaigned for all eviction 25 grounds to become discretionary during the pandemic

period. We thought it was important for the First-tier Tribunal to consider all aspects of the case when considering something as serious as eviction.

4 We were really pleased as well that that has carried 5 on post pandemic and we think it's just allowed for a greater understanding of individual circumstances and 6 what leads people, for example, to be in arrears and it 8 also ensures that people have gotten advice and support 9 and that that is sort of taken into account. So that's 10 one aspect that we were active in campaigning for.

11 Q. Thank you. That's obviously substantive advice --12 sorry, substantive assistance in terms of evictions. 13 Was there any financial assistance provided for tenants?

14 A. There was limited financial assistance for tenants 15 before the latter part of 2021 in terms of usual, so to 16 speak, assistance. If you were receiving Universal 17 Credit, you could have access to a discretionary housing

18 payment or you could apply for a discretionary housing 19 payment through your local council. For example, in

20 this circumstances, as I have described previously, 21 around if there is a shortfall between what you can 22

receive through your housing costs element and your 23 actual rent, a discretionary housing payment or DHP

24 could be used to sort of fill that gap.

So that support was available, but, again, it's

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2 that people who approached our service for advice not 3 all of them got that payment. It was not guaranteed. 4 I think it's also important to note that DHPs are 5 working very hard to cover the benefit cap and the 6 bedroom tax as well, so it's a very overstretched fund. The Scottish Welfare Fund was another source of 8 assistance, but, again, not necessarily guaranteed and 9 during the pandemic, before and after the pandemic, we 10 identified issues with its administration in that it 11 often took a long time for payments to be processed and 12 received by individuals and for those who are in 13 financial crisis, that help can't come soon enough. So 14 that's why we were keen that additional support was put 15 in place for tenants. 16 Q. Thank you. And in terms of those existing provision, 17 were there any other existing sources of funds? Those, 18 as I understand it, were effectively grants. Were there 19 any other sources of funds that might have been 20 available to tenants? 21 A. Yes, there were -- there was the -- apologies if I'm not 22 getting the title exactly right. There was a loan fund 23 for landlords and a loan fund for tenants as well to 2.4 help deal with arrears. However, take up of these was low, awareness of them was low, and I think that

discretionary and the pot is finite. So we did find

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1 indicated to Scottish Government that there wasn't need 2 for financial assistance, but the data -- the statistics 3 we've talked about up until now today really showed a 4 different picture and that people were in financial 5 difficulty .

> We think that it was the case that landlords and tenants couldn't afford to pay back loans, even though most of them were zero per cent interest and that a grant approach was really needed.

- 10 Q. And was a grant approach thereafter adopted?
- 11 A. It was, ves. In June 2021 it was announced by Scottish 12 Government that they were going to introduce the Tenant

13 Grant Fund, which would be a sort of one off 14 non-repayable grant to help clear arrears that were

accumulated because of and during the ${\sf COVID-19}$ pandemic. 15

16 So we -- this is another thing that we were 17 campaigning and lobbying for. We though it would have a

18 really positive impact on both tenants and landlords as 19 well, because in effect landlords were not receiving the

20 money they needed, many landlords have mortgages to pay 21 off as well, so we thought this would help both tenants

22 and landlords. So June 2021 this fund was announced to

23 the value of £10 million.

- 2.4 Q. Thank you. Do you know how that fund was distributed?
 - A. I do. CAS was part of the Private Rented Sector

Resilience Group which was a Scottish Government group and this group I suppose spearheaded the introduction. implementation, the guidance around the fund. So we were involved in developing guidance for local authorities to distribute the money, but I have to emphasise that the importance was on getting the funds out quickly.

8 So it was a very quick approach or very quick 9 process to get the guidance out. We wanted the guidance 10 to have as light a touch as possible and to give local 11 authorities discretion, because they know or they knew what was happening in their areas best. And as we will 13 see from official statistics, they decided to distribute 14 it in different ways, in different amounts, to different 15 tenants, be they social and private.

- 16 Q. There was a discretion to the individual local authorities in terms of how they distributed that money so it could be different in different areas, do I understand that?
- 20 A. That's correct, ves.
- 21 Q. Did all local authorities distribute that fund?
- 22 A. No, they didn't. Some were opted not to or opted to do 23 it late, I suppose. There was one council who didn't 2.4 take it up at all. But for the majority of local

25 councils, we understand this fund to be -- to have been

1 welcomed, to have been needed and to have been spent 2 verv. verv auickly.

You'll see, again, from the official statistics that 4 many spent their entire allocation very quickly. It's also the experience of our advisers when they were approached by clients who needed access to this fund that the pot had been spent and applications were 8 closed. So it was a finite pot and it couldn't be 9 topped up by local authorities.

- 10 Q. In respect of the local authorities that didn't
- 11 participate, was there any indication as to why they 12 didn't participate?
- 13 A. I'm afraid I don't know.
- 14~ Q. Thank you. You mentioned there that the speed -- once 15 the grants were available, the speed in terms of the 16 roll -out, and that sounds a very positive thing, were 17 there $\,--\,$ you mentioned also that it took until June 2021 18 for that grant to be made.

19 Did Citizens Advice Scotland have any view in terms 20 of that timing?

- 21 A. I think that's difficult to answer. I think we were 22 working in a very difficult atmosphere. We in terms of 23 there was so much happening, the rules were changing, the circumstances were constantly evolving, it was 2.4
 - difficult to know what the right thing was to do. So we

1 were working at pace and making the best decisions we 2 could in that time.

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We were asking for such a grant fund for over six months, but at the same time that's guite a guick period in terms of policy implementation. So it was quick in that regard, but, again, the fund was announced in June and was implemented, as in first payments were given out, in late September, October. So there's a time lapse there as well where people are accumulating arrears, getting into difficulty and being put at risk of eviction.

So there's always that sense of could we have gone faster, could we have done better, could we have got money to people faster, how could this have been improved, but at the same time taking into account the importance of giving local councils the discretion to distribute it as they saw fit .

- Q. One of the benefits of the Inquiry is that his Lordship is looking at matters retrospectively. We have the advantage of learning lessons that potentially were not available at the time to local authorities or indeed to government. Do you think there is a lesson to be taken in terms of the $\,\mathrm{roll}-\mathrm{out}$ of this grant?
- 2.4 A. Yes, I think there are several lessons to be learned. I think, first of all, that there is a need for this

type of grant again. If we were to see a pandemic again, we know the importance again of a safe, secure and affordable home for public health reasons, so we know that people will need help to stay in their homes to prevent them from accruing arrears and being put at risk of eviction.

I think, as we've just talked about, the speed, the process of what happened could be reviewed and improved. Different local authorities chose to distribute through various means as well. Some set up a new dedicated fund team and some went through current processes, such as their Scottish Welfare Fund team, who are already experienced in distributing such funds directly to people and receiving applications.

So I think a review of how that worked for local councils could be useful in identifying the quickest most efficient route to getting cash to people to help them clear their arrears.

- 19 Q. You mentioned there establishing the most efficient way 20 of doing it. Do you think there should be a uniform 21 approach therefore?
- 22 A. Yes, we do ideally, but there is that balance between 23 uniformity and discretion to local $\,--\,$ around local 24 circumstances. To a degree but, again, we were working at pace to get something out that would help people, but

- this is all really relevant. In terms of being
- reviewed. I think we should look at the whole process.
- Q. Thank you. You mentioned when you spoke a moment ago regarding the Private Rented Sector Resilience Group.
- I would just like to ask you some questions about that,
- 6 if I may. Who participated in that group?
- A. So the Private Rented Sector Resilience Group, in my
- 8 understanding, was set up to tackling a wide variety of
- 9 PRS housing issues and particularly in regards to the pandemic. It was ourselves at Citizens Advice Scotland.
- 11 a representative from Shelter Scotland, Public Health
- Scotland, Living Rent, Scottish Government and some
- 13 local authorities. There might be a couple I'm missing
- 14 there, but those are to the best of my memory. They
- 15 were all participants in this group. The Scottish
- 16
 - Association of Landlords were on the group for a period
- 17 and then left the group. 18 The group had a number -- quite a wide remit I
- 19 suppose, sustaining tenancies, preventing evictions, 20
- 21 and landlords, and I think it's important to emphasise
- 22 this was for both tenants and landlords, and also
- 23 providing information about financial support for both
- 24 tenants and landlords again.
 - Q. How did it fulfill that purpose or how did it attempt to

raising awareness about rights and supports for tenants

- fulfill that purpose? Two questions there but how did 1
 - it go about its work?
- A. So the Resilience Group met every two weeks and every
- month the Chair of the Resilience Group, along with the 4
- Scottish Government, met with the Housing Minister at
- the time to discuss the issues that were emerging in the
- Group. The Group really relied on evidence from the
- participating organisations, such as ourselves, about
- what was happening on the ground and I think the mix
- 10 between ourselves as advice organisations and local
- 11 councils too painted a pretty accurate picture of the
- 12 pressures that were facing the private rented sector.
- 1.3 So very much evidence led and an arena to discuss
- 14 ideas, to put forward ideas and for the Scottish
- 15 Government to consider them and take them to the Housing
- 16
- 17 Q. Thank you. I should probably have asked this before,
- 18 Miss Deery, but did you attend that group?
- A. I did from December 2020. Although the group had been 19
- 20 established earlier in the year, I joined in 21
- December 2020 as I moved from a different role within CAS. Primarily, I supported my then manager who was 22
- 23 chairing the Group around the activities of the Group
- and then my manager left in October 2021 and I continued 2.4
 - to sit on the Group, but not as chair.

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directly through the Group or otherwise, do you feel 4 that that feedback was taken on board by government? 5 A. My understanding is that it was and it was taken 6 seriously. There were a number of other resilience 7 groups happening too. So I think they were giving 8 ministers a really good picture of what was happening on 9 the font line, so to speak. 10 As I didn't attend the ministerial meetings myself, 11 I don't know for sure, but I know in my engagement with 12 the Scottish Government officials who sat on the PRS 13 Resilience Group that it felt like our concerns, our 14 evidence were taken very seriously. 15 Q. The concerns that you were raising and the. I suppose. 16 policy proposals that were putting forward, were you 17 seeing those kind of things implemented by government? 18 A. We were. I think the Tenant Grant Fund was a good 19 example of it, but, otherwise, we were asking for things 20 like a top up of the Scottish Welfare Fund, of 21 discretionary housing payments, and there was such a 22 top-up introduced to the Discretionary Housing Payments 23 Fund, but I don't think it was enough to meet demand. 2.4 So I think our concerns were heard and action was 25 taken, but I think the scale of need and what was

Q. Thank you. You've mentioned a moment ago that the chair

met with ministers. From your experience, either

- 27
- 1 happening was quite unprecedented.

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- Q. Thank you. Again, his Lordship is looking towards the future in terms of looking back towards the future in terms of lessons. Are there any lessons that you think
 - could be taken in respect of the Resilience Group,
- 6 either its composition or its remit, or anything else I
 7 should say?
- 8 A. Well, I think the existence of a group such as the
 9 Private Rented Sector Resilience Group would be really
 10 important were something similar to happen again. It
 11 gave us close communication with Scottish Government
 12 officials and a link to the minister who had the power
 13 to make decisions and make change. So I think the
- existence of that group and the involvement of advice organisations such as ourselves, those frontline
- organisations, was really important and should be replicated.
- As to the remit of the Group, I would say it's quite
 appropriate, quite accurate as to what we were going
 trying to do. In terms of membership, I think the wider
 the membership, the better. I have talked about who was
 on the Group but I think there were people and
- 22 on the Group but I think there were people and
 23 organisations who are missing, but they may have
 24 declined due to their own capacity or been involved in
 - other resilience groups and couldn't participate in this

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or felt like they didn't have the capacity to
participate in this, but there are — the advice sector
is large and as many voices as possible I think are
useful, but it was really helpful to have that mix of
public and advice sector organisations to come together.

It would have also been good to have a stronger
voice of the landlord sector on the group, but, again,
and as I've referred to, we are not just a
tenant—representative organisation, we represent
landlords as well, because they come to us for advice.

 $\begin{array}{ll} 10 & \quad \text{landlords as well, because they come to us for advice.} \\ 11 & \quad \text{But, again, having those } ---\text{ a diversity of membership} \\ 12 & \quad \text{would be important in the future.} \\ \end{array}$

13 Q. Thank you. Miss Deery, that's all the questions I was
14 going to ask you this morning. I'm going to give you an
15 opportunity in a moment if there's anything you would
16 like to raise with his Lordship, if there is anything
17 key or interesting or lessons you particularly want to
18 the highlight to him, whether you have mentioned them
19 before or not, I should say, you will have that
20 opportunity to do so.

Just before you do that, I will reiterate we of course have your statement, we have all the documents that Citizens Advice Scotland have provided and his Lordship will take all that into account, but if there is anything you would specifically like to raise with

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- 1 his Lordship, now is your opportunity.
- 2 A. I think I would just like to raise two points and the
- 3 first is the value of the advice sector and the work
- 4 that we did during the pandemic. I feel like we and
- 5 others were lifeline organisations to the general public
- 6 through our advice about what was happening with COVID,
- 7 to sources of support, so I really want to highlight
- 8 that and the importance of sustaining those
- 9 organisations were something to happen again, such as a
- pandemic, because we were relied upon very heavily.

