

OPUS2

Scottish Covid-19 Inquiry

Day 73

December 12, 2024

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1 Thursday, 12 December 2024
 2 (11.16 am)
 3 MR TURNER: Good morning, my Lord.
 4 THE CHAIR: Good morning, Mr Turner. Now, today's witness?
 5 MR TURNER: The first witness today, my Lord, is Miss Aoife
 6 Deery from Citizens Advice Scotland.
 7 THE CHAIR: Good morning, Miss Deery.
 8 A. Good morning.
 9 THE CHAIR: Right. Now, Mr Turner will I'm sure have some
 10 questions for you.
 11 AOIFE DEERY
 12 Examination—in—chief by MR TURNER
 13 MR TURNER: Good morning, Miss Deery.
 14 A. Good morning.
 15 Q. First of all, Miss Deery, just a quick reminder this
 16 morning's hearing will be transcribed. If you could
 17 speak as slowly and clearly as possible that would help
 18 the stenographers greatly.
 19 First of all, could you state your full name?
 20 A. Yes, it is Aoife Catherine Deery.
 21 Q. Thank you. What your current position?
 22 A. My current position at Citizens Advice Scotland is
 23 senior social justice policy officer.
 24 Q. Thank you. And how long have you been holding that
 25 role?

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1 A. I have been in that role for approximately five years.
 2 Q. You have provided a written statement to the Inquiry; is
 3 that correct?
 4 A. That's correct.
 5 Q. And that statement, my Lord, is reference SCI—WT04151.
 6 Together with that statement, Miss Deery, you provided a
 7 number of documents. We're going to touch upon some of
 8 the things in the documents and indeed your statement
 9 this morning. We may not have an opportunity to get
 10 through everything, but his Lordship will have an
 11 opportunity to consider your statement in full and all
 12 the documentation so please don't be concerned if we
 13 don't get everything, we do just have an hour this
 14 morning.
 15 I am going to ask you a few questions, first of all,
 16 if I may, about Citizens Advice Scotland. His Lordship
 17 heard earlier in the week from a number of
 18 representatives of Citizens Advice Bureaux and he heard
 19 that they are supported by Citizens Advice Scotland. I
 20 wonder if you could tell us — other than supporting the
 21 Bureaux, I wonder if you could tell us what does
 22 Citizens Advice Scotland do?
 23 A. Absolutely, yes. So for context, the Citizens Advice
 24 network is made up of ourself at Citizens Advice
 25 Scotland, our 59—members Citizens Advice Bureaux and the

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1 extra help unit, which is a unit that helps vulnerable
 2 energy consumers, so together we form the Citizens
 3 Advice network in Scotland.
 4 We have twin aims of advice and advocacy. So you
 5 will have heard from our Bureaux colleagues about the
 6 advice they provide and what we do at CAS is to take the
 7 evidence from the advice that is given through the
 8 Bureaux and drive positive change and seek to influence
 9 with the evidence that we hold.
 10 Q. Thank you. With respect to that advice, how is that
 11 ingathered for the purpose of your use at Citizens
 12 Advice Scotland?
 13 A. All of the bureaux report to Citizens Advice Scotland as
 14 part of their agreement with us, so to speak, about the
 15 type of advice they provide, so they provide this in the
 16 form of what we call "advice code data". So for
 17 example, they will tell us how many housing cases
 18 overall they have given advice on and then sub to that
 19 they will tell us how many, for example, private rented
 20 sector housing advice cases and then sub to that reasons
 21 for private rented sector advice, such as problems with
 22 rent, problems with joint tenancies.
 23 So we get different levels of data from the Bureaux
 24 so it gives us a good idea of what's going on. And just
 25 to sort of demonstrate the scale of the advice that we

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1 give, last year we helped nearly 192,000 clients, we
 2 dealt with over 680,000 advice issues and we have helped
 3 clients gain back over £158 million.
 4 Q. Thank you. You mentioned that that's taking information
 5 from the advice that the Bureaux give and we heard
 6 ordinarily, other than during the pandemic, a lot of the
 7 advice is given face to face in the Bureaux.
 8 Is advice given out by other means as well as the
 9 face—to—face advice in the Bureaux?
 10 A. Yes, so we're a multichannel service, so to speak. We
 11 give out advice via telephone, via in—person visits to
 12 the Bureaux, as you referred to. We also have an advice
 13 site which receives several million hits a year. It
 14 covers all sorts of advice areas and is very popular and
 15 was particularly popular during the pandemic as well.
 16 Q. Thank you. And you mentioned there telephone calls.
 17 Were there any changes to that during the pandemic, the
 18 way that was delivered?
 19 A. Yes, that was sort of borne out of necessity. As with
 20 many other organisations, our organisation had to move
 21 from being office based to being home based so our
 22 advisors were working from home and, therefore, the main
 23 mode of clients being able to access our services was
 24 via telephone.
 25 So our telephone service increased exponentially to

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1 the point where we set up a national helpline in and
 2 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
 7 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
 24 I would like to talk to you about today.
 25 You've mentioned that the Citizens Advice Bureaux

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1 and, ultimately, Citizens Advice Scotland are providing
 2 advice to people during the pandemic. I assume that
 3 includes tenants.

4 A. Yes, it does, absolutely.

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
 7 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 go.

18 Q. You have mentioned there a number of third sector
 19 organisations. Sorry. Do you want to?

20 A. Sorry.

21 Q. Not at all.

22 You've had mentioned third sector organisation
 23 there. Are there any public sector sources of
 24 organisation?

25 A. Absolutely, an individual should be able to approach

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

4 I think though given our I suppose footprint in most
 5 communities in Scotland, we're well-known locally and so
 6 people know us as an organisation who give housing
 7 advice. So they're quite likely to come to us, but,
 8 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

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1 people, tenants, come to ask questions about?

2 A. Well, our primary area of housing advice that we gave
 3 out is on private rented sector housing and that's
 4 followed by local authority housing, but we also give
 5 out advice on owner occupier housing, as well as
 6 registered landlord. So all tenures we give advice on,
 7 but private rented sector housing is the area that we
 8 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
 19 advice, in 2020 it was 23 per cent of all housing
 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
 25 that people were finding themselves in financial

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1 difficulty and finding it difficult to pay their rent,
 2 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
 24 rented sector and you said the 17 per cent to 23 per
 25 cent. I also see on there "environmental and neighbour

9

1 issues" from 7 to 11 per cent. Could you tell his
 2 Lordship what that relates to?
 3 A. Yes, I can. Environmental and neighbour issues is quite
 4 a wide advice code. As you can imagine, it takes in a
 5 variety of different circumstances. It takes in
 6 neighbour disputes, noise disputes, if somebody's
 7 foliage is hanging over to another person's garden, so
 8 border disputes like that. So quite a variety of, I
 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?
 25 A. Usually people approach us in regards to rent about rent

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

6 Again, quite a wide advice code, but people
 7 generally people come to us when something has gone
 8 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
 12 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
 19 jump there.

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

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

11

1 Miss Deery, but I see there's two lines that follow each
 2 other. There's the private landlord, which is the 6 to
 3 14 per cent, and then below it we see registered social
 4 landlords. Do you see that?

5 A. I do.

6 Q. Could you explain to his Lordship very briefly -- I'm
 7 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,
 17 although technically "registered social landlords" also
 18 takes in local authorities, because their social housing
 19 providers.

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.

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

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1 arrears going from 27 per cent to 26 per cent over the
2 same period that they were increasing for private
3 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
7 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
19 be linked to the fact that they're receiving more
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?

24 A. Well, during the pandemic we saw that a lot of people
25 who are approaching us were male, as in a different to

13

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 full-time employment. Because of the pandemic they had
7 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.

24 Q. And again, it may seem most obvious thing in the world
25 to you, Miss Deery, but in terms of the levels, is the

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1 country split evenly between those levels? Are those
2 roughly 20 per cent of the country each? So when you're
3 saying levels one and two is that the bottom 40 per cent
4 in terms of deprivation?

5 A. Yes, sorry, I see what you're saying. Yes, roughly so,
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.

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

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

3 The housing cost element of Universal Credit often
4 didn't cover their whole rent if they were in the
5 private rented sector so there was a gap between what
6 they could receive or what they were eligible for and
7 what their actual rent was and we know that drove some
8 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, yes.

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.

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

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1 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
7 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 sort of catch all.

13 Q. Thank you. You've mentioned and we've talked about the
14 number of contacts that you were receiving through your
15 channels of presumably primarily the call centre at the
16 time or the call line at the time. You've also
17 mentioned that advice was given through your website as
18 well.

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.
24 We were sharing the advice given from government on our
25 website and people were searching for a wide variety of

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1 advice, but most often around housing around debt.
2 I think it's important as well to mention that
3 people rarely come with one advice need and because of
4 the holistic nature of our service, it's often the case
5 that people come for housing and debt advice, but also
6 while they're with us, they will also receive energy
7 advice, for example, because our advisors will say,
8 "While I have you, are you able to pay your bills? Are
9 you struggling in any way? Let's see what help we might
10 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.

