

Pathfinder Inspection Report

January 2004

East Lothian Council



Contents

1.	Introduction	1
2.	Context	3
3.	Inspection Grades	5
4.	Key Themes Influencing Performance	6
5.	Housing Management	25
6.	Property Management	53
7.	Homelessness	67
8.	Services for Owners	88
9.	Services for Gypsies/Travellers	94
Appendix 1	List of Evidence Sources	
Appendix 2	Key Examples of Positive Practice	
	Glossary	

1. Introduction

The role of Communities Scotland

- 1.1 Communities Scotland is the executive agency for regeneration and housing, directly accountable to Ministers. Our aim is to work with others to improve the quality of life for people in Scotland.
- 1.2 The Housing (Scotland) Act 2001 gives Communities Scotland the role of regulating Registered Social Landlords (RSLs) and the landlord, homelessness and factoring services of local authorities. Our purpose as a regulator is to promote quality, continuous improvement and good practice in these services, for the benefit of current and future tenants, and other service users. One way we do this is by inspecting RSLs and local authorities. Inspections provide an in-depth, independent assessment of an organisation, its service quality and its ability to improve. Our *Guide to Inspection* describes how we carry out inspections.

The standards we use

- 1.3 We have published *Performance Standards* with the Convention of Scottish Local Authorities (CoSLA) and the Scottish Federation of Housing Associations (SFHA). These standards set out our joint expectations for the performance of all social landlords and homelessness functions. Our inspection process assesses how well local authorities are meeting these standards. We tailor our inspection to take account of the local authority's role, the local context in which it operates and the standards the local authority has agreed with its own tenants and service users.
- 1.4 The *Guide to Inspection* and *Performance Standards* are both available on our website at <http://www.inspection.communitiesscotland.gov.uk>

How we assessed performance

- 1.5 Our inspectors asked three key questions about this local authority:
 - How good are the services we have inspected?
 - How well are the local authority and its services being managed?
 - Are the services and the local authority likely to improve?
- 1.6 To answer these questions inspectors:
 - spoke to the Council's tenants, staff and elected members;
 - asked other organisations that work closely with East Lothian Council for their views;
 - visited homes that it owns and manages;

- saw and tested first hand how well services were being delivered and how well the Council responds to its service users by doing things like shadowing and observing staff and sampling cases;
- checked key policies, publications and information for service users; and
- took account of the Council's self-assessment submission.

1.7 You will find more details about who we spoke to, the checks we carried out and the documents we reviewed in Appendix 1. Aspects of the Council's performance that we consider to represent particularly positive practice are highlighted in Appendix 2.

1.8 Following our assessment, we awarded grades for:

- housing management services;
- property management services; and
- homelessness services.

1.9 This is what our grades mean:

A	Excellent	Major strengths
B	Good	Many strengths and some areas where improvement is needed
C	Fair	Some strengths, but with significant areas where improvement required
D	Poor	Major areas where improvement is needed

The inspection of East Lothian Council

1.10 The inspection team for East Lothian Council was led by Yvonne Summers (Inspection Manager) supported by Mark McCabe, Dougie McIntyre, Paul Milligan, Fiona Selkirk, Lynn Sweeney (Inspectors) and Andrew Gordon (Inspection Officer). We were on site at East Lothian Council for four weeks spread over the period 23 June to 28 August 2003. We would like to thank everyone involved in the inspection, particularly elected members, staff and tenants for their time and co-operation.

1.11 This report presents our findings and recommendations. It is published, together with a summary, on our website at <http://www.communitiesscotland.gov.uk>. The Council must make the summary available to anyone that wants it, report our findings to tenants and other stakeholders and implement an improvement plan to respond to our recommendations and the issues raised in this report.

2. Context

East Lothian Council

- 2.1 East Lothian extends from Musselburgh, immediately east of Edinburgh's suburban edge, eastwards to Dunbar and beyond to its boundary with the Scottish Borders. East Lothian's current population is just over 90,000. Population in the area has shown a continued and significant increase over the last 20 years primarily as a result of new house-building. This, in part, reflects East Lothian's role in the wider Edinburgh housing market. Most of the population live in the west of East Lothian in the main towns of Musselburgh, Prestonpans, Tranent, Cockenzie and Port Seton. The main towns in the east are Haddington, North Berwick and Dunbar.
- 2.2 It is likely that this growth will continue over the next few years, with a projected population increase of 19% (or 7,000 households) between 1998 and 2012¹. This would give East Lothian the second fastest household growth in Scotland.
- 2.3 East Lothian Council has sold over 7,000 houses under Right To Buy, reducing its housing stock by over 40% since 1980. It currently owns and manages around 9,000 properties, made up of an even mix of houses and four-in-a-block type flats.
- 2.4 The combination of these two factors has resulted in considerable pressure on the supply of social housing in East Lothian. The Council sees this as a key consideration in both its role as a strategic housing provider and as a landlord.
- 2.5 East Lothian Council is a Labour controlled council. Its 23 Councillors are made up of 17 Scottish Labour, 4 Scottish Conservative, 1 Liberal Democrat and 1 Scottish National Party. Following an independent evaluation in 2001, the Council rejected the option of transferring its housing stock to community ownership on both financial and policy grounds. The Council's preferred option of "Retention Plus" means that it will retain ownership of its housing stock and introduce a programme of improvements to its housing stock and services.
- 2.6 There is an active network of 11 local tenants and residents associations (TRAs) within East Lothian, along with an area wide East Lothian Tenants and Residents Panel (ELTRP) that is made up of nominees from each of the local groups.

¹ Scottish Executive (2000), 1998-based household projections for Scotland

- 2.7 During the period of our inspection the Council went through a reorganisation. As part of this reorganisation, the housing function of the former Housing and Social Work Services and the former Property Services combined to create the new Housing and Property Services. This reorganisation has resulted in changes in senior management within the housing function.
- 2.8 This is the first time we have inspected the Council's housing services. It is also our first inspection of a local authority's housing service in our programme of 'Pathfinder' inspections under the single regulatory framework.

Key Statistics²

2.9 East Lothian Council:

- owns 9,040 properties, ranging in size from bedsits to four bedrooms;
- has around 520 houses for older people (of which around 150 are sheltered housing and just over 370 are amenity housing) and 2 for wheelchair users;
- had an estimated 5,370 applicants on its housing waiting list on 31 March 2003;
- received 830 homeless applications during 2002/03;
- relet approximately 450 houses during 2002/03;
- had a vacancy rate of 1.0%, with just under 90 empty properties at 31 March 2003;
- sold 500 of its houses through Right To Buy during 2002/03, taking its total house sales since April 1996 to just over 1,700;
- increased its rents by an average of 4% for 2002/03;
- charged an average weekly rent of £35.53 in 2002/03;
- had an annual rental income of approximately £17.7 million in 2002/03; and
- carried out just over 41,000 responsive repairs in 2002/03.

² Source: Scottish Executive Statistical Bulletin HSG/2003/04, Audit Scotland's Performance Indicators 2001/02 and East Lothian Council. Figures in paragraph 2.9 have been rounded.

3. Inspection Grades

- 3.1 These are the inspection grades achieved by East Lothian Council. An explanation of how these grades were awarded is included in each of the relevant sections of the report. The Housing Management section begins on page 25, Property Management begins on page 53 and the Homelessness section begins on page 67.

Housing Management	C	<p>The Council delivers a fair housing management service with significant areas where improvement is needed.</p> <p>We consider that prospects for improvement in the housing management service are uncertain.</p>
Property Management	C	<p>The Council delivers a fair property management service with some strengths, but with significant areas where improvement is needed.</p> <p>We consider that prospects for improvement in Property Management are promising.</p>
Homelessness	D	<p>The Council delivers a poor homelessness service with major areas where improvement is needed.</p> <p>We consider that prospects for improvement in the homelessness function are uncertain.</p>

4. Key Themes Influencing Performance

Overall assessment of key themes

- 4.1 Looking across all of the areas of the housing service that we inspected, it is clear that there are many positive things about the Council's housing and its housing service from a service users' point of view. The housing is in a reasonably sound condition and is properly maintained, the estates are well kept and rents are relatively low. The Council is aware that there are weaknesses in the way it delivers its housing service. It is clearly committed to improving its performance and to ensuring that tenants and other service users have their say in that process. To deliver these improvements the Council has carried out or set up a large number of reviews, new initiatives and pilots.
- 4.2 However, despite this high level of activity and commitment, the quality of services and of information being provided to tenants and others remains poor in a number of areas. In other areas, while the absolute level of performance is good in relation to national averages, we consider that it should be better given the context in which the Council is operating.
- 4.3 There are weaknesses running through the management of various parts of the housing service including a lack of good performance information and poor quality control. Gaps in support for operational staff are adding to the difficulties in effectively implementing new initiatives and achieving real improvements to service delivery. For these reasons we consider that the prospects for improvement in the inspected parts of the housing service overall are uncertain.

Key findings

- 4.4 Overall, these areas are working well:
- The Council already knows about many of the weaknesses in the way it delivers its housing services, through a range of techniques including peer review, and a wide range of new initiatives has been set up to deal with these weaknesses.
 - It has developed a strong and well resourced structure for supporting service user participation through a network of formal tenants and residents groups.
 - The Council is effectively involving tenants and service users in reviewing many aspects of its services.
 - The Council is developing and improving a strategic planning framework and has set out high level objectives for its housing service.

- The Council is making good use of available resources to improve the sustainability of its housing and neighbourhoods.
- The Council has a good network of local offices and other arrangements in place to make sure that service users across East Lothian can get access to its housing services.
- The Council is meeting the legislative requirements in relation to reporting its performance against statutory performance indicators to its service users.

4.5 Overall, these areas could be working better:

- Operational staff in the Community Housing teams are not receiving the managerial support they need to deliver a good service and implement proposed changes.
- The new initiatives that have been developed to deal with identified weaknesses are largely operating independently and there are not yet adequate structures in place to monitor the overall progress of the improvement programme, to ensure that the individual projects take account of proposals in other areas and to ensure that implementation takes place in a staged and managed way.
- The performance information available to operational staff is inadequate to assess how well they are performing at a local level or to identify the outcomes from the services they are delivering.
- The Council is not collecting feedback from service users on a regular basis about the quality of the services they receive.
- It is not making best use of available feedback to improve housing services.
- There are gaps and weaknesses in the information being provided to service users .
- Staff do not have a clear understanding of their corporate and individual responsibilities for promoting tenant participation.
- The Council does not have an up to date Business Plan or other document that clearly sets out how the housing service will implement the objectives set for it at a strategic level.
- The Council is not fully complying with statutory guidance on the promotion of equal opportunities.
- There are gaps in the audit trails for the procurement of some major contracts, which means that the Council is not able to robustly demonstrate how it is achieving best value in this area.

4.6 These are our key recommendations. They are broadly in order of significance:

- ❖ The Council needs to manage operational staff in the area offices more effectively to help them improve the quality of the housing services they provide.

- ❖ The Council should map out a realistic timetable for implementing other planned changes which will affect the work practices or support systems for operational staff and carefully monitor the progress and impact of these changes.
- ❖ The Council needs to provide more support for operational staff on key policies and procedures before and after introducing them to ensure they are more effectively and consistently implemented.
- ❖ The Council should improve its performance management information and systems so that it can identify the impact of the services it is delivering.
- ❖ The Council should give service users more opportunities to comment on the quality of the services they are receiving.
- ❖ The Council should make sure that better performance and feedback information influences reviews of its services and policies.
- ❖ The Council should build on the good work it has done in developing tenant participation by looking at ways to widen out the opportunities for participation and feedback from those tenants and other service users who do not wish, or are not able, to get involved in formal groups.
- ❖ The Council should take a more pro-active approach to ensuring that tenants and service users get good information about the standards of service they can expect.
- ❖ The Council should ensure that all of its operational staff are trained and supported to deal appropriately with incidents of racial and other forms of harassment and should explore alternative ways of building links with difficult-to-reach groups within its communities.
- ❖ The Council should ensure that its Race Equality Scheme sets out how its housing service will meet all of the requirements set out in the Commission for Racial Equality's (CRE) statutory Code of Guidance on the specific duties to promote race equality, within a reasonable timescale.
- ❖ The Council should consult its tenants, as part of the consultation on proposed rent increases, on its intention to transfer funds from the HRA into the General Fund.

Context

- 4.7 We recognise that the Council is facing considerable challenges in continuing to deliver a housing service while managing change on a number of fronts. These tasks have been made more difficult by a number of staffing issues that have required considerable management time and resources, but which are now approaching resolution.
- 4.8 The difficulties of managing this degree of change have been further complicated by recent changes in senior personnel.

How good are the services overall?

- 4.9 This section pulls out some key themes that we think influence the overall quality of housing services that people get from the Council. We have highlighted five broad criteria of participation and responsiveness; accountability; equalities; sustainability and accessibility. Some of the issues outlined here are dealt with in more detail in later parts of the report. We have not, therefore, repeated all the recommendations about service improvements in this section.

Participation and responsiveness

- 4.10 The Council has put a lot of effort and resources into developing processes and structures to improve tenant participation and has had a lot of success. Although it has still to approve its final Tenant Participation Strategy, the delay has largely been caused by the inclusive approach the Council has taken to get the strategy right.

Recommendation 1:

The Council must complete its work on the Tenant Participation Strategy as soon as possible and make this widely available to tenants and service users.

- 4.11 Working with local communities across East Lothian, the Council has helped to set up the East Lothian Tenants and Residents Panel which is made up of nominees from the network of local Tenants and Residents Associations (TRAs).
- 4.12 Since the Panel was set up in 1999, the Council has demonstrated a clear commitment to developing the role of the Panel as an independent consultative body in a variety of ways, including:
- paying for the employment of a full-time worker to provide independent training, development and support for the Panel;
 - providing serviced office accommodation; and
 - a delegated budget of £19,000 to support the Panel in implementing its agreed Business Plan.
- 4.13 At the time of the inspection, there were eleven active TRAs, most of whom were still going through the process of becoming registered with the Council.

Recommendation 2:

The Council should make sure that all existing Tenants and Residents Associations get the support they need to become registered as soon as possible and should set up a publicly available register of these organisations, in line with the requirements in section 53(3) of the Housing (Scotland) Act 2001.

- 4.14 The Council's commitment to tenant participation was appreciated by the tenants who had taken part in activities like service reviews. These tenants told us that they felt that the Council listened to their views and that they had influenced the Council's policies and approaches.
- 4.15 Tenants also felt that there were practical things that the Council could do better. These included improving communication between different parts of the service and with other parts of the Council, and responding effectively to queries and requests for information from members of the Panel or TRAs.
- 4.16 The Council has worked closely with the Panel to develop a Communication Code of Practice which sets out how it will work with the Panel and other service users in the future. This is another very positive development in this area and would be an excellent framework for broader improvements in customer care.

Recommendation 3:

The Council should increase the opportunities for participation from tenants and other service users who do not wish, or are not able, to get involved in formal groups. The results should be used to assess the quality of service delivery and to inform changes in how services are delivered.

- 4.17 The Council has a good Feedback Policy and procedures that give tenants the opportunity to contribute their views or experiences of Council services, whether good or bad. However, in practice this generally operates as a complaints policy, as limited positive feedback is being received. Where complaints are made, the procedures ensure that these are independently investigated and generally resolved. Both staff and tenants are aware of how the process works and we received very positive comments on the service provided by the officer managing the process.

- 4.18 However, staff are aware of a number of weaknesses in the current system which need to be dealt with in order to make the process more robust. These include some gaps in the procedures, inconsistent use of the process across the housing service and gaps in the information provided to tenants making use of the system.

Recommendation 4:

The Council should tighten up the operation of its Feedback Policy.

- Staff in all Area Offices should complete Customer Feedback forms for all formal and informal feedback, even where problems have been resolved without the appointment of an Investigating Officer.
- The Council should provide service users with better information about later stages of the process including access to elected members and the Scottish Public Services Ombudsman.
- The Council should extend the procedures to cover the whole of the housing service, including Property Services.
- The Council should put in place clear arrangements, including timescales, for investigating complaints involving elected members, making staff aware of them and ensuring they are consistently followed.

- 4.19 The Council is not making good use of the information it does receive through its Feedback Policy. The number and subject of complaints which are passed on to the Complaints Officer are monitored, and summary information is reported to staff in some of the regular performance bulletins. But we saw little evidence that this information was being routinely considered as part of the service reviews that we looked at. Some changes have been made to procedures as a result of individual complaints but we were not able to see that this information is proactively used to identify trends, problems or aspects of the service that could be improved.
- 4.20 However, complaints alone are not a good enough basis for assessing the quality of a service. The Council should collect more specific feedback from all of its tenants on what they think of its services. Tenants from the Panel are involved in many of the service reviews which the Council has recently undertaken or that are underway and they are able to feed in a service user perspective. But we saw little evidence in any part of the service of efforts to get customer satisfaction information from individual tenants to identify how the Council could improve things in the future.

- 4.21 The Council is not currently providing good enough information to its tenants. It is aware of this issue and has taken action that has resulted in some real improvements. The new Public information Officer has improved the distribution of information leaflets and updated some of the content of these leaflets. She has also produced information for staff on how to respond to people requiring information in other formats or languages.
- 4.22 Despite these improvements we found that:
- a number of the leaflets still being used contain out of date information;
 - some leaflets have gaps in the information they provide eg on appeals processes or timescales for providing responses;
 - area offices did not have the full range of leaflets available;
 - the tenants handbook previously issued to tenants is out of date, and nothing is being given to new tenants;
 - new tenants are not always given a copy of the tenancy agreement before the sign-up meeting and are given very little verbal explanation of what they are signing;
 - there is almost no information on dealing with antisocial behaviour; and
 - staff in the area offices were not always aware of how to access interpreters for people who need them.
- 4.23 There are a number of initiatives being developed across the Council to improve the availability of information to service users, including the Homeseeker project and an IT-based Housing Advice Resource (HAR) although these have not yet been fully implemented. The Council has also recently received a consultant's report on broader issues of public access across its main service areas. This report contains many helpful recommendations which, if adopted by the Council, would deal with many of the weaknesses we saw in the current system for providing information on housing services.

Accountability to service users

- 4.24 The Council is committed to working with its service users and has set up good ways of communicating with them or involving them in improvement work. But this commitment is undermined by the weaknesses in the information that it is able to share with them.
- 4.25 The Council makes use of a number of different methods to communicate with its service users. Every year it sends all households in East Lothian a copy of "Aiming High", a magazine containing information on its Statutory Performance Indicators, and publishes key performance information in local newspapers. The Council also produces regular bulletins on how it is investing in the housing in East Lothian, including its

- own properties. It produces a regular newsletter for its tenants called Homefront, and a quarterly newspaper called Focus for all East Lothian residents, both of which include information about the housing service.
- 4.26 The Council has met the requirement to consult on rent increases and does consult and involve service users on a range of other issues eg work to be done to their houses and reviews of specific policies or service areas.
- 4.27 However, the Council does not have good quality information on how good its services are and so it is not able to pass this information on to its service users. As explained in later sections of this report, we found weaknesses and gaps in many aspects of the monitoring information collected by the Council, especially on the outcomes of its services.
- 4.28 As a result, the Council is not in a strong position to demonstrate how good its housing service is at meeting the needs of its local communities. The gaps in monitoring information also make it difficult for the Council to know for certain that homeless people are getting reasonable access to its housing, how good its repairs service is or whether it is delivering good value for tenants' rents.
- 4.29 Where information is collected the Council is not making good use of it to improve the quality of service delivery. Staff are not easily able to get access to this information from the existing IT systems and only limited information is being centrally produced or circulated on a regular basis.
- 4.30 The Council collects very little feedback information from its tenants and other service users on how good its services are or whether services are meeting their needs. The monitoring information that is collected on complaints is not fed back to service users.

Equalities and diversity

- 4.31 The Council is at a very early stage in implementing its written commitments to equal opportunities. It has a corporate equal opportunities policy, accompanied by an action plan, and met the statutory requirement to produce a Race Equality Scheme (RES) by 30 November 2002. However, the content of the RES does not comply with the requirements of the statutory guidance produced by the CRE.
- 4.32 The housing service intends to produce its own housing equalities policy to set out how equalities issues will be mainstreamed into this aspect of the Council's services but this is not yet in place.

- 4.33 The requirement set out in the CRE’s statutory Code of Practice, to map and prioritise functions and policies with regard to their impact on race equality issues, has recently been carried out for the Community Housing section but other parts of the housing service have still to carry out this assessment. Other aspects of the guidance such as setting out the arrangements for assessing and consulting on the impact of policies, for monitoring this impact and for training staff, have not yet been met.
- 4.34 The service is taking a managed approach to improving its practice using the CRE’s “Race Equality means Quality” (REMQ) approach. However, corporately the Council has so far only achieved compliance with the requirements of the lowest level relating to the development of written commitments.

Recommendation 5:

The Council should improve its Race Equality Scheme to set out how its housing service will meet all of the requirements set out in the Commission for Racial Equality’s statutory Code of Guidance on the specific duties to promote race equality, within a reasonable timescale.