 Secondly, we have talked about it a wee bit before.
- but enforcement in the private rented sector, I think
 what the pandemic showed us is that while there is some
- brilliant practice going on in the PRS, the private
- rental sector, there is a lot happening in terms of bad practice. There is too much happening in terms of
- practice. There is too much happening in terms of illegal evictions or too many illegal evictions
- happening and not enough awareness of rights and
- responsibilities. We continue our work on that. We continue to promote these. We continue to work with
- others to promote these rights and responsibilities .
- But as we go forward, it's really important that more
- people are aware of what their rights and
- 24 responsibilities are so that they can access redress, if

they need it, and just to sort of participate fully as a

1	tenant and landlord.	1		have an hour, we may not get to everything that's in the
2	So that's what I would say.	2		response or indeed any other documents that you
3	Q. Thank you. My Lord, that's all the questions I have	3		provided, but I just offer you some reassurance that
4	unless your Lordship has anything to add.	4		everything that's in there and other documents will be
5	THE CHAIR: No. All I would like to do is thank you,	5		taken into account fully by the Inquiry and indeed by
6	Miss Deery, for coming and giving evidence. It was very	6		the chair.
7	helpful. I'm very grateful, thank you. Good.	7		First of all, could I ask you what is SAL?
8	Now, we're having it would appear an early lunch.	8	Α.	The Scottish Association of Landlords is a
9	MR TURNER: I think, my Lord, we have a lot to give in the	9		representative group of landlords and the only
10	afternoon so we're bang on time.	10		representative group operating solely in Scotland for
11	THE CHAIR: Right, 1.15, take lunch now and come back at	11		landlords and letting agents.
12	1.15, thank you.	12	Q.	Thank you. And who are its members?
13	(12.14 pm)	13	A.	We have a wide range of members from individual
14	(Luncheon adjournment)	14		landlords owning one or two properties, through to
15	(1.15 pm)	15		larger corporate entities and small businesses, as well
16	MR TURNER: Good afternoon, my Lord.	16		as of course letting agents as well too which operate
17	THE CHAIR: Good afternoon, Mr Turner.	17		throughout the country, so we have a wide diverse range
18	MR TURNER: The next witness, my Lord, is Mr John Blackwood	18		of members.
19	of the Scottish Association of Landlords.	19	Q.	Thank you. And can you tell his Lordship how many
20	THE CHAIR: Good afternoon, Mr Blackwood.	20		members you have at the moment?
21	A. Good afternoon.	21	Α.	We have in the region of four and a half thousand
22	THE CHAIR: I'm sure Mr Turner has questions for you so I'll	22		members. We also, just for the record, as well have
23	ask him to start.	23		some charities and other organisations who are business
24	JOHN BLACKWOOD	24		members of the Association.
25		25	Q.	Thank you. You mentioned you have both landlords and
				43
	41			40
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1	Examination—in—Chief by MR TURNER	1		letting agents. Can you tell us what the split is
2	Examination—in—Chief by MR TURNER MR TURNER: Mr Blackwood, before we begin, just a brief	2	۸	letting agents. Can you tell us what the split is between them roughly?
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me today, we just 25 where the private rent

where the private rental sector is largely centred in $$44$\,$

 may -- we have a limited amount of time today, we just

- Scotland, but also in rural Scotland as well too, which 1 2 could be your estates, farmland, et cetera.
- 3 Q. You mentioned that the size of your members varies
- 4 greatly in terms of numbers of properties. Can you give
- 5 an indication of how many properties you think you
- 6 represent in terms of the private rental sector stock in 7
- 8 A. So as a representative group, if we extrapolate our
- 9 membership base across the entire private rental sector 10 with regards to the number of properties they
- 11 collectively manage, we're looking about in the region
- 12 of 47 per cent of the private rented sector in Scotland.
- 13 Q. Thank you.
- 14 A. As you come imagine, some of your letting agent members are managing a considerable number of properties and a 15
- 16 few of our members might be large landlords.
- 17 Q. And what kind of work does the Scottish Association of 18 Landlords do?
- 19 A. We're largely a representative group that is there to
- 20 lobby and campaign on behalf of the sector, a big part 21 of our work is providing information and support as well
- 22 too, so it's quite diverse as a traditional membership
- 23 organisation would be in order to support the sector.
- 2.4 Our job is about empowering the private rented 25 sector to do the best job it possibly can and support
- 1 our members in that way.
- 2 Q. Thank you. You mentioned there providing information to
- 3 your members. We're obviously here to discuss the
- 4 pandemic. Did the Scottish Association of Landlords
- 5 have any role in providing information to members during 6 the pandemic?
- 7 A. Yes. And as you can probably imagine, that was a big
- 8 part of our role. At that time during the pandemic, we 9
- were constantly providing information to our members, 10 consultation with Scottish Government and ministers to
- 11 ensure that we were relaying the right information at 12 the right time too.
- 13 We also offer a free advice line to our members so 14 you can imagine we were inundated throughout the entire 15 period by members posing individual questions based on a
- 16 lot of the information that was provided by government 17
- 18
- Q. Thank you. You mentioned there an advice line, is that
- 19 the only way you communicate with your members or are
- 20 there other means?
- 21 A. No, traditionally with membership organisations we are
- 22 no different . We have a range of email bulletins that 23
- go out periodically . We have a landlord—focused 24
- magazine as well too. During the pandemic, we did
- switch to doing online meetings, which actually we

- continue to do to this day, rather than in-person
- meetings. So we were constantly communicating through
- various mediums with our members and of course our
- 4 website as well too.
- 5 Q. You mentioned that you were communicating the guidance
- 6 that was provided by government during the pandemic.
 - How did you find the guidance that was being issued by
- 8 the government at the time?
- 9 A. I think we do appreciate that everybody was working
- 10 under great pressure and the government was operating
- 11 under emergency circumstances, so it was moving at a
- 12 very fast pace, and for us at times it was very 13
- difficult to get the right information timeously enough 14
- to be able to get that out. There were statements being 15 made on a daily basis by the government and of course we
- 16 needed more detailed guidance to back that up and, of
- 17 course, support our members to ensure they're abiding by
- 18 the law, doing the right thing and sporting them the
- 19 best way we possibly can.

- 21 guidance and the right information or when we did get
- 22 it, it was sometime after statements were made and there
- 23 were gaps in the guidance which we had to try and fill.
- 2.4 Q. If I could pick up some of the matters that you've mentioned there. Picking up timing, first of all, what

So it was very difficult sometimes to get the right

- were the concerns around that? 1
- 2 A. Well, as we were aware during the time, there were daily
- statements being made by the First Minister in
- particular, but overall by different ministers in the 4
- 5 Scottish Government and we were having to react to that,
- 6 because of course, like many, we were all watching the
- news bulletins and when news statements were being made,
- 8 we were thinking, well, how are we going to adapt to
- 9 that, how are we going to comply with that? So that was 10
- difficult and it would take sometime, sometimes weeks, 11 before we actually got firm guidance on a particular
- 12 statement or point that was made at the time.
- 13 Q. So you were finding sometimes there was a period of time
- 14 from the announcement when you were supposed to
- 15 effectively begin complying and the guidance in order to
- 16 actually comply; is that what you're saying?
- 17 A. Or it was more this is what we're going to be doing and
- 18 this is what we want to happen, but of course some of
- 19 that would take legislation in order to bring it in but. 20
- as soon as a statement is made to the public, of course, 21 the public thinks, well, I need to comply with this or
- 22 what does that mean? What's the detail behind those
- 23 statements? And of course these are the questions we
- 24 were constantly asking government at the time.
- Q. What's the consequence of that for your members?

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A. Confusion, our members were very confused at that time. And as you can imagine, we were inundated with questions, what does this mean? Remember as well, we 4 had a range of different guidance depending on where 5 landlords were in the country, so there wasn't even a 6 standard simple guidance that would cover all landlords within Scotland and of course it did diverge to what was 8 happening in the rest of the UK as well too. 9 So I think overall our members were very confused. 10 I think it's fair to say so were we and it's our job to 11 try and give as clear guidance as we possibly can to our

14 Q. Did you try and address those issues on behalf of your members in the sense of where there was a lack of

members and that was difficult for us to be able to do

15 16 clarity or a lack of understanding? 17 A. Yes, we did. I have to say at the time we had very 18 close contact with the Scottish Government officials. 19 That was practically on a daily basis, if not certainly 20 early on on a daily basis and of course that was as

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- 21 matters were evolving and new guidance were being 22 developed. And as I say, of course, they were working
- 23 at pace to issue the guidance. We were trying to feed 2.4 into that the best way we possibly could, but there were

25 still gaps there which we felt were still unmet and

1 guidance that we were struggling to be able to make 2 sense of and give the best information to our members to 3

4 Q. You mentioned an example of that in the Rule 8 response 5 in relation to gas safety checks that were being carried 6 out or not being carried out around that time.

> Could you perhaps explain to his Lordship what the difficulty was around that?

A. Yes, so one of the issues with this is of course the difference between devolved matters and reserved matters between the Scottish Government and the UK Government and gas safety checks -- safety checks as a whole were discussed in the sense of are they required, should landlords be doing them, are they essential to be carried out? When it comes to electrical safety, that is something that is reserved to the Scottish Government in that they could dictate what was happening there. When it came to gas safety checks, that wasn't, that was a reserved matter and the UK Government took a very different view to the Scottish Government in that regard as to whether landlords should be carrying out gas safety checks or not.

So it took some time to clear that up and, effectively, the Scottish Government had to concede that of course gas safety checks are required to be done. It

is a requirement of UK law and the Health and Safety Executive in doing so. So again, there was a change to the guidance to reflect that and that, again, caused confusion and that's what we've stated in our

6 Q. And you have mentioned of course that because of the UK regulations your members were having to look at 8 potentially two different sources of information and 9 there appeared to be a conflict between them; is that 10 what you're saying?

11 A. Yes, indeed, and you know going back to at the time of

course we were all watching the news both here in 13 Scotland and the wider UK news as well too and we were 14 hearing the differences as to what was happening in 15 England and Wales compared to Scotland. That in itself 16 was often confusing people, but certainly landlords were 17 thinking, you know, what do I comply with, what do I 18 think to do? And that's where guidance was really important and, sadly, we felt sometimes that guidance 19 20 was lacking.

21 Q. Thank you. You mentioned geographic differences for 22 landlords. What were the issues arising there?

23 A. Well, remember we had the different zones which operated 2.4 within Scotland. So many landlords, even with small 25 portfolios, have properties in different local authority

areas and, indeed, they probably themselves can live in a different local authority area and that might not be many miles from where they actually live, but, technically, they are of course in different local authority areas.

So it was confusing for them to understand what rules apply to that property compared to another property in a different local authority area and could then if they were self-managing, could they get to that property to do X, Y and Z work, because they themselves were restricted as to their travel and they could have been operating within different rules within the home local authority. So that was all very confusing.

 $14\,$ Q. Thank you. You've talked there about the levels and 15 some of the rules obviously relating to that were not 16 landlord or indeed property specific, the more general 17 in terms of travel restrictions and the like.

18 Did you find yourself giving advice in respect of 19 more general pandemic matters in terms of that, things 20 that were coming out and restrictions that were coming 21 out to the populous at large?

22 A. Our supporting guidance would be restricted to of course 23 what relevant to provide advice and information about 2.4 with regards to the private rented sector, so anything to do with letting properties obviously, the sole remit

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for us and we wouldn't venture beyond that. 1 2 But for instance there was a term often used in 3 guidance and I did just refer to it in the submission, 4 and it was with regards to "Is the works that you are 5 going to be carrying out reasonably necessary?" So that 6 was a term which we struggled with to understand and we 7 did often ask the government for clarity on that. How 8 do you define "reasonably necessary" and that wasn't 9 forthcoming. 10 Q. I'll come back to that, if I may, Mr Blackwood. Just in 11 terms of the guidance that was being provided, did you 12 feel there was any obvious omissions? 13 A. The clarity with regards to that point in the definition 14 of "reasonably necessary", I think that was the main 15 16 With regards to entering properties, that was 17 another major issue because of course landlords still 18 had the duty to carry out essential maintenance, repairs 19 and of course safety checks that we already touched 20 upon. But what's the guidance there? You know, under 21 what circumstances can you enter a property, what 22 precautions do you need to take? That wasn't there 23 within the guidance. 2.4 In fact, we had to look elsewhere with regards to 25 the health sector and, you know, for those who were

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carrying out caring duties, you know, what precautions did they take in entering someone's home, and try to apply that to our sector. So that was an obvious gap there that we were trying to interpret and fill in our own way.

Q. As an Association representing landlords, you'll no
 doubt be familiar with the various regulations and
 guidance that applies to landlords in ordinary times.

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Did you have any comment about the form in which guidance was being issued during the pandemic in terms of statutory, nonstatutory guidance and indeed any preference that you might have liked in that regard?

A. Our preference would be statutory guidance. We're used

to working within statutory guidance guidelines so ——
but I think things were, again, moving at a pace and it
was very difficult to get clear guidance. I think
that's the best way I can put it. So that just wasn't
happening.

And of course we were constantly asking for what do we do about this or another situation arose which, to be fair, none of us really thought about and though, well, how do we deal with this situation or how can we advise landlords about this? So that of course took a number of people within the civil service time to be able to collaborate on and come back to us with clearer

information.

And the issue there was even though we may be did
get clearer guidance in some circumstances, it was the
time it took to get that and, in the meantime, landlords
and letting agents were still looking for answers.

Q. You mentioned there the uncertainty about what you
 could — landlords could and couldn't do during the
 pandemic. One thing that you've mentioned to us is
 facilitation of house moves.

Could you explain to his Lordship what the difficulty was there or what the issue was there I should say.

13 A. Yes, the issue was of course determining key workers, 14 because they were still able to move. So we had 15 landlords and agents saying -- especially in the very 16 early days of the pandemic house moves were set up so 17 they were going to be happening and that could have been 18 a few weeks hence from the beginning of the pandemic and 19 of course they were asking the question can we still go 20 ahead? But are these key workers that you're moving? 21 Is it essential that they move? So is it reasonably 22 necessary to carry out that move?

> So these were all questions that were being raised at the time. So we did have healthcare workers that were moving within the private rented sector from one

> > 5.

property to another and indeed from other sectors into a rented accommodation for obvious reasons that they were maybe wanting to isolate themselves from their families or relocate in order to do their essential work. So we were very much involved in providing the support and assistance to landlords and agents to facilitate that to happen.