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

25 What we also saw during the pandemic, especially

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

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

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

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

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

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

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

8 And in the context of the pandemic, when public
9 services are under so much pressure, what are the
10 options for these people? What we found is that they
11 really struggled to find alternative accommodation and
12 had to resort to sleeping rough, sofa surfing or just
13 living in other highly unsuitable accommodation or
14 accessing temporary accommodation or attempting to
15 access temporary accommodation through their local
16 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
21 accommodation in that way?

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
25 variety of accommodation, whatever is available to them.

20

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

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

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

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

18 A. It is, yes.

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

23 A. That's correct, yes.

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

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

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

9 I also need to caveat that there are many, many, as
10 in the majority of landlords are brilliant landlords who
11 want to do the best by their tenants and during the
12 pandemic, at their own financial disadvantage, they
13 wanted to help their tenants in whatever way they could.
14 So there is many fantastic landlords out there.

15 However, there is a notable minority of landlords
16 who did not abide by the law, effectively, who applied
17 rent increases, attempted to evict, illegally evicted,
18 without very much consequence as we saw it. This was an
19 issue that we highlighted regularly to the Scottish
20 Government as a problem as it's a complete power
21 imbalance between tenants and landlords. Tenants find
22 it very difficult to stand their ground. They didn't
23 really have alternative accommodation and often
24 awareness of rights and responsibilities is low. People
25 didn't realise what had happened was illegal until after

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

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

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

19 A. Again, very limited, unfortunately. I think there are
20 some statistics on the number of removals from the
21 landlord register, but not a breakdown of reasons. So
22 exploration of that area I think is really critical to
23 understanding what is actually happening in the private
24 rented sector a bit better.

25 THE CHAIR: Sorry, Mr Turner.

23

1 MR TURNER: Obligated, my Lord.

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

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

7 Q. No. As a generality, is it local authorities that hold
8 that responsibility? Is there anyone else people could
9 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
25 their tenants at the time?

24

1 A. Yes, and you're completely right, we generally and
 2 mostly see when things are going wrong, but we do have
 3 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
 7 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
 24 valid, and there were exceptions to the eviction
 25 moratorium as well, such as extreme antisocial

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

4 So we think it had a positive impact for public
 5 health reasons primarily in the early stages of the
 6 pandemic and also it increased communication between
 7 landlords and tenants, because it forced people to
 8 discuss their circumstances and try and find a way
 9 forward. Of course it didn't work in all circumstances,
 10 but it was really a well-intentioned policy for
 11 emergency circumstances so we think it was
 12 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?

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
 25 hard for tenants and landlords to know what applied to

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1 them and what didn't.

2 I think it also changed every three months or so and
 3 so it was a case of --- well three to six months,
 4 apologies. It was a case of really staying on top of
 5 the rules and regulations. That's something that we
 6 played a role in. We tried to keep --- well, primarily
 7 our advisers as up to date as possible with the changing
 8 rules and regulations and through our public advice site
 9 that information was there as well. So the processes
 10 did change. It was a bit of a moving feast and I think
 11 it was reasonably fairly difficult for people to follow
 12 them and follow the rules without getting advice from
 13 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
 19 Sheriff's ability to grant or indeed the Tribunal, it
 20 would be, to grant evictions.

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

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

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1 period. We thought it was important for the First-tier
 2 Tribunal to consider all aspects of the case when
 3 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
 6 greater understanding of individual circumstances and
 7 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.

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

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1 discretionary and the pot is finite . So we did find
 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.
 7 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
 24 help deal with arrears. However, take up of these was
 25 low, awareness of them was low, and I think that

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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 .
 6 We think that it was the case that landlords and
 7 tenants couldn't afford to pay back loans, even though
 8 most of them were zero per cent interest and that a
 9 grant approach was really needed.
 10 Q. And was a grant approach thereafter adopted?
 11 A. It was, yes. 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
 15 accumulated because of and during the COVID-19 pandemic.
 16 So we --- this is another thing that we were
 17 campaigning and lobbying for. We thought 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.
 24 Q. Thank you. Do you know how that fund was distributed?
 25 A. I do. CAS was part of the Private Rented Sector

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1 Resilience Group which was a Scottish Government group
 2 and this group I suppose spearheaded the introduction,
 3 implementation, the guidance around the fund. So we
 4 were involved in developing guidance for local
 5 authorities to distribute the money, but I have to
 6 emphasise that the importance was on getting the funds
 7 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
 12 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
 17 authorities in terms of how they distributed that money
 18 so it could be different in different areas, do I
 19 understand that?
 20 A. That's correct, yes.
 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
 24 take it up at all. But for the majority of local
 25 councils, we understand this fund to be --- to have been

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1 welcomed, to have been needed and to have been spent
 2 very, very quickly.
 3 You'll see, again, from the official statistics that
 4 many spent their entire allocation very quickly. It's
 5 also the experience of our advisers when they were
 6 approached by clients who needed access to this fund
 7 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,
 24 the circumstances were constantly evolving, it was
 25 difficult to know what the right thing was to do. So we

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

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

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

18 Q. One of the benefits of the Inquiry is that his Lordship
19 is looking at matters retrospectively. We have the
20 advantage of learning lessons that potentially were not
21 available at the time to local authorities or indeed to
22 government. Do you think there is a lesson to be taken
23 in terms of the roll-out of this grant?

24 A. Yes, I think there are several lessons to be learned.
25 I think, first of all, that there is a need for this

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

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

15 So I think a review of how that worked for local
16 councils could be useful in identifying the quickest
17 most efficient route to getting cash to people to help
18 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
25 at pace to get something out that would help people, but

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1 this is all really relevant. In terms of being
2 reviewed, I think we should look at the whole process.

3 Q. Thank you. You mentioned when you spoke a moment ago
4 regarding the Private Rented Sector Resilience Group.
5 I would just like to ask you some questions about that,
6 if I may. Who participated in that group?

7 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
10 pandemic. It was ourselves at Citizens Advice Scotland,
11 a representative from Shelter Scotland, Public Health
12 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 raising awareness about rights and supports for tenants
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.

25 Q. How did it fulfill that purpose or how did it attempt to

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1 fulfill that purpose? Two questions there but how did
2 it go about its work?

3 A. So the Resilience Group met every two weeks and every
4 month the Chair of the Resilience Group, along with the
5 Scottish Government, met with the Housing Minister at
6 the time to discuss the issues that were emerging in the
7 Group. The Group really relied on evidence from the
8 participating organisations, such as ourselves, about
9 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.

13 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 Minister.

17 Q. Thank you. I should probably have asked this before,
18 Miss Deery, but did you attend that group?

19 A. I did from December 2020. Although the group had been
20 established earlier in the year, I joined in
21 December 2020 as I moved from a different role within
22 CAS. Primarily, I supported my then manager who was
23 chairing the Group around the activities of the Group
24 and then my manager left in October 2021 and I continued
25 to sit on the Group, but not as chair.

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1 Q. Thank you. You've mentioned a moment ago that the chair
2 met with ministers. From your experience, either
3 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 front 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.

24 So I think our concerns were heard and action was
25 taken, but I think the scale of need and what was

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1 happening was quite unprecedented.

2 Q. Thank you. Again, his Lordship is looking towards the
3 future in terms of looking back towards the future in
4 terms of lessons. Are there any lessons that you think
5 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
14 existence of that group and the involvement of advice
15 organisations such as ourselves, those frontline
16 organisations, was really important and should be
17 replicated.

18 As to the remit of the Group, I would say it's quite
19 appropriate, quite accurate as to what we were going
20 trying to do. In terms of membership, I think the wider
21 the membership, the better. I have talked about who was
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
25 other resilience groups and couldn't participate in this

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

6 It would have also been good to have a stronger
7 voice of the landlord sector on the group, but, again,
8 and as I've referred to, we are not just a
9 tenant—representative organisation, we represent
10 landlords as well, because they come to us for advice.
11 But, again, having those — a diversity of membership
12 would be important in the future.

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.

21 Just before you do that, I will reiterate we of
22 course have your statement, we have all the documents
23 that Citizens Advice Scotland have provided and his
24 Lordship will take all that into account, but if there
25 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
10 pandemic, because we were relied upon very heavily.

