

## Cabinet Committee

Committee Room 2, 5th Floor, Fife House, North Street,  
Glenrothes / Blended Meeting



Thursday, 4th May, 2023 - 10.00 a.m.

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### AGENDA

Page Nos.

- |  |         |
|--|---------|
| <b>1. APOLOGIES FOR ABSENCE</b>  |         |
| <b>2. DECLARATIONS OF INTEREST</b> – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage. |         |
| <b>3. MINUTES –</b>  |         |
| (i) Cabinet Committee of 6th April, 2023.  | 3 – 8   |
| (ii) Appeals Sub-Committee of 17th April, 2023.  | 9       |
| <b>4. WAID CLUSTER SCHOOL LEADERSHIP MODELS: OUTCOME OF STAKEHOLDER ENGAGEMENT</b> – Report by the Executive Director (Education and Children's Services).   | 10 - 24 |
| <b>5. HOUSES IN MULTIPLE OCCUPATION (HMO): REVIEW OF THE OVERPROVISION POLICY</b> – Report by the Head of Housing Services.  | 25 - 37 |
| <b>6. TACKLING DAMPNESS AND MOULD IN COUNCIL HOUSES - PROPOSED ACTION PLAN</b> – Joint report by the Head of Housing Services and the Head of Environment and Building Services.   | 38 - 46 |
| <b>7. SHARED LIVES FIFE - UPLIFT OF PAYMENT FOR LONG-TERM PLACEMENTS</b> – Report by the Director of Health and Social Care.   | 47 - 50 |

<p><b>Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.</b></p>
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Lindsay Thomson  
Head of Legal and Democratic Services  
Finance and Corporate Services  
Fife House  
North Street  
Glenrothes  
Fife, KY7 5LT

27th April, 2023.

If telephoning, please ask for:

Michelle McDermott, Committee Officer, Fife House, North Street, Glenrothes  
Telephone: 03451 555555, ext. 442238; email: [Michelle.McDermott@fife.gov.uk](mailto:Michelle.McDermott@fife.gov.uk)

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## **BLENDED MEETING NOTICE**

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to mute microphones and switch cameras off when not speaking. This includes during any scheduled breaks or adjournments.

**THE FIFE COUNCIL - CABINET COMMITTEE – GLENROTHES – BLENDED MEETING**

**Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes**

**6th April, 2023.**

**10.00 a.m. – 12.50 p.m.**

**PRESENT:** Councillors David Ross (Convener), David Alexander, Lesley Backhouse, David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Colin Davidson (substituting for Councillor Linda Erskine), Dave Dempsey, Derek Glen, David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Rosemary Liewald, Sam Steele (substituting for Councillor Carol Lindsay), Jonny Tepp, Ross Vettraino, Craig Walker and Jan Wincott.

**ATTENDING:** Steve Grimmond, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance; Helena Couperwhite, Manager (Committee Services) and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Michael Enston, Executive Director (Communities), John Mills, Head of Housing Services, Helen Wilkie, Service Manager and Ian Dawson, Business Change Manager, Housing Services; Ken Gourlay, Executive Director (Enterprise and Environment), Gordon Mole, Head of Business and Employability Services and Michael O'Gorman, Property Services; Shelagh McLean, Head of Education and Children's Services, Angela Logue, Head of Education and Children's Services, Avril Graham, Team Manager and Sarah Else, Education Manager, Education and Children's Services; Fiona McKay, Head of Strategic Planning, Performance and Commissioning and Alan Adamson, Service Manager, Health and Social Care; and Brian Blanchflower, Religious Representative, Church of Scotland.

**APOLOGIES FOR ABSENCE:** Councillors Linda Erskine and Carol Lindsay and Alastair Crockett, Religious Representative, Cupar Baptist Church.

**93. DECLARATIONS OF INTEREST**

Councillor Ross Vettraino declared an interest at para. 103 – Turbine Ground Lease, Melville Woods, Ladybank – being Chairman of the Board of Fife Resource Solutions.

**94. MINUTE**

The Committee considered the minute of the Cabinet Committee meeting of 9th March, 2023.

Arising from the minute, the following points were raised:-

- para. 85 – Annual Uplift in Payments to Foster Carers for Financial Year 2023/24 – agreed that an item be placed on the Forward Work Programme for a report to be submitted in due course providing a comparable position with other local authorities in Scotland on payments and support provided to foster carers.
- para. 89/

- para. 89 – Licensing of Short-term Lets – Interim Update – provide a detailed timeline with regard to short-term let control areas, particularly within the East Neuk area, as soon as practicably available.

**Decision**

The Committee agreed to approve the minute.

**95. COST OF LIVING - CONTINUING SUPPORT**

The Committee considered a report by the Executive Director (Communities) seeking agreement for priorities and next steps for the cost-of-living support following experience of the winter programme of support 2022/23.

The Executive Director (Communities) advised members that the figure within Appendix 5 of the report on products distributed via the Big Hoose should be 29,490 and not 2,949 as stated in the report.

**Decision**

The Committee:-

- (1) agreed the priorities for the use of carry forward funding for 2023/24;
- (2) noted the proposals for developing support arrangements going forward; and
- (3) agreed to continue to implement a temporary Personal Vehicle Allowance payment from April 2023 to support staff with high business use of their personal vehicles.

**96. PLACE BASED INVESTMENT FUNDING FROM SCOTTISH GOVERNMENT 2023/24**

The Committee considered a report by the Head of Business and Employability Services seeking agreement for an approach to disbursing Fife's allocation of the Scottish Government's Placed Based Investment Programme Funding for financial year 2023/24. Details of the final award to local authorities have not been released by the Scottish Government, however, an indicative amount of £1.915m for 2023/24 was included in the notice of award of funds during 2022/23.

