

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

Date: 4 November 2025

Dear Sir/Madam,

East Lothian Council – Annual Assurance Statement

Subject to the highlighted 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 as exceptions:

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. This programme was established some years ago; however, we established more recently that open market acquisition properties had been missed. A mop-up programme was mobilised to address these, and there remains 50 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 advice from Legal colleagues, we continued to re-engage with tenants over the course of 2024/25 and 2025/26 to date, ahead of issuing formal 24-hour notice letters advising we intend to force entry to complete the sampling/tests.

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

The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2020 came into effect on 01 October 2021. From this date onwards, the Council has been unable to meet its statutory obligations in respect of suitable temporary accommodation provision and remains 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 continues to face challenges regarding the provision of suitable temporary accommodation. The SHR's Engagement Plan in place for East Lothian Council focuses on the 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; revisions to the Council's Allocations Policy; and conversion of temporary accommodation to permanent housing etc. However, demand from predominately single homeless households (circa 95% of live breaches are from single homeless households) continues to outstrip supply and this pressure necessitates the need to source additional accommodation, which will often breach the Order. East Lothian Council currently has 66 rolling breaches of the Unsuitable

Accommodation Order, with ongoing efforts and a strategic plan in place, to further reduce this figure going forward.

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 16 September 2025.

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

Yours sincerely,

Duncan Stainbank
Service Manager – Internal Audit