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

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1 tenant and landlord.
 2 So that's what I would say.
 3 Q. Thank you. My Lord, that's all the questions I have
 4 unless your Lordship has anything to add.
 5 THE CHAIR: No. All I would like to do is thank you,
 6 Miss Deery, for coming and giving evidence. It was very
 7 helpful. I'm very grateful, thank you. Good.
 8 Now, we're having it would appear an early lunch.
 9 MR TURNER: I think, my Lord, we have a lot to give in the
 10 afternoon so we're bang on time.
 11 THE CHAIR: Right, 1.15, take lunch now and come back at
 12 1.15, thank you.
 13 (12.14 pm)
 14 (Luncheon adjournment)
 15 (1.15 pm)
 16 MR TURNER: Good afternoon, my Lord.
 17 THE CHAIR: Good afternoon, Mr Turner.
 18 MR TURNER: The next witness, my Lord, is Mr John Blackwood
 19 of the Scottish Association of Landlords.
 20 THE CHAIR: Good afternoon, Mr Blackwood.
 21 A. Good afternoon.
 22 THE CHAIR: I'm sure Mr Turner has questions for you so I'll
 23 ask him to start.
 24 JOHN BLACKWOOD
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1 Examination—in—Chief by MR TURNER
 2 MR TURNER: Mr Blackwood, before we begin, just a brief
 3 reminder this afternoon's hearing will be transcribed.
 4 If you could try and speak as slowly and clearly as
 5 possible, that will help our stenographers.
 6 A. Okay.
 7 Q. Could you state your full name, please?
 8 A. John Blackwood.
 9 Q. Thank you. And what is your current position?
 10 A. I am chief executive of the Scottish Association of
 11 Landlords.
 12 Q. And how long have you held that position?
 13 A. I was one of the founding directors back in 2001 with
 14 the responsibility for developing and running the
 15 organisation and continue to this day in that post.
 16 Q. Thank you. The Scottish Association of Landlords, is it
 17 referred to by an acronym?
 18 A. SAL, yes.
 19 Q. Thank you. SAL has provided a response to a Rule 8
 20 request from the Inquiry; is that correct?
 21 A. Yes.
 22 Q. My Lord, that is reference SCI SAL XXX1.
 23 I'm going to ask you some questions this afternoon,
 24 Mr Blackwood, arising out of that Rule 8 response. We
 25 may — we have a limited amount of time today, we just

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1 have an hour, we may not get to everything that's in the
 2 response or indeed any other documents that you
 3 provided, but I just offer you some reassurance that
 4 everything that's in there and other documents will be
 5 taken into account fully by the Inquiry and indeed by
 6 the chair.
 7 First of all, could I ask you what is SAL?
 8 A. The Scottish Association of Landlords is a
 9 representative group of landlords and the only
 10 representative group operating solely in Scotland for
 11 landlords and letting agents.
 12 Q. Thank you. And who are its members?
 13 A. We have a wide range of members from individual
 14 landlords owning one or two properties, through to
 15 larger corporate entities and small businesses, as well
 16 as of course letting agents as well too which operate
 17 throughout the country, so we have a wide diverse range
 18 of members.
 19 Q. Thank you. And can you tell his Lordship how many
 20 members you have at the moment?
 21 A. We have in the region of four and a half thousand
 22 members. We also, just for the record, as well have
 23 some charities and other organisations who are business
 24 members of the Association.
 25 Q. Thank you. You mentioned you have both landlords and

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1 letting agents. Can you tell us what the split is
 2 between them roughly?
 3 A. Now you're asking the question. We have in the region
 4 of 600 letting agent members and the remainder will be
 5 landlord and business members.
 6 Q. Thank you. And could you tell us what kinds of
 7 properties we're talking about here?
 8 A. It's a very diverse range within its representatives of
 9 the wider private sectors. So we are looking at your
 10 individual small flats and tenements, as well as larger
 11 houses too, so we span the entire range of accommodation
 12 that's available in the private rental sector in
 13 Scotland.
 14 Q. And is it just the private rental sector your members
 15 operate in?
 16 A. Some might operate beyond that. Some could well be
 17 social landlords as well too, but obviously our main
 18 jurisdiction is supporting people in the private rental
 19 sector, some of which might be rural landlords as well
 20 operating in rural Scotland.
 21 Q. Which brings us to my next question, where are your
 22 members operating?
 23 A. So they are literally all over Scotland, but, yes, as I
 24 say, largely in an urban area, as you can imagine,
 25 where the private rental sector is largely centred in

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1 Scotland, but also in rural Scotland as well too, which
 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 Scotland?

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
 15 are managing a considerable number of properties and a
 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.

24 Our job is about empowering the private rented
 25 sector to do the best job it possibly can and support

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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 at that time.

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
 25 switch to doing online meetings, which actually we

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1 continue to do to this day, rather than in-person
 2 meetings. So we were constantly communicating through
 3 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.
 7 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.

20 So it was very difficult sometimes to get the right
 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.

24 Q. If I could pick up some of the matters that you've
 25 mentioned there. Picking up timing, first of all, what

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1 were the concerns around that?

2 A. Well, as we were aware during the time, there were daily
 3 statements being made by the First Minister in
 4 particular, but overall by different ministers in the
 5 Scottish Government and we were having to react to that,
 6 because of course, like many, we were all watching the
 7 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.

25 Q. What's the consequence of that for your members?

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1 A. Confusion, our members were very confused at that time.
 2 And as you can imagine, we were inundated with
 3 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
 7 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
 12 members and that was difficult for us to be able to do
 13 that.
 14 Q. Did you try and address those issues on behalf of your
 15 members in the sense of where there was a lack of
 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
 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
 24 into that the best way we possibly could, but there were
 25 still gaps there which we felt were still unmet and

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1 guidance that we were struggling to be able to make
 2 sense of and give the best information to our members to
 3 understand.
 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.
 7 Could you perhaps explain to his Lordship what the
 8 difficulty was around that?
 9 A. Yes, so one of the issues with this is of course the
 10 difference between devolved matters and reserved matters
 11 between the Scottish Government and the UK Government
 12 and gas safety checks — safety checks as a whole were
 13 discussed in the sense of are they required, should
 14 landlords be doing them, are they essential to be
 15 carried out? When it comes to electrical safety, that
 16 is something that is reserved to the Scottish Government
 17 in that they could dictate what was happening there.
 18 When it came to gas safety checks, that wasn't, that was
 19 a reserved matter and the UK Government took a very
 20 different view to the Scottish Government in that regard
 21 as to whether landlords should be carrying out gas
 22 safety checks or not.
 23 So it took some time to clear that up and,
 24 effectively, the Scottish Government had to concede that
 25 of course gas safety checks are required to be done. It

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1 is a requirement of UK law and the Health and Safety
 2 Executive in doing so. So again, there was a change to
 3 the guidance to reflect that and that, again, caused
 4 confusion and that's what we've stated in our
 5 submission.
 6 Q. And you have mentioned of course that because of the UK
 7 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
 12 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
 19 important and, sadly, we felt sometimes that guidance
 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
 24 within Scotland. So many landlords, even with small
 25 portfolios, have properties in different local authority

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1 areas and, indeed, they probably themselves can live in
 2 a different local authority area and that might not be
 3 many miles from where they actually live, but,
 4 technically, they are of course in different local
 5 authority areas.
 6 So it was confusing for them to understand what
 7 rules apply to that property compared to another
 8 property in a different local authority area and could
 9 then if they were self-managing, could they get to that
 10 property to do X, Y and Z work, because they themselves
 11 were restricted as to their travel and they could have
 12 been operating within different rules within the home
 13 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
 24 with regards to the private rented sector, so anything
 25 to do with letting properties obviously, the sole remit

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1 for us and we wouldn't venture beyond that.
 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 thing.
 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.
 24 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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1 carrying out caring duties, you know, what precautions
 2 did they take in entering someone's home, and try to
 3 apply that to our sector. So that was an obvious gap
 4 there that we were trying to interpret and fill in our
 5 own way.
 6 Q. As an Association representing landlords, you'll no
 7 doubt be familiar with the various regulations and
 8 guidance that applies to landlords in ordinary times.
 9 Did you have any comment about the form in which
 10 guidance was being issued during the pandemic in terms
 11 of statutory, nonstatutory guidance and indeed any
 12 preference that you might have liked in that regard?
 13 A. Our preference would be statutory guidance. We're used
 14 to working within statutory guidance guidelines so —
 15 but I think things were, again, moving at a pace and it
 16 was very difficult to get clear guidance. I think
 17 that's the best way I can put it. So that just wasn't
 18 happening.
 19 And of course we were constantly asking for what do
 20 we do about this or another situation arose which, to be
 21 fair, none of us really thought about and though, well,
 22 how do we deal with this situation or how can we advise
 23 landlords about this? So that of course took a number
 24 of people within the civil service time to be able to
 25 collaborate on and come back to us with clearer

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1 information.
 2 And the issue there was even though we may be did
 3 get clearer guidance in some circumstances, it was the
 4 time it took to get that and, in the meantime, landlords
 5 and letting agents were still looking for answers.
 6 Q. You mentioned there the uncertainty about what you
 7 could — landlords could and couldn't do during the
 8 pandemic. One thing that you've mentioned to us is
 9 facilitation of house moves.
 10 Could you explain to his Lordship what the
 11 difficulty was there or what the issue was there I
 12 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?
 23 So these were all questions that were being raised
 24 at the time. So we did have healthcare workers that
 25 were moving within the private rented sector from one

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1 property to another and indeed from other sectors into a
 2 rented accommodation for obvious reasons that they were
 3 maybe wanting to isolate themselves from their families
 4 or relocate in order to do their essential work. So we
 5 were very much involved in providing the support and
 6 assistance to landlords and agents to facilitate that to
 7 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.
 15 In your experience, did you find the views being
 16 expressed as to whether something was reasonably
 17 necessary at that time were the same amongst groups of
 18 people?
 19 A. Completely divergent in some cases, as you can imagine,
 20 and the motivations and priorities of different
 21 individuals obviously came into play as well too.
 22 So the message very much was stay at home, don't
 23 leave your home unless completely necessary and even
 24 that could have been restricted, especially in the early
 25 days, but people were saying it's essential that I move

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1 into this home. We had to facilitate that.