8 So there was a question of what is a "key worker" 9 and how do you define that as well too.

10 Q. And in terms of travel you've talked about there whether 11 it's reasonably necessary again. In any new tenancy or 12 in a lot of new tenancies there's a number of parties 13 involved in that: the tenant, most obviously, the 14 landlord, potentially an agent involved.

In your experience, did you find the views being expressed as to whether something was reasonably necessary at that time were the same amongst groups of people?

A. Completely divergent in some cases, as you can imagine,
 and the motivations and priorities of different
 individuals obviously came into play as well too.

So the message very much was stay at home, don't leave your home unless completely necessary and even that could have been restricted, especially in the early days, but people were saying it's essential that I move

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into this home. We had to facilitate that. 1 2 So for instance letting agents their offices were 3 closed, so how can you facilitate that? So who are the 4 players in making that happen at that time? And of 5 course it was of course convincing them too that it was 6 appropriate to carry out that work and, ultimately, they were coming to us for advice saying "Can we do this?" 8 and "Under what circumstances can we say no?" 9 So, yes, it was -- (a) it was confusing, but there 10 were different priorities of different players in that 11 at that time. 12

Q. From what you've described there, there's a tension between people who want to move and people who are reticent for whatever reason.

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Was there any particular group amongst them that was more keen on moving or pushing forward moves than others or was it very situational?

A. It was situational, but I think it's fair to say that I think the key player for the move to take place was the tenant or the prospective tenant at the time, because their motivation was to find that new home and, to be fair, many of them were struggling.

They needed a home to move into, especially if it had been prearranged and set up, they had maybe sold their own home or whatever the circumstances might be.

1 They were homeless, they had to move. So that was of 2 course a priority for them for that to happen at that 3

4 Q. Because of the relationship in a landlord-tenant 5 relationship, the landlord is receiving rent generally, 6 and from that relationship one might have supposed that 7 landlords would be keen to get tenants in to empty 8 properties. Was that the case?

> It is implicit I suppose from what you said the tension if the tenant is pro, then the landlord is more reticent. Was there any reason for that reticence particularly that you came across?

13 A. Well, everybody was frightened. Let's face it, we're in a pandemic so the message was very much stay at home, protect yourself and protect others. So certainly our members were very cognisant of that and it was important for them (a) to follow the guidance and later follow the law as well too. So I think that was a priority for

> And you were always worried that you were going to do something which actually could cause harm to someone else so sometimes the best thing to do is do nothing and I think many landlords were thinking that was what they should be doing at that time.

Q. Were there any additional steps that required to be

taken around that time in respect of properties to prepare them?

A. Yes, in the sense of hygiene. You know, in the sense of 4 how do you carry out these physical moves? How can you do that? Again, that was confusing at the time. There 6 was very little information early on about how can you make sure that the property was sanitised enough or for somebody new to move into, especially if it had been 9 lying empty for a period of time.

So I remember, just anecdotally, initially there was the thought that if you just leave it a few days then maybe the virus would no longer be in existence so therefore you could safely move in, and that changed, because we didn't really know the life cycle of the virus at that particular time. And did it need to be completely sanitised or how would you do that?

17 So there was a lot of guidance around before 18 somebody came in, you know, wipe the place down and how 19 do you do that, et cetera, et cetera? So that was 20 always very difficult to understand and interpret.

21 Q. You've spoken to us about what was essential work at the 22 time and the confusion in respect of that guidance. Did 23 that become any clearer as the pandemic progressed in 2.4 terms of what you could and couldn't do?

A. No, I don't think it did. Obviously now it's not that

long ago, but it does seem a while in some sort of our minds to think back now and understand what was happening at that time, but, no, I think the guidance was never clear on that and, again, some people were very reticent.

It's not just with house moves. I think one of the biggest issues was gaining access to properties to do safety checks, for instance. That was not a priority to tenants. So they were very clear. We don't want anybody coming in to our home. That's what we've been told by the government and, quite rightly, that we had to respect that. But of course we had safety checks that needed to be carried out. So a lot of them didn't happen at that time because of that and that hence why I was mentioning the confusion in the guidance.

At least if you have got it clear in guidance, and in particular the statutory guidance, you could say, well, here it is, you can read it for yourself, but a lot of tenants were very clear they just didn't want anybody coming into their home and I think that's understandable.

So that was safety checks, but repairs was another big issue as well too. What is a priority for the tenant and that varies from tenant to tenant?

Q. Did that cause any concerns for your members in terms of

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2 regulations and the like? 3 A. Yes, and you can imagine that if you're a member of an organisation like ourselves, we're encouraging them to 4 5 do the best job that they possibly can. To be empowered 6 to do that we give them the information. We tell them what the law is. We advise and train them accordingly. 8 And we would expect them to follow suit and take heed to 9 that information.

I suppose potentially being in breach of safety

So, yes, they were wanting to make sure that they did the right thing and I think that's only fair that we should be expecting them to do that. It's their legal responsibility as well.

 $14\,$ Q. Well, we've spoken about at the information and guidance available to landlords. I wonder if I might ask you about information to tenants. I suppose it's implicit in everything in the landlord-tenant relationship that

18 there is two sides to every coin, as it were.

19 A Of course

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20 Q. Did you have any thoughts about the information or the 21 quality of information that was being provided to

22 tenants at the time?

23 A. I think equally I think that was confusing. We were 2.4 hearing that from our tenants. Our members were reporting that back to us and, yes, they were saying we 25

1 don't know what we can allow or what's right and 2 remember it's their home and they have a right to 3 protect their home and feel safe and secure within their 4

> So they felt that actually we don't know what we should be doing or what is safe to do and what isn't and or what I can be able to do safely, effectively, and allow within my own home. So that was very confusing for tenants so.

10 And can I say in particular with tenants who had 11 health issues themselves so there was a lot of confusing 12 there. They maybe felt vulnerable, they were 13 vulnerable, and so therefore they were being extra 14 cautious and of course they were encouraged to do so as 15

16 Q. Thank you. You had mentioned when we spoke about 17 guidance for landlords the fact that announcements were 18 made by ministers and others and then guidance came out 19 subsequently. Was that pattern repeated in respect of 20 tenants information?

21 A. I'm sorry I really wouldn't be able to comment too much 22 on the information that was provided to tenants.

23 Obviously, we're largely supporting landlords. At that 24 time, we were referring landlords to the guidance that

was available overall to the PRS, so, equally, it could

have been appropriate for tenants to read that and understand that too, but obviously our job was not specifically about supporting tenants in that particular 4 area.

5 Q. At paragraph 8 of your Rule 8 response on page 2, if I may, there's a couple of statements you refer there from the First Minister:

> "No one can be evicted from their home during this crisis ."

On March 29, 2020. And:

"Nobody should be facing eviction as a result of

26 March, 2020. Were there any consequences arising from those statements?

15 A. Yes, as you can see, on 26 March 2020, the first 16 statement made by the First Minister was "nobody should 17 be facing evictions" so it is a statement of intent 18 there as a result of the crisis and of course everybody 19 was watching that on a daily basis and of course we were immediately getting the calls saying, "Well, what does 20 21 that mean?" And of course we were looking, well, what's 22 the guidance? What's the legislation that's going to be 23 framed on the basis of that statement? And that was 24 something that wasn't forthcoming.

Then three days later, on 29 March, there was a

further statement, "No one can be evicted from their 2 home during this crisis". That's a clear statement I think there from the First Minister.

That was not the case. Evictions did still taken place and could still take place, but you can imagine for many people hearing that they might think "oh, well, I'm not going to get evicted so do I need to pay my rent?" and many people were struggling to pay their rent because of obviously not having the income from work, they were maybe laid out off or whatever the case might have been at that time. So is there a priority then to pay your rent? For many people, there wasn't. So we do know from the information we've received from members that as a result of that, tenants, some tenants, didn't

I have to say, you know, we did encourage landlords to work with their tenants and in most cases that was successful and the government did commend landlords later on for working with their tenants and sustaining those tenancies, but that created not only confusion, but people thinking actually I don't need to be worried about eviction.

THE CHAIR: Can I ask the first statement, first statement on the page, second statement in terms of time, is as you've pointed out erroneous. Did you bring that up

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with officials? 1 A. We did. We did at the time, and we said actually what does that mean, first of all? So when is this go to 4 happen? Because actually of course we need regulations 5 at least for that to come in to being, but when is this 6 go to happen because we know evictions are still being carried out. 8 THE CHAIR: Did you get a response even? 9 A. So that was -- I think it was very confusing at that 10 time. To be honest, we weren't getting a clear response 11 on it. In fact, to just follow up on that, it was 12 11 December 2020 before regulations were actually 13 published, which didn't put a ban on evictions. There 14 was never a ban on evictions, as I'm sure you're aware, 15 but there was action taken whereby Sheriff officers 16 couldn't enforce an order for eviction, but orders for 17 evictions were still being granted at that time and 18 continued to be so. So the statement in itself wasn't 19 correct MR TURNER: Thank you, my Lord. You've preempted my next 20 21 question which was -22 THE CHAIR: I do apologise. 23 MR TURNER: I was about to ask about feedback to government, 2.4 Mr Blackwood. You've answered my question in part. 25 Did you have the opportunity to feedback to

1 government?

2 A. Yes, ves, we did. As I say, we had very good contact 3 with the government. I can't fault that. You know, on 4 a daily basis, we were bombarding them with questions if 5 nothing else, but we have always had a good relationship

6 with the civil service and we were in close contact. 7 Q. Were those existing contacts that you had before the

8 pandemic?

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A. Yes, yes, they were. 10 Q. Did you have any additional involvement during the

11 pandemic with the government? 12 A. I think certainly in a state of emergency they had other

13 people allocated to different tasks, so yes we did come 14 across and we did get support from some people who we

15 hadn't had contact with before. But I think our main

16 contacts -- there was not one single point of contact,

17 but our main contacts were people who were very

18 familiar $\,--\,$ we were familiar with them and they were 19 familiar with us.

20 Q. His Lordship heard this morning from a witness who sat 21 on the public -- sorry Private Rented Sector Resilience

22 Group and they informed his Lordship that the Scottish

23 Association of Landlords also sat on that for a while. 24 Could you tell his Lordship about that group?

A. Yes, I was co-chair of the Private Rented Sector

Resilience Group and, obviously, the whole purpose of the group was to be a conduit to government to be able to have that opportunity. We sat every two weeks I think it was with the civil service to be able to discuss what were the latest issues and what we will be coming across and experiencing. So there was certainly very much a need for that group.

In time what happened was obviously it became very focused on support for tenants, which I don't deny needed to happen, but I was also keen we had support for landlords and other aspects of the private rented sector. So I actually felt the group should almost have split at some point and we should have had a tenants' Resilience Group and a landlords' one, but that didn't happen so.

But that group was quite diverse, quite a wide range of interest on that. There was only two of us representing the private rented sector on that group.

Q. Do you feel there should have been more representation 19 20 of landlords on that group?

21 A. To be fair, there are few organisations like ourselves 22 operating in Scotland so and they were existing contacts 23 the Scottish Government had so I don't have criticism of 24 that. It was more the focus of the group and that it 25 was very much focused on support for tenants and what we

could be doing to alleviate any hardship that tenants could be incurring and I wholeheartedly supported that and I would still do that if that happened again, but I think we were only seeing one side of the coin, one argument there.

So I was able to use that group to be able to say this is what landlords are experiencing, this is the guidance we need and of course that was equally of interest to tenants and tenants' group representatives as well too, many of whom are advice agencies equally speaking to landlords as well. But I think there should have been another group more focused on those providing the accommodations and going into the detail of the support that they need.

15 Q. You've mentioned that you had existing contacts in 16 government and that you were already using those. Did 17 that mean that the PRS Resilience Group was not your 18 only conduit in terms of feeding that information back?

19 A. Oh, indeed, yes, that's right, yes.

20 Q. Our witness this morning suggested that if we come back 21 into a pandemic at any point, and I'm sure you're aware 22 that his Lordship is seeking to learn lessons, she 23 thought that a group like the PRS Resilience Group would 24 be a group that should be available to government, but she suggested that perhaps a wider array of voices.

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1 I think she suggested as many voices as possible in terms of providing a breadth of view.

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Do you have any comment on that? Do you think that would be a useful lesson for his Lordship to consider?

- 4 5 A. I think the group was quite wide-ranging in the sense of 6 the interests that were represented as part of that group. We had a lot of stakeholders involved in that 8 group. I certainly think, yes, that group would need to 9 come back into being in the event of another pandemic, 10 but perhaps there was maybe more of a role for subgroups 11 within that group to focus on the different interests 12 within the group. Because it was very clear that there 13 were different interests around the stakeholders who 14 were part of that group.
- Q. Thank you. I would like to talk very briefly, if I may,
 Mr Blackwood, about tenant support, because of course
 this all nothing exists in a vacuum and I think it's
 quite important to understand that.

You mentioned that tenant support was put in place.

Could you tell his Lordship what support was available to tenants?

A. So the first thing that was available to tenants was a
 hardship loan. So it was an interest—free loan that was
 available to tenants and that was open for application,
 I do have a note of the dates, from 7 December 2020 to

1 do have a note of the dates, from 7 December 2020 t

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1 31 December 2021 and that was managed by the Energy 2 Saving Trust at the time.

And then later on and this was an announcement that was made on 23 June 2021, and that was further launched on 27 September 2021, and that was a hardship grant.

Now, that was something that the Resilience Group very much focused on and we were keen to see more financial assistance being provided to tenants. That's of course of interest to landlords too. Anything that would support a tenant to help them pay their rent is in all our interests so we very much supported that, but that did take some time to come in.

So prior to that all we had was interest—free loans that were available to tenants and that was called the hardship loan at the times. My understanding is it wasn't taken up very well. Likewise, there was an interest free loan for landlords, but I can imagine that wasn't taken up very much either. Simply because a time of crisis and potential debt people might be incurring, the last thing many people want to do is take on another loan and whether you're a landlord or a tenant, I think your attitude towards that would be no different. So I don't think either of these schemes were very successful.