- 4.35 The Council has good information about the needs of some equalities groups in its communities, specifically people with disabilities. The work done by the Council on Community Care Housing Needs Assessment has been widely recognised as good practice and is informing guidance at a national level. The Council has recognised that there are important gaps in other areas such as ethnicity, and is considering ways of improving its understanding.
- 4.36 The weaknesses discussed above in the Council’s monitoring and performance management information mean that it is not able to identify or combat any disparities in outcomes for members of equalities groups. The collection of this information has been given a high priority in the action plan for housing but no specific timescales or means for doing so have yet been identified.
- 4.37 The Council has made efforts to build links with organisations representing equalities groups, with some success in relation to community care groups and Women’s Aid. Efforts have been made to involve people from black and minority ethnic communities, such as the work done by MORI during consultation on the Local Housing Strategy, but this was not successful.
- 4.38 The Council’s draft manual on neighbour disputes includes guidance on how staff should deal with incidents of racial or other forms of harassment but staff have not received any training on this or any other aspect of

these procedures. Equalities training is offered at a corporate level but none of the staff we spoke to could remember attending any of these courses. Staff expressed a lack of confidence in their ability to deal effectively with this type of situation should it arise and we saw at least one case where an inappropriate approach was taken in a case of racial harassment.

Recommendation 6:

The Council should ensure it trains its operational staff and supports them to deal appropriately with incidents of racial and other forms of harassment and should explore alternative ways of building links with difficult-to-reach groups within its communities.

- 4.39 The Council has carried out audits of the accessibility of its local offices for people with physical impairments. These audits have flagged up that one of the offices is inaccessible for people using a wheelchair and has made plans to deal with this situation. The public access audit recently carried out for the Council by consultants has also identified a number of improvements which would make it easier for people with particular needs to access and use council services.

Recommendation 7:

The Council should take account of the results of its own disability access audits and the recent consultant's report on public access in planning to meet the extended requirements of the Disability Discrimination Act 1995, which come into force in October 2004.

Sustainability

- 4.40 The Council is actively promoting environmental and social sustainability in the operation of its housing service. The Council is well aware of the pressures on its housing market, and particularly on the supply of social housing, which come from being within commuting distance of Edinburgh. Attempts to counter this pressure and to support small rural communities include the "designated villages" category in the allocations policy. However, the lack of detailed monitoring information makes it impossible to assess the success of this approach.
- 4.41 Local Lettings Plans, once fully implemented, may also enable the Council to take a more locally responsive approach to its objective of maintaining balanced communities. In implementing these plans, the Council should make sure that it clearly identifies what successful outcomes would look

like in each area and that it collects appropriate outcomes information so that it can demonstrate the results of its approach.

- 4.42 The Council has invested a lot of money in improving the energy efficiency of its houses, as reflected in its HECA (Home Energy Conservation Act) strategy and subsequent progress reports. A further £100,000 from the Housing Revenue Account (HRA) has been identified for this purpose in 2003/04. Over the last few years, the Council has been carrying out rolling programmes of window and door replacement; central heating installation and upgrade; and cavity wall insulation in order to improve the quality and sustainability of its properties.
- 4.43 In its pursuit of improved energy efficiency, the Council has set up projects and established partnerships with utilities companies, other local authorities and environmental groups and has made good use of a range of central government funding. The Council has received a number of awards for these projects, including Energy Action Scotland Energysavers Awards in 2001 and 2002. The Council's most recent HECA progress report identifies that, across East Lothian, domestic energy efficiency improved by 6.3% between 1997 and 2001.
- 4.44 The Council is also consulting its service users about what are the key factors they think make individual houses and their neighbourhoods more or less sustainable. The Council intends to use the results of this work to influence the design requirements for any new social housing it develops as well as building them into its assessment of applications for private housing developments.

Accessibility

- 4.45 Most East Lothian residents should be able to get access to the people providing the Council's housing service fairly easily whether through visiting one of the six local offices or by phone for the repairs call centre or the homelessness team. However, we identified a number of obstacles which are making it more difficult for people to actually get access to the services they need.
- 4.46 Some of these obstacles affect a limited number or a specific group of people. The restrictive criteria used to suspend people from the housing list may exclude those applying for a house from outside East Lothian who are under 60 and want to move to provide or receive care. The restrictions on reletting houses to homeless people are excluding an unknown proportion of those applying for housing through the homeless route.

- 4.47 Other obstacles, like the gaps in information about the housing service, affect the ability of all potential service users to get access to, or make best use of the Council's housing services.
- 4.48 The Council is aware of many of these weaknesses and has developed plans to make access easier. A number of specific initiatives are already underway including the establishment of the Public Information Officer post, the Homeseeker project, the Housing Advice Partnership, the IT-based Housing Advice Resource and the public access consultancy. However, most of these initiatives are still in development and it is too early to see what impact they will have.
- 4.49 In other cases, action has already been taken, for example the development of new procedures on suspensions, but this has not been properly implemented and so is not having the intended effect in practice. We have made recommendations throughout this report for actions to remove these obstacles, particularly in relation to areas where we think existing action is inadequate to improve the situation.

How well managed is ELC overall?

Planning and performance management

- 4.50 The Council is in the process of developing a good planning framework for its housing service. It volunteered to be one of seven authorities to pilot the development of a Local Housing Strategy (LHS). This document sets out the Council's strategic direction and priorities for action, including those for its own housing.
- 4.51 To support the development of its LHS, the Council has developed an extensive, detailed and very inclusive consultation process. We have received positive comments about this process from a wide range of participants who felt that the process had been well handled and that their views had been taken into account.
- 4.52 The resulting strategy sets the Council's priorities and objectives for its own landlord and homelessness services in context, relating them clearly to the key issues that the Council is facing. The Council has received very favourable feedback on the strategy's compliance with official guidance.
- 4.53 The LHS is complemented by other plans related to specific functions, such as the Homelessness Strategy and the Supporting People Strategy, which add some detail to the higher-level objectives set out in the LHS.

- 4.54 However, the Council still has a significant amount of work to do to fill in the gaps in the planning framework it has set out for itself:
- The LHS gives only basic information about the relative priority to be given to the numerous actions relating to the Council's own housing.
 - There is very limited information about the resources that will be required (financial, technological, human) to implement the actions set out in the LHS for the Council's housing.
 - The Council is at an early stage in setting up the structures and procedures for monitoring progress against the action plans in the LHS and other related strategies. Many of the objectives and actions relating to its landlord and homelessness roles do not have clear outcomes or indicators attached, making it difficult to see how success will be identified or measured.
 - The Council has not updated the three year Business Plan for its own housing service and is just starting to implement the bottom-up Activity Planning process to establish how it will implement the LHS objectives for its housing service at an operational level.
 - Many of the initiatives which the housing service has set up to implement the commitments in the various strategies are interdependent and are being developed at the same time, with no clear critical path having been mapped out. The individual project teams are required to take responsibility for ensuring that their work is consistent with that being done by each or the other teams, with no single overview of the process.
 - Operational staff do not yet have local targets or performance agreements in place to set out how they are expected to contribute to achieving the high-level objectives for the housing service.
- 4.55 The Council is not collecting or producing the right kind of information to allow it to identify how well it is performing, what effect its services are having or whether its policies are achieving what they set out to do.
- 4.56 Up until now, the Council has concentrated on producing the statutory performance indicators that it has to provide to the Accounts Commission. The Council is aware that it needs to collect better information and make better use of it so that it can improve the quality of its services. It has taken action to start this process, including the appointment of a Performance Management Co-ordinator and its active involvement in the Scottish Housing Best Value Network. Progress has been made in identifying gaps and how they might be filled but there is still a lot of work to do in this area.

Recommendation 8:

The Council should continue to give a high priority to improving its performance management framework. This should include:

- identifying local indicators which will allow it to see how efficiently each of the key elements of its housing service is performing;
- setting SMART targets and objectives for each of the local Community Housing Management and Repairs teams as well as others involved in directly delivering services eg the collections staff for rent arrears;
- making detailed performance information readily available to each of the teams so they can see how well they are performing against their targets;
- collecting feedback information from service users on a regular basis about the quality of the service they are receiving;
- using complaints information and other feedback to improve services at an operational level;
- improving the availability of information about the cost of various parts of the service and using this in any future Best Value or other service reviews; and
- reviewing the performance information which is routinely made available to elected members.

4.57 The Council is undertaking a rolling programme of service reviews with several key projects finished or at an advanced stage, such as the Neighbour Dispute Manual, and the reviews of allocations and voids, rent structures and repairs. These have generally been broad ranging and inclusive processes involving elected members and service users as well as staff at various levels. However, a number of the reviews that we looked at did not meet all the requirements of Best Value reviews; like the need to challenge the existing way of providing the service and the consideration of costs to ensure they are competitive.

4.58 Very few of the outcomes of these service reviews have yet been fully implemented and so it is not possible to see whether they will deliver the intended improvements in quality of service.

Policies and procedures

4.59 As mentioned above, many aspects of the Council's key policies or procedures are currently either being reviewed (eg voids and allocations, rent structures, neighbourhood management), in draft (Neighbour Dispute Manual) or being piloted (Central Assessment Team, Floating Support Worker).

- 4.60 Some of the existing policies still in operation are not clearly linked back to the corporate objectives and in some cases, despite recent updates, do not reflect current legislation and are not consistent with other aspects of the Council's approach. This is discussed in more detail in the section on housing management.
- 4.61 Staff are informed of updates in policies and procedures as they are introduced. Copies of the updated arrangements are sent out on e-mail. They may also be highlighted in staff bulletins and in lunchtime briefing sessions. However, this has not been effective in making sure that staff are aware or confident about what they should be doing. We saw extensive evidence that new procedures were not being used or that inconsistent practices were being followed in different offices and also by different staff in the same office.

Recommendation 9:

The Council should ensure operational staff receive all necessary support when key policies and procedures are changed to ensure these are more effectively and consistently implemented.

Managing its resources

- 4.62 At an operational level, in the Community Housing Management teams, staff resources are fairly thinly stretched and the Council is not currently providing adequate management support to staff to deliver a good quality service. The gaps in the management structure have had a particular impact because of the major changes taking place in housing legislation and in the Council's own processes and procedures.
- 4.63 This combined with a lack of meaningful local targets, significant weaknesses in performance management systems, no performance appraisal process or formal management feedback and a lack of structured training on key subjects has made a significant contribution to the inconsistencies and inefficiencies which are documented in the rest of this report.

Recommendation 10:

As a matter of urgency, the Council needs to take action to ensure that operational staff in the Area Offices receive additional, more structured, management to improve the delivery of frontline housing services.

The Council should also map out a realistic timetable for implementing other planned changes which will affect the work practices or support systems for operational staff and carefully monitor the progress and impact of these changes.

- 4.64 The Council is managing its budget effectively. It produces a three-year budget which is updated annually and there are clear arrangements to allow managers to feed in changes in the money needed to support their own parts of the service. The budget is kept under close review, with potential over or underspends being actively managed.
- 4.65 The Council's corporate Financial Regulations contain guidance for staff on appointing contractors to deliver operational services or consultancy projects. The Council is following this guidance in appointing external contractors where they carry out any maintenance and improvement work on its houses. However, this guidance is not comprehensive which means that certain important aspects of procurement decisions are left to staff discretion, with no systematic requirement for justification or checking of outcomes. The lack of documented audit trails means that the Council is not always able to demonstrate that it is achieving best value in this major area of investment.
- 4.66 More detailed guidance has recently been produced for staff commissioning research or consultancy projects. The guidance specifically excludes major maintenance contracts. This guidance is largely being followed and although it still has gaps in its coverage, it has resulted in much clearer audit trails and more robust evidence that the Council is achieving best value than is the case with the much larger maintenance contracts.

Recommendation 11:

The Council should develop and implement a comprehensive and consistent set of procurement procedures to cover all aspects of the housing service. These should reflect published good practice and:

- set out how individuals or firms qualify for inclusion on a tender list or can be considered for appointment;
- make clear how decisions will be taken about what work will be done in house and when contractors will be appointed;
- set out the different types of procurement routes and when they should be used;
- clarify the criteria which will be considered in making an appointment (particularly where these are not just lowest cost);
- include a requirement to monitor the quality of the work delivered; and
- make clear how this information will inform future procurement decisions.

- 4.67 The Council has two main IT systems operating in different parts of the housing service, along with various other separate modules for particular purposes. The system used in Property Services is out of date and does not meet the current requirements of the service in terms of service and performance monitoring. Nor does it communicate well with the different system used by the Community Housing teams, which makes integrated management of the service more difficult. For example, staff have difficulty checking what is happening with individual void properties.
- 4.68 In addition to these two main systems which staff use on a day-to-day basis, the Council also uses a standard reporting tool to analyse performance information. However, very few staff have the access or the ability to use this package to monitor service delivery at a local level. These weaknesses in the Council's IT systems are hindering the ability of staff to improve performance management. Recommendations relating to these IT issues are included in later sections of this report.
- 4.69 Due to its relatively low level of housing debt, the Council has a fairly high level of resources available in the HRA to spend on its housing service. However, there are two areas where the Council is not acting to maximise the resources available for this purpose. Firstly, as detailed in the Property Management section, the Council does not consistently recharge tenants and owners for work that it does, and that they are liable to pay for.
- 4.70 Secondly, the Council is transferring significant sums out of the HRA on an annual basis to subsidise services which would otherwise be paid for

from the General Fund. In 2002/03 this amounted to almost £100 for every Council house. This transfer is not subject to wider consultation with service users, despite its impact on the level of funding available to deliver the housing service or to invest in tenants' homes.

Recommendation 12:

The Council should consult its tenants, as part of the consultation on proposed rent increases, on its intention to transfer funds from the HRA into the General Fund.

How likely is the Council to improve?

4.71 We consider that the inspected parts of the Council's housing service may improve overall because:

- Senior staff are strongly committed to continuous improvement.
- The Council has recognised many of the weaknesses identified in this report.
- There are a considerable number of new initiatives under development which specifically aim to implement best practice in the areas of weakness that the Council has identified.
- The Council has begun to put together a strategic planning framework to set a context and high-level direction for the service.
- The Council is making considerable effort to encourage service users to take part in reviews of its services and policies.

4.72 The factors pulling against improvement include:

- Operational staff in the area offices do not currently have the systems or managerial support they need to continue delivering a service and to implement the significant changes that are being proposed.
- The Council does not yet have a way of identifying the operational priorities for the housing service and sharing these with its staff and service users.
- The performance information available to operational staff is inadequate to assess how well they are performing at a local level or to identify the outcomes of the services they are delivering.
- The numerous new initiatives that are being developed are all operating independently and there are inadequate structures in place at the moment to monitor the overall progress of the improvement programme, to ensure that the individual projects take account of proposals in other areas and to ensure that implementation takes place in a staged and managed way.

- The Council does not have a strong track record of successfully implementing major change and delivering service improvements on the ground.
- Recent changes in senior staff and management structures make further delays possible in implementing planned improvements as people take time to fully understand their new responsibilities.

4.73 On balance we consider that the prospects for improvement in the regulated aspects of the housing service as a whole are uncertain.

5. Housing Management

Overall assessment of housing management

- 5.1 In terms of the outcomes for service users our assessment is that the balance of performance in housing management is fair overall. There are a number of positive aspects to the way the Council is managing its houses and dealing with its tenants. Staff are experienced and committed to doing the best for their tenants. Applicants are getting access to the Council's housing list and the Council is making real efforts to make best use of its stock. Repairs are generally carried out before new tenants move in, estates are well kept and staff put in a lot of effort to resolving disputes between neighbours or problems of antisocial behaviour. The provision of support to vulnerable tenants is also being well handled. These aspects of the service have a real impact on the day to day experiences of the Council's service users.
- 5.2 However, these positives must be balanced by the number of areas where improvement is needed and by what it is reasonable for the Council's service users to expect from it. We saw aspects of the Council's practices which are not acceptable in any circumstances: the housing list has not been updated for five years; some households are being offered housing without any checks on the information they supplied up to five years ago; new tenants are not being all the information required by law. There are also a number of areas where the Council's processes for letting houses is not fully compliant with legislation or good practice.
- 5.3 In addition, given the context in which the Council is operating, there are a number of areas where we consider that it should be able to provide a much better housing management service than it is at the moment. The Council's housing stock is in reasonably sound condition, it has no areas of housing defined as difficult to let, and demand for the housing is high. And yet we saw weaknesses in most of the areas of service delivery that we looked at.
- 5.4 Certain groups of applicants are being denied access to housing because policies are not being properly applied; people are having to wait longer than they should once they reach the top of the list because the Council is not following its own procedures and staff are not making enough personal contact or taking enough account of household circumstances in pursuing arrears.
- 5.5 There are also weaknesses in management and supporting processes that cut across the whole housing management service, particularly the under-development of performance planning and management. This means that in some areas the Council is not making clear to staff or

service users what it is trying to achieve and it is not able to track service delivery and outcomes. The lack of management support for frontline staff is also affecting the Council's ability to deliver intended improvements

- 5.6 In terms of supporting structures, the major area of strength we identified is the development of tenant participation structures and processes which all partners see as working well and having a real impact on how the Council operates.
- 5.7 The Council is aware of the need to improve its services in most of the areas we have highlighted, and has undertaken a number of initiatives to help it achieve these improvements. We have taken account of these actions, and the commitment to continuous improvement that they demonstrate, in reaching our assessment of the prospects for improvement in housing management.
- 5.8 However this assessment is also strongly influenced by the Council's relatively weak track record in successfully implementing improvements and the limited extent to which we were able to see these initiatives having an effect on the quality of services being delivered on the ground.
- 5.9 The grading we have awarded for housing management is a very borderline C grade. This reflects the cumulative impact of the weaknesses we saw in most aspects of housing management services compared with what service users should be able to expect from this Council. This is balanced by the Council's clear commitment to providing a better service. However, we do not feel able to rate the actual prospects for improvement as any better than uncertain at this time because we have not been able to see many instances where this commitment has been successfully translated into service improvements.

C	<p>The Council delivers a fair housing management service with significant areas where improvement is needed.</p> <p>We consider that prospects for improvement in the housing management service are uncertain.</p>
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Key findings in housing management

- 5.10 These areas of the housing management service are working well:
 - ✓ Applicants are getting access to the Council's housing list.
 - ✓ The Council has set up a transparent and accountable process for making decisions on additional priority awards to applicants through the Rehousing Panel.

- ✓ The Council is taking action to make best use of its stock through the development of Local Lettings Plans.
- ✓ The Council has led on the development of a single new tenancy for all social housing tenants in East Lothian.
- ✓ The Council is promoting housing choice by not restricting the number of offers applicants receive.
- ✓ The Council is managing the early stages of the rent arrears recovery process well.
- ✓ The Council is putting a lot of time and resources into promoting and supporting good tenant participation structures.
- ✓ The Council is consulting effectively with tenants and other major stakeholders in service reviews and the development of key policies.
- ✓ The assessment of needs and the provision of support to vulnerable tenants are working well.
- ✓ The Local Initiative Projects are giving staff an opportunity to work closely with local residents on improving their own estates.

5.11 These areas of the housing management service could work better:

- The Council is not effectively controlling the day-to-day delivery of the Community Housing Service.
- Some applicants are not getting fair access to housing because they are being unfairly suspended.
- Applicants and new tenants get poor information with new tenants not getting all the information they should by law.
- The Council has made limited progress to date in signing tenants up to the new Scottish Secure Tenancy.
- Prospective tenants face unnecessary delays because of the way the Council relets empty houses.
- The Council is not responding to cases of antisocial behaviour effectively.
- The Council is not dealing effectively with serious rent arrears or arrears for former tenants.
- The Council has very limited information about tenant views of its housing management services.
- The implementation of several new initiatives has not been properly supported and as a result new procedures are not being consistently followed.
- The Council is not effectively monitoring the outcomes of its housing management services.

5.12 These are our key recommendations. They are broadly in order of significance:

- ❖ The Council should improve the efficiency of its reletting process to reduce the time that houses stand empty.
- ❖ The Council should properly implement its new policy on suspensions and should review existing suspensions to ensure they comply with the law.
- ❖ The Council should ensure that its allocations policy clearly sets out the way in which all of its properties will be relet and that it fully complies with all legislative requirements.
- ❖ The Council should update its housing list to get a clearer picture of the level and nature of demand for its houses.
- ❖ The Council should ensure that it has up to date and accurate information about applicants before offering them a house.
- ❖ The Council should improve the information it provides to applicants and tenants.
- ❖ The Council should review its management of current and former tenants' rent arrears and ensure it is taking all possible measures before court action is required.
- ❖ The Council should ensure that staff delivering the housing management service get all the support they require to effectively implement improvements in services.
- ❖ The Council should routinely collect feedback from service users about their satisfaction with the services they receive.
- ❖ The Council should put in place a comprehensive performance planning and management system for the housing management service to ensure it can identify the quality of its service delivery and the outcomes of those services to allow it to target its resources effectively to make improvements.

