

Scottish Housing Regulator
5th Floor
220 High Street
Glasgow
G4 0QW

Date: 18 October 2024

Dear Sir/Madam,

East Lothian Council – Annual Assurance Statement

Subject to the areas detailed below, we can confirm that the Council complies with the regulatory requirements set out in Chapter 3 of the Regulatory Framework. This includes that we:

- ❖ Achieve all of the standards and outcomes in the Scottish Social Housing Charter for tenants, people who are homeless and others who use our services.
- ❖ Comply with our legal obligations relating to housing and homelessness, equality and human rights, and tenant and resident safety.

The following areas are highlighted:

Lead Pipe Water Programme

The Council's Lead Pipe Water Programme involves testing the water supply in Council houses for lead content, and enacting replacement of supply pipes where required. We recently established several more newly purchased open market acquisition properties had been missed. A programme was mobilised to address these, and we are all but complete, but there remain 61 properties where we have been unable to gain access. For each of these properties, tenants have been sent at least two access letters (followed up by actual visits), and housing officers have also sought to engage with their tenants but without success. Following some very recent advice from our Legal colleagues, we are in the process of re-engaging with tenants before issuing formal 24-hour notice letters advising we intend to force entry to complete the sampling / tests.

Interlinked Fire Alarms

The Council has one property without adequate fire detection provision (SHQS elements 11A & 11B). This represents a very complex case, and Property Maintenance continue to work with relevant internal colleagues (including Legal), the Police and the tenants to have the necessary works undertaken.

The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020

The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020 came into effect on 1 October 2021 and from this date the Council was not able to meet its statutory obligations in respect of suitable temporary accommodation provision and was in breach of the Order. In addition, the Homeless Persons (Suspension of Referrals between Local Authorities) (Scotland) Order 2022 changed the rules on local connection in November 2022 meaning local authorities no longer had the power to refer an applicant to another local authority on the basis of their local connection status. It is in regard to both of these legislative changes that East Lothian Council face challenges regarding the provision of suitable temporary accommodation. The SHR's Engagement Plan in place for East Lothian Council focuses on the Council's provision of temporary accommodation to homeless households and

compliance with the Unsuitable Accommodation Order. The Council continues to work hard to mitigate these breaches through new supply, high numbers of allocations to homeless households, conversion of temporary accommodation to permanent housing, the use of shared tenancies etc. However, demand from predominately single homeless households (over 93% of live breaches are from single homeless households) continues to outstrip supply and this pressure necessitates the need to source additional accommodation out with the framework, which will often breach the order. For the period between 01 April 2023 and 31 March 2024, 810 new homeless cases had been opened and 149 breaches of the Unsuitable Accommodation Order were reported. Actions are ongoing to reduce existing breaches and minimise future breaches of the Unsuitable Accommodation Order.

General

We confirm that we have seen and considered appropriate evidence to support the level of assurance.

We approved our Annual Assurance Statement at our Audit and Governance Committee meeting on 17 September 2024.

I sign this statement on behalf of East Lothian Council's Audit and Governance Committee.

Yours sincerely,

Duncan Stainbank
Service Manager – Internal Audit