Q. Thank you. You mentioned there that landlords have an

interest in seeing that tenants have the ability to pay their rent effectively. Did you find or did your members find that that was assisting members to pay their rent?

5 A. No, initially it wasn't. I think (a) there was the issue about uptake and tenants (a) being aware of it,
but feeling that it would be appropriate for them to take on a loan for the points that I've already
mentioned. But equally beyond that, you know, tenants were very concerned about how sustainable is that for the future. That's what we were hearing from our members.

So the uptake was low and actually for those who did get it, anecdotally we were hearing from our members, there were maybe aware that they had signposted their tenant to it, they had maybe got it, but they weren't passing that on to the landlord. They weren't actually using it for the purpose in which it was intended, ie to pay the rent. That didn't happen.

So when we came around to discussing the grant fund, we said it's essential that it is about paying the rent and that should be paid direct to the landlord and, therefore, negating the rent arrears, which did happen, but that wasn't launched until 27 September 2021.

Q. You mentioned there paying it directly to the landlords.

paying it directly to the landlord.

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Do you mean that you proposed that that payment be made directly to the landlords in respect of rent?

A. Well, to pay off the arrears effectively . So the grant would be paid, it would be a grant for the tenant, but the condition was it would be paid direct to the

6 landlord. That's how it —

7 Q. Is that how it in fact operated?

8 A. Yes, yes.

9 Q. Would you accept that that to that extent, because the 10 arrears were being paid off because the rent was being 11 paid off, that did provide some support to landlords?

12 A. It did and, again, that's why we advocated for it and
 13 landlords were saying, you know, why shouldn't our
 14 tenants get this support and get this help? And
 15 therefore if they're able to get that help, they can pay
 16 their rent and there's no issues here with rent arrears
 17 and no need to even think about eviction procedures.

So on the whole we thought that would be a good thing, but that was for any arrears that arose between 23 March 2020 and 9 August 2021, so that was the period in which this grant would cover any arrears between that time, but one of the issues with it was how does a tenant access that? How do they get to know about that? And, again, there was no clear guidance on who do you apply to, because it was operated by a local authorities

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who could use their discretion as to who gets it and who 1 2 doesn't get it. So there was no central coordination of 3 that. The Scottish Government didn't provide a list of 4 these are the contacts so we could as landlords and 5 agents give that to our tenants, say this is where you 6 go for the help. In fact, SAL ourselves we had to go and try to gather those contact details to be able to 8 disseminate so that wasn't provided by government. 9 So it was run by local authorities and I have to say 10 I think every local authority did treat it differently 11 and allocate the money differently as well too, which, 12 again, just added to confusion as well. 13 Q. Thank you. We've spoken there about financial support. 14 You've mentioned two other things in the course of your 15 evidence today relating to. I suppose, substantive 16 questions about eviction processes. You mentioned that 17 eventually there was a moratorium on evictions, is that 18 correct, for a period? 19 A. Yes, in the sense of a delay on when -- well, the notice 20 periods were extended so it became a six-month notice 21 period so it just took longer to be able to go through 22 the process effectively, but there was never a ban on 23 evictions as we already mentioned. 2.4 Q. Thank you. That was going to be my second question about at the notice period.

- 1 A. With the exception to of course Sheriff officers, as I've already alluded to. On 11 December 2020, there 3 was -- Sheriff officers weren't allowed to enforce eviction orders. 4
- 5 Q. Thank you.

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- 6 A. And in some cases, certainly in Glasgow, was the last area that moved to level 2 and that wasn't until 8 5 June 2021.
- 9 Q. If I could ask you now or if I could turn to some 10 questions about the financial effects for landlords. 11 You've mentioned the fact that rent arrears were being 12 incurred during the pandemic period.

Are you able to tell his Lordship anything about the degree to which those rent arrears were accruing?

15 A. Yes, again anecdotally, but what we're hearing from our members that if someone is in rent arrears as a result of the pandemic, that really extended their arrears to a period equivalent to six months effectively so they would have been in arrears more as a direct result . We could see a correlation there between the extension of the notice periods of six months to the increase in the rent arrears that was due by the tenant, which equated equally in many cases to six months.

> So effectively our argument was it just prolonged the process which, ves. okay, prevented eviction at an

earlier period, but it increased indebtedness to the tenants so. Whereas if a grant system came into play much earlier, perhaps a lot of this debt that accumulated by tenants might not have actually happened.

Q. You've mentioned there the rent arrears was extended by six months. What was the rent arrears that you

experienced before the pandemic?

8 A. I think, you know, anecdotally, we're looking at perhaps 9 nine months there and that was extended to about 15 10 months. It's very anecdotal, but this was the 11 information we were receiving from your members and 12 analysing as well too.

13 Q. Were landlords receiving any other kind of direct 14 financial support from government?

15 A. So all that was available to landlords was an 16 interest -free loan. So that's all the government was 17 prepared to offer and, as I say, initially , that's all 18 that was offered to the tenants as well. And then grant 19 funding came in for tenants, which, as I say, was 20 welcome, but there was no equivalent support to 21 landlords.

> Our big issue about that was other businesses were supported in that time. Landlords were not and certainly still to this day are not seen as businesses and unless they had offices or they were incorporated in

some way, which they were able to through other means get some support, but there was no direct support available to housing providers in the private rented sector in a sense of private landlords so.

And even with the loan it was very limited, so it was only for landlords who own five or fewer properties, but that would only be available to cover the loss of income of one property within that portfolio and through our campaigning that was later extended up to three properties.

11 So it was incredibly limited as to what the loan would actually cover and of course the big issue, as 13 with tenants, is landlords if they felt they were going 14 to be in financial difficulty as a result of the 15 pandemic, didn't want to then take the burden of a loan. 16 albeit interest free.

17 Q. Again, Mr Blackwood, looking towards lessons, is there 18 any lesson that you think his Lordship might want to 19 consider in that regard?

20 A. I think grant funding needs to be considered much 21 earlier in a pandemic for both tenants and for 22 landlords. I think we also need to think about with 23 regards to landlords how do we classify them in such 24 circumstances, are they businesses, are they essential workers, you know, in the sense of the activity they

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carry out to ensure that someone's home is safe to continue to live in?

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But financially, you know, the issue is they weren't self-employed so therefore they didn't get the help that self-employed people were able to gain. They're not employed so therefore furlough was not available to them. So for those landlords who are not incorporated, who rely solely on income from their rental properties. there was no assistance available.

So there were certainly gaps there in at the support that was provided and landlords, many landlords fell down those cracks in the regulation that was offered of assistance at the time and that was a major problem.

And even for letting agent members, okay, some of whom could be incorporated, they had offices, if they weren't covered by the Small Business Bonus Scheme, which did give the ten thousand pounds grant to small businesses and small premises there, if they were slightly larger offices that they were operating from. although there was the Retail. Hospitality and Leisure Grant Fund, letting agents were not classed within that. So they weren't seen as operating within the retail sector, albeit that they're selling services to people. Now, we lobbied for that to be changed and at a later stage they were -- letting agents were included within

that guidance so some of them eventually did get some assistance, but, again, that was up for local authorities to decide which category do you fall into.

So I think my message would be certainly grant funding should be made available much quicker and should be more open, should be more transparent and easier to access. As I say, it was even difficult, especially for tenants, to understand where did you go for help, how do you apply for this money? And that was very difficult to find. Hence, why we had to go really to every local authority and ask "Give us the contact details". So a central system of at least collating details of local authorities that could easily be disseminated, whether it was through a website or whatever.

The government was very keen to try and give guidance on a daily basis, but when it came to accessing financial assistance, both landlords and tenants really didn't know where to go.

Q. You've mentioned obviously the grant funding that we were talking about in terms of paying off arrears. One might or his Lordship might consider when looking at lessons that a scheme might be devised whereby money goes to tenants and then flows through to landlords in

Would that have met all of your member's concerns at

that time?

A. No. it probably wouldn't, for the simple reason that not everybody might use that to pay their rent. And I think 4 we have to understand that we're in difficult times and with fairness to tenants that if you're struggling to think about how you're going to pay your bills at the end of the month, how you're going to put food on the table, often it's the case that the last person you're going to think about paying is your landlord. Now, that's a reality of life . So whereas actually securing 10 11 the roof over your head perhaps should be the most important thing, it isn't for everybody and every has 13 their own priorities and looking after your family and 14 you are family's interests is for many of course the 15 number one priority.

> So our issue very early on with the grant scheme we were saying it has to be used for the purpose for which it is intended and that's paying the rent. That's the sole purpose of that. There might be other assistance for other living costs, but this was to do with rent and the only we could ensure that was by paying it to that landlord, because the issue here, the policy objective, was to prevent homelessness, was to secure that tenancy, prevent eviction.

So I think we need to be cognisant of how can we

1 make sure that money in the form of a grant, public

2 money, is used for the purpose of which it's intended. 3 So I think that's essential in any kind of future grant

4 scheme.

5 Q. We talked about the difficulties or the restrictions on people moving into houses during the pandemic. Did your

members experience any events in terms of people

8 leaving?

9 A. Yes, same issues, yes, exactly.

10 Q. Were there any particular patterns in terms of empty 11 properties or the like that were different during the pandemic to normal times?

13 A. Yes, certainly more properties were left empty. That

14 was a net result of the pandemic at that time so and at 15 that time we were looking at how best can we utilise some of these properties? Could they be used for key 16 17 workers, healthcare workers in particular? Could that 18 be a route to using some of these properties?

And again, in leaving a tenancy, lots of tenants were actually putting off moving so they were staying in the property as well too, which often suited all parties so -- but, yes, there was certainly properties lying empty because the whole sector was not working as it should of course in the state of the emergency that we

were in.

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Opus 2

Q. We've talked about the fact that a tenant scheme in an financial assistance that hopefully could be available ideal world would meet the needs of a landlord with a in the future and understanding that and accessing it as sitting tenant in the money came through the tenant. well too so that it's very clear. 4 It's probably implicit but that scheme, would you agree, 4 Our biggest issue was lack of clear guidance. So 5 wouldn't work in circumstances where the property is that was really important and needs to be provided 6 empty? timeously. Statements were being made, but it was some 7 A. Yes, yes, of course. It means there is no income from time before it was backed up with any guidance, let 8 that property so. But again, that's perhaps where a alone any legislation. So that period of limbo between 9 grant scheme or maybe even an interest-free loan scheme 9 a statement publicly being made by ministers and 10 10 so could come in there to support those landlords with something actually happening in legislation created 11 11 confusion, if nothing else, within the sector. empty properties. 12 Our priority was dealing with tenanted tenancies and 12 There was a lack of recognition about the essential 13 how we can ensure that those tenancies could be 13 activities that landlords carry out and letting agents 14 sustained during the pandemic and a lot of that was 14 of course too with regards to ensuring that properties 15 15 about the landlord working with the tenant. So I think are safe and well maintained and I'm talking about 16 16 essential repairs, maintenance and safety. I think we I would be giving the wrong impression to say that no 17 tenant paid the rent during the pandemic. That of 17 would need to be very clear about that and really see 18 course didn't happen. And I'm very proud to say through 18 landlords in their day-to-day activity as being 19 essential key services that we should be supporting and our support of certainly our members, but I think the 19 20 wider private rented sector, is that landlords were 20 making sure are still able to continue to a degree with 21 cognisant of the problems the tenants were facing. They 21 our day-to-day work. 22 knew the jobs they were doing. So if they worked in a 22 I think with regards to restrictions, there was the 23 hospitality sector, they knew they weren't getting any 23 extension to the notice periods on evictions. We do 2.4 income so could they reduce the rent for a period during 24 believe that that resulted $\,--\,$ okay, certainly landlords 25 the pandemic. Some did do that. They worked with the couldn't issue notice perhaps as soon as some might 1 tenants to sustain those tenancies and that actually was 1 have, bearing in mind that most landlords did work with 2 their tenants to sustain their tenancy, but actually for a very successful strategy for many. 3 And we do know that some, anecdotally, who worked in those who did have to evict after the pandemic all that 4 the hospitality sector were then able to go to the local legislation did to extend the notice period was increase 5 supermarket and perhaps get a job there as well too. indebtedness to tenants. I don't think that was in 6 That happened. So they were able to gain alternative anybody's interests, the tenants or indeed of course the employment and the landlord worked with them through landlords. 8 that period and we would encourage that in any future 8 So these are the main issues and, as I say, the 9 9 financial assistance really not regarding landlords as Q. Thank you. Mr Blackwood, we just have a few minutes 10 10 businesses or supporting them as other small businesses 11 left. I'm going to offer you an opportunity if there's 11 were supported at the time. Thank you. 12 any particular key issues which you feel you MR TURNER: My Lord, that's all the questions I have unless 13 particularly want to highlight to his Lordship either 13 your Lordship has anything to add. 14 which we've touched upon before or which we potentially 14 THE CHAIR: No, thank you, Mr Turner. All that remains for 15 haven't touched upon or you think there is any 15 me to do is to thank you, Mr Blackwood, for your time 16 particular lessons which you think his Lordship might 16 and your efforts and your very helpful evidence. 17 17 wish to consider. I'll give you that opportunity. I'm grateful. Right, 2.30. 18 Before we do that, I'll just remind you we do have 18 (2.14 pm) 19 your Rule 8 response, thank you very much, and the other 19 (A short break) 20 documents you provided. His Lordship has had an 20 (2.31 pm)

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THE CHAIR: Good afternoon, Ms van der Westhuizen. Who do

MS VAN DER WESTHUIZEN: My Lord, this afternoon we have a

panel of representatives of three housing associations

and that are all members of the Glasgow and West of

you have for us today.