Context for housing management

5.13 The Community Housing Service teams deliver the majority of the Council's housing management services, except the rent collection and arrears management, which are carried out by Finance Services. Community Housing Services are delivered through a network of six local housing offices spread across four separate management areas.

5.14 During the period of the inspection, the Council was facing a number of challenges relating to long-running staff management issues. Consideration was being given to options around restructuring and reallocation of duties to deal with the situation but no decisions had been taken.

5.15 The Council's houses are mainly four in a block and cottage types with relatively low rents in comparison with other councils. There is a high demand for the Council's houses with a housing list of around 5,400 applicants. However, stock turnover is relatively low at around 5%, with nearly 450 houses being let per year. As highlighted above, the Council sees the high level of demand and limited supply of affordable housing in its area as a key element of the context in which it delivers its housing service. The Council is pro-actively taking forward a number of options to increase the supply of new affordable housing.

	East Lothian Council	National Average
Average weekly rent (2002/03)	£35.53	£40.94
Annual rent increase (2002/03)	3.9%	4%
Average time to relet houses (2001/02)	49 days	72 days
% of houses re-let in fewer than 2 weeks (2001/02)	3.4%	15.7%
% of houses taking between 2 - 4 weeks to re-let (2001/02)	43.4%	22.5%
% of houses which took more than 4 weeks to re-let (2001/02)	52.7%	61.8%
Rent lost from unoccupied houses (2001/02)	1.2%	2.6%
Current rent arrears as % of rent due (2001/02)	9.2%	7.3%
% of tenants with serious rent arrears (2001/02)	6.8%	4.8%

Source: Scottish Executive Statistical Bulletin HSG/2003/04 and Audit Scotland's Performance Indicators 2001/02

How good is the service?

Access to houses

5.16 The Council has recognised that there are significant weaknesses in its allocations policy. Whilst it has made some interim improvements to its approach over the last year, the Council is carrying out a more fundamental and comprehensive review of its whole approach to allocations. This review has been ongoing for the last three years. Although the Council is aiming to pilot its new approach from February 2004, at the time of the inspection it was still to formally agree how this would work in practice.

5.17 The review aims to establish:

- clear objectives and targets for rehousing;
- a 'choice based' approach to allocations;
- comprehensive advice on housing options;
- a clear and accountable process for awarding priority status for rehousing; and
- a common housing register for all housing applicants.

5.18 We make a number of specific recommendations on these aspects of the Council's current allocations process. One theme running through this section is that the Council is not able to demonstrate that all aspects of its current approach comply with the requirements of the Housing (Scotland) Act 1987 (as amended). So, given the statutory nature of these duties, the Council should address our recommendations on access to housing as early priorities.

5.19 The Council admits all applicants over the age of 16 to its housing list. This practice complies with statutory requirements. However, the Council's guide to applying for a house states that only certain people over the age of 16 are eligible to apply. This may act as a deterrent to some people applying for housing and the Council should amend the guide to reflect practice.

5.20 The Council has a good policy which sets out its grounds for excluding and suspending applicants from housing and which reflects the requirements of current legislation. However, staff are continuing to suspend applicants against a more restrictive set of criteria. In deciding whether to suspend applicants the Council is taking into account residency factors prohibited by section 20(2)(aa) of the Housing (Scotland) Act 1987. We found four applicants who had been unlawfully suspended since the new legislation came into effect in April 2002, two of whom had been unlawfully suspended since the Council's new policy was introduced in February 2003. As a result these applicants were not being considered for housing when it became available.

Recommendation 13:

The Council should properly implement its exclusions and suspensions policy to ensure that applicants are not unlawfully suspended.

5.21 The Council aims to process applications within five working days, although it does not inform applicants of this standard. Around two thirds of applications are being processed on time. One office in particular was not performing well against this target, having taken between three and

nine months to process a third of the applications in our sample. The Council's ability to identify and deal with such delays is limited as it is not monitoring performance in relation to this service standard.

Recommendation 14:

The Council should improve its performance in dealing with applications. The Council should make its target timescale clear to both applicants and staff and should monitor and report performance against it.

- 5.22 To deal with some of the weaknesses that it has recognised in its current allocations system, the Council has set up a Rehousing Panel. The Panel is a pilot project that is due to run until February 2004. It is made up of housing and other specialist staff, councillors and a tenants' representative. It has responsibility for making decisions on awarding additional priority to people with exceptional housing need and for hearing housing appeals if they arise.
- 5.23 This is a very good initiative to deal with a specific problem and the arrangements for its operation have been well thought through. All cases are discussed on an anonymous basis and the Council has been careful to ensure that legal requirements and conflicts of interest for Rehousing Panel members are dealt with effectively. The Panel's operation could be improved further by ensuring that clear criteria governing the Panel's decisions in all categories are clearly set out and publicly available.
- 5.24 We found evidence that some councillors are asked to comment on proposed homeless allocations and mutual exchanges in their wards before they go ahead. In one case we looked at, this affected the outcome of the process. It is unlawful for local councillors to be involved in decisions about the allocation of local authority housing where the house in question or the applicant is resident in the relevant councillors ward³.

Recommendation 15:

The Council must ensure that any councillor involvement in its allocation system fully complies with the law.

³ Section 20 (3) of the 1987 Act (as amended by section 154 of the Leasehold Reform, Housing and Urban Development Act 1993).

- 5.25 The Council is able to monitor the outcomes of its lettings process along with the size and type of housing required or preferred by applicants. It has used this data as the basis for reviewing its allocations policy and in developing targets for local lettings plans. However, the Council does not routinely monitor the types of housing need being met through the allocations process to see if the results fit with the Council's own objectives and priorities. This will become increasingly important for the Council in the future to enable it to assess whether the new allocations process and Local Lettings Plans are meeting an appropriate range of needs.

Recommendation 16:

The Council should extend its routine monitoring of the allocations process to enable it to see what needs are being met and to demonstrate that it is giving reasonable preference to those categories of need defined in law.

- 5.26 Our findings also highlighted a number of other anomalies in the Council's current allocations system which it should deal with as part of the longer term review:
- Where applicants develop further needs while on its housing list, the Council not only gives points for the need but also backdates any associated higher waiting time points to the original date of application as opposed to the date when the need arose.
 - Applicants fleeing harassment or domestic abuse are accepted onto the housing list because of their needs but the Council gives no additional priority for these needs in letting its housing.
 - Larger (five apartment) houses are only offered to applicants with four or more children provided they meet a points threshold that cannot be met by overcrowding points alone, otherwise these houses are offered to smaller families.
 - The same overcrowding points are awarded to people who need extra bedrooms and those who simply want a larger house. While this is positive in terms of promoting choice, it is potentially disadvantaging people who are experiencing genuine overcrowding.
 - Until recently, medical priority has not always taken account of whether applicants' existing housing had any impact on their medical condition. The Council believes this position has improved with the recent appointment of a new medical assessor but it has no information as yet to show the effect of this change.

Recommendation 17:

The Council should deal with the anomalies we found in its allocations system and more clearly track whether it is meeting its intended outcomes.

- 5.27 The Council promotes housing choice by not restricting the number of areas applicants can choose for housing or the number of offers they can receive. This is consistent with published good practice.
- 5.28 The Council classifies 24 of its rural letting areas as 'designated villages' equating to about 8% of the Council's houses. The Council aims to sustain these communities by giving applicants currently living in a designated village the highest available level of waiting time points for houses in that village, to give them priority over other applicants. The Council gives these higher waiting time points for every year on the list. As a result, in allocating houses in these villages, the Council is effectively taking into account the length of time an applicant has been resident in the area. This practice is prohibited by section 20(2)(a) of the 1987 Act.
- 5.29 The Council also operates four local lettings initiatives. For properties within two of these initiatives - Civic Square in Tranent and Carlyle Gardens in Haddington – the Council will always make the first housing offer to transfer applicants within the respective schemes. The Council does not regularly monitor whether this approach best meets housing need or sustains the local community and therefore it is not clear why it gives this preference to transfer applicants. In addition, its lettings initiative for upper flats in Harkness Crescent, Tranent takes applicants' age into account when allocating houses. This practice is prohibited by section 20(2)(a) of the Housing (Scotland) Act 2001.

Recommendation 18:

The Council should review its practices in relation to designated villages and local lettings initiatives to ensure that they comply with the law and meet its objectives.

- 5.30 The Council has no allocations policy for sheltered accommodation. In the absence of a policy, decisions on who should be offered sheltered properties are made by Community Housing Managers. As a result, the process of deciding which applicant to house is not transparent. The Council has a duty under section 21 of the Housing (Scotland) Act 1987 to publish rules on the allocation of its houses, and this includes sheltered accommodation.

Recommendation 19:

The Council should develop and publish a policy for allocating its sheltered housing.

- 5.31 The Council has not reviewed or updated its housing list since 1998. When reletting houses staff should be checking if the information originally supplied by the applicant is accurate or up to date as in some cases this information may be up to five years old. We were not able to see evidence on house files of these checks being carried out and new tenants confirmed that staff had not checked their circumstances before offering them a house. The Council therefore cannot be sure that it is housing those it intends to house or even that those housed should be at the top of the housing list.

Recommendation 20:

The Council should ensure that all applicants' circumstances are checked before offering them a house.

- 5.32 The Council collects information on ethnicity, disability, gender and age from all applicants for housing. This could be used to identify any unexplained differences in numbers of applications, access to the housing list, waiting time and the number and quality of allocations or transfers to different groups. However, the Council does not analyse this information to identify whether it is providing equal access for all housing applicants.

Recommendation 21:

The Council should use the monitoring information it collects on applications and allocations more effectively to demonstrate equality of access for all applicants.

- 5.33 The Council has recognised the benefits of a common housing register (CHR) in promoting simpler and fairer access to housing. It participates in the Scottish Executive's CHR implementation group and has been actively working with its RSL partners to develop a CHR for its area.
- 5.34 Although the Council has reached the stage of testing joint working arrangements and assessing differences between the application forms and assessment procedures of the various CHR partners, it has made very little progress over the last year or so. The involvement of some of its partners in the Edinburgh CHR has contributed to this lack of progress but

the Council's wish to integrate the CHR application form with a form it had developed separately for its Homeseeker project also resulted in a delay of several months. This could have been avoided with more effective co-ordination between the two new initiatives.

- 5.35 The Council has nominations agreements in place with all local RSLs. Performance data indicate that that the agreements are working well in comparison with those in other local authority areas. However, the process that staff are following is not as efficient as it could be. Community Housing Officers (CHOs) spend a lot of time re-pointing potential nominees against the various RSLs' allocations policies, although this is not a requirement under the agreements. As a result Community Housing Officers are not always able nominate any applicants within the target timescale. Where no applicants are nominated by the Council within the deadline, RSLs still count this towards the agreed quota, so the good performance figures may not mean that a Council nominee is always being housed. This aspect of the process is therefore hampering its success in achieving the intended outcomes.

Recommendation 22:

The Council should work with the relevant RSLs to improve the efficiency of the nominations process.

Tenancy sign-ups

- 5.36 Since 30 September 2002 the Council has signed new tenants up to the East Lothian Scottish Secure Tenancy (ELSST). The ELSST closely follows the model SST, with local variations having been agreed through consultation with tenants and other social landlords in the area. The Council has worked effectively with its partners on this project with the result that all social landlords in the area have adopted the ELSST. This is a significant achievement as it means that all social housing tenants in East Lothian will have the same rights and responsibilities regardless of their landlord.
- 5.37 By 31 March 2004 the Council is required to have signed-up all tenants to the ELSST. However, progress to date has been relatively limited. By August 2003 the Council had only signed up new tenants, amounting to less than 5% of all its tenants, and had not begun the process of signing-up existing tenants.
- 5.38 The Council has opted to use a postal sign up method (with the exception of tenants of sheltered and amenity housing, which is to be done face-to-face). This was piloted in September 2003. The only direct contact

tenants have with staff in the proposed sign-up process is through a free telephone line for any queries they may have. The Council is not taking advantage of routine contact with tenants to sign them up to the new tenancy.

- 5.39 The Council's procedures state that Community Housing Officers should provide applicants with a sample ELSST when they view vacant houses. This is to give prospective tenants an opportunity to read the agreement before signing and to raise any questions they have during the sign-up interview. However, in practice, staff do not always provide new tenants with a copy of the ELSST before the sign-up interview.
- 5.40 We found other weaknesses in the Council's approach to signing-up new tenants:
- The Council does not provide new tenants with information on their Right to Buy, or with a copy of the Council's complaints policy, as required under section 23 of the 2001 Act.
 - Staff are not consistently using the summary ELSST during the sign-up interview to explain the agreement to tenants .
 - Staff take no account of tenants' ability to read their tenancy agreement and do not ask if they need assistance or information in alternative formats.
- 5.41 As a result, new tenants are not being made fully aware of their rights and responsibilities under the new tenancy. This, in turn, may lead to difficulties in the maintenance and management of tenancies.

Recommendation 23:

The Council should make new tenants fully aware of the conditions of their tenancy agreement and provide them with the information required under the Housing (Scotland) Act 2001.

- 5.42 The Council was awarded a two year Scottish Executive grant to assist with its implementation of the ELSST. The Council has not met a number of the objectives of this funding, for example providing tenants with full information on their Right to Repair and Right to Compensation for Improvements by December 2002, and has not submitted the required outcomes report to show its progress. As a result, it has not been able to draw down the second year of this funding.
- 5.43 In June 2002, the Council made a decision to introduce settling-in visits for new tenants as part of its new void standard. However, we found that this decision was not effectively implemented, with follow up visits to new

tenants currently being done at the discretion of individual Community Housing Officers. The Council is aware of this situation, however, and is planning to introduce a more consistent approach to settling-in visits in October 2003.

Information for tenants

- 5.44 The Council provides a range of information for applicants and existing tenants on aspects of its housing management service. This information is provided in various formats including leaflets, posters, newsletters, and newspaper articles. However the Council has also recognised that there is considerable work needed to fill gaps and update the information that is currently available. It has taken steps to progress this work, including the appointment of a Public Information Officer who is working closely with service users.
- 5.45 The work of the Public Information Officer has led to improvements in the accuracy of the information provided, through a rolling programme to update leaflets to reflect policy and legislative changes, and has also improved the efficient distribution of this information to local offices. However we found a number of areas where further improvements are needed to ensure that tenants and applicants are made fully aware of their rights:
- The information sheet for applicants does not accurately reflect either the Council's policies (the Allocations Policy or the Exclusions and Suspensions Policy) or what is happening in practice.
 - In the absence of a tenants' handbook, there is no information for applicants or tenants on succeeding or assigning their tenancy, or exchanging their house.
 - There is very little information available about how to appeal a Council decision. Only applicants whose cases have been referred to the Rehousing Panel are given information on how to appeal its decisions.
 - Letters to suspended applicants do not tell them they have a right to appeal the decision or how to do so. Because these letters also list the Council's more restrictive suspensions criteria rather than those set out in legislation, applicants being unlawfully suspended are unlikely to recognise their grounds for appeal.
 - User-friendly leaflets recently produced by the Council, on the Rehousing Panel and the Exclusions and Suspensions Policy, were not on display in local offices.

Recommendation 24:

The Council should continue to improve the range and accuracy of information it provides to tenants and applicants and should give them better information about their right to appeal and how to use the appeals process.

- 5.46 The Council is not providing new tenants with any useful written information in relation to their tenancy. The tenants' handbook is out of date and is not given to new tenants. The Council has recognised this weakness and intends to produce a new handbook. The new Service Development Manager has been given responsibility for taking this forward but at the time of the inspection there was no timescale for completing this work.

Housing with support

- 5.47 The Council provides a range of supported accommodation, including amenity housing, sheltered housing and temporary accommodation. This accommodation is generally good quality. Its sheltered housing is particularly good following some major improvements, including the expansion of community facilities at Osborne Court and the addition of a conservatory at Well Wynd.
- 5.48 The Council has fully assessed housing support needs and services in its area, including the needs of specific groups and the services currently provided. As a result the Council is improving its support services by researching options for people with mental health problems and piloting new approaches to service delivery, for example:
- The Central Assessment Team (CAT) is providing integrated assessments of the needs of young people (see the section on homelessness).
 - A Floating Support Worker is available for vulnerable households.
 - A specialist sub-group of the Rehousing Panel is dealing with planned resettlement moves.
- 5.49 The Floating Support Worker has had a positive impact in supporting vulnerable tenants to resolve problems by acting as a link between the Community Housing Service and other specialist support services. One of the objectives of this pilot is to clarify the split of responsibilities between the Floating Support Worker and Community Housing Officers, particularly around progressing mutual exchanges, helping tenants with rent arrears and dealing with neighbour disputes. At present it is not clear how the work of the Floating Support Worker is being prioritised, for example on

the basis of risk or vulnerability, and this may be something the Council should consider as part of the evaluation of the pilot.

- 5.50 The Council has made the provision of housing support for young people in the 16-21 age group a priority. At present, young people can access housing and support through both the CAT and the Supported Accommodation Team (SAT). The Council has recognised it needs to provide clear and fair access routes to support, a consistent level of service to users and a sufficient level of resources and accommodation. These issues are picked up in its review of the role of the SAT. This review is comprehensive and includes a significant amount of stakeholder and service user input.
- 5.51 At present the Council is unable to provide potential service users with useful information about its full range of housing support services. Its ability to develop good quality information is affected by the lack of clarity over team roles, although this will be addressed through the review of the SAT. The provision of good quality information about the services the Council provides is a requirement of the National Care Standards, which will be assessed from April 2004 by the Care Commission.

Recommendation 25:

The Council should provide good quality information to potential service users about its housing support services, once it completes its service review.

Empty Houses

- 5.52 In a national context, the Council's performance in reletting empty houses is comparatively good. East Lothian's figure for rent lost due to empty properties during the year 2001/02 was £211,322 (1.2%), which is around half the Scottish average figure for that year of 2.6%. The average relet time for the first half of 2003 was also well below the national average at 42 days.
- 5.53 However, these figures must also be viewed in light of the Council's own operating context of a relatively low turnover of houses over the year (around 5% of total stock), a high level of demand for housing with no difficult to let areas, low rents and properties in generally good condition. In these circumstances, the Council could be delivering an even better service to those waiting for housing.

- 5.54 In the year to March 2002, 440 properties became empty across the Council's area. Accounts Commission statutory performance indicators (SPIs) show that over 50% of these properties were empty for more than 4 weeks. More recent figures, for the period April to June 2003, indicate that empty house turnaround times continue to be high, with 60% of the 110 properties relet during that quarter having taken over 4 weeks to relet.
- 5.55 Community Housing and Property Services staff share responsibility for re-letting empty houses. Given the context outlined above, we consider that performance in this function could be better if the process was more efficiently managed. We received informal feedback that those on the housing lists found it frustrating that properties lie empty for as long as they do.
- 5.56 The weaknesses we found in this process include:
- Staff are not consistently carrying out pre-termination visits.
 - When these visits are carried out, repair work is not always ordered straight away.
 - The Council is taking a relatively long time to complete these repairs and bring properties up to what it considers a relettable standard.
 - Where repairs targets are missed there is a lack of follow up to identify the reasons for failure and to ensure that these outstanding repairs are completed within a reasonable time.
 - The Council does not allocate properties as soon as it is told that the current tenant is moving out, at least partly because of the length and unpredictability of the repairs process.
 - The delay in starting the allocations process and the inability of staff to give prospective tenants accurate information about when the repairs will be finished also mean that people sometimes get very little time to arrange their move into the new property.
- 5.57 The Council knows about the shortcomings in its management of this function and has taken action to try and improve the situation. The Council used to replace kitchens when a property was empty but it has recognised the impact that this was having on turnaround times and is introducing new procedures for carrying out this work when houses are occupied. It is too soon to measure whether this has had a positive impact on the amount of time that houses are empty.
- 5.58 The Council has also introduced a draft void standard and void procedure to try and address many of the concerns outlined above. However, the procedure is not being consistently followed across the Council and we saw little management control of this process. While the draft void procedure has some weaknesses, we consider that its consistent implementation would shorten the average time that houses lie empty.

Recommendation 26:

The Council should implement its new void standard and procedures properly across all teams.

Recommendation 27:

The Council should consider the point at which it offers properties to new tenants in order to minimise the amount of time that properties are without a tenant.

Rent setting

- 5.59 In 2002/03, the average weekly rent charged to tenants in East Lothian was £35.53, the sixth lowest local authority rent in Scotland, and below the Scottish average of £40.94. The process for setting rents is part of the wider budget setting process for the housing service. As discussed above, in paragraph 8.64 this budget setting process is robust and well-managed. Through this process, the Council ensures that it has the resources it has identified as being needed to manage and repair its houses on a day-to-day basis and to carry out longer term maintenance.
- 5.60 The Council has also done some work to develop its own version of the Scottish Social Housing Standard, the East Lothian Standard. However, as the Council is awaiting the final guidance on the SSHS before finalising its own standard, it is too early to assess the likely resources that will be needed to implement it or any possible impact on rents.
- 5.61 The Council is complying with the requirements in the Housing (Scotland) Act 2001 to consult its tenants about future rent increases. For the financial year 2003/04, the Council sent out individual letters to all tenants to tell them about the proposed rent increase and invite their comments, before the increase was finalised. The Council also took out an advert in the local newspaper. The Council takes a standard pooling approach to calculating proposed rent increases. This results in a set percentage increase being added to all existing rents and takes no account of property size or characteristics.
- 5.62 The Council recognises that the current rent structure does not conform to good practice, as rent charged does not accurately reflect house characteristics. In order to address this, the Council is completing a review of the process of setting base rents.