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
7 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
13 between people who want to move and people who are
14 reticent for whatever reason.

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

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

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

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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 time.

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?

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

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

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

25 Q. Were there any additional steps that required to be

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

3 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
5 do that? Again, that was confusing at the time. There
6 was very little information early on about how can you
7 make sure that the property was sanitised enough or for
8 somebody new to move into, especially if it had been
9 lying empty for a period of time.

10 So I remember, just anecdotally, initially there was
11 the thought that if you just leave it a few days then
12 maybe the virus would no longer be in existence so
13 therefore you could safely move in, and that changed,
14 because we didn't really know the life cycle of the
15 virus at that particular time. And did it need to be
16 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
24 terms of what you could and couldn't do?

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

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

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

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

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

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

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1 I suppose potentially being in breach of safety
2 regulations and the like?

3 A. Yes, and you can imagine that if you're a member of an
4 organisation like ourselves, we're encouraging them to
5 do the best job that they possibly can. To be empowered
6 to do that we give them the information. We tell them
7 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.

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

14 Q. Well, we've spoken about at the information and guidance
15 available to landlords. I wonder if I might ask you
16 about information to tenants. I suppose it's implicit
17 in everything in the landlord-tenant relationship that
18 there is two sides to every coin, as it were.

19 A. Of course.

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
24 hearing that from our tenants. Our members were
25 reporting that back to us and, yes, they were saying we

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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 home.

5 So they felt that actually we don't know what we
6 should be doing or what is safe to do and what isn't and
7 or what I can be able to do safely, effectively, and
8 allow within my own home. So that was very confusing
9 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 well.

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

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

5 Q. At paragraph 8 of your Rule 8 response on page 2, if I
6 may, there's a couple of statements you refer there from
7 the First Minister:
8 "No one can be evicted from their home during this
9 crisis."
10 On March 29, 2020. And:
11 "Nobody should be facing eviction as a result of
12 this Crisis."
13 26 March, 2020. Were there any consequences arising
14 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
20 immediately getting the calls saying, "Well, what does
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.
25 Then three days later, on 29 March, there was a

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

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

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

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

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1 with officials ?

2 A. We did. We did at the time, and we said actually what

3 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

7 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.

20 MR TURNER: Thank you, my Lord. You've preempted my next

21 question which was —

22 THE CHAIR: I do apologise.

23 MR TURNER: I was about to ask about feedback to government,

24 Mr Blackwood. You've answered my question in part.

25 Did you have the opportunity to feedback to

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1 government?

2 A. Yes, yes, 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?

9 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?

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

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1 Resilience Group and, obviously, the whole purpose of

2 the group was to be a conduit to government to be able

3 to have that opportunity. We sat every two weeks

4 I think it was with the civil service to be able to

5 discuss what were the latest issues and what we will be

6 coming across and experiencing. So there was certainly

7 very much a need for that group.

8 In time what happened was obviously it became very

9 focused on support for tenants, which I don't deny

10 needed to happen, but I was also keen we had support for

11 landlords and other aspects of the private rented

12 sector. So I actually felt the group should almost have

13 split at some point and we should have had a tenants'

14 Resilience Group and a landlords' one, but that didn't

15 happen so.

16 But that group was quite diverse, quite a wide range

17 of interest on that. There was only two of us

18 representing the private rented sector on that group.

19 Q. Do you feel there should have been more representation

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

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1 could be doing to alleviate any hardship that tenants

2 could be incurring and I wholeheartedly supported that

3 and I would still do that if that happened again, but

4 I think we were only seeing one side of the coin, one

5 argument there.

6 So I was able to use that group to be able to say

7 this is what landlords are experiencing, this is the

8 guidance we need and of course that was equally of

9 interest to tenants and tenants' group representatives

10 as well too, many of whom are advice agencies equally

11 speaking to landlords as well. But I think there should

12 have been another group more focused on those providing

13 the accommodations and going into the detail of the

14 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

25 she suggested that perhaps a wider array of voices.

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

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

5 A. I think the group was quite wide—ranging in the sense of
6 the interests that were represented as part of that
7 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.

15 Q. Thank you. I would like to talk very briefly, if I may,
16 Mr Blackwood, about tenant support, because of course
17 this all — nothing exists in a vacuum and I think it's
18 quite important to understand that.

19 You mentioned that tenant support was put in place.
20 Could you tell his Lordship what support was available
21 to tenants?

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

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

3 And then later on and this was an announcement that
4 was made on 23 June 2021, and that was further launched
5 on 27 September 2021, and that was a hardship grant.
6 Now, that was something that the Resilience Group very
7 much focused on and we were keen to see more financial
8 assistance being provided to tenants. That's of course
9 of interest to landlords too. Anything that would
10 support a tenant to help them pay their rent is in all
11 our interests so we very much supported that, but that
12 did take some time to come in.

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

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

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

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

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

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

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

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

3 A. Well, to pay off the arrears effectively. So the grant
4 would be paid, it would be a grant for the tenant, but
5 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.

18 So on the whole we thought that would be a good
19 thing, but that was for any arrears that arose between
20 23 March 2020 and 9 August 2021, so that was the period
21 in which this grant would cover any arrears between that
22 time, but one of the issues with it was how does a
23 tenant access that? How do they get to know about that?
24 And, again, there was no clear guidance on who do you
25 apply to, because it was operated by a local authorities

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1 who could use their discretion as to who gets it and who
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
7 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.

24 Q. Thank you. That was going to be my second question
25 about at the notice period.

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

5 Q. Thank you.

6 A. And in some cases, certainly in Glasgow, was the last
7 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.

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

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

24 So effectively our argument was it just prolonged
25 the process which, yes, okay, prevented eviction at an

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

5 Q. You've mentioned there the rent arrears was extended by
6 six months. What was the rent arrears that you
7 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.

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

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

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

11 So it was incredibly limited as to what the loan
12 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
25 workers, you know, in the sense of the activity they

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

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

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

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

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

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

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

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

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

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1 that time?

2 A. No, it probably wouldn't, for the simple reason that not
3 everybody might use that to pay their rent. And I think
4 we have to understand that we're in difficult times and
5 with fairness to tenants that if you're struggling to
6 think about how you're going to pay your bills at the
7 end of the month, how you're going to put food on the
8 table, often it's the case that the last person you're
9 going to think about paying is your landlord. Now,
10 that's a reality of life. So whereas actually securing
11 the roof over your head perhaps should be the most
12 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.

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

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

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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
6 people moving into houses during the pandemic. Did your
7 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
12 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
16 some of these properties? Could they be used for key
17 workers, healthcare workers in particular? Could that
18 be a route to using some of these properties?

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

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1 Q. We've talked about the fact that a tenant scheme in an
2 ideal world would meet the needs of a landlord with a
3 sitting tenant in the money came through the tenant.
4 It's probably implicit but that scheme, would you agree,
5 wouldn't work in circumstances where the property is
6 empty?
7 A. Yes, yes, of course. It means there is no income from
8 that property so. But again, that's perhaps where a
9 grant scheme or maybe even an interest-free loan scheme
10 so could come in there to support those landlords with
11 empty properties.
12 Our priority was dealing with tenanted tenancies and
13 how we can ensure that those tenancies could be
14 sustained during the pandemic and a lot of that was
15 about the landlord working with the tenant. So I think
16 I would be giving the wrong impression to say that no
17 tenant paid the rent during the pandemic. That of
18 course didn't happen. And I'm very proud to say through
19 our support of certainly our members, but I think the
20 wider private rented sector, is that landlords were
21 cognisant of the problems the tenants were facing. They
22 knew the jobs they were doing. So if they worked in a
23 hospitality sector, they knew they weren't getting any
24 income so could they reduce the rent for a period during
25 the pandemic. Some did do that. They worked with the

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1 tenants to sustain those tenancies and that actually was
2 a very successful strategy for many.
3 And we do know that some, anecdotally, who worked in
4 the hospitality sector were then able to go to the local
5 supermarket and perhaps get a job there as well too.
6 That happened. So they were able to gain alternative
7 employment and the landlord worked with them through
8 that period and we would encourage that in any future
9 pandemic.
10 Q. Thank you. Mr Blackwood, we just have a few minutes
11 left. I'm going to offer you an opportunity if there's
12 any particular key issues which you feel you
13 particularly want to highlight to his Lordship either
14 which we've touched upon before or which we potentially
15 haven't touched upon or you think there is any
16 particular lessons which you think his Lordship might
17 wish to consider. I'll give you that opportunity.
18 Before we do that, I'll just remind you we do have
19 your Rule 8 response, thank you very much, and the other
20 documents you provided. His Lordship has had an
21 opportunity to consider that, but if there is anything
22 that you wish to particularly highlight to him, now is
23 your opportunity.
24 A. Okay. Thank you. Well, my Lord, I guess really I think
25 we've probably emphasised everything we can about the

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1 financial assistance that hopefully could be available
2 in the future and understanding that and accessing it as
3 well too so that it's very clear.

4 Our biggest issue was lack of clear guidance. So
5 that was really important and needs to be provided
6 timeously. Statements were being made, but it was some
7 time before it was backed up with any guidance, let
8 alone any legislation. So that period of limbo between
9 a statement publicly being made by ministers and
10 something actually happening in legislation created
11 confusion, if nothing else, within the sector.