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your opportunity.

opportunity to consider that, but if there is anything

that you wish to particularly highlight to him, now is

A. Okay. Thank you. Well, my Lord, I guess really I think

we've probably emphasised everything we can about the

1	Scotland Forum of Housing Associations. We have	1	housing association you represent, giving an indication
2	Ms Malpas from the Cassiltoun Housing Association,	2	of its size and the types of properties it operates and
3	Mr Mallan, from Govan Housing Association, and joining	3	their locations, the demographic of your tenants and the
4	us from $$ sorry, yes, who's joining us remotely and we	4	communities in which your properties are located and
5	have Mr Earl who's from Dalmuir Park Housing	5	also an indication of what your housing association
6	Association, DWP.	6	normally does, in other words, in non-pandemic times.
7	THE CHAIR: Very good thank you. Now good afternoon,	7	And if we could perhaps start with Mr Earl followed
8	Ms Malpas, Mr Mallan and Mr Earl. There will be	8	by Ms Malpas and then, finally, by Mr Mallan again.
9	questions for you when you're ready.	9	GARY EARL: Thank you. Yes, the association was registered
.0	CLAIR MALPAS, JAMIE MALLAN and GARY EARL	10	in 1978 operating mainly in the Dalmuir area of West
.1	Examination—in—chief by MS VAN DER WESTHUIZEN	11	Dunbartonshire, where we currently manage around 850
.2	MS VAN DER WESTHUIZEN: Thank you, my Lord.	12	homes which includes shared ownership and fully owned
.3	Before I start, could I please remind you all that	13	properties.
4	proceedings are being recorded and transcribed and ask	14	The residents approximate over 2,000 and they're
.5	you just to speak slowly and clearly and I'll try to do	15	contained within one— to five—bedroom apartments.
.6	the same.	16	Approximately 95 per cent would be white, mixed ages
7	If I could perhaps start by asking you each in turn	17	relevant to apartment size and obviously an area of
.8	to confirm your full name and your role now and during	18	deprivation and low income areas.
.9	the pandemic and also the housing association that you	19	The statistics would also apply to the wider area,
20	represent now and during the pandemic.	20	albeit that some of the homes with gardens would
1	And if we could perhaps start with Mr Earl,	21	probably attract younger tenants and also younger
22	Mr Mallan, and then Mr Mallan?	22	families . Our association is heavily and densely
23	GARY EARL: Gary Earl of Dalmuir Park Housing Association.	23	populated as a tenemental stock.
24	I'm a finance officer with a remit to manage the way the	24	The association itself is community based. It sets
25	role within the association. That was my job during the	25	its own budget and is responsible for its investment
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1	pandemic and remains at this time.	1	programme. One of the things at Dalmuir Park is very
2	Q. Thank you very much. Ms Malpas?	2	unique is it has its own care sector. It has two
3	CLAIR MALPAS: Hello. I'm Clair Malpas. I'm the chief	3	sheltered housing complexes and also an out—of school
4	executive of Cassiltoun Housing Association. I have	4	care group. And one of the additional things is it
5	worked with Cassiltoun since 2007 and I was chief	5	would have an extensive wider role programme, which
6	executive at the time of the pandemic.	6	dovetails very well into the annual budget.
7	Q. Thank you very much and, finally, Mr Mallan?	7	Q. Thank you very much. Ms Malpas.
8	JAMIE MALLAN: I'm currently the director of the Community	8	CLAIR MALPAS: Yes, as I said, I work for Cassiltoun Housing
9	Enterprises of Govan Housing Association, but at the	9	Association. We are a community-based social landlord
. 0	time of the pandemic I worked as a business	10	based in the South of Glasgow. Castlemilk was formed in
.1	Transformation Manager at Ferguslie Park Housing	11	the 1950s as part of the refurbishment of the Gorbals,
.2	Association.	12	while the Gorbals tenement was getting knocked down and
.3	Q. You all previously attended a roundtable meeting with	13	new estates being built, so all of our stock is
4	other housing associations and members of the Inquiry	14	post-1950s, mixture of flats and back and front door
.5	team and that report has been approved.	15	houses.
.6	My Lord, for reference can be found under SCI GWSF	16	Currently we have 177 properties. They are a
.7	XX000004.	17	mixture of family homes, one—bedroom homes, very simila
.8	So the intention today is for his Lordship to hear	18	to my colleague here. In terms of our tenure of stock,
.9	about some of the key issues and impacts experienced by	19	we have got the households types. It's a mix of young
20	your housing associations, by your tenants and by the	20	families through to older residents. We do have some
21	wider communities as a consequence of restrictions in	21	supported accommodation where individuals are supported

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disease.

by mental health charities or for addictions or have

learning difficulties . And we also own a $40\mathrm{-bed}$

residential unit for men with alcohol—related brain

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place during the pandemic and that will be under a

But before I list those themes, could I ask you

please in turn each to provide a brief overview of the

number of broad themes.

In terms of our normal operations, we are a social landlord so we own properties, rent them out, maintain them. However, Cassiltoun also has two subsidiary companies. One a pre-five nursery. The other is a development trust where we deliver a whole range of community development activities. So pre-pandemic we were doing the bricks and mortar of our operations, but we are also delivering a range of community development programmes, including managing our local park. During COVID, this obviously increased and I know we will go on to that later. Q. Thank you very much. And Mr Mallan, of course you had a different role during the pandemic so feel free to explain both the housing associations that you were involved in, both the current and the previous one the Ferguslie Park. JAMIE MALLAN: Yes. So just now our current housing association, we have a stock of around 1,630 properties and, like the other housing associations, that's a mixture of tenement properties and more modern properties. In terms of our structure, we have two subsidiary companies. We have one companies which is the Govan 2.4 Home Team and they focus on delivering our maintenance and repair service for our stock and they also have the

Water Row company, which is a new subsidiary that focuses on the delivery of mid—market rent properties, facts and services, commercial and residential leaseholders, as well as it delivers a money advice services for government housing association tenants.

In terms of Ferguslie Park, it's a smaller housing association. It has around 802 homes and those are mostly the two—, three— and four—bedroom properties, back and front door, a lot lower density than the kind of tenement properties my colleagues have mentioned.

It also has a subsidiary company. So it is the Tannahill Centre, which is a charity. It's mainly a physical building with a number of different tenants which include third sector and public sector bodies and organisations. It also has a community development programme working with local groups and volunteers to deliver services that meet the needs of the local community.

In terms of demographics and social kind of makeup, Ferguslie Park has a reputation of being one of the poorer areas of Scotland. Hopefully, I'll show you through my evidence today that's just one part of the community.

Q. Thank you very much. So as I mentioned, we'll structure the discussion under a number of broad headings. So

we'll be discussing issues and impacts under the headings community anchor organisations.

Secondly, issues and impacts experienced by tenants and the wider community, delivery of welfare assistance by housing associations and role creep. Thirdly, housing—related issues and impacts fourthly, issues related to key worker status and the definition of essential or key workers. Fifthly, financial support. Sixthly, issues and impacts experienced by housing associations and, finally, potential lessons to be learned.

We'll come on to discuss to role creep and operational issues experienced by your housing associations in more detail, but if we could start for now discussing community anchor organisations and if I could please ask you to explain what community anchor organisations are. We've heard some of this already in the Inquiry, but it will be useful to have it from your perspective. Whether your housing association was a community anchor organisation during the pandemic and, in general terms, why community anchor organisations, including, if applicable, your own housing associations, were important during the pandemic and any other relevant key issues.

I think on this one if we could perhaps start with

Mr Mallan, because I think you have a particular interest in this due to endeavours during the pandemic. So if I could start with you and ask you to briefly outline what your interest is and then we'll follow with Mr Earl and then Ms Malpas. Thank you.

JAMIE MALLAN: So community anchor organisations are organisations that are owned and operated by the local community. They are very much routed in place, so they're not likely to move or relocate and quite often use their assets to generate an income. So for example, housing associations have stock or other community buildings that can generate an income that are then reinvested back into the community.

Quite often they support kind of local and informal groups or smaller voluntary organisations, and I think that was a key part of housing associations' role during the pandemic. Yes, so I think that's a quick definition of community anchor organisation.

Q. And were either of the two housing associations you were
 involved with community anchor organisations during the
 pandemic?

A. Yes. So I would say the Ferguslie Park Housing
 Association very much identified itself as a community
 anchor organisation. I think Govan as a community
 anchor organisation might not recognise that so far.

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Hopefully, that's changing. 2 Q. And I wonder if -- I understand you did a dissertation in relation to community anchor organisations during the 4 pandemic; is that correct? 5 JAMIE MALLAN: I did, yes. So I looked at how community 6 anchor organisations were funded during the pandemic to deliver the COVID response. So I have maybe some 8 conclusions and findings I could speak about later on. 9 Q. We'll come on to discuss funding so perhaps you can add 10 something there. 11 Then. Ms Malpas, if we could turn to you then and. 12 again, just if you want to add to anything about what 13 community anchor organisations do, whether your housing 14 association was one and, in general terms, why they were 15 important during the pandemic, including your own one? 16 CLAIR MALPAS: Yes, I think that was a very good definition 17 of a community anchor organisation. Cassiltoun 18 certainly is one in our local area. It is an area of 19 multiple deprivation. I think for me most 20 community-based housing associations would see 21 themselves as community anchors. They're often one of 22 the sort of key businesses in the local area, but 23 they're also very embedded in terms of what's going on. 2.4 They have a good knowledge of the local people, the local community. They can be very quick to respond to

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1 local issues and emerging issues and we tend to be sort 2 of the cohesion around which other organisations form 3 and we can reach out and assist those other 4 organisations too.

Q. Thank you very much. And Mr Earl.

GARY EARL: Yes, I can only echo that. I think we were a community anchor before the pandemic, but more recognised through the pandemic though achieving sizeable amounts of grant funding. Community anchor is more a community glue. I think that is how it's best described. We, particularly at Dalmuir Park, pulled together the community. We were very quick to self-organise and when we attracted the funding is organised and ordering the products that we wanted to roll —out to our tenants and local residents as fast as we could through difficult times.

We did do that, and we done that very successfully, but more important was that we had welfare calls which looked after the tenants prior to the delivery of these items.

21 Q. Thank you very much.

> In relation to that, we can perhaps move on to the next general topic, which is issues and impacts experienced by tenants and the wider communities. delivery of welfare assistance and role creep. This can

include, this discussion, just for example, the key issues and impacts experienced by tenants and members of the wider communities, communication that your organisations had with tenants and/or other organisations in the communities, issues around the social housing sector, perhaps stepping in and what other statutory services were doing at the time, additional roles or tasks undertaken by housing associations during the pandemic, including in relation to providing welfare assistance and support to tenants and wider communities and the types of support provided.

And perhaps as part of the discussion just illustrating if there were disproportionate impacts on any particular groups that fall within either your tenants or the wider communities you serve.

Perhaps we could start with Ms Malpas. And also

just to add that if you could also draw a distinction between at the services you provided before and how that changed at the time. So perhaps we can start with Ms Malpas followed by Mr Earl and then Mr Mallan. CLAIR MALPAS: Okay. Cassiltoun is well known and was well known before the pandemic for all the additional wider role community development work that we did. So we already provided a level of assistance to local tenants and wider residents so I will try and be clear what the

1 step up was.

> So I suppose the first thing was to do with, as with everybody I'm sure, the welfare assistance and welfare calls we made. We already had a welfare rights service, but my housing team basically stopped chasing for rent arrears as soon as the pandemic hit and pivoted to actually start phoning tenants and checking to see that they were okay. That was at the forefront of everybody's minds, I think, just checking in with our tenants and residents to see if they needed anything.

> Particularly, Castlemilk has no supermarket. It has one couple of corner shops. To get to a supermarket it's a bus journey or a car ride. We have low levels of car ownership in the area. So we're already known as being a food desert. So for a lot of the welfare calls that we were making it was the fact that people felt they couldn't get out and get food and shopping in. So I think the key focus for us in the early days of the pandemic was that provision of food for local people, who were often reliant on, say, family members to take them to the supermarket or people who perhaps couldn't stand in the queue outside of Morrisons for an hour to get into a supermarket. Again, that seems like a very simple thing for me, but for somebody who has disabilities actually waiting in that queue was just a

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1 2 So we were lucky to get funding through a variety of 3 different funders or again pivot some of our existing 4 funding. We had some very understanding funders who 5 allowed us to kind of shift our focus to provide food 6 packs, deliver food packs. We worked with lots of other local organisations. As community anchor we already had 8 sort of close relationships with other organisations in 9 the area who -- when we all worked together, I had staff 10 going out trying to source variety of food. Our 11 building is a community building that the housing 12 association operates out of and that basically became 13 filled with whatever we could find, so bags of pasta one 14 day or stock cubes was a favourite that we had to try 15 and find, juice, et cetera. Food was the first thing 16 and getting that out and utilising different 17 organisations in terms of their delivery. We had people 18 drivers, we had a community bus, an organisation bus to 19 take things around so. 20 And that was going out not just to our own tenants.

We formed a group called Castlemilk Together. So we had lots of referrals from the whole of Castlemilk in terms of where that needed to be targeted so it was beyond our own tenants.

So I think food was the first aspect. The next

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thing we started to deliver was digital devices. Again, we had already had a little bit of that before the pandemic, but we were able to get funding in for digital devices which was really critical for people to get online to communicate with each other, to communicate with us, for their children. We had a lot of people with school age children who were maybe trying to share a mobile phone for their schooling, which obviously wasn't acceptable. So again, able to get those in delivered, but importantly then our staff were able to go out and show people how to use them through doorways and windows and, you know, having training sessions on how to turn on an iPad through a window.

So all these things are kind of over and above what we did previously, right down to delivering meals and going to pick up people's prescriptions, offering sort of befriending services I guess for people who were lonely, those isolated tenants. And I suppose we felt like we were often the only people who were -- from statutory services we were the only people who were present in the area able to have that sort of touchpoint with a face through a window or ...

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24 CLAIR MALPAS: That's okay or constantly being at the end of the phone and we knew that for a lot of people who were

feeling very isolated that we were the people they would 2 turn to.

Q. And just in terms of engagement, how does it normally 4 work? How do your tenants normally contact you and how were they contacting you or being contacted during the 6 pandemic?