- 5.63 The review steering group, which includes elected members and representatives from ELTRP, has identified a new method of rent setting and a range of criteria that will be used to set the base rent for individual properties. If the Council approves the new system, which is based on housing attributes, it will be introduced for the financial year 2004/05. This has been an extensive review which has been carried out in an inclusive way.
- 5.64 The new rent setting system will mean that rents will more accurately reflect the differences between properties such as size, type and amenities.

Rent Arrears

- 5.65 The Council's performance in managing rent arrears has steadily improved over the last three years, as shown in the table below, although, overall, it continues to perform poorly in comparison with its peer group.

	2002/03	2001/02	2000/01
Rent arrears as a % of the net rental income	7.3	9.2	10.2
National Average	Not Available	7.3	9.2
Peer Group Average	Not Available	5.2	5.9

Source: Audit Scotland's Performance Indicators 2000/01 and 2001/02 and East Lothian Council

- 5.66 Following an external review of its management of rent arrears in 2002, the Council developed an action plan to set out how it would deal with the weaknesses identified by the review. Work is underway to implement a number of these actions although some of the timescales now appear tight given the rate of progress to date. One of the actions was the development of a comprehensive policy and procedures for managing rent arrears. This document is still in draft but if implemented it would deal with some of the weaknesses we saw in the Council's existing practices.
- 5.67 The Council is now giving priority to recovering rent arrears over the recovery of other Council debt. The Council's approach to dealing with the early stages of rent arrears is generally good. Staff are making initial contact within 14 days of arrears arising, in the majority of cases, and regular contact is maintained with tenants throughout the early stages of arrears build up.

5.68 However, looking at rent arrears management as a whole, we found some key weaknesses in current practice, for example:

- The main form of contact with tenants in arrears is by letter. There is a low level of personal contact being made.
- The letters being used are standard, computer-generated letters, and the quality of these letters is poor.
- Staff are not routinely collecting or recording information from tenants in arrears about their income and expenditure.
- As a result of the above, we saw little evidence that staff were in a position to agree realistic arrangements for repayment of arrears.
- Where agreements to repay are made, staff rarely send out letters to confirm these arrangements.

5.69 The Council is not making good use of all the options available to it to manage more serious arrears cases. We found that in 17 of the 22 serious arrears cases we reviewed the Council did not maintain good contact with the tenants. This was particularly noticeable once a decision had been taken to initiate court action.

5.70 We also found a small number of cases where tenants were experiencing medical and/or social difficulties and no referral was made to other agencies until significant arrears had accrued or legal action had been started.

5.71 The Council took 244 cases to court for rent arrears in 2002/03. This figure is not high in the context of national comparisons. But the official Scottish Executive figures on the outcomes of these cases, combined with the weaknesses we found in the process followed by the Council, indicate that the Council could be doing more to reduce the number of cases where legal action is necessary and to help prevent homelessness.

5.72 In the year to March 2003, the Council was granted 139 decrees for eviction. Fifteen of these cases resulted in the actual evictions. However, we found a lack of clear records to show why evictions did or did not go ahead in individual cases. The Council also has no clear guidance in place for staff on when to implement decrees for eviction.

Recommendation 28:

The Council should develop and use a better variety of options for managing rent arrears, in order to maximise the amount of rent collected and minimise the use of court action.

Recommendation 29:

The Council should provide clear guidance for staff on the procedure to be followed when court action is taken and, in particular, the circumstances in which decrees are to be implemented and evictions carried out.

- 5.73 The Council is not pursuing former tenant arrears effectively. The level of former tenant arrears has increased significantly over the last three years as shown below. This increase has occurred despite the introduction of a policy for writing off former tenant arrears in November 2000. Over the last three years the level of former tenant arrears rose from just over £344,000 to £420,000, an increase of 22%, despite writing off over £168,000 of outstanding arrears during this period.

	2002/03	2001/02	2000/01
Former tenant arrears	£420,127	£385,624	£334,074
Write off of former tenant arrears	£104,512	£63,944	N/A

Source: East Lothian Council

- 5.74 The Council has made limited resources available to date to pursue former tenant arrears. However, it has recognised the need for more priority to be given to this area and intends to allocate an additional member of staff to this task.

Recommendation 30:

The Council should take all reasonable action to recover former tenant arrears before agreeing to write off these debts.

Tackling antisocial behaviour

- 5.75 We do not have a clear understanding of how significant an issue antisocial behaviour is for East Lothian Council because the Council was not able to give us accurate information on the extent or nature of the problem.
- 5.76 The Council records incidents of antisocial behaviour manually and this information is held at each Community Housing Office. The information is not routinely aggregated or monitored at a Council level. As a result, there is real confusion between different parts of the Council and its partners as

to the extent of the issue, with estimates ranging from around 50 to 200 active cases at any point in time. Staff told us that around 10%-20% of complaints are what they define as serious, with the remainder of a fairly minor nature.

Recommendation 31:

The Council should improve its monitoring of incidents of antisocial behaviour to get a better understanding of the issue and enable it to make an appropriate response.

- 5.77 Although the Council provides a leaflet containing information about mediation, it has no other publicity material available for tenants and residents telling them what they can do if they are experiencing antisocial behaviour or how to report it to the Council. The lack of information could be leading to an under reporting of instances of antisocial behaviour.

Recommendation 32:

The Council should provide better information for its tenants and other service users on its own approach to antisocial behaviour and what action people experiencing antisocial behaviour can take.

- 5.78 The Council is not taking a systematic approach to dealing with individual incidents of antisocial behaviour. Staff spend a lot of time and effort responding to antisocial behaviour and neighbour disputes. But, because of the lack of a consistent approach we found that, in some instances disputes are not being appropriately handled, cases are taking a long time to reach a conclusion and the level of effort is not fully reflected in positive outcomes for service users.
- 5.79 An excellent manual for staff on dealing with neighbour disputes and antisocial behaviour has been developed and was endorsed by Committee in February 2003. The manual offers guidance for staff and introduces standard pro formas and correspondence templates. It also includes a section on dealing with allegations of harassment. However, the guidance has not been properly implemented; the pro formas for information gathering and recording are not yet being used in all the Community Housing offices and staff are still using older, more basic procedures for dealing with instances of antisocial behaviour.

Recommendation 33:

The guidance and procedures on managing anti-social behaviour should be implemented and adopted consistently across all Community Housing offices.

- 5.80 Staff are not keeping detailed records of individual cases and the action taken and this is restricting the Council's ability to deal effectively with more serious incidents. We saw cases where the Council's own legal staff indicated a need for better evidence gathering and recording to support proposals to pursue action such as Anti Social Behaviour Orders.
- 5.81 The Council has an arrangement with SACRO to deliver a mediation service on its behalf. This is a positive alternative to more punitive action. Community Housing Officers are referring people to this service at a rate of approximately six cases per month. This option is not being used to its full potential. Staff reported being unsure about when to refer cases to the mediation service and a report recently produced for the Council by SACRO concluded that more cases could be being sent to mediation than are at present.

Recommendation 34:

The Council should make staff aware of how to make best use of the mediation service.

- 5.82 The Council is not making use of other good practice tools such as the provision of support to victims or a specialist antisocial behaviour team. Given the lack of systematic information about the nature and extent of the issue, the Council is not able to make a robust assessment of whether such additional action might be required.

Estate Management

- 5.83 The Council's estate management service underwent a peer review in November 2001. The Council was awarded two stars, which is a good rating. A number of improvements were identified and the Council has recently started to take this work forward. However, some of this work may be affected by the restructuring taking place within the service overall.
- 5.84 At present, Community Housing Officers each have specific "patches" and are responsible for a range of estate management functions in these areas. They visit tenants, offer houses and deal with antisocial behaviour

on a daily basis in their “patch” and use this time in the community as an opportunity to keep up to date with changes in the estates. For example, staff might notice an abandoned house or identify areas where environmental work is required. This is positive and means that Community Housing staff have a lot of local knowledge and are aware of the issues affecting tenants and residents. This helps them to deal with problems and lets them give accurate information about the estates to new tenants moving in to the area.

- 5.85 The Council offers a range of environmental services, such as garden aid for tenants, open space maintenance and litter collection. The maintenance work is carried out by the Council’s Amenity Services and managed by the Housing Service. Staff from both services are currently working to clarify their roles and responsibilities in relation to the estate management function. A draft Service Level Agreement is currently being discussed with the Tenants’ Panel. This will set standards for this part of the service.
- 5.86 The Council operates a Local Initiatives Project, which allocates £400,000 per annum from the HRA for local priorities in relation to estate improvements. In some cases this money has been used for projects that contributed to crime prevention on particular estates. This is a good approach to estate improvements that allows local knowledge to be used to achieve positive outcomes for tenants and residents.
- 5.87 We saw some particular instances of good practice where local Community Housing staff worked closely with the local TRAs and councillors to manage this process and decide how the money should be spent. However, the involvement of tenants and residents in the process varies across the Council. The Council could also build on good practice in individual projects by collecting feedback from service users in the area when projects are completed.

Recommendation 35:

The Council should build on the success of the Local Initiatives Project by:

- agreeing criteria for prioritising work to be funded through the Project to ensure it contributes to broader Council objectives;
- adopting a consistent approach to promoting tenant involvement in the Local Initiatives Project; and
- putting mechanisms in place to measure tenant satisfaction with the works carried out under this initiative.

How well is the service managed?

Policies and procedures

- 5.88 A range of strategies, plans and policies guides the Council's delivery of its housing management services. The high demand for the Council's houses is a major factor underpinning many of these strategies and plans. However, the Council's plans are not based on up-to-date and accurate information about the level or type of demand for its houses, as the Council has not reviewed its waiting list since 1998.
- 5.89 This weakness also affects the Local Lettings Plans, which the Council intends to introduce in October 2003. These plans identify annual targets for the proportion of house types to be let to waiting list and transfer applicants in each area. These plans are intended to enable the Council to respond to local circumstances and the Council has done a lot of work to develop and back up these plans. But without robust information on the level and nature of demand in the relevant areas the Council cannot be sure that its lettings targets are meeting applicants' needs or making best use of its stock.

Recommendation 36:

The Council should get more up-to-date information about the level and type of demand for its houses to underpin its plans and strategies.

- 5.90 Updating the information about applicants on the housing list could also help shorten the time needed to relet empty houses. The Council experiences a relatively high number of rejections to offers of housing, which adds to the time taken to relet houses. While many of these rejections are due to the Council not restricting the number of offers to applicants, a number may also be due to offers not matching applicants' current needs. If the Council had more accurate information about applicants' details it could reduce unsuitable offers of housing, which in turn would help it to relet houses more quickly.
- 5.91 Staff do not have a complete or consistent set of policies or procedures to help them deliver housing management services. The Council has recognised this and is undertaking a number of reviews that will result in a complete overhaul of some of its key policies. It has also begun to develop a five-year plan for reviewing the full range of its policies, but this is still in outline form.
- 5.92 The number of reviews that are underway is taking up a considerable amount of senior staff time and is resulting in some confusion amongst

operational staff about the procedures they should be following. Where completed reviews have resulted in new guidance, staff are not receiving adequate support to implement the changes, resulting in uneven implementation and inconsistent practice across different areas.

Performance Management

5.93 Managers are not taking an active role in monitoring and managing the performance of housing management services at a local level. The ability of existing staff to fulfil this role has been hampered by some of the on-going staffing issues facing the Council. However, their ability to monitor and manage performance is also affected by the lack of good quality monitoring data and their inability to access performance monitoring tools. This means that they cannot properly examine:

- housing management processes to identify where problems are occurring e.g. in reletting empty houses; or
- performance against appropriate service standards e.g. time taken to process housing applications.

5.94 To manage its performance better, the Council should set stretching but achievable targets based on current performance. For example, although the Council is currently reletting only 40% of its empty houses within four weeks it has set itself a target of reletting 90% of empty houses within this period. Based on current results this is not a reasonable target and so is not likely to motivate staff to improve their own performance.

Recommendation 37:

The Council should support and encourage local managers to take a more active role in managing and monitoring performance against realistic targets for improvement.

Information Management

5.95 There are gaps and inconsistencies in the Council's recording of information that are making it more difficult to deliver housing management services effectively. These include:

- poor and inconsistent paper records of void properties that are being used to monitor the time taken to relet houses and the quota of houses let to homeless applicants;
- an inadequate system for recording and monitoring antisocial behaviour cases, leading to uncertainty about the number of cases the Council is dealing with; and

- one office where signed copies of tenancy agreements are not always being held on file, potentially undermining the Council's ability to enforce tenancy conditions.

5.96 In some cases staff are taking action to address some of these weaknesses but it is too early to see the impact of these changes on service delivery.

Recommendation 38:

The Council should improve its management and recording of key housing management information.

Training and support

5.97 We found weaknesses in the support that the Council provides for operational staff to enable them to do their job effectively. For example:

- The main, detailed training for staff on the ELSST was provided through an optional lunchtime briefing session held after the deadline for introducing the new tenancy.
- The Council has not yet provided staff with proper training or support to implement the lengthy new guidance manual on neighbour disputes and antisocial behaviour. As a result staff are still unclear about how to deal with some aspects of antisocial behaviour, specifically harassment and tenancy breaches that may require enforcement action, and are not aware of the target times they should be working to.
- There has been a lack of training for staff in rent arrears management. Managers in this section are not monitoring the quality of work, providing feedback to staff on their approach or supporting staff in resolving serious arrears cases.

Recommendation 39:

The Council should assess the development needs of staff carrying out housing management services and put in place an appropriate programme of training and support to address these needs.

Communication

5.98 Weaknesses in IT and communication links between staff in relevant sections is having an impact on the effective operation of some of the Council's housing management services. Our findings were echoed by a

number of tenants we spoke to during the inspection. Specific examples include:

- Community Housing and Property Services staff are operating different IT systems creating difficulties for staff in tracking the progress of empty properties through the repair and relet process.
- There is very limited discussion between housing and repairs staff at an operational level about what is and is not working in the process for reletting empty properties.
- Finance staff are not always making effective use of housing staff's knowledge of tenants' circumstances when working to recover arrears. As a result, recovery actions are not necessarily appropriate to tenants' circumstances and it is difficult for staff to identify cases where relevant support services need to be contacted early in the recovery process.

5.99 In addition, the lack of communication and effective co-ordination between the Common Housing Register working group and Homeseeker project has resulted in unnecessary duplication of effort in the separate development of two overlapping new housing application forms.

Recommendation 40:

The Council should review current communication between staff to improve the effectiveness of service delivery and the co-ordination of its various continuous improvement initiatives.

Resource Management

5.100 We found areas where the Council could improve the control and management of its resources. In particular, the Council is unable to demonstrate that new tenants are actually using decoration grants for the purposes given. As a result, it cannot demonstrate that over £200,000 of the housing revenue account (HRA) budget is being used appropriately.

Recommendation 41:

The Council should improve its control of payments made to tenants.

How likely is the service to improve?

5.101 We consider that the housing management service may improve because:

- The Council as a whole is committed to improving the housing management services it provides.

- The Council has recognised that there are weaknesses in many of the areas of the housing management function discussed above.
- The Council has already taken steps to directly address some of these weaknesses.
- In other cases, service reviews and audits have been carried out leading to the development of a number of new procedures and initiatives designed to improve service delivery.
- Tenants and service users are involved in these reviews and are able to influence the Council's approach.
- We have seen evidence of progress in many of these initiatives, even where they have not been completed or fully implemented.
- Staff are working hard to deal with the challenges they are facing while continuing to provide the best service they can on a day to day basis.

5.102 The factors which may affect the Council's ability to improve the housing management service include:

- the sheer number of initiatives being taken forward at the same time;
- the absence of robust performance information;
- the time taken to complete reviews in some of the key areas of service delivery;
- the failure to effectively implement changes arising from some of the reviews which have been completed;
- the weaknesses in support for Community Housing Officers to help them drive through the changes which need to happen;
- the limited improvements to date in the quality of the services being delivered on the ground.

5.103 On balance, although there is no question about the Council's overall commitment to improvement and that some progress is being made, we consider that the prospects for improvement in housing management are uncertain because of the limited evidence of the Council's ability to translate its efforts into actual improvements in the quality of services.

6. Property Management

Overall assessment of property management

- 6.1 East Lothian Council provides a fair property management service. It has maintained its housing stock in reasonable condition through high levels of investment and its maintenance programmes are well planned. The Council provides an accessible responsive repairs service, but its performance at completing response repairs on time is very poor.
- 6.2 As with other parts of the service, performance monitoring and reporting are underdeveloped. This needs to improve to enable the Council to exercise proper management control over the repairs service and to demonstrate that it is providing a best value service. Improvements in quality control of the repairs service are also needed.
- 6.3 The Council is not good at providing information for its service users or gathering feedback on its property management services. However, the service users we spoke to are broadly satisfied with the quality of the services they receive.
- 6.4 We consider that the prospects for improvement in this part of the service are promising. The Council is aware of the issues it is facing in its property management service and is taking steps to address these in a structured way. We were able to see the initial impact of these actions in areas such as gas maintenance and emergency repairs.
- 6.5 It is this structured approach to improvement, along with the overall sound condition of the stock, which has led us to award a C grade for this function. This is, however, a borderline grade because of the very poor performance on response repairs and the importance of this service to tenants.

C

The Council delivers a fair property management service with some strengths, but with significant areas where improvement is needed.

The prospects for improvement in Property Management are promising.

Key findings in property management

6.6 These are the areas of property maintenance that are working well:

- ✓ The Council's houses are well maintained and in sound condition.
- ✓ The Council is planning its maintenance programmes on a reasonable basis.
- ✓ The Council is allocating adequate resources to maintain its stock.
- ✓ The annual servicing of gas appliances is well managed.
- ✓ Tenants are involved in developing the service at a strategic level through the sub groups of the Stock Management Forum.
- ✓ Tenants we contacted reported satisfaction with the repairs service.

6.7 These are the areas of property maintenance that could work better:

- The Council's performance in completing response repairs within its target timescales is very poor.
- The Council does not have good information about the performance of its repairs service.
- The Council does not collect regular feedback from service users.
- The Council does not have adequate quality control systems in place for its response repairs service.
- Tenants and owners get only very limited information about the repair and maintenance services.
- The Council does not consistently recharge tenants, former tenants or owners for the cost of repairs for which they are liable.

6.8 These are our key recommendations. They are broadly in order of significance:

- ❖ The Council should set up a Right to Repair system that complies with the law.
- ❖ The Council should improve its control over the repairs service to ensure the efficiency and quality of the service to tenants.
- ❖ The Council should get better at checking the quality of responsive repairs.
- ❖ The Council should recoup the cost of any work done for tenants and owners, where they are liable to pay for it.
- ❖ The Council should provide better information for service users about its repairs and maintenance services.
- ❖ The Council should collect and use performance information and feedback from its service users to improve the quality of its repairs and maintenance services.

Context for property management

- 6.9 The responsibility for property repairs and maintenance crosses departmental boundaries. The staff in the Development Services section of Social Work and Housing generally take the lead in identifying planned maintenance works, with staff in Property Services implementing the programmes and managing the contact with tenants.
- 6.10 Within Property Services, responsive repairs are mainly carried out by the former Direct Labour Organisation (DLO) teams while planned maintenance works are either done by external contractors or carried out by internal Property Maintenance staff.
- 6.11 In September 2002 the Council carried out a peer review of its property maintenance activities. This highlighted a large number of areas for improvement. The recommendations stemming from this review were built into a stock management action plan which is currently being implemented and has driven significant changes to the way the service is delivered.
- 6.12 Most recently area repairs teams have been created, integrating former housing repairs officers with ex-DLO staff. This reversed the previous client /contractor split established as part of the requirements for Compulsory Competitive Tendering. All of the Property Services staff are currently based at Macmerry but the area teams match the Community Housing Service structure.
- 6.13 The Council completed almost 41,000 responsive repairs in 2002/03.
- 6.14 The Council spends substantial sums on maintaining its housing stock. In 2003/04 it plans to spend £13.4 million on its houses, including its planned maintenance and improvement programmes. This equates to a total of around £1,480 per house.

How good is the service?

Responsive repairs - Accessing the service

- 6.15 Tenants access the repairs service principally by phone through a call centre which operates 24 hours a day, all year round. Satisfaction with this method of reporting repairs is high. The call centre works well and is staffed to take account of peaks in demand.
- 6.16 Call Centre staff use a paper based repair identification system to help them identify the nature of the repairs being reported. They also receive practical training from the technical staff to help them identify the correct

repair at the first point of contact. In instances where call centre staff are not able to raise a works order from the information supplied, the repairs requests are logged and passed to technical staff who then carry out pre-inspections.