12 There was a lack of recognition about the essential
13 activities that landlords carry out and letting agents
14 of course too with regards to ensuring that properties
15 are safe and well maintained and I'm talking about
16 essential repairs, maintenance and safety. I think we
17 would need to be very clear about that and really see
18 landlords in their day-to-day activity as being
19 essential key services that we should be supporting and
20 making sure are still able to continue to a degree with
21 our day-to-day work.

22 I think with regards to restrictions, there was the
23 extension to the notice periods on evictions. We do
24 believe that that resulted — okay, certainly landlords
25 couldn't issue notice perhaps as soon as some might

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1 have, bearing in mind that most landlords did work with
2 their tenants to sustain their tenancy, but actually for
3 those who did have to evict after the pandemic all that
4 legislation did to extend the notice period was increase
5 indebtedness to tenants. I don't think that was in
6 anybody's interests, the tenants or indeed of course the
7 landlords.

8 So these are the main issues and, as I say, the
9 financial assistance really not regarding landlords as
10 businesses or supporting them as other small businesses
11 were supported at the time. Thank you.

12 MR TURNER: My Lord, that's all the questions I have unless
13 your Lordship has anything to add.

14 THE CHAIR: No, thank you, Mr Turner. All that remains for
15 me to do is to thank you, Mr Blackwood, for your time
16 and your efforts and your very helpful evidence.

17 I'm grateful. Right, 2.30.

18 (2.14 pm)

(A short break)

20 (2.31 pm)

21 THE CHAIR: Good afternoon, Ms van der Westhuizen. Who do
22 you have for us today.

23 MS VAN DER WESTHUIZEN: My Lord, this afternoon we have a
24 panel of representatives of three housing associations
25 and that are all members of the Glasgow and West of

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1 Scotland Forum of Housing Associations. We have
 2 Ms Malpas from the Cassiltoun Housing Association,
 3 Mr Mallan, from Govan Housing Association, and joining
 4 us from — sorry, yes, who's joining us remotely and we
 5 have Mr Earl who's from Dalmeir Park Housing
 6 Association, DWP.
 7 THE CHAIR: Very good thank you. Now good afternoon,
 8 Ms Malpas, Mr Mallan and Mr Earl. There will be
 9 questions for you when you're ready.
 10 CLAIR MALPAS, JAMIE MALLAN and GARY EARL
 11 Examination—in—chief by MS VAN DER WESTHUIZEN
 12 MS VAN DER WESTHUIZEN: Thank you, my Lord.
 13 Before I start, could I please remind you all that
 14 proceedings are being recorded and transcribed and ask
 15 you just to speak slowly and clearly and I'll try to do
 16 the same.
 17 If I could perhaps start by asking you each in turn
 18 to confirm your full name and your role now and during
 19 the pandemic and also the housing association that you
 20 represent now and during the pandemic.
 21 And if we could perhaps start with Mr Earl,
 22 Mr Mallan, and then Mr Mallan?
 23 GARY EARL: Gary Earl of Dalmeir Park Housing Association.
 24 I'm a finance officer with a remit to manage the way the
 25 role within the association. That was my job during the

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1 pandemic and remains at this time.
 2 Q. Thank you very much. Ms Malpas?
 3 CLAIR MALPAS: Hello. I'm Clair Malpas. I'm the chief
 4 executive of Cassiltoun Housing Association. I have
 5 worked with Cassiltoun since 2007 and I was chief
 6 executive at the time of the pandemic.
 7 Q. Thank you very much and, finally, Mr Mallan?
 8 JAMIE MALLAN: I'm currently the director of the Community
 9 Enterprises of Govan Housing Association, but at the
 10 time of the pandemic I worked as a business
 11 Transformation Manager at Ferguslie Park Housing
 12 Association.
 13 Q. You all previously attended a roundtable meeting with
 14 other housing associations and members of the Inquiry
 15 team and that report has been approved.
 16 My Lord, for reference can be found under SCI GWSF
 17 XX000004.
 18 So the intention today is for his Lordship to hear
 19 about some of the key issues and impacts experienced by
 20 your housing associations, by your tenants and by the
 21 wider communities as a consequence of restrictions in
 22 place during the pandemic and that will be under a
 23 number of broad themes.
 24 But before I list those themes, could I ask you
 25 please in turn each to provide a brief overview of the

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1 housing association you represent, giving an indication
 2 of its size and the types of properties it operates and
 3 their locations, the demographic of your tenants and the
 4 communities in which your properties are located and
 5 also an indication of what your housing association
 6 normally does, in other words, in non—pandemic times.
 7 And if we could perhaps start with Mr Earl followed
 8 by Ms Malpas and then, finally, by Mr Mallan again.
 9 GARY EARL: Thank you. Yes, the association was registered
 10 in 1978 operating mainly in the Dalmeir area of West
 11 Dunbartonshire, where we currently manage around 850
 12 homes which includes shared ownership and fully owned
 13 properties.
 14 The residents approximate over 2,000 and they're
 15 contained within one— to five—bedroom apartments.
 16 Approximately 95 per cent would be white, mixed ages
 17 relevant to apartment size and obviously an area of
 18 deprivation and low income areas.
 19 The statistics would also apply to the wider area,
 20 albeit that some of the homes with gardens would
 21 probably attract younger tenants and also younger
 22 families. Our association is heavily and densely
 23 populated as a tenemental stock.
 24 The association itself is community based. It sets
 25 its own budget and is responsible for its investment

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1 programme. One of the things at Dalmeir Park is very
 2 unique is it has its own care sector. It has two
 3 sheltered housing complexes and also an out—of school
 4 care group. And one of the additional things is it
 5 would have an extensive wider role programme, which
 6 dovetails very well into the annual budget.
 7 Q. Thank you very much. Ms Malpas.
 8 CLAIR MALPAS: Yes, as I said, I work for Cassiltoun Housing
 9 Association. We are a community—based social landlord
 10 based in the South of Glasgow. Castlemilk was formed in
 11 the 1950s as part of the refurbishment of the Gorbals,
 12 while the Gorbals tenement was getting knocked down and
 13 new estates being built, so all of our stock is
 14 post—1950s, mixture of flats and back and front door
 15 houses.
 16 Currently we have 177 properties. They are a
 17 mixture of family homes, one—bedroom homes, very similar
 18 to my colleague here. In terms of our tenure of stock,
 19 we have got the households types. It's a mix of young
 20 families through to older residents. We do have some
 21 supported accommodation where individuals are supported
 22 by mental health charities or for addictions or have
 23 learning difficulties. And we also own a 40—bed
 24 residential unit for men with alcohol—related brain
 25 disease.

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1 In terms of our normal operations, we are a social
2 landlord so we own properties, rent them out, maintain
3 them. However, Cassiltoun also has two subsidiary
4 companies. One a pre-five nursery. The other is a
5 development trust where we deliver a whole range of
6 community development activities.

7 So pre-pandemic we were doing the bricks and mortar
8 of our operations, but we are also delivering a range of
9 community development programmes, including managing our
10 local park. During COVID, this obviously increased and
11 I know we will go on to that later.

12 Q. Thank you very much.

13 And Mr Mallan, of course you had a different role
14 during the pandemic so feel free to explain both the
15 housing associations that you were involved in, both the
16 current and the previous one the Ferguslie Park.

17 JAMIE MALLAN: Yes. So just now our current housing
18 association, we have a stock of around 1,630 properties
19 and, like the other housing associations, that's a
20 mixture of tenement properties and more modern
21 properties.

22 In terms of our structure, we have two subsidiary
23 companies. We have one companies which is the Govan
24 Home Team and they focus on delivering our maintenance
25 and repair service for our stock and they also have the

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

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

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

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

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

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

3 Secondly, issues and impacts experienced by tenants
4 and the wider community, delivery of welfare assistance
5 by housing associations and role creep. Thirdly,
6 housing-related issues and impacts fourthly, issues
7 related to key worker status and the definition of
8 essential or key workers. Fifthly, financial support.
9 Sixthly, issues and impacts experienced by housing
10 associations and, finally, potential lessons to be
11 learned.