CLAIR MALPAS: So we are -- because we're community based, our doors are open, our tenants are in and out of the 9 office all the time. We also go and walk around the 10 estate and people will come and talk to us, come out of 11 their doors, we go to people's homes and also through the telephone and email.

During the pandemic, it was mostly through the telephone but, again, we did have -- or referrals from other agencies, but again we were still going out to people's houses, but with that in order to deliver --

18 Q. Thank you. And just in terms of your role as community anchor organisations, so you were delivering support vourselves, but were you also distributing funds for support over and above that?

22 CLAIR MALPAS: Yes. So we worked collectively with a 23 variety of different organisations within Casltemilk. 24 So we got money in for say food provision, but that was 25 going out across the whole of Casltemilk working in

1 partnership with other organisations. Same with 2 digital.

I think the key for us was the need in the community didn't stop at the end of our street of our tenants. It was much wider than that and there was no point unless we were kind of trying to effect change for everywhere.

Q. Thank you. You mentioned specifically digital devices being distributed . I missed did you say was that to your tenants or the wider community as well?

CLAIR MALPAS: Both. It was a referral system to see who 10 11 needed them.

Q. Thank you very much. Mr Earl, if we could turn to you next and if you wouldn't might need speaking up. 13 14 Apparently just struggling a little bit to pick up your 15 voice. Raise the volume a little bit. Thank you.

GARY EARL: Almost echoing what we said there. The tenants 16 17 had the lack of general assistance to start with.

18 Again, no transport to supermarkets and it was more 19 expensive to shop local. There was reduced income 20 coming into the area due to job losses, furlough, to 21 name but two. And just as Claire said, they had minimum

22 forms of modern communication at that time. There was

23 very little smartphones or there was only one per

24 household and there was also little or no garden space to exercise, which was quite important obviously with

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the majority of housing stock being 95 per cent or 90 2 per cent tenemental. 3 So from the off, from day one, we had six -- I think 4 it was six laptops and six mobile phones and we made the 5 welfare calls and then started to email out to our 6 tenants. Every tenant received one of those phonecalls. We have also got the two sheltered housing 8 complexes. We made sure that they had essential 9 day-to-day household essentials and also the wardens 10 there had socially distanced door-to-door calls to 11 ensure that these residents were safe in their own 12 13 We like Clair rolled out food vouchers, hot meals. 14 We assisted in prescriptions deliveries , activity packs 15 and, as I said, IT products. We were fortunate to get 16 funding for that too where we could then distribute a 17 number of iPads and smartphones throughout our housing, 18 19 Q. And I think in terms of products or assistance for 20 children and families, was there anything specific that 21 you rolled out in relation to that? Such as we've heard 22 people talk about activity packs and that sort of thing. 23 Was that something your organisation delivered? 2.4 GARY EARL: Yes, hundred per cent that was one of the first roll —outs to our residents, including splitting that out 101

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through adults and the children in the area. To do that was difficult because some of the companies that we were using were furloughed, that had furloughed the staff themself, so it took just that a little bit longer to get that. It was regimental to get that rolled out, but once we had it on-site then we mobilised the staff that were available to get that right through the housing

9 Q. And what sort of packs were you distributing and how 10 were they received?

GARY EARL: Yes, so they were well received by the tenants and the residents. We had jigsaws, we had games, we had small cooking skill games, recipe books. Food vouchers was contained within these packs as well, but it was during delivery was very humbling and to actually have to drop these off at people's doors and might be the -it might only have been that person that they saw that day or even that week, you know, so you could actually do the check, the welfare check in at that time too.

Q. Thank you very much.

Mr Mallan, if we could then turn to you, please. So we're still on the issues and impacts experienced by tenants in the wider community and the delivery of welfare assistance and any role creep and if you could perhaps, if there is a difference, distinguish what was

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being done by Govan Housing Association and Ferguslie Park, if there is a distinction.

JAMIE MALLAN: Being honest, I can't really speak about what 4 was delivered in Govans, so I will just focus on what was delivered in Ferguslie Park. 6

I think for me in terms of who was impacted most I think a lot of assumptions were made when the rules around social distancing et cetera were made. So if you weren't a traditional family, if you didn't have a car, then you would have found it even more difficult, as difficult as it was without all that. So that impacted on a lot of our tenants in a lot of different ways.

I think overnight a lot of our tenants were -- lost their income, so they were either furloughed or they were made redundant and, like Clair had mentioned, our welfare rights team had had to address that so we increased the capacity there.

There was for a lot of our tenants, a lot of the wider community, there was an increased cost of having children at home. So just, for example, just feeding them, heating the house, homeschooling. So when we spoke the local school one of their concerns where a lot of families didn't have basic stationary or basic supplies that they could home school. So one of the first things we did was provide the local school with

those kind of resources to go out to families who needed them most.

There were also really practical things like a lot of the families we worked with didn't have a dining table. If you have three or four children and trying to home school them, Clair mentioned maybe from a mobile phone, you know really practical things we did there to support those families. That included purchasing digital devices. So I think we all got access to the same kind of funding around this.

Again, as I've mentioned the physical aspects of it. So we had a number of -- although Ferguslie Park is quite close to a retail park, if you don't have a car, it's really difficult to get there. So we had lots of families really rely on the local corner shop and they were kind of saying the cost of buying nappies or other kind of basics almost doubled overnight.

And again the kind of access to space. So we had a community centre and a big focus for us was bring the community in. Actually had to keep them away from that and that was a lifeline for a lot of people. And I think one of the big, big impacts was that kind of social isolation and I think that went across the whole community. So we had older people who weren't really seeing folk for days on end, unless we were knocking on

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the door. We also had I think a big impact on people's mental health, both adults and children, and I think that's when things like the activity packs come in. So, you know, justify to funders buying £20 worth of stationary, games et cetera, it was about saying this gave families and individuals a bit of structure to their day, a bit of kind of creative release.

What was really important for us is how we use that

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What was really important for us is how we use that to connect people to the communities. So there would be activities there and people would upload their kind of pictures or their resources or they would put a display in their gardens that would then be a feature on things like social media. Things like that.

I think a big pivot for us was around that community anchor role. I think that really stepped up for us and I think the big change for us was around us as a housing association being more outward focused, so speaking to funders, speaking to other partners, bringing in resources, but then trusting those smaller more informal groups. It got to a point nearly every street had some form of group, whether that was a formal committee or whether that was a kind of WhatsApp group with a lead volunteer.

We were able to bring in the resources, we were able to manage that budget, we were able to monitor and the

- evaluations on that kind of bureaucratic stuff, whilst actually local volunteers and local individuals kind of delivered on the ground. So I would say that was a massive pivot for us then.
- Q. Thank you very much. Unless anyone has further to add in relation to impacts, we can bring them up in other topics, we can perhaps move on to housing—related issues and impacts and given you all represent housing associations, it would remiss of us not to have this as a stand—alone topic.

So if we could cover things such as, for example, protection from eviction, rent arrears and ability to carry out repairs to property and resulting impacts from that, including, for example, deterioration to properties and any other relevant key issues.

And if we could perhaps start with Mr Earl and,
Mr Earl, I have been asked to ask you to speak up again,
if that's all right. I think it's maybe just the angle
to the mic, but if you wouldn't mind speaking up, that
would be helpful.

Sorry. I was just going to say start with Mr Earl, then Mr Mallan and then Ms Malpas?

- GARY EARL: At Dalmuir House we took pride in achieving
 hundred per cent success in the landlord gas safety
- records where we managed to get into all our or access

all our tenants houses to do that legal responsibility, which was great for the Association. However, there were instances where the general checks of the apartments, the houses, the flats, whatever it may be, we couldn't gain access to that just because of the restrictions that were in place.

And then when we managed to get into these one or two these houses were in some dire state. Some -- one, for example, somebody had been using it is a meeting place and had left it with thousands of pound worth of damage. So that would have been picked up had we been able to obtain access and do more checks. Also required a lot of general waste removal at that time too. But just like other housing associations, reactive repairs were stopped. Cycle maintenance and major repairs with only the emergency repairs being undertaken.

The rent — like what Clair said, I think more focus was on the welfare of our tenants at that time, which was absolute priority . However, there was a softer approach on the rent arrears collection . It still had to be done, but we knew that there was basically more important things to look at than simply collecting the arrears .

Q. Thank you. And is there anything else you would like to add in relation to housing at this point? We can always

1 come back once we have gone around the room.

If we could then go to Mr Mallan and, Mr Mallan, I have been asked to ask you to speak up as well, if you don't mind.

JAMIE MALLAN: No worries. I suppose one of the big —— I suppose to say anyway I had the least knowledge, but one of the things I am aware of is that in Ferguslie Park the change around evictions did bring in a different attitude around how the housing association supported tenants and as a result that —— yes, the focus has become a lot around tenancy sustainment and I think that practice has continued. As a result, actually rent have gone down and the costs of rent or the costs of chasing rent arrears has also gone down, because there's less cost involved in taking legal action and, as a result, there's more money to invest in tenancy sustainment activities. So I think that's been a real positive and a real opportunity to learn from the pandemic around

I know in general housing associations have reported that the condition of a lot of their stock has decreased as a result of the pandemic and I think a lot of the associations, including Govan, are still feeling the impact of that with increased repair costs.

Q. Thank you. And just in terms of protection from

1	eviction, was there anything specific in relation to
2	that in addition to rent arrears that either of the
3	housing associations was doing?
4	JAMIE MALLAN: Yes, so I suppose Ferguslie Park took a very
5	different approach to supporting the tenants so
6	therefore the focus became around tenancy sustainment,
7	rather than making sure that all the processes were
8	followed around pursuing evictions. So housing
9	association would see evicting a tenant as a failure on
10	their part, but the kind of the protections around that
11	created more of a focus on that tenancy sustainment
12	aspect of things.
13	Q. Thank you very much. Ms Malpas.
14	CLAIR MALPAS: Yes, so with regards to the eviction ban,
15	I think it has been said by my colleagues eviction is
16	always the last resort for social landlords. We will do
17	everything in our power to sustain that tenancy. That's
18	what we're proud of and work with tenants. Cassiltoun
19	has done that for a long time to try and get them to the
20	situation where we don't have to evict them. It is a
21	failure . We don't want to add to the homeless
22	situation .
23	So I suppose for us the eviction ban, we probably
24	wouldn't have evicted anyone during COVID anyway. It
25	wouldn't be part of our ethos and I think for us with
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1	the eviction ban, we had some tenants sort of
2	anecdotally saying, you know, we just won't pay our rent

the eviction ban, we had some tenants sort of anecdotally saying, you know, we just won't pay our rent because we know you can't evict us and they created that little bit of mentality actually post COVID, which has had an impact on our rent arrears.

So our rent arrears before —— pre—COVID to post—COVID increased by about hundred thousand pounds, which is a lot for us. Well, it's gone over a few

which is a lot for us. Well, it's gone over a few years. It's COVID plus I would say cost of living crisis and the impact of what I call the great resignation, lots of people changing jobs, which I see as an impact of COVID, because of all the staff changes in the sector. So all of that together has had an impact on our rent arrears of an additional hundred thousand poinds, which is about one and a half per cent on our rents, which are now — only now just about to kind of start mitigating against, start pulling that

A lot of people got out of the habit of paying during COVID and because our staff were very focused on the welfare calls, we weren't on top of them as much we are normally and, again, it 's that habit forming of people paying their rent on time. About 65 per cent of our tenants are actually on full housing benefits so I suppose for us it was the other people then who maybe

got out of the way of paying. So our arrears did increase and it's taken us a while to kind of get back on top of them.

In terms of our repairs, very challenging during COVID. As colleagues have said, it was only emergency repairs that were considered vital. We actually spoke with our contractor and got some of our repairs reclassified as emergency. In the early days, ariels, TV ariels were not seen as an emergency, but we got those reclassified during COVID, because having the TV actually was one way people could be entertained in their homes. It was a way lot of people were actually finding out about what was going on, you know, watching First Minister. So for us that was essential. It was good that there was a bit of flexibility in the end with our contractor to reclassify what was deemed as an emergency.

Like yourself, we were able to get into homes to do our gas safety checks, but all of our investment work stopped during COVID. So again we had kitchens, bathrooms, windows all poised to go in and obviously they didn't go. And the rest of the repairs, so non—emergencies were nonexistent and that has had a knock—on effect for a couple of years really in terms of a backlog of repairs post COVID. The backlog in repairs

has been coupled with the fact that, again, immediately post COVID, there was a lack of trades, supplies were very expensive to get hold of. So again it had that sort of roll—on effect in terms of a much longer delay than I thought in terms of getting on top of all the backlog of work.

But also then the properties that we had coming back were in a much poorer state than we would have expected historically . So for example, where a small leak which wasn't an emergency, so it wasn't fixed during COVID, had been let to run on for a number of months, that created lots of rot in timbers. So something that would have cost us very little to repair under normal times was a massive repair when we went into that property eventually and had to replace a lot of woodwork. And that was kind of replicated throughout quite a few properties that we got back.

Also in terms of just a general sort of wear and repair of the house, so again a lot more — we had a lot more abands after COVID, which we put down to again people — so abandonments. So people who just hand the keys back and don't tell us they're leaving and we put that down to the fact that people were — again, some of those hadn't been paying their rent, they were saving up a deposit to go somewhere else and the state of those

2 we had had pre-COVID. So lots of just sort of hoarding 3 in there or just the overall look of the property was in 4 poor quality. 5 Again, we know that people were struggling 6 financially so, again, that's when we started really 7 seeing post-COVID sort of damp and mould coming in 8 place, because again it's people are -- COVID onwards 9 have been struggling to heat their homes and maintain it 10 in that way. So it's been a long process I think to get 11 back to normal and to me it feels it's only really been 12 this year where it feels like we're back in the swing of 13 everything and almost caught up with everything that 14 kind of hit us during COVID. 15 Q. Thank you very much. Before we move on or back as the 16 case may be, Ms Malpas, you mentioned that you weren't 17 pursuing evictions in relation to your tenants during 18 the pandemic. What assistance and it's a question 19 for -

properties, again, were not up to kind of standards that

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20 CLAIR MALPAS: There was an eviction ban so we couldn't 21 anyway.