- 6.17 Staff do not inform tenants if the repair they are reporting falls under the Right to Repair legislation and do not inform them of their rights under that legislation. The Council is not currently complying with the procedural requirements of The Scottish Secure Tenants (Right to Repair) Regulations 2002 and it has no documented plans to do so.
- 6.18 The Council does not provide tenants with adequate information about how the repairs service works and the standards of service they can expect to receive. Published information on the responsive repairs service is limited and is not up to date. The staff repairs manual and tenants repairs leaflets do not reflect current service delivery standards; in particular the categories of repairs, their timescales for response or completion and the requirements of the Right to Repair legislation.

Recommendation 42:

The Council should update the information and advice available to tenants and staff on its responsive repairs service and consider the full range of methods to inform its tenants about its services.

Recommendation 43:

The Council must, as a matter of priority, put arrangements in place to comply with its legal responsibility to operate a Right to Repair scheme.

Completing repairs on time

- 6.19 The Council's performance, in completing responsive repairs on target, is very poor. The statutory performance indicator (SPI) for 2001/02 showed its performance to be the poorest of any local authority in Scotland. Provisional performance data for 2002-2003 shows a significant improvement in performance over the previous year. In the case of emergency repairs, this is part of a three year trend of improvement with the Council's performance now just above the national average. Despite this improvement performance is still poor in the urgent and priority categories, as shown below.

Category	ELC % of jobs within target 2002/03 (provisional)	ELC % of jobs within target 2001/02	National average 2001/02
Emergency day	90	88.2	89.4
Emergency night	96	93.9	93.6
Urgent	62	46.8	85.8
Priority	57	49.1	83.5
Normal	75	69.8	72.9
Average performance	74.4%	64.6%	85.8%

Source: Audit Scotland's Performance Indicators 2001/02 and East Lothian Council

- 6.20 We have some concerns over the accuracy of these figures, given the weaknesses we identified in the Council's performance monitoring practices. For example, the Council does not include responsive gas maintenance works or any jobs carried out by external contractors in its monitoring figures. In 2002/03 this resulted in the exclusion of 2730 jobs from the above figures.
- 6.21 We also found that it is standard practice for repairs staff to simply extend timescales where there are delays in materials being delivered or where there are insufficient staff to carry out certain types of work. These are not routinely counted as missed targets. The Council estimates that this has affected around another 1000 jobs or 2.6% of the annual total. Taken together these exclusions means that the figures above are not a wholly reliable basis for monitoring performance of the Council's repairs service.

Recommendation 44:

The Council should ensure it has comprehensive and accurate information about its repairs performance to identify weaknesses and to give it a sound basis for making improvements.

- 6.22 The lack of information for service users, combined with the high number of repairs which are not completed within target timescales, leads to a high number of repeat calls to the call centre to follow up progress on repairs already reported. Staff have limited confidence in predicting when works will be carried out, due to the history of poor performance in this area. The Council's inability to say with any certainty when a repair will be carried out is likely to cause significant inconvenience for service users.

- 6.23 The Council offers an appointment system, but the number of appointments that can be offered is limited due to the outdated IT system used in Property Services. The use and effectiveness of this element of the service is not being monitored and so the Council does not know if it is working effectively. The Council has no information on customer satisfaction with this aspect of the service.

Recommendation 45:

ELC should improve its response repairs appointment system. It should monitor performance better and give service users the opportunity to feed back their experience of using this part of the service.

Variations

- 6.24 The Council operates a system where tradesmen are allowed to make variations to works orders on site without permission from supervisors. The intention is to avoid situations where tradesmen arrive at a house and then leave without completing the work if more or different work is required than that set out in the original works order.
- 6.25 While the evidence we saw indicated that this practice can result in a better service for tenants it also means that a high proportion of the works orders coming back for payment contain additional costs. These often include a significant element of dayworks because the job carried out is not covered by the Schedule of Rates that the Council is still working to. In some cases the financial implications of these changes are significant.
- 6.26 We saw little evidence of any management control over this process. Changes to works orders are not routinely approved by supervisors before work is carried out, there is a low level of physical checking of the quality of the work done and the costs of this approach are not being monitored or controlled. Taking these points together, we conclude that the Council does not know if this aspect of its repairs service is operating efficiently or delivering good value for money.

Recommendation 46:

The Council should develop guidance for staff varying ordered works and monitor this to ensure flexibility of service delivery while retaining financial control.

Rechargeable repairs

- 6.27 The Council processes repairs recharges well where the work is identified as rechargeable. However, the Council's approach to identifying rechargeable repairs is poor. The use of recharges is limited and inconsistently applied. The Council raised 133 recharges in the last financial year, which is a very low figure considering the nature of the works being carried out and the total volume of response repairs.

Recommendation 47:

The Council should consistently recharge tenants, former tenants and owner-occupiers for all repairs work for which they are liable. The Council should also develop monitoring and reporting systems to ensure that the costs are being recouped.

Quality of Repairs

- 6.28 The Council does not have an effective system in place for assessing and monitoring the quality of work done by its tradesmen. It operates a computerised system which automatically selects a sample of completed repairs for 'post-inspection' but we found that the results of these post-completion checks are not consistently recorded. In fact, many of the automatically selected 'post-inspections' consist of desktop checks. They are not physically visited and the Council does not collect feedback from the tenants so the Council cannot say if these response repairs works are of a good standard.
- 6.29 The tenants we spoke to who had recent experience of repairs were very positive about the service they received. Twenty-six out of twenty-eight people we contacted were satisfied and in particular they expressed satisfaction with the quality of work done and the attitude of the people who carried out the work.

Recommendation 48:

The Council should get better at checking the quality of the repairs it carries out to make sure it is providing good value for money.

It should also collect feedback from service users on a regular basis and use both of these sources of information to help it identify how its repairs service can be improved.

Lifetime maintenance

- 6.30 The Council is taking a planned and managed approach to maintaining and improving the quality of its housing. The Council holds reasonable information about the condition of its housing, to enable it to identify its maintenance priorities and to programme planned maintenance work effectively.
- 6.31 The Council commissioned a stock condition survey in 1998, based on a representative sample of its properties. However, this database has not been updated or extended since 1998. The Council has good records of the upgrading work it has done to its houses since then but this information has not been fully integrated with the earlier stock condition database.
- 6.32 The Council is in the process of developing an asset management plan that will incorporate a more useable IT system and will pull together all available stock condition information and life cycle costings for all the Council's housing. This resource is due to be in place later this year and will provide a more comprehensive basis on which to plan future maintenance activity.

<p>Recommendation 49:</p>

<p>The Council should regularly inspect its houses to update its existing records and to expand its knowledge of the condition of its stock.</p>
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- 6.33 The Council's maintenance planning framework is based on the 1998 stock condition survey, the initial 'East Lothian Standard' set out in the option appraisal study and the ruling Labour Group's manifesto commitments. The current maintenance programmes and spending plans the Council has in place are taking the housing stock closer to meeting the standards set out in the option appraisal study.
- 6.34 The Council plans to formally introduce a new housing standard that will set out in more detail the housing quality and service standards its customers can expect. At the time of the inspection the Council was awaiting decisions about the requirements of the Scottish Social Housing Standard before finalising its own standard.

Involving tenants in planned maintenance

- 6.35 The Council's approach to involving tenants at a strategic level in its maintenance programmes is developing. The involvement of tenant representatives in the sub-groups of the Stock Management Forum is a

good example of this, although delays in establishing some of the sub-groups have limited the ability of tenants to make a contribution during a period of significant policy development.

- 6.36 More needs to be done to ensure that tenants and residents whose properties are involved in maintenance programmes are kept informed and consulted throughout the process. The Council recognises that it needs to improve the information that it provides for tenants and owners prior to and during larger maintenance projects. We found the existing information to be of variable quality and were told by some tenants that they found it confusing.
- 6.37 In one major project that we examined in some detail, affected tenants raised concerns about the way in which they were kept informed about developments and the way that complaints were handled. However, the Council has reviewed its procedures following this particularly complicated contract and has made changes to some of its practices to avoid such difficulties in the future. These changes are being tested out in a subsequent project. The Council should make tenants aware of the changes they have made to deal with the concerns that were raised.

Recommendation 50:

The Council should make sure that tenants and residents know how projects affecting their houses will be managed, that they know how they will be involved and know how to communicate any concerns they have about the project or the work being done.

- 6.38 The information given to tenants before and during more minor contracts is better quality and addresses tenants needs.
- 6.39 The Council does not routinely collect information about tenant satisfaction after it completes planned maintenance contracts and so has limited ability to learn from experience.

Recommendation 51:

The Council should give affected residents an opportunity to feedback on their experiences and views following all maintenance contracts and should make use of this feedback when planning future work.

- 6.40 The Council does not have specific information to give to tenants if asbestos is identified in or around their houses. Standard leaflets are

available but these are not widely used nor are they specific to East Lothian's own policies and procedures.

Recommendation 52:

The Council should develop specific leaflets and information for tenants and owners in properties affected by asbestos.

Quality of maintenance

- 6.41 From our own contact with tenants and residents who had experience of planned maintenance works, we found that people were generally satisfied with the way that smaller contracts had been handled with the majority of those contacted expressing satisfaction with both the methods used and the quality of work carried out.
- 6.42 The Council is good at ensuring that its tenants' gas heating systems are checked annually in line with statutory requirements. Our file checks showed there were current and previous years' gas safety certificates on file for every affected property. The Council has very effective procedures for gaining access to properties to carry out annual servicing and it has good arrangements in place to check the quality of the work done.
- 6.43 Performance in relation to electrical checks is not as good. The Council relies on its sample stock condition data and information picked up at voids and other repair opportunities to develop its rewiring programme. Electrical checks are carried out when properties become void but there is no planned programme for inspecting and testing electrical systems.

Recommendation 53:

The Council should put in place a regular testing programme to ensure the electrical safety of all its properties and keep proper records to demonstrate this.

- 6.44 The Council is also failing to periodically check all known asbestos in its properties, contrary to its own policies and legislative requirements. The Council is aware of its main duties in relation to asbestos management and has provided training for the majority of its staff. Records of known asbestos are recorded on the IT system to flag up this information on affected properties.
- 6.45 The Council does not have documented plans in place as yet to ensure it complies with the requirements and timescales set out in the Control of

Asbestos at Work Regulations 2002. However, staff are aware of what will need to be done and intend to take the necessary action.

Recommendation 54:

The Council should work towards full compliance with the Control of Asbestos at Work Regulations 2002, within the specified timescales.

Disabled adaptations

- 6.46 The Council provides an effective adaptation service for its tenants and is able to fund work to meet the current level of demand. The use of a dedicated staff member who is a qualified, state registered Occupational Therapist helps the Council to make sure that the work being carried out addresses the specific current, and where possible future, needs of the affected tenants.
- 6.47 There is an Adaptations Panel in operation which promotes joint working across the Council and whose functions cover:
- Consideration of individual assessments of need;
 - Ensuring minor adaptations are completed to the standard required; and
 - Monitoring the progress of major adaptations and following up any issues arising.
- 6.48 A satisfaction survey of tenants receiving major adaptations was carried out in June 2001, with a full service review of the service following on in 2002. The survey showed that 72.5% of service users rated the service satisfactory or better with 51% of tenants rating the service very good or excellent.
- 6.49 Building on these sources of information, the action plan from the review sets out 21 points for improvement, which the Council is implementing.
- 6.50 The Council does not have a comprehensive database of its adapted stock; but records have been kept of all adaptations work carried out since 1997. The Council intends to integrate these records with other general property information to provide a fuller information source for housing staff.

How well is the service managed?

Monitoring performance

6.51 The Council is committed to improving the quality of its repairs service and it sees performance information as a key tool for achieving this aim. However, as highlighted above we identified issues in the collection and reporting of performance information that compromise the Council's understanding of its own performance and the performance it reports to its peers and service users:

- Performance indicators are misleading as they omit significant numbers of responsive repairs. In particular responsive gas maintenance works and works by private contractors were excluded from reported performance. For the 2002/03 this amounted to 2730 works orders or nearly 7% of all response repairs.
- The practice of extending target dates to suit internal workflow issues and material delivery delays distorts the reported performance.

6.52 The Council's ability to make best use of available performance information to pinpoint weaknesses and make improvements is being hampered by a lack of skills, training and access to the main computer based reporting tools.

Recommendation 55:

The Council should include all relevant responsive repairs review in its performance-monitoring framework. It should also make sure managers are able to use the information effectively to monitor and improve performance.

6.53 The Council does not have good information about the quality of response repair work that is carried out because its quality control procedures are not consistent or comprehensive. However, the Council has put in place external checks and auditing processes to ensure that gas maintenance work is of a high standard and can demonstrate the successful outcomes from these processes.

6.54 The Council also has an adequate system in place for the supervision and quality control of work being carried out under planned maintenance contracts. These arrangements allow the staff overseeing the project to identify problems as they occur and take action to deal with them. But this information is not being effectively used to feed back into the process for appointing contractors for future projects. The procurement process is discussed in more detail in Section 4.

- 6.55 The Council also collects information to allow it to monitor progress on adaptations work for disabled tenants. However, the Council is not making effective use of this information to identify trends in performance or areas of weakness. This limits its ability to continuously improve the service.

Recommendation 56:

The Council should make better use of its information about adaptations for disabled tenants to enable it to identify trends or patterns and respond to any problems in the system as they arise.

- 6.56 The Council is not good at getting feedback from its service users on the performance of its repairs and maintenance services. It has not collected any regular feedback on the repairs service for over three years. The Council recognises this as a weakness and has plans to begin routinely asking for feedback, although these plans have fallen behind schedule.
- 6.57 The Council's Feedback Policy and the process for investigating and resolving formal complaints are not being applied in the Property Services section. This is dealt with in more detail in Section 4.

Audit Trails

- 6.58 The Council generally has good information on file about the response repairs and maintenance work it carries out. As highlighted above, the Council has good records of gas safety checks. In relation to electrical works, the information on rewiring programmes is well organised but where minor electrical works are carried out, record keeping is not good. The Council should improve its audit trails in this area and ensure it has test certificates on file for all appropriate electrical works.

Managing resources

- 6.59 The peer review of the maintenance service identified that the management arrangements put in place five years ago for the contract with what was then the DLO, are reducing the effectiveness of service delivery. Poor responsive repairs performance and high levels of variations are some of the symptoms of these underlying problems.
- 6.60 Following on from this review, the Council has begun a review of the payment arrangements for tradesmen but this is expected to take 18 months to complete. We appreciate that this is a major undertaking and will require extensive consultation but the existence of this longer term review should not distract the Council from the need to make more

immediate changes to current practice in order to improve the quality and efficiency of its property management services.

Recommendation 57:

The Council should complete its review of payment arrangements as quickly as possible and act now on some of the weaknesses in the quality and efficiency of its repairs service that can be tackled alongside the longer term review.

How likely is the service to improve?

6.61 We consider that the property management service may improve because:

- There is a strong commitment at a senior level to improvement.
- The Council is aware of the issues it faces and is taking action in a structured way to address the issues outlined in the various reviews that have been carried out.
- The Council has already implemented a significant number of changes in line with the peer review recommendations.
- There have been demonstrable improvements to response repairs performance.

6.62 Factors pulling against improvement include:

- The Council has not been able to meet some of the targets set out in the stock management action plan, e.g. communication with service users.
- The timescale for replacement of the IT systems and the review of payment arrangements for staff are long term, and any benefits arising from these key policies will not be felt for a number of years.
- The lack of good performance information and limited feedback from service users is hampering the Council's understanding of the services it is delivering.
- Poor quality control systems mean managers are not aware of the quality of service they are currently providing or where problems are occurring.

6.63 On balance, given the evidence we saw of changes in practice resulting in improved services on the ground, we consider that the prospects for improvement in property management are promising.

7. Homelessness

Overall assessment of homelessness

- 7.1 East Lothian Council's homelessness service is delivered by committed and well-trained staff. Staff have a clear focus on the prevention of homelessness as evidenced by the Council's involvement in a number of partnerships to provide good information and advice on housing issues, and other support initiatives such as the new Floating Support Worker and the family mediation service.
- 7.2 There are also positive aspects about the way in which the Council deals with households that become homeless, particularly the Central Assessment Team's (CAT's) approach to dealing with 16 to 21 year olds. However, these positive points cannot compensate for the poor outcomes for homeless households that are a result of the Council's overall approach to the provision of temporary and permanent accommodation. This approach is also undermining the ability of the service to meet its statutory duties.
- 7.3 The Council places a limit on the number of vacant properties that can be offered to homeless households in priority need, either in its own housing or through nominations to RSLs. This is resulting in many homeless households spending relatively long periods of time in temporary accommodation while awaiting permanent housing.
- 7.4 However, the level of self-contained temporary accommodation currently available is not enough to house those awaiting permanent housing from the Council as well as those who only qualify for temporary accommodation. This is resulting in a high number of households being placed in bed and breakfast accommodation for significant periods of time. The Council is also failing to offer any accommodation to a small number of households to whom it has a statutory duty. There are weaknesses in other aspects of the homelessness service but these poor outcomes are the primary reasons for the award of a D grade for this area of service.
- 7.5 There is work going on, including the development of additional temporary accommodation, that may help combat some of the poorest aspects of the homelessness service, such as the reliance on bed and breakfast accommodation. However the lack of planning for the longer term may undermine these improvements. The time some households have to wait for permanent rehousing is unlikely to improve significantly unless there is a fundamental change in the Council's approach to making housing available to homeless households or a significant reduction in the number of households being accepted for permanent rehousing. We have

therefore assessed the prospects for improvement in this part of the service as uncertain.

D	<p>The Council delivers a poor homelessness service with major areas where improvement is needed.</p> <p>We consider the prospects for improvement in the homelessness function are uncertain.</p>
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Key findings on homelessness

7.6 These are the areas in the homelessness service that are working well:

- ✓ Progress is being made in implementing the homelessness strategy.
- ✓ The Council has developed a good range of strategic partnerships that are working towards the implementation of the homelessness strategy and delivery of homelessness services.
- ✓ A range of services is being developed for the prevention of homelessness.
- ✓ There have been positive outcomes from piloting a more integrated assessment process for homeless applicants.
- ✓ There are strong foundations for the provision of an enhanced information and advice service.
- ✓ The appeal process for homeless applicants who are unhappy with decisions made by the Council goes beyond the requirements set out in legislation.

7.7 These are the areas of the homelessness service that could work better:

- The Council is not making an adequate number of properties available for those homeless people to whom it has a duty to provide permanent accommodation.
- The Council's provision of temporary accommodation alternatives to bed and breakfast establishments is inadequate to meet the level of need from homeless people who apply to it for assistance.
- The Council has failed on a number of occasions to provide temporary accommodation to homeless people who were roofless.
- The Council is not properly co-ordinating developments on the provision of information and advice and is not providing a clear strategic direction for partner organisations.
- There are some common weaknesses in the assessment process, particularly inadequate or incomplete investigation of applications.
- Users views on the quality of the homelessness service are collected in a limited way.

- There are weaknesses in the Council's homelessness information recording and performance monitoring systems.

7.8 These are our key recommendations. They are broadly in order of significance:

- ❖ The Council should review its allocation quotas to ensure that an adequate number of properties is available to allow it to discharge its duties to homeless people in acceptable timescales.
- ❖ The Council must ensure that it can provide access to suitable temporary accommodation for all homeless people to whom it has a duty.
- ❖ The Council should clearly identify current and future required levels and types of accommodation, review its temporary accommodation programme accordingly and commit the necessary resources to achieve this.
- ❖ The Council must publish a policy with its rules for allocating houses to homeless people. It should ensure that this policy is consistent with statutory requirements.
- ❖ The Council should ensure homeless applicants are always referred to an appropriate officer for assessment, that any discussion of applicants' circumstances is conducted in private and that information on accessing homelessness services is widely available.
- ❖ The Council must ensure that it makes proper and adequate enquiries about homeless people's circumstances.
- ❖ The Council should review its housing advice strategy to ensure that it works with key partners to maximise available resources and effectively co-ordinates the provision of comprehensive information and advice services.
- ❖ The Council should ensure that the homelessness strategy is implemented and monitored at a corporate, operational and local office level.
- ❖ The Council should improve its homelessness information and recording systems and put in place effective quality control processes.

Context for homelessness

7.9 East Lothian Council has a centralised specialist homelessness team based in Haddington. A duty homelessness officer is available to provide advice and assistance by telephone 24 hours a day, 365 days a year. The homelessness service incorporates:

- the homelessness team dealing with the statutory assessment and accommodation of homeless households;
- the Supported Accommodation Team (SAT) providing support to vulnerable young people; and

- the Central Assessment Team (CAT), which is currently piloting an integrated assessment approach for vulnerable single households between the ages of 16 and 21. The Council plans to review this pilot project and may adopt this assessment approach for all client groups.

7.10 Some key statistical information on homelessness in East Lothian is provided below. These figures indicate that East Lothian has a relatively high number of households assessed as homeless and in priority need. The Council has also identified the limited supply of social housing in the area as a key factor influencing the delivery of its homelessness service.