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

25 I think on this one if we could perhaps start with

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

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

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

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

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

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1 Hopefully, that's changing.
 2 Q. And I wonder if — I understand you did a dissertation
 3 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
 7 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.
 24 They have a good knowledge of the local people, the
 25 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.
 5 Q. Thank you very much. And Mr Earl.
 6 GARY EARL: Yes, I can only echo that. I think we were a
 7 community anchor before the pandemic, but more
 8 recognised through the pandemic though achieving
 9 sizeable amounts of grant funding. Community anchor is
 10 more a community glue. I think that is how it's best
 11 described. We, particularly at Dalmuir Park, pulled
 12 together the community. We were very quick to
 13 self-organise and when we attracted the funding is
 14 organised and ordering the products that we wanted to
 15 roll-out to our tenants and local residents as fast as
 16 we could through difficult times.
 17 We did do that, and we done that very successfully,
 18 but more important was that we had welfare calls which
 19 looked after the tenants prior to the delivery of these
 20 items.
 21 Q. Thank you very much.
 22 In relation to that, we can perhaps move on to the
 23 next general topic, which is issues and impacts
 24 experienced by tenants and the wider communities,
 25 delivery of welfare assistance and role creep. This can

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1 include, this discussion, just for example, the key
 2 issues and impacts experienced by tenants and members of
 3 the wider communities, communication that your
 4 organisations had with tenants and/or other
 5 organisations in the communities, issues around the
 6 social housing sector, perhaps stepping in and what
 7 other statutory services were doing at the time,
 8 additional roles or tasks undertaken by housing
 9 associations during the pandemic, including in relation
 10 to providing welfare assistance and support to tenants
 11 and wider communities and the types of support provided.
 12 And perhaps as part of the discussion just
 13 illustrating if there were disproportionate impacts on
 14 any particular groups that fall within either your
 15 tenants or the wider communities you serve.
 16 Perhaps we could start with Ms Malpas. And also
 17 just to add that if you could also draw a distinction
 18 between at the services you provided before and how that
 19 changed at the time. So perhaps we can start with
 20 Ms Malpas followed by Mr Earl and then Mr Mallan.
 21 CLAIR MALPAS: Okay. Cassiltoun is well known and was well
 22 known before the pandemic for all the additional wider
 23 role community development work that we did. So we
 24 already provided a level of assistance to local tenants
 25 and wider residents so I will try and be clear what the

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1 step up was.
 2 So I suppose the first thing was to do with, as with
 3 everybody I'm sure, the welfare assistance and welfare
 4 calls we made. We already had a welfare rights service,
 5 but my housing team basically stopped chasing for rent
 6 arrears as soon as the pandemic hit and pivoted to
 7 actually start phoning tenants and checking to see that
 8 they were okay. That was at the forefront of
 9 everybody's minds, I think, just checking in with our
 10 tenants and residents to see if they needed anything.
 11 Particularly, Castlemilk has no supermarket. It has
 12 one couple of corner shops. To get to a supermarket
 13 it's a bus journey or a car ride. We have low levels of
 14 car ownership in the area. So we're already known as
 15 being a food desert. So for a lot of the welfare calls
 16 that we were making it was the fact that people felt
 17 they couldn't get out and get food and shopping in. So
 18 I think the key focus for us in the early days of the
 19 pandemic was that provision of food for local people,
 20 who were often reliant on, say, family members to take
 21 them to the supermarket or people who perhaps couldn't
 22 stand in the queue outside of Morrisons for an hour to
 23 get into a supermarket. Again, that seems like a very
 24 simple thing for me, but for somebody who has
 25 disabilities actually waiting in that queue was just a

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1 no, no.
 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
 7 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.
 21 We formed a group called Castlemilk Together. So we had
 22 lots of referrals from the whole of Castlemilk in terms
 23 of where that needed to be targeted so it was beyond our
 24 own tenants.
 25 So I think food was the first aspect. The next

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1 thing we started to deliver was digital devices. Again,
 2 we had already had a little bit of that before the
 3 pandemic, but we were able to get funding in for digital
 4 devices which was really critical for people to get
 5 online to communicate with each other, to communicate
 6 with us, for their children. We had a lot of people
 7 with school age children who were maybe trying to share
 8 a mobile phone for their schooling, which obviously
 9 wasn't acceptable. So again, able to get those in
 10 delivered, but importantly then our staff were able to
 11 go out and show people how to use them through doorways
 12 and windows and, you know, having training sessions on
 13 how to turn on an iPad through a window.
 14 So all these things are kind of over and above what
 15 we did previously, right down to delivering meals and
 16 going to pick up people's prescriptions, offering sort
 17 of befriending services I guess for people who were
 18 lonely, those isolated tenants. And I suppose we felt
 19 like we were often the only people who were — from
 20 statutory services we were the only people who were
 21 present in the area able to have that sort of touchpoint
 22 with a face through a window or ...
 23 Q. Sorry.
 24 CLAIR MALPAS: That's okay or constantly being at the end of
 25 the phone and we knew that for a lot of people who were

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1 feeling very isolated that we were the people they would
 2 turn to.
 3 Q. And just in terms of engagement, how does it normally
 4 work? How do your tenants normally contact you and how
 5 were they contacting you or being contacted during the
 6 pandemic?
 7 CLAIR MALPAS: So we are — because we're community based,
 8 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
 12 the telephone and email.
 13 During the pandemic, it was mostly through the
 14 telephone but, again, we did have — or referrals from
 15 other agencies, but again we were still going out to
 16 people's houses, but with that in order to deliver —
 17 deliver items.
 18 Q. Thank you. And just in terms of your role as community
 19 anchor organisations, so you were delivering support
 20 yourselves, but were you also distributing funds for
 21 support over and above that?
 22 CLAIR MALPAS: Yes. So we worked collectively with a
 23 variety of different organisations within Castlemilk.
 24 So we got money in for say food provision, but that was
 25 going out across the whole of Castlemilk working in

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1 partnership with other organisations. Same with
 2 digital.
 3 I think the key for us was the need in the community
 4 didn't stop at the end of our street of our tenants. It
 5 was much wider than that and there was no point unless
 6 we were kind of trying to effect change for everywhere.
 7 Q. Thank you. You mentioned specifically digital devices
 8 being distributed. I missed did you say was that to
 9 your tenants or the wider community as well?
 10 CLAIR MALPAS: Both. It was a referral system to see who
 11 needed them.
 12 Q. Thank you very much. Mr Earl, if we could turn to you
 13 next and if you wouldn't might need speaking up.
 14 Apparently just struggling a little bit to pick up your
 15 voice. Raise the volume a little bit. Thank you.
 16 GARY EARL: Almost echoing what we said there. The tenants
 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
 25 to exercise, which was quite important obviously with

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1 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.

7 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 environment.

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 housing stock.

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?

24 GARY EARL: Yes, hundred per cent that was one of the first
25 roll-outs to our residents, including splitting that out

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

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

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

20 Q. Thank you very much.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 evaluations on that kind of bureaucratic stuff, whilst
2 actually local volunteers and local individuals kind of
3 delivered on the ground. So I would say that was a
4 massive pivot for us then.

5 Q. Thank you very much. Unless anyone has further to add
6 in relation to impacts, we can bring them up in other
7 topics, we can perhaps move on to housing-related issues
8 and impacts and given you all represent housing
9 associations, it would remiss of us not to have this as
10 a stand-alone topic.

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

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

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

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

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

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

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

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

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1 come back once we have gone around the room.

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

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

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

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

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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
 3 because we know you can't evict us and they created that
 4 little bit of mentality actually post COVID, which has
 5 had an impact on our rent arrears.

6 So our rent arrears before — pre-COVID to
 7 post-COVID increased by about hundred thousand pounds,
 8 which is a lot for us. Well, it's gone over a few
 9 years. It's COVID plus I would say cost of living
 10 crisis and the impact of what I call the great
 11 resignation, lots of people changing jobs, which I see
 12 as an impact of COVID, because of all the staff changes
 13 in the sector. So all of that together has had an
 14 impact on our rent arrears of an additional hundred
 15 thousand pounds, which is about one and a half per cent
 16 on our rents, which are now — only now just about to
 17 kind of start mitigating against, start pulling that
 18 back.

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

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

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

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

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

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

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

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1 properties, again, were not up to kind of standards that
 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 —
 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
 24 to those who were homeless pre-pandemic if at all?
 25 CLAIR MALPAS: So we get what are called Section 5 referrals

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1 from the local authority. So every year we allocate 30
 2 per cent of our empty properties our void properties to
 3 homeless cases. We also have some temporary furnished
 4 flats in our stock that we house homeless cases in.
 5 During the pandemic, we had problems actually with our
 6 voids, our empty properties. Again, they weren't seen
 7 as an emergency. So we couldn't get those turned round.
 8 We couldn't get all the checks done in order to relet
 9 them to the waiting list applicants, because people
 10 still needed homes during the pandemic. We also
 11 struggled to get metres reset. Again, working with the
 12 utility companies is always challenging, but during the
 13 pandemic it was hundred times more challenging to kind
 14 of get those things done.
 15 However, during the pandemic we worked — we spoke
 16 to Glasgow City Council and we were able to then offer
 17 every single void property that we had coming in during
 18 the pandemic to Glasgow City Council and allocate
 19 Section 5 homeless referrals into that property. And
 20 because they were homeless, they were deemed as an
 21 emergency, an urgent case, and as part of that
 22 programme, we were able to get those properties turned
 23 around and to a lettable standard.
 24 At the end of the pandemic, we were able to what we
 25 call flip those flats so they became mainstream tenants

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1 at the end of the pandemic so they were able to sustain
 2 and stay within that community.
 3 Q. Thank you very much. I'll perhaps just ask Mr Mallan
 4 and Mr Earl, just in relation to your own housing
 5 associations, to what extent you were able to provide
 6 accommodation for preexisting homeless tenants during
 7 the pandemic and maybe start with Mr Mallan and then go
 8 on to Mr Earl?
 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
 12 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.
 17 It also meant using technology to ensure folk could
 18 view flats, could see if they were suitable, that kind
 19 of thing. So there's a kind of big element of upgrading
 20 staff skills around all of that. That's all I can
 21 really contribute there, sorry.
 22 Q. Thank you. Mr Earl.
 23 GARY EARL: Yes, I don't think I can add much more to what
 24 Jamie had said there.
 25 Q. Thank you. Just before we move on then to the next

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1 topic which is turning to discuss issues around key
 2 workers and key worker status, if I could just ask you
 3 briefly a question relating to the previous topic and
 4 about impacts on your tenants and on the wider
 5 communities.
 6 Were there any particular groups of tenants or just
 7 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
 12 terms of our conversations already. So for me it was
 13 families with school-aged children. Again, because
 14 we're in an area of deprivation it was the digital
 15 devices, single people, people with mental health issues
 16 who are feeling very isolated, older people.
 17 Again, because of the social isolation and not been
 18 able to go out and do things, for me, and I think Jamie
 19 touched on it already, the majority of our tenants live
 20 in flats with no — with a drying green out the back so
 21 no real green space. We are very fortunate that as an
 22 association we have been working with the council for a
 23 number of years to regenerate the local park and a lot
 24 of our tenants and wider community were able to go and
 25 use that for their sort of social walking.