22 Q. There was an eviction ban, because what assistance were 23 your housing associations providing or able to provide 2.4 to those who were homeless pre-pandemic if at all?

CLAIR MALPAS: So we get what are called Section 5 referrals

from the local authority. So every year we allocate 30 per cent of our empty properties our void properties to homeless cases. We also have some temporary furnished flats in our stock that we house homeless cases in. During the pandemic, we had problems actually with our voids, our empty properties. Again, they weren't seen as an emergency. So we couldn't get those turned round. We couldn't get all the checks done in order to relet them to the waiting list applicants, because people still needed homes during the pandemic. We also struggled to get metres reset. Again, working with the utility companies is always challenging, but during the pandemic it was hundred times more challenging to kind of get those things done.

However, during the pandemic we worked -- we spoke to Glasgow City Council and we were able to then offer every single void property that we had coming in during the pandemic to Glasgow City Council and allocate Section 5 homeless referrals into that property. And because they were homeless, they were deemed as an emergency, an urgent case, and as part of that programme, we were able to get those properties turned around and to a lettable standard.

At the end of the pandemic, we were able to what we call flip those flats so they became mainstream tenants at the end of the pandemic so they were able to sustain and stay within that community.

Q. Thank you very much. I'll perhaps just ask Mr Mallan 4 and Mr Earl, just in relation to your own housing associations, to what extent you were able to provide 6 accommodation for preexisting homeless tenants during the pandemic and maybe start with Mr Mallan and then go 8

9 JAMIE MALLAN: I don't have any hard facts or information. 10 What I do know is that Ferguslie Park has quite a low 11 turnover of stock so we don't have a lot of vacant properties on a kind of annual basis. In terms of 13 accessing properties in order to relet, that was about 14 adopting new practices. So again there was that kind of 15 focus that Clair said about, you know, support people in 16 who were homeless, because that was an emergency.

> It also meant using technology to ensure folk could view flats, could see if they were suitable, that kind of thing. So there's a kind of big element of upgrading staff skills around all of that. That's all I can really contribute there, sorry.

22 Q. Thank you. Mr Earl.

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23 GARY EARL: Yes, I don't think I can add much more to what 24 Jamie had said there.

Q. Thank you. Just before we move on then to the next

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topic which is turning to discuss issues around key workers and key worker status, if I could just ask you briefly a question relating to the previous topic and about impacts on your tenants and on the wider communities.

Were there any particular groups of tenants or just members of the wider community that were 8 disproportionately impacted that you would like to flag 9 under that subject? Perhaps we can start with Ms Malpas 10 followed by Mr Earl, followed by Mr Mallan.

11 CLAIR MALPAS: Yes, I think we've kind of touched on that in terms of our conversations already. So for me it was families with school-aged children. Again, because we're in an area of deprivation it was the digital devices, single people, people with mental health issues who are feeling very isolated, older people.

> Again, because of the social isolation and not been able to go out and do things, for me, and I think Jamie touched on it already, the majority of our tenants live in flats with no -- with a drying green out the back so no real green space. We are very fortunate that as an association we have been working with the council for a number of years to regenerate the local park and a lot of our tenants and wider community were able to go and use that for their sort of social walking.

So, yes, I think older people, people with health issues, people with school—aged children, and as an area, because we're socially deprived, I think if you look in a wider context, the residents of CasItemilk and all the deprived areas were impacted more than people in more affluent areas. Q. Thank you. Mr Earl, anything to add in relation to disproportionately impacted tenants or members of the GARY EARL: Yes, well, obviously I could echo what Clair was saving there, but maybe one of the aspects with Dalmuir Park there was two sheltered housing complexes where, as you can understand, it's a lot of elderly tenants that reside in these properties and they were looked after, but we also had the unfortunate case where one or two or more had passed away through the pandemic, which had a ripple effect on the tenants, the other residents within So I would say that the sheltered housing complexes were the real focus for the Association, obviously mainstream housing as well, but the sheltered was the main area of concern. Q. Thank you very much. Mr Mallan, anything from you on 2.4 JAMIE MALLAN: Yes, just echoing the comments made before.

I think the biggest group of people impacted were those living in poverty and that was a majority if not all of our tenants. As an aside from that, I would agree people who were living alone, a lot of older people were impacted and again families as well. I remember speaking to a parent and saying "I'm in a house full of people but I have never felt so alone", because they couldn't get out of the house.

One of the big things in Ferguslie Park, if you remember, is there were a lot of drug deaths, so a lot of people overdosing during the pandemic and I think that's been as a result of being unseen. So not able to access services physically, not having contact with key workers or support workers and not being seen and there was a kind of key voluntary group that had to deal with that within Ferguslie Park. So I would say that those are the kind of key groups.

Q. Thank you very much. If we could now come on to discuss issues, and this is both for your staff and tenants, or any issues relating to key worker status and the definition of essential key workers, bearing in mind the roles or the wider roles that you were fulfilling at the

And if you could perhaps give some examples to his Lordship such as relating to the clarity of definition of key workers, if there were any issues around that, whether or not staff were categorised as key workers and the consequences of that and any other relevant key issues.

And perhaps if we can start again with Ms Malpas followed by Mr Earl and followed by Mr Mallan.

CLAIR MALPAS: Thank you. Yes, housing associations staff were not key workers during the pandemic, which we were surprised at, you know, as the guidance sort of rolled out and we were certainly feeding back through. I was part of a housing sort of forum with the social housing regulator, feeding back we felt that we should be seen as key workers. We felt that the work we were doing in terms of keeping people safe in their homes, in terms of allocating homes to homeless people, in terms of some of the repairs that were going on and as well as the food provision that we were doing, we should have been deemed as key workers.

I suppose that had a number of effects on staff and as an organisation. So as the chief exec, I had some staff saying, well, I'm not a key worker, so I shouldn't be going out. There was that having to explain to a member of staff why we needed to do something or they felt they weren't given permission by the Scottish Government to do it, even though they wanted to do it

themselves. So I suppose it was a bit of a grey area in terms of what we were asking them to do matched with the permission.

It meant that staff couldn't access schools and childcare provision, because they weren't a key worker, which again limited what they could do for the organisation and put, again, extra sort of burdens on certain staff if they were having to look after children and still wanted to assist with the delivery of services. I mean we were very flexible with our staff during this whole period, but actually having them as key workers would have helped them and us.

Travel, again, because they weren't a key worker, we had lots of questions about whether they had permission to travel during the pandemic, you know, when we were sort of — you were only allowed out to do shopping or for your one hour of exercise or crossing the boundaries as the pandemic rolled on. I suppose a lot of the information I have given now is kind at the outset of the pandemic, but there were so many rule changes as we went through, trying to remember what was permitted and not. So I think that was a big problem, a big challenge for my staff about what they were permitted to do in terms of travel.

We ended up giving staff a letter signed by myself

and my chairperson explaining why they were out and financial support and, in particular, issues around it 1 2 about and what they were doing. And so if they were during the pandemic including, for example, the funding 3 ever challenged, then they had this letter that said model that applied during the pandemic for your 4 they are out going to the Cash and Carry to pick up food organisations, both in relation to the activities you 5 provision or they are travelling into the office from a carried out, but also in relation to your role as different local authority to fulfill a certain purpose 6 community anchor organisations, flexibility, stringency and we were never -- none of my staff were ever stopped, of criteria and monitoring, matters relating to trust, 8 but it would have been much easier for me as a manager and that's between funders and organisations, speed of 9 if they were -- as an organisation, if they were the delivery of financial support, and any ongoing 10 10 classified as key workers and I think they should be in impacts, including the current financial support 11 11 the future. situation. 12 Q. Thank you very much. Mr Earl. 12 And perhaps we can start, given that this relates 13 GARY EARL: Yes, I mean we've said it a few times about 13 somewhat to anchor organisations, with Mr Mallan 14 echoing previous words, but almost word for word there. 14 followed by Ms Malpas and followed by Mr Earl. 15 15 We had a small selection of staff who in our opinion JAMIE MALLAN: Yes, I think what was really important was 16 were key workers, self-entitled by themselves and the 16 the flexibility given to organisations receiving funding 17 association, and not named by the Scottish Government as 17 from different bodies. That was a key difference. 18 18 I think we kind of touched on the kind of trusting 19 We had ordered crucial key services to the tenants 19 element of it and I think that was a major step-change 20 and residents through the absolute toughest period of 20 in how community anchor organisations were funded as a 21 the pandemic, which was March 20 certainly right through 21 result of the pandemic. 22 to the end of that year. We were basically the 22 Local organisations, groups, community anchors were 23 frontline responders. And I think when the residents of 23 provided with sums of funding entrusted to deliver a 2.4 24 the area knew that we were there, they felt a lot more service that met the needs of the local people and I 25 comfortable and a lot more reassured that there was 25 think that worked really, really well. It also meant 123 1 somebody else at the end of a phone or an email that that we could deliver at speed. So quite quickly we 1 2 could respond. Like Clair said, we were given letters 2 could mobilise, because that funding was given to us in 3 signed by the chief exec to say that we could -- or we a trusting fashion, whereas the kind of model before 4 were representing the Association for a specific task. 4 would have been for us as an organisation to apply for 5 And again echoing there, me myself personally was funding, wait for that to be assessed, wait for 6 cross-bordering on a daily -- well, maybe not a daily feedback, then wait for an outcome and then be granted 7 basis but a regular basis to get to work. And there was the funds, potentially in arrears, after you have 8 also other employees who, again, had different home delivered the project. Whereas during the pandemic most 9 lives. You know, they had kids or elderly parents, funders were kind of up front and quite quick and 10 10 grandparents in maybe families with underlying health responsive in how they provided funding to third sector 11 11 conditions that had that reluctance to step outside the community anchor organisations. 12 door based on the fact that they weren't actually named 12 And having spoken to a lot of funders, they 13 1.3 reflected on that and said a lot of what we did before 14 Q. Thank you very much and then, Mr Mallan. 14 was quite bureaucratic and wasn't really needed so we 15 JAMIE MALLAN: Again, can't really add more to that, just 15 kind of asked for information we would like, rather than 16 echoing the points already made by other people. 16 information they would need. There has been a real 17 I think one of the big frustration $\,--\,$ and again the 17 step-change in the funding environment around that. 18 rulings changed and were tweaked quite often and I think 18 My kind of big fear is a lot of funding

and we've touched on it already, but just to discuss

one of the main frustrations from our organisation was

around passing through different local authority areas.

quite a lot of good work being delivered because of

Q. Thank you. If we could then turn on just to discuss,

That seemed quite bureaucratic at the time and prevented

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organisations. So, again, us as a community anchor

organisations, particularly those within the statutory

sector, have kind of reverted to old ways and I think

was that kind of relationship with smaller

organisation managing funds, managing the

it's been a massive failing moving on from the pandemic.

I think what really transformed and pushed our delivery

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certain rules.

1 administration, make sure it's monitored and evaluated slightly suffer or we did suffer as an association was 2 appropriately, but trusting those kind of smaller. I think we touched on earlier on that we had a care 3 informal third sector community groups to deliver has sector where we had an out-of-school care group. Now, a 4 been a big learning point for me. lot of other sectors were softly or adequately funded to 5 Q. Thank you very much. Ms Malpas? the extent of at the time they were -- they had small $\,$ 6 CLAIR MALPAS: Yes, so before I was chief executive, I was 6 businesses support. Our out-of-school care group the regeneration manager of Cassiltoun so I was received no support, no financial support from there, 8 responsible for applying for funding and managing either during that or post-COVID in the sort of rebuild 9 grants. So I was, to echo my colleague there, delighted 9 and that, had it went been for the Association being 10 10 during COVID when one existing funders, who had been there and using the reserves and previous surpluses, 11 bureaucratic, were actually very flexible in terms of 11 then that would have closed and, ultimately, that would 12 looking at the pot of money they had for us to deliver 12 have a massive knock-on effect on an area already in 13 things that we couldn't deliver and enabling us to just 13 deprivation in low income. 14 change the model to what was needed, which was 14 So maybe the income streams in a different $--\ {\rm a}$ 15 15 fantastic, something you wouldn't normally get that different manner would have been better to be looked at 16 16 there, yes. swift a response from. 17 And then funding that came about during COVID, as 17 Q. And you mentioned using the reserves, was that topped up 18 was said there, very simple forms. Often you're filling 18 at all? Did you receive any funding to compensate for 19 in pages and pages of forms prior to COVID. During 19 that use of the housing associations --20 COVID, it was "What do you want to do?" in one page. 20 GARY EARL: It was more reserves being -- we are on a break 21 And in terms of monitor, again, I'm used to 21 even on out-of-school care group, but in previous years 22 monitoring regimes where it's quarterly monitoring 22 it would have surpluses would be kind of ring-fenced to 23 returns, lots of stats, often with all the evidence of 23 supplement any swish in other years. But over the last 2.4 spend. During COVID, there was kind of none of that. 2.4 couple of years these surpluses have been used up. 25 They gave you the money. They trusted you to deliver 25 whereas I know maybe in the hospitality sector there was 125 127 1 grants given there for recovery and in the care sector and maybe gave them a case study, but they knew what you $\,$ 1 2 were doing and why you were doing it. And I think, ves. there was none provided for that. 3 it meant that it was simple, less bureaucratic, you got Q. Thank you very much. Does anyone else have anything to 4 the resources to the people that needed it. Your staff 4 add in relation to financial support, including support 5 were actually focusing on delivery, rather than all the 5 provided to your organisations. Mr Mallan? 6 admin work and it just seemed much more effective and it 6 JAMIE MALLAN: I forgot to mention I think one of the really was. It's based on -- we felt trusted, trusted. effective things has been around that different funding 8 model. So we were able -- for example, we were able to Post-COVID I think, yes, there are some funders who 9 have learnt that lesson, but I have just recently done give a group of older people funds to set up a kind of 10 an application and it is very -- it's gone back to being 10 meals-on-wheels-type services during the pandemic and 11 very bureaucratic again. So, yes, it would be good if 11 they kind of said, well, we want to sustain this after 12 funders could learn the lesson of what was a very 12 the pandemic and bring the people together and set up a 13 13 lunch club. And they have done that and that's now effective delivery model during COVID. 14 Q. Thank you. Mr Earl. 14 sustaining and it's not costing our organisation any 15 GARY EARL: Yes, I would echo that too. The reactive -- we 15 money, it's not costing the public sector any money, 16 had over hundred thousand pounds come into the 16 it's generating its own income. 17 association over a 12-month period and while we had a 17 If we had said to this group older people, actually 18 vision of what we would deliver that for, that quickly 18 you need to become constituted, you need to open a bank