	2000/01	2001/02	2002/03	National average 2001/02
Number of applications under homeless legislation	896	830	826	-
Number of homeless households in priority need per 10,000	151.7	136.8	-	116.7

Source: Scottish Executive Statistical Bulletin HSG/2003/ 5 & Audit Scotland's website – Performance Indicators 2001/02 Compendium

How good is the service?

Outcomes for homeless people

- 7.11 We found major weaknesses in the Council's information recording and performance monitoring systems that prevented it from providing us with meaningful and up-to-date information about the outcomes for homeless people who apply to it for assistance. We have had to rely on information from a variety of sources – including the Council – and evidence we found during the inspection to identify the outcomes for homeless people.
- 7.12 The Council operates a separate housing list for homeless people to whom it owes a duty to secure permanent accommodation. The Council allocates properties to such homeless people in a different way to other applicants for housing, although this approach is not set out in the allocations policy or any other published policy. The Council's published Housing Options Guide does contain some information about how assessments of homeless applications are carried out but does not make clear how these are treated as part of the overall allocations process. East Lothian Council is obliged under section 21 of the Housing (Scotland) Act 1987 to publish its rules on the allocation of its housing, including those rules which it applies to homeless people.

Recommendation 58:

The Council must publish a policy with its rules for allocating houses to homeless people to whom it has a duty to provide permanent accommodation. It should ensure that this policy is consistent with the law.

- 7.13 As outlined above, East Lothian is an area with high demand for a limited supply of social rented houses. However, the Council is not maximising access to permanent accommodation for homeless people, and as a result is limiting its ability to discharge its statutory duties to homeless people.
- 7.14 The Council's practice is to allow no more than one in four of its relets to be allocated to homeless people to whom it has a duty to secure permanent accommodation. It also operates this quota through its nomination arrangements with RSLs, although this practice is not set out in any formal written agreements. However, the Council is not routinely monitoring the operation of these allocation quotas to see if they are being achieved or applied consistently across area offices.
- 7.15 The Council could not provide us with reliable figures on the provision of permanent accommodation to homeless people. From the available information we identified that:
- The Council assessed 360 people as being homeless and in priority need in 2002/03 (the Council has estimated that it has a duty to secure permanent accommodation for about 420 homeless people each year).
 - The Council estimated that it allocated around 450 of its houses in 2002/03.
 - The Council estimated that it let around 52 of its houses to homeless applicants in 2002/03, although we estimate that the correct figure may be anything from 90 to 130.
 - The Council was offered 119 RSL properties through its nomination arrangements in 2001/02 and it offered 26 of these to homeless households (nomination information was not available for 2002/03).
- 7.16 On the basis of these figures, the Council is allocating between 12% and 29% of available houses to homeless people to whom it has a duty to secure permanent accommodation. Therefore, it is unclear whether the Council is achieving its own quota for allocations to homeless people. At best, the Council is currently allocating up to about 150 or 26% of all available houses to homeless people to whom it has a duty to secure permanent accommodation. We estimate that this is less than half of the level that the Council may need to make available in any one year.

- Through the operation of one-in-four quotas the Council is not making an adequate number of properties available for allocation to those homeless people to whom it has a duty to provide permanent accommodation.
- 7.17 The Council does not currently use its powers under section 5 of the Housing (Scotland) Act 2001 to request that RSLs within its area provide accommodation for homeless people. The Council is currently in the process of drafting an agreement with RSL partners.
- 7.18 The Council's approach to the allocation of permanent accommodation is having a direct impact on the length of time homeless people are waiting for a house. Permanent accommodation should be provided as soon as possible, and any unavoidable period in temporary accommodation minimised. Our analysis of a sample of lets to homeless people identified an average waiting time of 205 days, or 29 weeks, with one homeless person waiting 447 days for the provision of permanent accommodation.
- 7.19 The service managers have now introduced a time-limited initiative to deal with a backlog of allocations to households who have spent six months or more in temporary accommodation. This permits officers to exceed the one-in-four quota for allocations to homeless people. However, this is a short-term measure focused on a specific group of households and will be stopped once these households are adequately rehoused. It is not intended to address the underlying weaknesses in the Council's approach to the allocation of permanent accommodation to homeless people.
- 7.20 The Council is likely to face a significant increase in the level of permanent accommodation it will be obliged to provide to homeless people as the legislative changes introduced by the Housing (Scotland) Act 2001 and the Homelessness etc. (Scotland) Act 2003 come into force. The Homelessness Monitoring Group's assessment panel noted that East Lothian's homelessness strategy does not set out the actions required to deliver the target of ensuring that all homeless households are able to access permanent accommodation by 2012.
- 7.21 We found a general lack of enthusiasm on the part of the Council to consider any change to its current approach to the allocation of permanent accommodation to homeless people, other than its view that the proposed introduction of a choice based lettings scheme at some future time may address the needs of homeless people. A fundamental shift in the Council's position is required if it is to meet current and future needs for permanent accommodation for homeless people.

Recommendation 59:

As a matter of priority the Council should:

- review its quotas to ensure that an adequate number of properties is available to allow it to discharge its duties to homeless people in acceptable timescales;
- put in place agreements and working arrangements on the use of its powers under section 5 of the Housing (Scotland) Act 2001; and
- put in place effective systems to monitor and report on allocation outcomes for homeless people.

- 7.22 At present, the Council provides temporary accommodation to homeless people in 54 furnished and part-furnished houses in its own properties and properties leased from RSLs. These properties are dispersed throughout East Lothian and are suitable for single people and families. Interdepartmental inspections are carried out by the Council to ensure that properties used as temporary accommodation meet the standards for Houses in Multiple Occupation.
- 7.23 A range of supported accommodation is available including access to specialist providers such as Blue Triangle and NCH Scotland. However, the Council remains heavily dependant on bed and breakfast accommodation to discharge its duties to provide temporary accommodation.
- 7.24 The Council provides the Accounts Commission with annual information on its provision of temporary accommodation to homeless people. This information, together with national comparisons, is summarised in the table below.

	1999/00	2000/01	2001/02	National average 2001/02
Number accommodated in council furnished accommodation	51	52	48	-
Percentage accommodated in council furnished accommodation	19.7%	20.5%	15.8%	33.3%
Average length of stay (days) in council furnished accommodation	139	146	218	117
Number accommodated in bed and breakfast accommodation	208	202	255	-
Percentage accommodated in bed and breakfast accommodation	80.3%	79.5%	84.2%	33.3%
Average length of stay (days) in bed and breakfast accommodation	43	38	49	25

Source: Audit Scotland's website – Performance Indicators 2001/02 Compendium

- 7.25 The Council's use of bed and breakfast accommodation increased significantly over the three years to March 2002. These figures relate to the period before the introduction of new duties to provide temporary accommodation brought in by the 2001 Act. The Council has estimated that it will have had to provide bed and breakfast accommodation to between 320 and 350 homeless people in 2002/03.
- 7.26 In 2001/02 the Council provided 15.8% of homeless households who required temporary accommodation with a self-contained property. This is less than half the national average of 33.3%. The percentage for homeless households provided with bed and breakfast accommodation was 84.2%, approaching three times that of the Scottish average. At the same time, the length of stay in temporary accommodation has increased, and for both bed and breakfast and self-contained accommodation, East Lothian's average lengths of stay are almost double the Scottish averages. The Council has reported that it continues to regularly use bed and breakfast accommodation for families with children.
- 7.27 The Council's provision of temporary accommodation alternatives to bed and breakfast establishments is inadequate to meet the level of need from homeless people who apply to it for assistance.

- 7.28 We also found that the current total supply of temporary accommodation is insufficient to meet current needs and is unlikely to meet future needs for temporary accommodation. Third parties and East Lothian's own staff advised us that the Council has failed to provide temporary accommodation to homeless people who were roofless on a number of occasions due to a lack of available accommodation. We saw this happen during our shadowing of a homeless interview and we found nine cases where the Council failed to provide temporary accommodation through our review of homeless applications. We were advised that in such situations staff will try to ensure that the applicant has somewhere to stay; with family or friends or hostel accommodation outwith the District. We were not able to see any evidence that this was the case. This is a serious failure by the Council.
- 7.29 The Council recognises that its provision of suitable temporary accommodation for homeless people must be increased, and has initiated a temporary accommodation programme, administered by a dedicated development officer, to identify and develop further provision in the area. The Council is currently considering a range of temporary accommodation options including private sector leasing, supported lodgings and the development of modular homes. While this programme is likely to reduce the Council's reliance on bed and breakfast accommodation, the weaknesses in the Council's approach to the allocation of permanent accommodation to homeless people are major contributory factors to the level of need for, and the length of stay in, temporary accommodation. Unless these weaknesses are tackled, it is not clear that this programme will be able to meet current or future need for temporary accommodation.
- 7.30 When bed and breakfast accommodation is used, we found that the Council does not always consider the needs of households when placing them. As a result, we found instances of inappropriate use of such accommodation for families with children and applicants with particular needs. We also found cases where the Council used out-of-area placements in hostel accommodation in Edinburgh because accommodation was unavailable in East Lothian.
- 7.31 The Council gives only limited information to homeless households provided with bed and breakfast or other temporary accommodation on such matters as:
- the standards of accommodation and related services;
 - how decisions on moves between different types of accommodation are made;
 - how to access health services; and
 - assistance with travel costs and out of school clubs.

Recommendation 60:

The Council must ensure that it can provide access to suitable temporary accommodation for all homeless people to whom it has a duty. The Council should clearly identify current and future required levels and types of accommodation, review its temporary accommodation programme accordingly and commit the necessary resources to achieve this.

The Council should ensure that staff always consider the needs of homeless people to be near friends, relatives and other formal and informal networks when arranging temporary accommodation.

The Council should publish information on how to access temporary accommodation and on the standards of accommodation and related services that homeless people can expect.

Access

- 7.32 The Council delivers the homelessness service from a central base in Haddington, but homeless applicants can access assistance through a freephone service or by completing a confidential interview request form at the Haddington office. The Council intends to extend the use of the confidential interview request form to all of its housing offices. All applicants are given the option of an appointment, within appropriate timescales, with a homeless officer at their preferred Council office. However, third parties advised us that some clients have difficulty gaining access to the homelessness service at outlying offices due to a lack of understanding of their needs by reception staff and housing officers. We also found that some homeless applicants have to use telephones in public reception areas in outlying offices to make contact with the duty homelessness officer in Haddington. This practice forces applicants to discuss confidential matters within earshot of other service users.
- 7.33 We found that staff at initial interviews with homeless people emphasise the shortage of social housing in the area and the Council's reliance on the use of bed and breakfast accommodation and hostels in Edinburgh. This practice can act as a deterrent to people continuing with a homeless application for assistance from the Council.
- 7.34 The Council's homeless out-of-hours service is reasonably well publicised in the Haddington office, but beyond that publicity is more limited. The Council has a range of informative leaflets on various aspects of the homelessness service and plans to increase the public awareness of the homelessness service by including an article in the November edition of

the Focus newspaper which is distributed to all residents in East Lothian. The leaflets are not, however, widely available in the Council offices and other public places such as libraries and advice centres. The Council's approach to publicity of the services is not as comprehensive as it could be.

Recommendation 61:

The Council should ensure that reception staff clearly understand their role and that any applicant who claims to be homeless, or threatened with homelessness, is referred to an appropriate officer for assessment.

The Council should ensure that any discussion of applicants' circumstances is conducted in private and not in areas where interviews might be overheard.

The Council should make sure that information on how to access the homelessness service is available as widely as possible, and in ways and places where homeless people or those threatened with homelessness will come across it. The Council should also ensure that information is presented to homeless applicants in a positive way which does not discourage applications for assistance.

Information and Advice

- 7.35 The Council has developed a good customer charter for homelessness that highlights some of the key service standards that homeless people can expect, such as:
- clear timescales for interview;
 - the right to a dedicated case officer;
 - right to appeal;
 - what to expect from an interview; and
 - signposting to relevant agencies for applicants experiencing domestic abuse.
- 7.36 More prominent displays of the service standards in reception areas and clearer explanation of them at the point of interview would further improve applicants' awareness of their rights.
- 7.37 The Council gives only limited information about housing options to people presenting as homeless. The Council proposes to introduce a pilot Homeseeker project to give people help with finding sustainable housing solutions. This may go some way to addressing this service weakness.

7.38 The Council is committed to the provision of effective housing information and advice services. This commitment is demonstrated by:

- the homelessness team's and CAT's work with Communities Scotland's HomePoint team in planning their approach to meeting the national standards for housing information and advice;
- the establishment of good links between groups and agencies that can deliver a range of good quality housing information and advice through the East Lothian Advice Partnership;
- the Housing Education Project that raises awareness in secondary school pupils of school leaving age about homelessness and access to housing;
- the development of the Housing Advice Resource, a web based information tool;
- the creation of a Public Information Officer post; and
- the secondment of a Health and Homelessness Co-ordinator.

7.39 These developments at both the strategic and operational levels mean that the Council should be well placed to meet its statutory duties under section 2 of the Housing (Scotland) Act 2001. However, we found that the Council is not properly co-ordinating these developments and is not providing a clear strategic direction for partner organisations. We also found that people's ability to access information and advice is adversely affected by the Council's failure to always provide clear signposting or referral of people to partner agencies. These problems are affecting the Council's relationship with its key partners, who feel insecure and uncertain about their role in the future provision of information, advice and support in East Lothian. This puts at risk the good foundations that the Council has put in place to help it deliver comprehensive and accessible information and advice services.

Recommendation 62:

The Council should ensure that all homeless applicants understand the range of available options to meet their housing needs.

The Council should review its housing advice strategy to ensure that it works with key partners to maximise available resources and effectively co-ordinate the provision of comprehensive information and advice services.

Prevention

- 7.40 The Council is committed to shifting the focus of the service to one that pro-actively works to prevent homelessness. Homelessness staff are aware of the importance of prevention work.
- 7.41 The Council has invested time and resources to develop a range of services and strategies to support people and to stop them from becoming homeless, including:
- the family mediation service;
 - the East Lothian Debt and Money Advice plan;
 - the introduction of a mortgage to rent scheme;
 - the development of a landlord forum; and
 - a Floating Support Worker who assists existing council tenants in managing their tenancies by providing intensive housing management support.
- 7.42 Many of these developments followed the Council's homelessness review in 1999. Some of the improvement proposals for housing management services identified in the review have still to be implemented, including:
- early identification of vulnerable households;
 - support to first time tenants;
 - tenancy plans for first tenancies or households with previous tenancy failure; and
 - joint working with social work in relation to vulnerable households.
- 7.43 We have identified weaknesses in the Council's handling of rent arrears cases and incidents of antisocial behaviour in the Housing Management section of this report. The CAT team has developed a referral protocol with the Finance Team to address some of the issues around rent arrears for the 16-21 age group. The Council should address these weaknesses for all of its tenants to ensure that its housing management service is contributing effectively to the prevention of homelessness.
- 7.44 The Council does not have strong links or effective discharge arrangement with agencies responsible for the release of prisoners, hospital patients and the armed forces.
- 7.45 The CAT has developed clear and effective referral and liaison arrangements with both internal service providers and external partner agencies. These arrangements set out clearly defined roles and responsibilities. However, the homelessness team does not have clear

referral and joint assessment arrangements with other services, particularly with social work services, criminal justice, community care, and health services. This has resulted in vulnerable people failing to access appropriate assessment and support services. This can be a major contributory factor in repeat homelessness. The Council's own research identified that 18% of homeless applications received in 2000-2001, and 16% in 2001-2002, were from people who had applied to the Council on at least one other occasion during the previous 12 months. This compares with a national figure of 6%.

Recommendation 63:

The Council should build on the success of the CAT by developing links and agreeing clear roles and responsibilities with partner agencies dealing with people who are in danger of becoming homeless. The Council should make the best use of available resources through sharing information and joint training with partner agencies.

The Council should develop ways to provide appropriate levels of support to homeless people housed by the Council.

Assessment Process

- 7.46 The Council assesses applications for assistance from homeless people in two ways: the homelessness team deals with the majority of homeless applications through a traditional model of assessment, while the Central Assessment Team (CAT) is currently piloting an integrated assessment approach for vulnerable single households between the ages of 16 and 21.
- 7.47 The Council's CAT provides a more in depth assessment of applicants' circumstances and support needs. We found clear evidence of positive outcomes in the prevention of homelessness, the provision of suitable accommodation and support, referral to agencies to develop further skills and signposting to further education opportunities. This model of assessment meets many of the Homelessness Task Force's recommendations for a more holistic treatment of homeless people.
- 7.48 The Council's partner agencies are positive about the impact of the CAT, although they would like to see it broaden further its scope of assessment. Partners also raised concerns about potential for duplication of activity with some aspects of the CAT's role.
- 7.49 The approach of the CAT is undoubtedly more resource intensive than traditional assessment approaches and this may impact on the Council's

ability to roll out this approach to the wider homelessness service. But whatever the final outcome of the CAT pilot is, the Council should look to adopt the successful aspects of this approach across its homelessness services and should assess the opportunities for greater involvement of partner agencies in its delivery.

- 7.50 The Council's homelessness team assesses applications in line with a set of policies and procedures. Staff also have access to the Code of Guidance. The procedures are well structured around the four key assessments of homelessness, priority need, intentionality and local connection. They also provide some useful examples of the types of questions that may be asked in certain circumstances. The Council's homelessness assessment form is good. However, the policies and procedures do not provide a clear and comprehensive set of instructions about how to structure an investigation, the issues that should always be followed up, the weight to be given to evidence provided by the applicant or how staff should record investigations and assessments. We also found inconsistencies in the application of the policies and procedures.
- 7.51 Our review of 45 homeless cases found some strengths in the Council's handling of applications, but we also identified some common weaknesses in the assessment process.
- 7.52 The Council has a duty to make all necessary enquiries to satisfy itself as to whether people who apply for accommodation, or for assistance in obtaining accommodation, are homeless or threatened with homelessness, have a priority need, and became homeless or threatened with homelessness intentionally. We found that the Council follows the correct sequence of enquiries when determining homeless applications, but we also found instances of inadequate or incomplete investigation of applications, including:
- no investigation or assessment of some applicants' vulnerability;
 - no follow up investigation into health problems reported by some applicants; and
 - failure to investigate access arrangements for children from previous relationships.
- 7.53 The Council does assess homeless applications quickly; the average time taken to make a homeless determination in applications we reviewed was ten days, but many were decided within one day. The Council's own performance information shows that 78% of applications were determined within the target of 28 days. However, we found that the speed of some assessments was the result of the weaknesses in the assessment process outlined above, particularly the Council's failure to adequately investigate all applicants' circumstances.

- 7.54 The Council's decision letters meet basic legislative requirements, but are often unclear. The decision letters are sent with a form which applicants can use to appeal against the Council's decisions, but do not provide information on the appeals process or sources of independent advice and advocacy. We found that there were no decision letters in nearly one third of the homeless applications we reviewed. A key objective of these letters should be to provide applicants with a clear statement of the decisions reached, the reasons for the decisions, the Council's obligations to applicants, and appropriate advice.

Recommendation 64:

The Council must ensure that it enquires properly about homeless people's circumstances. The burden of proof rests with the Council, and it must be able to demonstrate that its inquiries have produced evidence to substantiate all decisions made.

The Council should ensure that the quality of investigation and decision-making is not adversely affected by a rigid application of target timescales for the completion of assessments.

The Council should review the presentation and content of its homelessness decision letters to ensure that they are understandable to applicants and provide appropriate advice.

Appeals

- 7.55 The Council's appeal process for homeless applicants who are unhappy with decisions made by the Council meets statutory requirements. The Council adheres to the statutory review period of 21 days.
- 7.56 The Council has put in place a second stage to its appeal process that goes beyond the requirements set out in legislation. This allows homeless people to present their case to a panel of elected members. There have been some delays in hearing appeals, and the Council has yet to establish clear guidelines or provide training for those hearing appeals. Nor does the Council provide support for homeless people who go through the process, including accessing independent advice and advocacy services. But in general, this is a positive development.
- 7.57 The Council does not publicise the appeal process other than through homeless decision letters.

Recommendation 65:

The Council should provide clear guidelines and appropriate training for those hearing appeals, and should support applicants through the process.

The Council should include information about how to use the appeals process in all decision letters and publicise the right to appeal in reception areas and interview rooms.

How well is the service managed?

Planning - the Homelessness Strategy

7.58 The Council's homelessness strategy is critical for the delivery of effective services for homeless people in East Lothian. The Council has already had feedback from the Scottish Executive's Homelessness Monitoring Group on the quality of the strategy, and the Council is successfully implementing a number of aspects of the strategy, including:

- a comprehensive assessment of homeless people's circumstances and needs, currently being piloted by the CAT team;
- action to implement the Council's commitment to the prevention of homelessness;
- the development of a range of information and advice services in partnership with other organisations; and
- the homelessness service's work towards accreditation by HomePoint for its information and advice services.