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1 So, yes, I think older people, people with health
2 issues, people with school-aged children, and as an
3 area, because we're socially deprived, I think if you
4 look in a wider context, the residents of Castlemilk and
5 all the deprived areas were impacted more than people in
6 more affluent areas.

7 Q. Thank you. Mr Earl, anything to add in relation to
8 disproportionately impacted tenants or members of the
9 community?

10 GARY EARL: Yes, well, obviously I could echo what Clair was
11 saying there, but maybe one of the aspects with Dalmeir
12 Park there was two sheltered housing complexes where, as
13 you can understand, it's a lot of elderly tenants that
14 reside in these properties and they were looked after,
15 but we also had the unfortunate case where one or two or
16 more had passed away through the pandemic, which had a
17 ripple effect on the tenants, the other residents within
18 there.

19 So I would say that the sheltered housing complexes
20 were the real focus for the Association, obviously
21 mainstream housing as well, but the sheltered was the
22 main area of concern.

23 Q. Thank you very much. Mr Mallan, anything from you on
24 that?

25 JAMIE MALLAN: Yes, just echoing the comments made before.

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

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

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

24 And if you could perhaps give some examples to his
25 Lordship such as relating to the clarity of definition

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1 of key workers, if there were any issues around that,
2 whether or not staff were categorised as key workers and
3 the consequences of that and any other relevant key
4 issues.

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

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

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

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

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

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

25 We ended up giving staff a letter signed by myself

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1 and my chairperson explaining why they were out and
2 about and what they were doing. And so if they were
3 ever challenged, then they had this letter that said
4 they are out going to the Cash and Carry to pick up food
5 provision or they are travelling into the office from a
6 different local authority to fulfill a certain purpose
7 and we were never — none of my staff were ever stopped,
8 but it would have been much easier for me as a manager
9 if they were — as an organisation, if they were
10 classified as key workers and I think they should be in
11 the future.

12 Q. Thank you very much. Mr Earl.

13 GARY EARL: Yes, I mean we've said it a few times about
14 echoing previous words, but almost word for word there.
15 We had a small selection of staff who in our opinion
16 were key workers, self-entitled by themselves and the
17 association, and not named by the Scottish Government as
18 is.

19 We had ordered crucial key services to the tenants
20 and residents through the absolute toughest period of
21 the pandemic, which was March 20 certainly right through
22 to the end of that year. We were basically the
23 frontline responders. And I think when the residents of
24 the area knew that we were there, they felt a lot more
25 comfortable and a lot more reassured that there was

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1 somebody else at the end of a phone or an email that
2 could respond. Like Clair said, we were given letters
3 signed by the chief exec to say that we could — or we
4 were representing the Association for a specific task.

5 And again echoing there, me myself personally was
6 cross-bordering on a daily — well, maybe not a daily
7 basis but a regular basis to get to work. And there was
8 also other employees who, again, had different home
9 lives. You know, they had kids or elderly parents,
10 grandparents in maybe families with underlying health
11 conditions that had that reluctance to step outside the
12 door based on the fact that they weren't actually named
13 key workers.

14 Q. Thank you very much and then, Mr Mallan.

15 JAMIE MALLAN: Again, can't really add more to that, just
16 echoing the points already made by other people.
17 I think one of the big frustration — and again the
18 rulings changed and were tweaked quite often and I think
19 one of the main frustrations from our organisation was
20 around passing through different local authority areas.
21 That seemed quite bureaucratic at the time and prevented
22 quite a lot of good work being delivered because of
23 certain rules.

24 Q. Thank you. If we could then turn on just to discuss,
25 and we've touched on it already, but just to discuss

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1 financial support and, in particular, issues around it
2 during the pandemic including, for example, the funding
3 model that applied during the pandemic for your
4 organisations, both in relation to the activities you
5 carried out, but also in relation to your role as
6 community anchor organisations, flexibility, stringency
7 of criteria and monitoring, matters relating to trust,
8 and that's between funders and organisations, speed of
9 the delivery of financial support, and any ongoing
10 impacts, including the current financial support
11 situation.

12 And perhaps we can start, given that this relates
13 somewhat to anchor organisations, with Mr Mallan
14 followed by Ms Malpas and followed by Mr Earl.

15 JAMIE MALLAN: Yes, I think what was really important was
16 the flexibility given to organisations receiving funding
17 from different bodies. That was a key difference.
18 I think we kind of touched on the kind of trusting
19 element of it and I think that was a major step—change
20 in how community anchor organisations were funded as a
21 result of the pandemic.

22 Local organisations, groups, community anchors were
23 provided with sums of funding entrusted to deliver a
24 service that met the needs of the local people and I
25 think that worked really, really well. It also meant

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1 that we could deliver at speed. So quite quickly we
2 could mobilise, because that funding was given to us in
3 a trusting fashion, whereas the kind of model before
4 would have been for us as an organisation to apply for
5 funding, wait for that to be assessed, wait for
6 feedback, then wait for an outcome and then be granted
7 the funds, potentially in arrears, after you have
8 delivered the project. Whereas during the pandemic most
9 funders were kind of up front and quite quick and
10 responsive in how they provided funding to third sector
11 community anchor organisations.

12 And having spoken to a lot of funders, they
13 reflected on that and said a lot of what we did before
14 was quite bureaucratic and wasn't really needed so we
15 kind of asked for information we would like, rather than
16 information they would need. There has been a real
17 step—change in the funding environment around that.

18 My kind of big fear is a lot of funding
19 organisations, particularly those within the statutory
20 sector, have kind of reverted to old ways and I think
21 it's been a massive failing moving on from the pandemic.
22 I think what really transformed and pushed our delivery
23 was that kind of relationship with smaller
24 organisations. So, again, us as a community anchor
25 organisation managing funds, managing the

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1 administration, make sure it's monitored and evaluated
2 appropriately, but trusting those kind of smaller,
3 informal third sector community groups to deliver has
4 been a big learning point for me.

5 Q. Thank you very much. Ms Malpas?

6 CLAIR MALPAS: Yes, so before I was chief executive, I was
7 the regeneration manager of Cassiltoun so I was
8 responsible for applying for funding and managing
9 grants. So I was, to echo my colleague there, delighted
10 during COVID when one existing funders, who had been
11 bureaucratic, were actually very flexible in terms of
12 looking at the pot of money they had for us to deliver
13 things that we couldn't deliver and enabling us to just
14 change the model to what was needed, which was
15 fantastic, something you wouldn't normally get that
16 swift a response from.

17 And then funding that came about during COVID, as
18 was said there, very simple forms. Often you're filling
19 in pages and pages of forms prior to COVID. During
20 COVID, it was "What do you want to do?" in one page.

21 And in terms of monitor, again, I'm used to
22 monitoring regimes where it's quarterly monitoring
23 returns, lots of stats, often with all the evidence of
24 spend. During COVID, there was kind of none of that.
25 They gave you the money. They trusted you to deliver

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1 and maybe gave them a case study, but they knew what you
2 were doing and why you were doing it. And I think, yes,
3 it meant that it was simple, less bureaucratic, you got
4 the resources to the people that needed it. Your staff
5 were actually focusing on delivery, rather than all the
6 admin work and it just seemed much more effective and it
7 was. It's based on — we felt trusted, trusted.

8 Post-COVID I think, yes, there are some funders who
9 have learnt that lesson, but I have just recently done
10 an application and it is very — it's gone back to being
11 very bureaucratic again. So, yes, it would be good if
12 funders could learn the lesson of what was a very
13 effective delivery model during COVID.

14 Q. Thank you. Mr Earl.

15 GARY EARL: Yes, I would echo that too. The reactive — we
16 had over hundred thousand pounds come into the
17 association over a 12-month period and while we had a
18 vision of what we would deliver that for, that quickly
19 changed so we had to react to that and the flexibility
20 of the funders was great. And I think that, as Clair
21 said, you know, rather than it be more bureaucratic, the
22 quicker we can get the funding in and out into the
23 tenants/residents' homes the better, you know, pre,
24 during or post-pandemic.