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account, you need to have meetings that are minuted and

you need to go to funders, apply for funding, you need

start to deliver, they would have been, no, this is not

something we're interested in . But because we were able

to kind of front—load that and give them the money to deliver that service, they then said we have an interest

to wait six months for the outcome of that and then

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changed so we had to react to that and the flexibility

of the funders was great. And I think that, as Clair

quicker we can get the funding in and out into the

tenants/residents' homes the better, you know, pre,

The one part of the financial support where we

during or post-pandemic.

said, you know, rather than it be more bureaucratic, the

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in sustaining this, we will go and set up a constitution 1 2 we will community, we will open a bank account, we will 3 go and pursue some funding opportunities. 4 So kind of putting the things in reverse and looking 5 at things a different way have actually increased the 6 provisions within the local community without adding any cost to either local groups or the kind of public purse. 8 Q. Thank you very much. Unless anyone else has anything to 9 add on that topic, we can perhaps move on to the next 10 one, which is issues and impacts experienced by housing 11 associations and if you could perhaps include for his 12 Lordship examples of operational matters that you 13 encountered, impacts on staff, including sort of 14 workload, impacts on mental health and wellbeing of 15 staff, and any other relevant key issues. 16 And if we can perhaps start with Mr Earl followed by 17 Ms Malpas and then come to Mr Mallan. 18 GARY EARL: Thanks. Yes, I touched on earlier on about from day 1, you know, the lack of IT. It was basically we 19 20 went home and we had six laptops and six mobiles and 21 very quickly there was maybe one or two people from each 22 team identified as being that sole contact within that 23 team working from home, which put an impact on 2.4 individuals. Many of them were covering for other teams 25 as well. Then it was the cost of purchasing additional

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IT equipment which was paid for directly by the Association

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The IT itself, nobody had really heard of Microsoft Teams and Skype prior to that, and that was -- that was kind of crucial in pulling everybody together, but the negative to that would have been the reliability in individual's homes as to the service provider of the internet, you know. The Teams kept dropping or just bad connections.

The working from home as well, while the summers were very good, obviously the impact cost to the staff working from them, heating, lighting, and possibly at one stage the stress of having to work at home and also do homeschooling. And I know that was particularly difficult for a number of people.

And then towards the end of COVID the reluctance of certain staff members to return to work and they didn't have a car, you know. It was the lack of confidence of returning on public transport. So they maybe had to work from return home that little bit longer until that confidence was brought back up, going into maybe hybrid working or long-term working from home.

I suppose the resident negatives would be the fact that Dalmuir Park, as I said before, was predominantly tenemental. In the summers of '20 and 2021, you'll

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probably remember, was the best summers you'll ever have and the tenemental stock very, very low and little outdoor spaces. So actually having that recreational space, the hour's walk, the keep fit, that was all very, very limited.

6 So, yes, that was the majority of the impacts we would have experienced.

Q. Thank you very much. And, Ms Malpas, anything that you would like to say in relation to impacts experienced by 10 your housing association and staff?

11 CLAIR MALPAS: Yes, so more by luck we had enough laptops. We had had a digital programme running so we had some 13 old laptops which were able to be used by staff. Phones 14 was an issue. A few people had mobile phones, not 15 everybody, but I was very fortunate that my staff team 16 used their own phones, they were happy to do that 17 initially in order for us to get up and running.

> We were able to sort of go to homeworking very quickly, again just by luck, I think more than by planning. Changed days now. We have put a lot of investment into our digital infrastructure to make sure that would never happen again.

In terms of operational matters for staff, so yes working from home we had -- we had a number of staff actually who lived with -- we had young staff who lived

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with their families so they felt that they were having to work from their bedroom, small bedroom, which wasn't good. We had a few members of staff who actually live within our tenement stock. So again working from home wasn't great from home when they were discussing other tenants with their family around.

So, ves. so it wasn't, you know -- I suppose some of my staff team live in properties that aren't in an affluent area. They don't have a dining room table to work from. They don't have a study. So we took the decision to bring some of those staff back in to the office. Again, we were quite fortunate in that our office is a community building as well. It was already been utilised for the food drop—off so the building was already open and it's an old stone building which is very -- has lots of gaps and big windows that we could open so in terms of ventilation it was very good. So we were able to sort of separate those people out and that alleviated --

20 Q. Ms Malpas, if we could just pause quickly. I think we 21 have lost Mr Mallan. I'm not sure if we'll get him 22 back, just not to leave him out of the conversation. 23 He's back.

2.4 CLAIR MALPAS: Okay, so, yes, because it wasn't working from home being at home, both from an operational level but

1 also for their health, you know, working on their bed around their own personal mental health and wellbeing 2 wasn't good, so, yes, that was -- that was the key thing and like Clair, our team walked the Camino and we did 3 for us was being able to bring people back in. We did a other similar things but also dealing with members of 4 lot of work during lockdown to engage with our staff 4 the community who were, you know, struggling, really 5 team to keep their morale up, lots of things about vulnerable positions, potentially unable to help them wellbeing, lots of sort of virtual meetings, we did a 6 6 because of social distancing, that became a big stress 7 virtual round—the—coast walk, don't ask, but again point for staff, and I would agree a younger staff were 8 encouraging people to go out and log their miles, so I a key priority as well again, mostly about how do you 9 suppose for me there was a big impact on me because 9 support them when you're not with them physically, how 10 10 I was the person organising that as the chief exec, so do you train and induct and support staff. Yes, they 11 for senior staff, keeping that staff team and that staff 11 don't own their space, they don't own their home. 12 morale going and keeping that sense of connectedness 12 They're usually living with parents or living with 13 with each other was a big thing during the pandemic. 13 flatmates and how do they find the space to work. So 14 Something I didn't mention earlier but staff were having 14 again like Clair, our organisation quickly moved to social distance office use. In terms of working with 15 to deal with some very difficult issues as well. The 15 16 phonecalls they were having with tenants, often people 16 our tenants we made the most of social distancing and 17 were quite distressed and upset at the end of their 17 outdoor working. That quite often meant -- luckily 18 tether. We had a huge increase in antisocial behaviour 18 Ferguslie Park did have a lot of front gardens, it meant 19 allegations during COVID, again just people living on 19 working with whole streets and having people in their 20 top of each other with nowhere to go, and trying to 20 gardens, so we did a lot of activities around reducing 21 resolve those was impossible really during COVID so our 21 social isolations, like street bingo, street discos, all 22 staff team took a lot of that on themselves and again it 22 those kind of things. But yes, I would say mental 23 was just making sure that they were feeling 23 health and wellbeing was the major issue for both staff 2.4 24 well-supported. Coming back into work, again I'm and tenants. 25 fortunate I have a staff team that actually really like Q. Thank you very much. I'm going to move on then to the 133 135 1 1 being with each other and they were all desperate to get final general heading that we have, which is potential 2 back into the office , but we did have a couple of 3 members of staff who were more reluctant than others. 4 Again it was that confidence. It was potentially a 4 5 couple of members of staff who hadn't even gone into a 6 supermarket during COVID. They had got themselves into 6 7 that sort of mindset and other members of their family 8 were doing it from home. And again it probably took for 8 9

9 one particular staff member a year from home to feel 10 comfortable interacting with everybody else back in the 11 office, but that's all over now. So ves, it was keeping 12 everybody going, keeping that morale up and keeping that 13 sense of purpose and togetherness on top of the 14 additional responsibilities that they were having over 15 and above their job was key for me. 16 Q. Thank you very much. And Mr Mallan? 17 JAMIE MALLAN: I'm back. Yes, again echoing the comments my 18 colleagues have made, the lack of IT provision. I think 19 one of the things for us at the early stages was access 20 to PPE. That was understandably prioritised for other 21 kind of groups and organisations but it really stymied 22 the kind of work our staff could do out in the 23 community. I would agree with other people, mental 24 health and wellbeing for our staff was really important. maintaining that was really important, so firstly just

lessons to be learned. So I'm going to ask you based on your experiences and -- well, the experiences of your housing associations during the pandemic, if you have any suggestions to share with his Lordship for what the Scottish Government could do to mitigate ongoing impacts of the strategic response to the pandemic or could do differently in the event to improve matters in the event of another pandemic or another emergency. But as part of that, I would invite you -- we do have your round table report. If there are any other impacts or issues you wish to highlight, if you could do that at the same time. If we could perhaps start with Ms Malpas followed by Mr Earl and finish with Mr Mallan. CLAIR MALPAS: Okay, thank you. Well, we've heard it already, which is about the funding environment. I think that's key, is that quick response and the flexibility and light touch, that should be definitely continued now and if there is any sort of crisis in the future. Clear and consistent guidelines, I think again for us it changed a lot. There was a lot to take in. Sometimes announcements would be made by the TV but then you would go and check the guidelines and they weren't necessarily up to date so absolutely appreciate everybody was under pressure to kind of get everything

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them most.

up to date but I think again when you're running an 1 2 organisation in the way that we were, having those clear 3 guidelines is critical because, you know, you have 4 everybody else reading them too and if it's not matching 5 up with what you're saying, then there's a problem. 6 We've heard already about key workers, so making sure that housing association staff are key worker status. I 8 suppose what I think should continue and what worked 9 really well during the pandemic was the role of the SRH, 10 the Social Housing Regulator, so they're in a cross sort 11 of -- cross -- cross housing association sector group of 12 which I was part of as well and I was very pleased with 13 their response with us, with the housing associations, 14 and the flexible approach and supportive approach that 15 they took with the sector in terms of their role. so 16 again it's for the regulator having that ethos of 17 flexibility and open channels of communication. 18 And again the other thing that I think is key to 19

take forward is the levels of communication across the sector, which isn't always a Scottish Government action. but for the sector itself, I think that was really, really important and learning from each other in terms of what was working well for each other during that time and checking in with each other and seeing what we were all doing.

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1 Q. Thank you very much. Mr Earl? GARY EARL: Yes, I mean I think the community anchor organisations, they must be more supported and respected with the realisation that they're absolutely key to the local and wider area in which they operate. We know that tenants and residents and other people within the local area do rely on reliability and support and I think that we -- that the housing association through that period stood up and were counted and returned to -in return were respected by the residents and tenants. I think that we touched on the funding and the funding was, I want to say generous, there was a large amount of funding came through that period and the flexibility was really good so we could distribute that very, very quickly. I think ongoing, while there's still tranches of funding available, it's certainly not -- not enough, and certain aspects regarding the food crisis and the heat -- heat and eat, if you like, it still remains but the funding itself has been vastly reduced and I think we all need to look at that -- we really need to look at that more specifically than we are doing just now.

> Probably just finally , and I know we haven't invested a lot in digital technology, but if and when another pandemic comes along and we have to to be more responsive then that we have the right equipment at that

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time, you know, there is contingencies in place to make sure that we are ready to hit the ground running should anything occur in the future.

4 Q. Thank you very much. And finally, Mr Mallan? JAMIE MALLAN: Yes, again fear of repeating what my colleagues have said, again I'm a huge advocate of the community anchor model and I think as we see more public 8 services remove themself from local communities because 9 of the financial challenges they face, there's an 10 increasing reliance on community anchor organisations 11 such as housing associations to support local people. 12 And I think housing associations are really uniquely 13 placed to support the distribution of funds to small 14 grassroots organisations. We kind of heard about the 15 Scottish housing regulators, so housing associations are 16 very heavily regulated, they have got infrastructure and 17 resources to manage funds effectively but they also are 18 deeply rooted in local communities and have those 19

> I think there needs to be a change in how we look at working with communities that have a range of challenges, some of them were mentioned, SIMD, deprived communities, poverty, but I think what the pandemic

connections that can make sure that funds that public

sector organisation manage can get to those who need

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showed is these communities have a lot of assets and strengths as well and how do we make the most of those strengths and assets moving forward in order to challenge the issues that these communities face. People living in Ferguslie Park, people living in Dalmuir Park, people living in Casltemilk know best what challenges they're facing and I think would be best placed to come up with the solutions as well. And I think there has a lot of talk around how we involve volunteers a lot of talk around how we support community groups and third sector organisation play a bigger role in society so we've had things like the Christie Commission; we've had the Community Empowerment Act. I think the pandemic response in local communities are a real strong example of these things happening yet we very quickly moved away from that and moved back to traditional practices. I think there's something we can be doing around how do we involve local communities more in the running of public life and I think what we have delivered over the pandemic is a real strong example of

22 Q. Thank you very much. Unless any of you have anything else you would wish to add, I don't have any further topics for discussion, unless your Lordship has any questions or the panel have anything to add?

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1\, \, THE CHAIR: No, thank you very much indeed. All that
        remains for me to do is to thank all three of you for
        coming —— I'm not quite sure where you are, Mr Mallan,
 4
        but wherever you are thank you for going there -- and \,
 5
        giving us your evidence. That's all . Thank you very
 6
        much indeed. Tomorrow morning at 10 o'clock.
 7
     (3.52 pm)
     (The hearing was adjourned to 10 am on Friday, 13 December
                           2024).
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