7.59 We have identified in this report a number of weaknesses in the operation of the Council's homelessness services. Some of these relate to gaps in the strategy or unintended consequences of the Council's approach as set out in the strategy. The most significant of these is the Council's failure to address current and future demand for temporary accommodation and its difficulties in providing homeless households with permanent accommodation.

7.60 The strategy has only recently been approved and the Council is still in the process of rolling out the approach and actions it contains. So the action plan in the strategy has still to be translated into appropriate service delivery plans and integrated into individual or team objectives and targets. We also found a need for a wider buy-in to the strategy from elected members, other parts of the service and other departments of the Council.

Recommendation 66:

The Council should review its homelessness strategy to ensure that it addresses the issues raised in this report. It should also ensure that the homelessness strategy is implemented and monitored at a corporate, operational and local office level.

- 7.61 The Council's Homelessness Strategy Group, previously called the Homelessness Planning Group, is responsible for monitoring the implementation of the strategy at a partnership level. The Council has also established a number of working groups to address specific aspects of its homelessness strategy, and is involving partner organisations in each of these. However, we found evidence of weaknesses in the way that the Council is monitoring and co-ordinating the work of these groups to ensure that outcomes are being achieved. The number of groups creates difficulties for partners in attending meetings and there is degree of overlap between the work of the groups. This is a risk to the success of the Council's otherwise good partnership approach.
- 7.62 The Council's Accommodation Group is an example of a well co-ordinated approach to the provision of joined-up and user focused services for people ready to move into independent living. This group includes the three homeless service teams, the Council officer responsible for through care, and support providers such as Blue Triangle and NCH Scotland.

Recommendation 67:

The Council should take steps to reduce the potential for duplication in the work of its partnership groups and should improve the co-ordination and monitoring of the work of these groups.

- 7.63 The Council stated in its homelessness strategy that it was "notoriously difficult" to engage with service users in the review and development of its homelessness services. The Council has developed and used questionnaires for service users to feedback on new temporary accommodation units. Questionnaires for applicants placed in bed and breakfast have been developed but these are not currently being used. The Council does not use any other methods to obtain the views of users of its homelessness services.

Recommendation 68:

The Council should develop a wider range of opportunities for service users to comment on the homeless service, and use their feedback to help improve services.

The Council should report findings from this feedback to elected members, staff and to service users.

Performance Management

- 7.64 We found little evidence that the Council sets service objectives and targets for staff within the homelessness service beyond more general statements of service standards. Nor does the Council operate a complementary performance monitoring and reporting system for the homelessness service. The Council does not regularly report on its performance to service users and key stakeholders.
- 7.65 The Council delegates a considerable level of responsibility to conduct assessments and make decisions on homelessness applications to homelessness and advice officers. However, the Council does not effectively support officers in their discharge of these responsibilities as it does not provide them with comprehensive policies and procedures, nor does it have mechanisms for the control and monitoring of quality in the assessment process. This could involve authorisation of all decisions by a senior officer, review by peers or regular management review of a sample of decisions. Performance should be reported to all relevant officers. This process can help to identify areas for improvement in policies and procedures, as well as staff training and development needs.

Recommendation 69:

The quality and consistency of the Council assessment of homeless applications could be improved by the adoption of comprehensive policies and procedures to guide staff in the assessment of homeless applications.

The Council should control and monitor the quality of the assessment process.

Information Management

- 7.66 As stated earlier, we found major weaknesses in the Council's information recording systems that prevented it from providing us with meaningful and up-to-date information, particularly about the outcomes for homeless people who apply to it for assistance. While the Council completes statutory returns on homelessness generally on time, it does not use this information effectively to monitor service delivery and outcomes.

Recommendation 70:

The Council should improve its information systems, its audit trails for decisions and its recording of application details to allow accurate completion of statutory returns and the effective monitoring and reporting of service demand and performance.

- 7.67 The CAT has developed good systems that allow it to record full information on the assessment of an individual's circumstances and needs, track cases and referrals and record outcome information.

Training and Support

- 7.68 The Council's homelessness service staff have a strong user focus, are committed and show empathy towards homeless people. Staff are to be commended for remaining committed to the delivery of services to homeless people through a period of considerable change and uncertainty. Recent high levels of staff turnover, the Council's regular use of agency staff and the absence of the service manager at a crucial time have added to the challenges they face. The three homeless service teams communicate well with each other and work in a co-ordinated way.
- 7.69 Training in the homelessness service is better than in other parts of the Council's housing service. Staff have access to a range of training opportunities through in-house courses, the Scottish Housing Best Value Network's homelessness sub-group and HomePoint training. Managers of the homelessness team have a strong awareness of the need for training and provide support to staff in developing their skills. The homelessness team could enhance its approach to training by using the move towards accreditation of its advice service as an opportunity to review existing skills and develop a training plan for all staff. The team should also initiate further joint training with its key partner agencies.

How likely is the service to improve?

7.70 We consider that the homelessness service may improve because of:

- the Council's partnership arrangements which support the homelessness strategy and provide an opportunity to address some of the service's weaknesses;
- the model of service delivery being piloted by the Central Assessment Team;
- the opportunities provided by the Council's partnership approach to the provision of information and advice;
- the work underway to increase the supply of temporary accommodation and reduce the Council's reliance on bed and breakfast accommodation; and
- the commitment and positive attitude of the staff involved in providing the service.

7.71 The factors which may affect the chances of improvement are;

- the Council's failure to address the fundamental weaknesses in its provision of permanent accommodation to homeless people;
- the lack of planning on the part of the Council to deal with the impact of legislative changes which are likely to lead to an increase in the demand for homelessness services;
- the weaknesses in the information being used to monitor performance;
- the gaps in management support and control of the assessment process;
- the complexity of effectively co-ordinating of partnership networks and initiatives;
- the gaps in joint working between the main homelessness team and other key parts of the Council; and
- the potential cost of rolling out the resource intensive CAT approach.

7.72 On balance, although there are a number of good initiatives being taken forward within the homelessness service we have assessed the prospects for improvement in this area as uncertain because it is not clear that these initiatives will affect the Council's ability to respond to the fundamental requirement to provide appropriate accommodation within a reasonable timescale for those households to whom they have a statutory duty.

8. Services for Owners

Overall assessment of services for owners

- 8.1 The Council has significantly improved its performance in completing house sales over the last year. This improvement has been achieved despite an increasing number of applications to buy.
- 8.2 The Council does not operate a formal factoring service. It does not have factoring agreements in place with people living in ex-council houses. However, the Council does provide services for owners as part of its responsive repairs to common areas and planned maintenance projects. Owners are not always recharged for these works but where work is identified as rechargeable the procedures followed are good.
- 8.3 Through its Local Housing Strategy (LHS) planning process, the Council has identified a need to develop a formal factoring system but plans to develop this are at an early stage.
- 8.4 The Council does not provide good information for owners about their rights and responsibilities and collects very little information from owners about their satisfaction with the services they receive from the Council.

Key findings on services for owners

- 8.5 These areas of services to owners are working well:
- ✓ The Council's performance in completing houses sales within the 26 week period has improved significantly. The Council House Sales Working Group (CHSWG) has led this service improvement in an effective way.
 - ✓ There is good procedural guidance for house sales staff.
 - ✓ The Council encourages owners to take part in relevant planned maintenance programmes.
 - ✓ The Council provides owners with the same information and consultation opportunities as tenants in planned maintenance projects.
- 8.6 These are the areas of services to owners that could work better:
- The Council does not have good legal agreements in place with purchasing tenants to ensure it is able to carry out necessary maintenance and repair work to common areas.
 - The Council is not effectively recovering from owners their share of the costs of work it does to common areas.

- The information the Council provides to applicants and homebuyers about their rights and responsibilities is inadequate.
- 8.7 These are our key recommendations. They are broadly in order of significance:
- ❖ The Council should put systems in place, as a matter of priority, to ensure it is able to carry out any work needed to common areas.
 - ❖ The Council should reclaim the cost of all work it carries out on behalf of owners.
 - ❖ The Council should send offer letters to all prospective purchasers within the specified two-month period.
 - ❖ The Council should improve the information and advice it gives to applicants and new owners about their rights and responsibilities as homeowners.

Context for services to owners

- 8.8 The Council has sold almost 7,000 properties since the introduction of Right to Buy and has seen a large rise in applications to purchase over recent years with the level of sales rising from 2.4% of stock to 32.8% of stock between 1998 and 2002. Improvement to the house sales process has been co-ordinated by a working group including members of Housing, Legal and Property Services.
- 8.9 In 2002/03 the Council completed just under 500 house sales.
- 8.10 The Council does not operate a formal factoring service and has no agreements in place with owners for the management of their properties or common areas. The Council has now recognised that, given the scale of the issue, it must put more formal systems in place to clarify how it will deliver services to owners.

How good is the service?

House sales

- 8.11 The Council's performance in processing house sales has historically been very poor. In 2000/01 the Council was the worst performer of all Scottish local authorities. However, the Council's performance in completing Right to Buy (RTB) applications within 26 weeks improved from 22.4% in 2001/2002 to 68.4% in 2002/2003. This improvement was made during a period of significant increases in the actual number of applications and is a substantial achievement.

- 8.12 The Council does not always issue offer letters within the two month period required by legislation. Performance in this aspect of the service is not being properly monitored.
- 8.13 The Council has set itself a target for the next three years of processing 70% of applications within the 26 week deadline. Given its remarkable improvement in performance so far the Council may wish to set itself a more stretching target over the remaining two years.

Recommendation 71:

The Council should build on its recent improvements in performance by setting itself stretching targets for all aspects of its house sales service.

The Council should monitor performance against these targets and work towards full compliance with all statutory timescales.

- 8.14 The Council provides applicants with very basic information on its house sales process and on the implications of buying their homes. The standard leaflet produced by the Scottish Executive that accompanies the application form is the only written information provided to applicants, other than letters relating to the processing of their own application.

Recommendation 72:

The Council should improve the range of information and advice it gives to applicants and new owners about the process for purchasing their home from the Council and also the rights and responsibilities they have as a homeowner.

Factoring

- 8.15 As highlighted above, the Council does not operate a formal factoring service for owners and does not put factoring agreements in place with tenants who purchase their homes, even where these properties share common areas with Council owned properties. The Council does, however, arrange, administer and carry out general maintenance work and responsive repairs, which benefit owner occupiers, particularly in shared blocks eg cyclical painterwork.
- 8.16 The legal documentation underlying these activities is limited. The Council retains the role of Feu Superior for sold properties and the title deeds for these houses contain real burdens which oblige purchasing

owners to pay a share of common maintenance, repair and renewal works. However, the level of detail is very limited.

- 8.17 Where work of this sort is identified as part of a programme of planned maintenance, the Council makes every effort to ensure that it gets written agreement from the affected owners to meet their share of the costs. The Council also encourages owners to apply for improvement grants to help meet these costs where appropriate. However, we saw evidence that the range of maintenance works carried out to other common areas is being limited by the lack of formal agreements.
- 8.18 The lack of detailed factoring agreements also weakens the Council's ability to recoup the full cost of work from owners because neither the standard burdens on the titles nor the agreements to pay mention an administration fee. These costs are therefore met out of the HRA.
- 8.19 The Council is not consistently recharging owners for responsive repairs done to common areas.

Recommendation 73:

The Council should, as a matter of priority, develop and implement plans to introduce a factoring service to ensure that the full costs of providing repairs and maintenance services to owners can be recovered.

- 8.20 Where owners are involved in planned maintenance projects they are given the same information about the progress of the project and the same opportunities to be consulted and involved as offered to the Council's own tenants.
- 8.21 The Council's network of Tenants' and Residents' Associations, along with the Tenants' and Residents' Panel also offers owners the chance to contribute to, and influence, delivery of the Council's services. As discussed in Section 4, these structures receive a lot of support from the Council and are generally working effectively.

How well is the service managed?

- 8.22 The Council House Sales Working Group (CHSWG) is working well, leading developments in the service across departmental boundaries in an effective way.
- 8.23 The definitions that staff use to calculate the "cost floor" for sales do not accord with commonly used definitions for improvements and

maintenance. However, we did not see any cases where these higher figures had affected the discounted price paid by the purchaser.

Recommendation 74:

The Council should review the definitions it uses in its cost floor calculations to ensure that the price paid by future purchasers is not distorted by the inclusion of inappropriate costs.

- 8.24 The Council has good monitoring arrangements in place for house sales and staff use more detailed internal performance indicators alongside SPIs to manage service delivery. The overall monitoring of recharges to owners for repairs and maintenance services is less robust although we saw good records of payment arrangements for individual projects.
- 8.25 The Council has good procedures in place for both house sales and for dealing with owners as part of planned maintenance projects. These latter procedures also include standard letters and proformas for agreements to pay a share of costs.
- 8.26 The Council has recognised the need to formalise the provision of services to owners and has outlined plans to develop a factoring service, as part of the Local Housing Strategy. However, these plans are at a very early stage and key staff are unaware of their role in the development of this service.

How likely is the service to improve?

- 8.27 Our expectations of improvement in the two elements of services to owners are very different. We consider that prospects for improvement of the house sales processes are promising because:
- good joint working arrangements have been put in place;
 - there are clear procedures for staff to follow;
 - the Council has set targets to improve service delivery; and
 - significant improvements have already been achieved.
- 8.28 We consider that the prospects for improvement of factoring services for owners are uncertain because:
- There are no detailed plans for the development or implementation of a factoring service other than the high level commitment in the Local Housing Strategy.
 - Owners have not been consulted about how the factoring service would operate or be introduced.

- Key staff are unaware of how the Council intends to deliver this commitment.

9. Services for Gypsies/Travellers

Overall assessment of services for Gypsies/Travellers

- 9.1 East Lothian Council provides a fair service for Gypsies/Travellers. The site, which East Lothian manages on behalf of itself and Midlothian Council, is on the whole well managed and maintained and residents are generally satisfied with the services they receive from the Council.
- 9.2 The Council has done very little to develop or improve the site or the services it provides to residents since the site was opened in 1994. However, it has begun to make some improvements over the last year, including the establishment of a multi-agency forum to agree priorities for action and a physical survey of the site to identify possible improvements. It has also identified a number of actions it intends to take to improve the operation of the site but it has still to set targets for their completion.
- 9.3 The actions the Council has taken to date and identified for the future show a real commitment to improving the services it provides for Gypsies/Travellers. Combined with the establishment of good structures for taking forward these planned improvements this has led us to conclude that prospects for improvement in this area are promising. Further detail of the timescales and resources for these improvements would make improvement more certain.

Key finding on services for Gypsies/Travellers

- 9.4 These are the areas that are working well:
- ✓ The site is generally well managed and maintained.
 - ✓ A multi-agency Joint Forum has been set up by East and Midlothian Councils to develop a strategy for the site.
 - ✓ The Council has carried out a physical survey to identify possible improvements to the site.
 - ✓ The Council has started to take needs factors into account in letting pitches.
 - ✓ Site residents have good access to information on the Council's services.
 - ✓ Residents' access to electricity cards has been improved.
- 9.5 These are the areas that could work better:
- The Council does not have a good understanding of Gypsies'/Travellers' needs and priorities.
 - Consultation with Gypsies/Travellers has been limited to date.

- The written agreement that the Council gives to site residents is inadequate.
- The Council has not identified resources or timescales for the work it intends to do to improve services.

9.6 These are our key recommendations. They are broadly in order of significance:

- ❖ Gypsies/Travellers should be provided with comprehensive, up to date information about their rights and responsibilities, including a clear tenancy agreement.
- ❖ The Council should assess Gypsies'/Travellers' needs and aspirations to inform the future development of services.
- ❖ The Council should continue its efforts to improve consultation with Gypsies/Travellers.
- ❖ The Council should make sure that its proposed actions are properly resourced and carried out within defined timescales.
- ❖ The review of the allocations policy for the site should be taken forward as a priority.

Context for services for Gypsies/Travellers

9.7 The Gypsy/Traveller site located at Whitecraig is jointly owned by East Lothian and Midlothian Councils, but managed by East Lothian Council on behalf of both. The site is usually well used with most of its 20 pitches occupied, although recent disturbances led to a lower level of occupation during the on site inspection. The Council also has a relatively high level of unauthorised encampments.

9.8 The site has a resident Site Manager, although this post is primarily based in the Musselburgh office during office hours.

9.9 During the early part of 2002, East Lothian Council took part in Communities Scotland's thematic regulation study that assessed the quality of the Council's services for Gypsies/Travellers. Due to the relatively short timescale between our study and this inspection, we have not duplicated our case study work. Our emphasis here is on assessing the progress the Council has made in addressing the issues raised in our thematic study.

How good is the service?

9.10 Overall, residents view the quality of site management and service provision as good, stating that the site compares favourably with sites provided by other authorities.

- 9.11 Traditionally, the Council has let pitches on the basis of waiting time, but it is reconsidering this as part of its comprehensive voids and allocations review. In advance of this review being completed, staff have started to take account of elements of housing need when prioritising the allocation of pitches although the effect of this has been limited to date due to the low level of competition for vacant pitches. The Council has also made positive progress on improving the transparency of individual letting decisions with better record keeping and clear authorisation for each relet. The Council has acknowledged that it can improve this process further but does not yet have clear plans or timescales for doing so.
- 9.12 We highlighted in the thematic study report that the occupancy agreement the Council issues to residents concentrates on residents' responsibilities, with very little about their rights or the responsibilities of the Council. The Council is still using this agreement. Although it is considering the development of a new, more appropriate occupancy agreement, it has no set timescale for developing or introducing this.
- 9.13 The site itself meets much of the good practice suggested by the Secretary of State's Advisory Committee and the Council has done very little in the way of development to the site since it was opened in 1994. Following on from the thematic study, Council staff recently carried out a physical survey of the site and identified some necessary improvements, including possible improvements to amenity units and pitches. Subject to reaching agreement with Midlothian Council on the availability of funding, it intends to discuss its findings with residents to determine their priorities for improvement. However, the timescale for taking this forward is not clearly established.
- 9.14 In the meantime, the Council has converted the site office into a small meeting area for residents. Although its use as a meeting area has been limited since its introduction it does display a range of leaflets and newsletters. This has improved residents' access to useful information on relevant services. However, there are still weaknesses, specifically in the quality of the Council's information for applicants and residents. Although it has made a start on updating this documentation, and is committed to involving Gypsies/Travellers in this process, again the Council has no clear target for completing this work.
- 9.15 Residents have concerns about the potential health risks associated with the large electricity pylons situated directly above the site. Although the Council periodically monitors the magnetic and electrical field strengths of the pylons it does not share the results with residents in an easily understood format.

Recommendation 75:

The Council should share the results of the magnetic and electrical readings with residents in a format they can easily understand to help allay their concerns about the potential health risks of the location of the site.

- 9.16 The Council has begun looking at possible options for extending the range of services available on site, to provide access to health and education services. This would be a positive development in improving site residents' access to services. Any improvements will, however, be dependent on securing the necessary resources in partnership with Midlothian Council.

Recommendation 76:

The Council should identify the resources required and set target completion dates for its planned improvements.

- 9.17 The Council has made it easier for site residents to get electricity cards by selling them on the site as well as from the local area office. This has proved to be popular with site residents.
- 9.18 The Council has not been successful in getting Scottish Power to deliver its historic commitment to provide a second play area on the site. However, informal feedback from site residents has indicated that alternatives uses for this part of the site may be preferred and the Council intends to consult on this.

How well is the service managed?

- 9.19 Over the last year the Site Manager has taken on other general housing duties, and as a result is increasingly based in the Musselburgh office during office hours. Site residents have been given details of how to contact him and told us they were satisfied with this arrangement.
- 9.20 The Council knows that it does not have a good understanding of Gypsies'/Travellers' needs as a basis for its plans to improve service provision. To address this gap it intends to carry out an assessment of Gypsies'/Travellers' housing related needs and to make better use of its existing need related information, from the housing list and records of unauthorised encampments. Although the assessment of Gypsies'/Travellers' needs is a published action in the Local Housing Strategy, the Council has no detailed timescale for this project.

- 9.21 Our thematic study highlighted the need for the Council to work with partners to develop a strategy for the site. As a result, it has established a Joint Forum with Midlothian Council that includes participants from both councils, the Police, health authorities and Save the Children Fund (SCF). Through the forum, three sub-groups have been set up and are developing a set of themed action plans on; site management and services; health, welfare and education; and unauthorised encampments/transit facilities. This work is still at an early stage.
- 9.22 The Council has used the Joint Forum to promote consultation with Gypsies/Travellers but has had limited success to date. To address the difficulties in consulting residents the Council is considering commissioning Save the Children to help them consult and involve Gypsies/Travellers in decision making. Again, it has not identified the resources and timescale for this project.

Recommendation 77:

The Council should identify the resources and timescales for carrying out key projects including:

- the assessment of Gypsies'/Travellers' needs and aspirations;
- the completion of theme based action plans; and
- broader consultation with Gypsies/Travellers.

How likely is the service to improve?