25 The one part of the financial support where we

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1 slightly suffer or we did suffer as an association was
2 I think we touched on earlier on that we had a care
3 sector where we had an out-of-school care group. Now, a
4 lot of other sectors were softly or adequately funded to
5 the extent of at the time they were — they had small
6 businesses support. Our out-of-school care group
7 received no support, no financial support from there,
8 either during that or post-COVID in the sort of rebuild
9 and that, had it went been for the Association being
10 there and using the reserves and previous surpluses,
11 then that would have closed and, ultimately, that would
12 have a massive knock-on effect on an area already in
13 deprivation in low income.

14 So maybe the income streams in a different — a
15 different manner would have been better to be looked at
16 there, yes.

17 Q. And you mentioned using the reserves, was that topped up
18 at all? Did you receive any funding to compensate for
19 that use of the housing associations —

20 GARY EARL: It was more reserves being — we are on a break
21 even on out-of-school care group, but in previous years
22 it would have surpluses would be kind of ring-fenced to
23 supplement any swish in other years. But over the last
24 couple of years these surpluses have been used up,
25 whereas I know maybe in the hospitality sector there was

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1 grants given there for recovery and in the care sector
2 there was none provided for that.

3 Q. Thank you very much. Does anyone else have anything to
4 add in relation to financial support, including support
5 provided to your organisations. Mr Mallan?

6 JAMIE MALLAN: I forgot to mention I think one of the really
7 effective things has been around that different funding
8 model. So we were able — for example, we were able to
9 give a group of older people funds to set up a kind of
10 meals-on-wheels-type services during the pandemic and
11 they kind of said, well, we want to sustain this after
12 the pandemic and bring the people together and set up a
13 lunch club. And they have done that and that's now
14 sustaining and it's not costing our organisation any
15 money, it's not costing the public sector any money,
16 it's generating its own income.

17 If we had said to this group older people, actually
18 you need to become constituted, you need to open a bank
19 account, you need to have meetings that are minuted and
20 you need to go to funders, apply for funding, you need
21 to wait six months for the outcome of that and then
22 start to deliver, they would have been, no, this is not
23 something we're interested in. But because we were able
24 to kind of front-load that and give them the money to
25 deliver that service, they then said we have an interest

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1 in sustaining this, we will go and set up a constitution
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
7 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
19 day 1, you know, the lack of IT. It was basically we
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
24 individuals. Many of them were covering for other teams
25 as well. Then it was the cost of purchasing additional

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1 IT equipment which was paid for directly by the
2 Association.

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

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

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

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

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

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

8 Q. Thank you very much. And, Ms Malpas, anything that you
9 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.
12 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.

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

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

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

7 So, yes, so it wasn't, you know — I suppose some of
8 my staff team live in properties that aren't in an
9 affluent area. They don't have a dining room table to
10 work from. They don't have a study. So we took the
11 decision to bring some of those staff back in to the
12 office. Again, we were quite fortunate in that our
13 office is a community building as well. It was already
14 been utilised for the food drop-off so the building was
15 already open and it's an old stone building which is
16 very — has lots of gaps and big windows that we could
17 open so in terms of ventilation it was very good. So we
18 were able to sort of separate those people out and that
19 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.

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

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1 also for their health, you know, working on their bed
 2 wasn't good, so, yes, that was — that was the key thing
 3 for us was being able to bring people back in. We did a
 4 lot of work during lockdown to engage with our staff
 5 team to keep their morale up, lots of things about
 6 wellbeing, lots of sort of virtual meetings, we did a
 7 virtual round—the—coast walk, don't ask, but again
 8 encouraging people to go out and log their miles, so I
 9 suppose for me there was a big impact on me because
 10 I was the person organising that as the chief exec, so
 11 for senior staff, keeping that staff team and that staff
 12 morale going and keeping that sense of connectedness
 13 with each other was a big thing during the pandemic.
 14 Something I didn't mention earlier but staff were having
 15 to deal with some very difficult issues as well. The
 16 phonecalls they were having with tenants, often people
 17 were quite distressed and upset at the end of their
 18 tether. We had a huge increase in antisocial behaviour
 19 allegations during COVID, again just people living on
 20 top of each other with nowhere to go, and trying to
 21 resolve those was impossible really during COVID so our
 22 staff team took a lot of that on themselves and again it
 23 was just making sure that they were feeling
 24 well—supported. Coming back into work, again I'm
 25 fortunate I have a staff team that actually really like

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1 being with each other and they were all desperate to get
 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
 5 couple of members of staff who hadn't even gone into a
 6 supermarket during COVID. They had got themselves into
 7 that sort of mindset and other members of their family
 8 were doing it from home. And again it probably took for
 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 yes, 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,
 25 maintaining that was really important, so firstly just

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1 around their own personal mental health and wellbeing
 2 and like Clair, our team walked the Camino and we did
 3 other similar things but also dealing with members of
 4 the community who were, you know, struggling, really
 5 vulnerable positions, potentially unable to help them
 6 because of social distancing, that became a big stress
 7 point for staff, and I would agree a younger staff were
 8 a key priority as well again, mostly about how do you
 9 support them when you're not with them physically, how
 10 do you train and induct and support staff. Yes, they
 11 don't own their space, they don't own their home.
 12 They're usually living with parents or living with
 13 flatmates and how do they find the space to work. So
 14 again like Clair, our organisation quickly moved to
 15 social distance office use. In terms of working with
 16 our tenants we made the most of social distancing and
 17 outdoor working. That quite often meant — luckily
 18 Ferguslie Park did have a lot of front gardens, it meant
 19 working with whole streets and having people in their
 20 gardens, so we did a lot of activities around reducing
 21 social isolations, like street bingo, street discos, all
 22 those kind of things. But yes, I would say mental
 23 health and wellbeing was the major issue for both staff
 24 and tenants.
 25 Q. Thank you very much. I'm going to move on then to the

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

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1 up to date but I think again when you're running an
 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
 7 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
 20 sector, which isn't always a Scottish Government action,
 21 but for the sector itself, I think that was really,
 22 really important and learning from each other in terms
 23 of what was working well for each other during that time
 24 and checking in with each other and seeing what we were
 25 all doing.

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1 Q. Thank you very much. Mr Earl?
 2 GARY EARL: Yes, I mean I think the community anchor
 3 organisations, they must be more supported and respected
 4 with the realisation that they're absolutely key to the
 5 local and wider area in which they operate. We know
 6 that tenants and residents and other people within the
 7 local area do rely on reliability and support and I
 8 think that we --- that the housing association through
 9 that period stood up and were counted and returned to ---
 10 in return were respected by the residents and tenants.
 11 I think that we touched on the funding and the funding
 12 was, I want to say generous, there was a large amount of
 13 funding came through that period and the flexibility was
 14 really good so we could distribute that very, very
 15 quickly. I think ongoing, while there's still tranches
 16 of funding available, it's certainly not --- not enough,
 17 and certain aspects regarding the food crisis and the
 18 heat --- heat and eat, if you like, it still remains but
 19 the funding itself has been vastly reduced and I think
 20 we all need to look at that --- we really need to look at
 21 that more specifically than we are doing just now.
 22 Probably just finally, and I know we haven't
 23 invested a lot in digital technology, but if and when
 24 another pandemic comes along and we have to be more
 25 responsive than that we have the right equipment at that

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1 time, you know, there is contingencies in place to make
 2 sure that we are ready to hit the ground running should
 3 anything occur in the future.
 4 Q. Thank you very much. And finally, Mr Mallan?
 5 JAMIE MALLAN: Yes, again fear of repeating what my
 6 colleagues have said, again I'm a huge advocate of the
 7 community anchor model and I think as we see more public
 8 services remove themselves 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 connections that can make sure that funds that public
 20 sector organisation manage can get to those who need
 21 them most.
 22 I think there needs to be a change in how we look at
 23 working with communities that have a range of
 24 challenges, some of them were mentioned, SIMD, deprived
 25 communities, poverty, but I think what the pandemic

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1 showed is these communities have a lot of assets and
 2 strengths as well and how do we make the most of those
 3 strengths and assets moving forward in order to
 4 challenge the issues that these communities face.
 5 People living in Ferguslie Park, people living in
 6 Dalmuir Park, people living in Castlemilk know best what
 7 challenges they're facing and I think would be best
 8 placed to come up with the solutions as well. And I
 9 think there has a lot of talk around how we involve
 10 volunteers a lot of talk around how we support community
 11 groups and third sector organisation play a bigger role
 12 in society so we've had things like the Christie
 13 Commission; we've had the Community Empowerment Act.
 14 I think the pandemic response in local communities are a
 15 real strong example of these things happening yet we
 16 very quickly moved away from that and moved back to
 17 traditional practices. I think there's something we can
 18 be doing around how do we involve local communities more
 19 in the running of public life and I think what we have
 20 delivered over the pandemic is a real strong example of
 21 that.
 22 Q. Thank you very much. Unless any of you have anything
 23 else you would wish to add, I don't have any further
 24 topics for discussion, unless your Lordship has any
 25 questions or the panel have anything to add?

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1 THE CHAIR: No, thank you very much indeed. All that
 2 remains for me to do is to thank all three of you for
 3 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)
 8 (The hearing was adjourned to 10 am on Friday, 13 December
 9 2024).

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