- 9.23 We consider that services for Gypsies/Travellers are likely to improve because:
- The Council has a clear awareness of its weaknesses in this area and of the issues it needs to address.
 - The Council has responded positively to the findings of the thematic study and has already made progress in achieving improvements.
 - It is committed to involving and consulting Gypsies/Travellers in the management of its site and the delivery of its services.
 - The establishment of the multi-agency Forum creates a good structure for identifying priorities and driving through improvements.

9.24 The factors pulling against improvement include:

- The Council has not yet taken action on a number of key points raised by the thematic study.
- The Council has not yet established timescales or resources for implementing many of its intended improvement actions.
- Midlothian Council has not yet agreed to the programme of work.

9.25 On balance we consider the prospects for improvement in services for Gypsies/Travellers are promising.

APPENDIX 1

Groups and third parties consulted

- Audit Scotland
- Bridges Project
- Carers of East Lothian
- City of Edinburgh Council
- Communities Scotland (Edinburgh Office, Investment and Performance Division, Community Ownership Initiatives, Tenant Participation Team, HomePoint)
- Community Care Forum
- East Lothian Tenants and Residents Panel (ELTRP)
- Homes for Scotland
- East Lothian Association of Community Council
- East Lothian Care and Accommodation Project (ELCAP Ltd)
- East Lothian Care and Repair
- East Lothian Health Care Co-operative
- East Lothian Voluntary Organisation Network
- East Lothian Women's Aid
- Lothian NHS Board
- Lothian Primary Care NHS Trust
- New Horizons
- NCH Scotland
- Ownership Options in Scotland
- Public Services Ombudsman
- Registered Social Landlords (Homes for Life Housing Partnership, East Lothian Housing Association Ltd, Ark Housing Association Ltd, Barony Housing Association Ltd, Bield Housing Association Ltd, Blue Triangle (Glasgow) Housing Association Ltd, Castle Rock Housing Association Ltd, Edinvar Housing Association Ltd, Margaret Blackwood Housing Association Ltd and Viewpoint Housing Association Ltd)
- SACRO (Safeguarding Communities and Reducing Offending in Scotland)
- Shelter East Lothian Project
- Scottish Council for Single Homeless
- Scottish Landowners Federation Rural Housing Committee
- Tenant Information Service
- Tenants and Residents Associations (Eskview, Longstone, Oldcraighill, Northfield, Nungate, Ravensheugh, PETRA, Pinkie, Prestongrange, Stoneybank and Windsor Park)
- Tranent Social Inclusion Partnership

Interviews/meetings held

We held discussions with the following groups within the Council:

Councillors

- Willie Innes (Scottish Labour), Anne McCarthy (Scottish Labour), Norman Murray (Scottish Labour) and Gilbert Meikle (Scottish Conservative)

Community Housing Services

- Service Manager
- Community Housing Managers in Musselburgh, Prestonpans and Tranent
- 13 Community Housing Officers across the following offices; Haddington, Musselburgh, North Berwick, Prestonpans and Tranent
- Service Development Manager
- Two Service Development Officers
- Homeseeker Team
- Travelling People's Site Manager
- Two reception staff

Homelessness & Supported Accommodation

- Homelessness and Supported Accommodation Manager
- Senior Homelessness Officer
- Three Homelessness and Advice Officers
- Two Temporary Accommodation Officers
- Central Assessment Team; Assessment, Advice and Homelessness Officers and Floating Support Worker
- Senior Supported Accommodation Worker
- Health and Homelessness Co-ordinator

Housing Development Services

- Housing Strategy Manager
- Principal Service Development Officer
- Strategic Policy Officer
- Two Development Officers; Homeless and Sustainability
- Programme Manager
- Programme Officer
- Senior Projects Officer
- Occupational Therapist

Property Services

- Property Maintenance Manager
- Principal Contracts and Procurement Officer
- Senior Contracts Officer
- Two Repairs Managers
- Repairs Officer
- Principal Electrical Engineer (acting Head of Gas Maintenance Unit)
- Health and Safety Officer
- Principal Surveyor
- Customer Liaison Officer
- Two Call Centre Operators

Other staff within Social Work and Housing Services (and newly formed Housing and Property Services):

- Director of Social & Community Services (formerly Head of Social Work & Housing)
- Head of Housing & Property Services (formerly Head of Property Services)
- Head of Housing (prior to the restructuring process)
- Project Manager – Review of Rent Setting
- Performance Co-ordinator
- Senior Resource & Development Officer
- Public Information Officer
- Complaints Officer

Staff in other Council departments:

Department of the Chief Executive

- Chief Executive
- Policy Officer
- Legal Administration Officer
- Finance Administration Officer
- Legal Officer

Department of Finance & IT:

- Collections and Control Manager
- Arrears Team Leaders for East (Haddington) and West (Musselburgh)
- Five Arrears Officers across Haddington and Musselburgh
- Billing Manager
- Housing Accountant

We also observed the following meetings:

- Employee Development Group
- Housing budget meeting

Reality checks

- Allocations file checks
- Antisocial behaviour file checks
- Arrears file checks
- Complaints file checks
- Evictions file checks
- Estate visits, including inspection of void property
- Focus groups with tenants
- Gas servicing file checks
- Housing applications checks
- Homelessness file checks
- Interview with a tenant in rent arrears
- Meeting with East Lothian Tenants & Residents Panel (ELTRP)
- Planned maintenance phone survey
- Response Repairs file checks
- Response Repairs phone survey
- Shadowing staff using an abandoned house
- Shadowing housing management interview
- Shadowing housing management visits
- Shadowing property viewings
- Shadowing repairs post inspection visits
- Shadowing a sign up interview with a new tenant
- Telephone mystery shopping exercise
- Void property file checks

Key documents reviewed

- Inspection submission

Guiding Standards

- Reports to East Lothian Council on Revisions to Management Structure and Political Decision Making Structures, 13 May 2003
- East Lothian Local Housing Strategy 2003-2013 (LHS) and supporting documentation; review of consultation, November 2002, membership, roles and remit of strategy group structures, June 2003, and draft communications and consultation plan 2003/04
- Communities Scotland's LHS assessment

- Housing Strategy Monitoring Structures; consultation proposals, response to consultation and recommendations and draft monitoring plan
- Housing Option Appraisal Study, DTZ Pidea Consulting, April 2001
- Option Appraisal Workshops Report, DTZ Pidea Consulting, November 2002
- Housing Services Business Plan 2002/03
- Activity Plans – draft procedure note, May 2003
- Activity planning proposals (example for procurement)
- ELC Standard; interim standard used in option appraisal process
- Performance Bulletins; October/November 2002, February 2003 and April/May 2003
- Performance Scorecard April – December 2002
- Housing Service Group – News Bulletins, May, June and July 2003
- The Council's service standards
- SHBVN self assessment research return
- SHBVN benchmarking report, October 2002
- Budget management and monitoring information:
 - Budget management procedure
 - minutes and action plans from budget meetings, January, February, March and June 2003
 - Business group reports for 2002/03 and 2003/04
 - departmental standing orders and financial regulations
 - Housing Revenue Account (HRA) and other housing budget developments for 2002/03 and 2003/04
 - Budget Comparison 1999 – 2001
 - HRA 3-year Capital Programme 2003/04
- Procurement procedures for HRA or other housing funded services and consultancy
- Tender evaluation for 'encouraging Low Cost Home Ownership – A Feasibility Study', January 2003
- Housing Services Staff Manual
- Employee Development Process; Corporate overview and standard forms and sample forms used in housing
- Social Work and Housing employee opinion survey, Malcolm Patterson & Associates, April 2000
- Social Work and Housing draft Employee Development Strategy
- Staff development group workplan and minutes of meetings, June and August 2003
- Housing Management Training Proposals
- Training course programme – lunchtime brief, July 2003
- Participant's guide to the employee development and review scheme, January 2002
- Skills and knowledge assessment
- Sickness absence data 2002/03
- Community Care Forum documents
- Race Equality Scheme, November 2002

- Equal opportunities policy and associated leaflet
- CRE REMQ Audit Proposal
- Guidelines for integrating equality into Council activities and processes, July 2003
- Guidance on alternative formats
- Tenant Participation information:
 - TP Strategy Project Plan
 - TP sub-group workplan
 - Tenant Involvement Policy
 - Tenant Organisations Registration Policy
 - TIS Contract
 - TIS Healthcheck – ELTRP assessment
 - TP Communications Code of practice
- ELTRP Information; Devolved Budget Duties and Business Plan
- HECA strategy and progress reports 2001 & 2002
- Project brief on Community Consultation and the Development of Sustainability Criteria and draft report by Heriot-Watt University July 2003
- East Lothian Environmental Handbook
- Committee reports on Home Energy Grant Programme, July 2000, and Conservation Strategy, April 2001
- Progress reports on home energy conservation act
- East Lothian Housing Advice Strategy – Bob Widdowson
- East Lothian Housing Advice Partnership; Minutes of meetings and supporting papers
- Feedback Policy and minutes of policy review meeting, September 1999
- Customer feedback form
- Complaints annual report 2002/03 and quarterly monitoring reports, November 2002, January 2003 and May 2003
- Information relating to the investigation of a specific complaint
- 'Aiming High' East Lothian Council's public performance report for 2001/02
- 'Investing in East Lothian 2002-2003', August 2002
- Council information leaflets:
 - Reporting Your Housing Repairs
 - Access to Council Meetings and Papers
 - Free home care for older people leaving hospital
 - How and Where to Pay Your Rent
 - Sub-letting your home
 - Scottish Secure Tenancy – What Does It Mean For You?
- Public Information Strategy
- Project brief Public access and Communications project, July 2002
- Research report on Public Access to Council Information, Newell & Budge, June 2003
- Communications Code of practice, guidance on Housestyle and guidelines for information writers

Housing Management

- Accounts Commission and Scottish Executive performance and contextual statistics
- Application information and other publicity material
- Application form
- Exclusions & Suspensions Policy and procedure
- Current allocations policy and draft new allocations policy
- Rehousing policy report to Social Work and Housing Committee, 18 June 2002
- Letters to applicants
- Housing Needs Study, DTZ Piedad Consulting, April 2001
- Draft Local lettings plans; Prestonpans and East Team
- Lettings information; outcomes data and lists of successions, nominations and assignments
- Medical questionnaire
- Nominations agreements and records of process
- Rehousing panel; project timetable, information on operation of panel and sub-groups, minutes of meetings (March and April 2003) and 6 month evaluation
- Sheltered Housing application form and interview record
- Community Alarm Service referral form
- HAR Project brief and structure diagram
- Homeseeker project; project review, personal housing plan assessment form, procedures and proposals and staff training plan
- Information on the voids and allocations review
- Voids standard and procedure
- East Lothian Scottish Secure Tenancy (ELSST) agreement and summary
- ELSST action plan and information pack for signing-up existing tenants
- Tenants handbook
- Supporting People Strategic Plan and Communities Scotland's Supporting People Strategic Plan assessment
- Supported Accommodation Review documents
- Supported accommodation performance information
- Community Care Housing Needs Assessment 2001
- Homelessness, Supported Accommodation and Welfare Rights Unit Plan 2000/03
- Supporting People bulletins
- Void standard, associated procedures and voids sub group minutes
- Void performance information
- Rent review; project brief, records of group discussions, information for tenants, progress updates and other relevant papers
- Rent arrears policy
- Arrears action plan / strategy

- HQN report from mock rent arrears inspection
- SHBVN Benchmarking Information
- Former tenant's arrears information
- SACRO Mediation-Arbitration scoping study
- Draft guidance manual for staff – anti social behaviour, including pro forma and procedures
- Anti social behaviour policy and procedure audit
- Estate management review
- SLA between Housing Services and Amenity Services
- Referral form for floating support worker
- Project brief and update report from Sheffield Hallam University
- Homefront bulletin
- Rent increase letter 2003-2004
- Sample Arrears Letters
- SLA between Benefits Unit and Housing Services
- Corporate Write Off Policy

Property Management

- Peer review report and action plan on repairs
- Repairs action plan
- Details of organisational restructuring
- Repairs term contracts
- 3 year rolling programme of capital works
- 1998 Best Value review
- 1998 Stock condition survey
- Gas maintenance contract
- Minutes of property maintenance meetings.
- Procedure guides and staff guidance materials
- Internal performance monitoring reports

Homelessness

- Accounts Commission and Scottish Executive performance and contextual statistics
- Homelessness Strategy 2003-2008 and Consultation Report
- Social Work and Housing Committee report on Temporary Accommodation Strategy, 20 June 2002
- Homelessness Review
- Homelessness Planning Group; minutes and supporting papers
- List of temporary accommodation
- Homelessness duty protocol agreement between the Council and East Lothian Housing Association
- Guidance for homeless applicants

- Homeless application form, assessment form and person profile
- Homeless interview request sheet and interview checklist
- Decision sheet and checklist
- Homeless worksheets and procedures
- Homeless register
- Duty procedures
- Guidance for tenants in temporary accommodation
- Sample lease and occupancy agreement for temporary accommodation
- HomePoint pilot audit report and response
- East Lothian Housing Advice Partnership; minutes and supporting papers
- Service Agreements with relevant agencies
- Shelter East Lothian project:
 - project outline
 - performance indicators
 - quarterly monitoring reports
 - RSI Outcome report
 - independent project evaluation
- Internal Peer review of homelessness services; findings and response
- Homeless families project brief
- Customer charter for homeless people
- Standard letters
- Housing Education Project evaluation proposals
- CAT; project plan, publicity material, referral form, job descriptions and procedures for working with MELD
- Minutes of meetings; homeless section and SAT team, homelessness planning group and housing advice partnership group
- Leaflet about accommodation and support for young homeless people
- SHBVN Homelessness sub-group training schedule 2003
- Service user feedback questionnaire

Services for Owners

- Procedures for staff
- Performance scorecards
- Monitoring reports
- Title deeds
- Contract records
- Application form and guidance leaflet
- Cost floor calculation data

Service for Gypsies/Travellers

- Communities Scotland's thematic case study report on services to Gypsies/Travellers in East Lothian and East Lothian Council's response

- Minutes of meetings of the East & Midlothian Gypsies/Travellers Joint Forum; 3 February and 6 May 2003
- Minutes of unauthorised encampments sub-group, 10 June 2003
- Allocations policy for Gypsy/Traveller site
- Pitch application form
- Site waiting list
- Scottish Power magnetic field measurements, 10 February 2003

APPENDIX 2 - Key Examples of Positive Practice

These areas are working particularly well, taking account of the Council's operating context:

Rehousing Panel

The Rehousing Panel pilot project is dealing with some of the recognised weaknesses in the Council's current allocations system. The Panel, which is made up of housing and other specialist staff, councillors and a tenants' representative, has responsibility for making fair and transparent decisions on the award of additional priority to people with exceptional housing need and for hearing housing appeals. The Panel has established specialist sub-groups to look at management moves, extreme medical needs and planned resettlement moves. Panel members consider all cases on an anonymous basis and the Council has been careful to ensure that legal requirements and conflicts of interest for Rehousing Panel members are dealt with effectively.

East Lothian Scottish Secure Tenancy

The Council is issuing tenants with the East Lothian Scottish Secure Tenancy (ELSST). The ELSST closely follows the model SST with local variations having been agreed through consultation with tenants and other social landlords in East Lothian. All social landlords in the area have adopted the ELSST so that all of their tenants in East Lothian will have the same rights and responsibilities regardless of their landlord.

East Lothian Tenants and Residents Panel

The Council has helped to set up an East Lothian Tenants and Residents Panel (ELTRP), made up of nominees from the network of local Tenants and Residents Associations. Since it was set up in 1999, the Council has demonstrated a clear commitment to developing ELTRP's role as an independent consultative body in a variety of ways, including:

- funding the employment of a full-time worker to provide independent training, development and support for the Panel;
- providing serviced office accommodation; and
- supplying a delegated budget of £19,000 to support the Panel in implementing its agreed Business Plan.

The Council has also worked closely with the Panel to develop a Communication Code of Practice, which sets out how it will work with ELTRP and other service users in the future. ELTRP members who have taken part in activities like service reviews feel that the Council has listened to their views and that they have influenced the Council's policies and approaches.

Neighbour Dispute Manual

The Council has developed an excellent manual to provide guidance for staff in dealing with neighbour disputes and antisocial behaviour. The manual also includes standard pro-formas for gathering and recording information and templates for standard correspondence, to promote consistency and streamline administration. A separate section in the manual gives guidance for staff on how to deal with allegations of harassment.

Gas Maintenance

The Council is good at ensuring that its tenants' gas heating systems are checked annually in line with statutory requirements. This is achieved through operating effective procedures to gain access to properties to carry out the annual service within the 12-month period. As a result, it has current and previous gas safety certificates on file for all relevant properties. The Council's procedures are supported by comprehensive auditing arrangements of the quality of work carried out, the competency of engineers and the management systems that control the gas maintenance service.

Customer Charter for Homelessness

The Council has developed a good customer charter for homelessness that highlights some of the key service standards that homeless people can expect it to provide. These include:

- clear timescales for interview;
- the right to a dedicated case officer;
- the right to appeal against the Council's decisions;
- what to expect from an interview; and
- signposting to relevant agencies for applicants experiencing domestic abuse.

Glossary

Amenity housing	Houses with specific attributes that make them more suitable to older people.
Balanced communities	Term used to describe communities that reflect the wider population.
Benchmarking	A process used by organisations to systematically compare services processes and performance to identify best practice.
Best Value	A legal requirement on local authorities to provide the services that people want and at the right quality and cost.
Common housing register	A register of all applicants for social housing used by two or more landlords within an area.
Convention of Scottish Local Authorities (COSLA)	The membership body for local authorities in Scotland.
Commission for Racial Equality (CRE)	A publicly funded, non-governmental body set up under the Race Relations Act 1976 to tackle racial discrimination and promote racial equality.
Dayworks	Charges for time spent carrying out repairs that are not covered specifically in the council's schedule of rates.
DLO or Direct Labour Organisation	A common name for a division within local authorities that employs tradesmen to carry out maintenance functions.
Focus groups	A group of people brought together to have a structured discussion on a specific subject or set of subjects, facilitated by an independent person.
HomePoint	A department of Communities Scotland that supports providers of housing information and advice services.
Housing list	A list of applicants for housing that is used by the Council to allocate its housing stock.

Housing Revenue Account (HRA)	The budget a local authority has from rental income for managing and maintaining its houses and housing services.
Local letting initiative	Arrangements to support an allocations policy for the letting of houses within specific areas.
Mystery shopping	Technique used to gather information on the quality of customer services.
NCH (National Children's Homes)	A charity supporting vulnerable children and their families.
Public Services Ombudsman	The independent body appointed to investigate individual complaints against local authorities and other public bodies.
Peer group	A group of organisations facing similar tasks and challenges with which comparisons can be made.
Performance indicator	A measure of how a local authority is achieving its objectives. Performance Indicators can be compared with a pre-set standard (a benchmark) or with other organisations.
Planned maintenance	The planned renewal or maintenance of key property components.
Procurement	The way an organisation obtains services or materials from other organisations or agents.
Responsive repairs	Also called reactive repairs, response repairs or day-to-day repairs. This is repair work carried out as the problem arises rather than as part of a planned maintenance programme.
Re-lets	Houses let that have had a previous tenant. Re-lets are distinguished from new lets, which are made when the property is first built or modernised.
Right to Buy	Many Scottish secure tenants have the right to buy their property at a discounted price subject to length of tenancy.

Right to Compensation for Improvements	When ending their tenancy Scottish secure tenants and short Scottish secure tenants may be able to receive compensation from their landlord for improvements which they have made to their home on or after 30 September 2002 provided these improvements have been agreed with their landlord.
Right to Repair	If a tenant has reported a qualifying repair to his or her landlord and after a reasonable period the repair has not been carried out, the tenant will then have the “Right to Repair” privately and have the bill issued to the landlord.
Registered Social Landlord (RSL)	A landlord providing social rented housing that is registered and regulated by Communities Scotland.
Scottish Housing Best Value Network (SHBVN)	A formal group for local authority members to benchmark their performance and share good practice.
Scottish Secure Tenancy (SST)	The Housing (Scotland) Act 2001 establishes the Scottish Secure Tenancy as the tenancy for all tenants of social landlords in Scotland.
Service level agreement (SLA)	An agreement between departments within an organisation or between partner organisations that defines the type and level of service they will provide.
Shadowing	Accompanying and observing staff while they carried out their day-to-day tasks.
Sheltered housing	Housing specifically designed for older people, which has an on-site community alarm or warden service.
Standing orders	Rules drawn up by an organisation that set out the basis on which business should be conducted.
Statutory Performance Indicator (SPI)	Indicators of local authorities’ performance that are published by the Accounts Commission for Scotland.
Stock condition survey	A survey of stock to establish the level of existing defects and to allow planning for future repairs.

Sustainability	Improving the economic, social and environmental circumstances of the wider communities to create and maintain communities where people positively want to live.
Tenancy agreement	Legal document or contract between landlord and tenant setting out the rights and responsibilities of each.
Tenure	The method by which a person occupies a property i.e. tenant, lodger, owner-occupier.
Void	A property without a tenant. Voids occur in the period between one tenant leaving and another taking over the tenancy.

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