**Decision**

The Committee:-

- (1) noted the background to the fund including likely conditions and timescales involved in delivering projects;
- (2) agreed the list of projects listed in Table 1 of report as those to receive investment from the fund during the financial year 2023/24, subject to final confirmation of funding to be made available by the Scottish Government. If funding was lower than predicted, then approved projects may be rolled forward to be delivered from the 2024/25, or later, funding allocation;
- (3)/

- (3) agreed that the Executive Director (Enterprise and Environment) be granted delegated authority to disburse funds to the agreed projects; and
- (4) agreed that there was some flexibility to allow movement of funds from one project to another, as necessary, with the agreement of the Executive Director (Enterprise and Environment) for changes above £100,000 and that, below this sum, movement was at the discretion of the Head of Business and Employability Services.

**97. COMMUNITY WEALTH BUILDING - POLICY FRAMEWORK**

The Committee considered a report by the Chief Executive which reasserted the Council's position on Community Wealth Building (CWB) as the primary guiding policy framework through which the organisation would align to deliver the economic, social and environmental benefits set out in the Plan for Fife.

**Decision**

The Committee:-

- (1) approved the Community Wealth Building Policy Framework as set out at section 2 of the report;
- (2) remitted Heads of Service to review existing policy and practice, systems and processes against the CWB policy and to lead implementation and take any necessary action to redesign approaches;
- (3) noted progress in developing Community Wealth Building approaches in Fife and agreed that progress is reported back to Cabinet Committee every six months with the first report in October, 2023; and
- (4) noted that a Fife response to the Scottish Government's Community Wealth Building Bill consultation would be submitted in April, 2023 and reported to the Fife Partnership.

**98. PROPOSED STATUTORY CONSULTATION TO RELOCATE THE EXISTING INVERKEITHING HIGH SCHOOL, HILLEN ROAD, INVERKEITHING TO A NEW SITE AT FLEET GROUNDS, SOUTH OF THE A985 (ADMIRALTY ROAD), ROSYTH**

The Committee considered a report by the Executive Director (Education and Children's Services) presenting, for approval of its content and to proceed to statutory consultation, the statutory Consultation Proposal in terms of the Schools (Consultation) (Scotland) Act 2010 relating to the relocation of Inverkeithing High School from the existing school site of Hillend Road, Inverkeithing to a new site south of the A985 (Admiralty Road).

**Decision**

The Committee:-

- (1) approved the content of the statutory Consultation Proposal in terms of the Schools (Consultation) (Scotland) Act 2010 relating to the proposed relocation of Inverkeithing High School from the existing school site of Hillend Road, Inverkeithing to a new site south of the A985 (Admiralty Road), Rosyth at the Fleet Grounds, Rosyth;

(2)/

- (2) authorised officers to proceed to statutory consultation in terms of the Consultation Proposal;
- (3) authorised officers to make such amendments to the Consultation Proposal (including the timeline) as may be necessary; and
- (4) noted that the Consultation Proposal would be brought back to a future Committee of the Council.

**99. SCOTTISH ATTAINMENT CHALLENGE - STRATEGIC EQUITY FUND 2023/24**

The Committee considered a report by the Executive Director (Education and Children's Services) providing an overview of the rationale and plan for use of the Strategic Equity Fund to support the closing of the poverty related attainment gap in Fife's educational settings in academic session 2023/24.

**Decision**

The Committee agreed planned projects and actions within the Strategic Equity Fund workstreams for session 2023/24 and the associated budget allocated to each.

**100. ANNUAL UPLIFT IN PAYMENTS TO THIRD PARTY PROVIDERS AND SOCIAL CARE CHARGES FOR 2023-24**

The Committee considered a report by the Director of Health and Social Care updating members with information on the proposed uplift in payments to third party providers and charges of Social Care Services for financial year 2023/24.

**Motion**

Councillor David Ross, seconded by Councillor David Graham, moved that the recommendations detailed within the report be approved.

**Amendment**

Councillor Craig Walker, seconded by Councillor John Beare, moved that there be no increase in charges for Meals on Wheels and Community Alarms.

**Roll Call Vote**

**For the Motion – 13 votes**

Councillors James Calder, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, David Ross, Jonny Tepp and Jan Wincott.

**For the Amendment – 9 votes**

Councillors David Alexander, Lesley Backhouse, David Barratt, John Beare, Derek Glen, Rosemary Liewald, Sam Steele, Ross Vettraino and Craig Walker.

The motion was accordingly carried.

**Decision/**

**Decision**

The Committee:-

- (1) noted the proposed increase in the Free Personal and Nursing Care Allowance;
- (2) noted the proposed increase in hourly rates paid for service users in receipt of a direct payments, or for shared lives carers, to comply with the increase in living wage rate for 2023/24;
- (3) noted and approved the increase in rent charges for service users residing within staffed group homes or core and cluster services; and
- (4) approved the revised charges for Social Care Services for 2023/24.

*The meeting adjourned at 11.35 am. and reconvened at 11.45 a.m.*

**101. ENERGY EFFICIENCY STANDARDS FOR SOCIAL HOUSING 2 (ESSH2) - DELIVERY PLAN UPDATE**

The Committee considered a report by the Head of Housing Services which was a follow-on from the previous report to the former Communities and Housing Services Committee in October, 2021. As agreed by that Committee, an Energy Efficiency Standards for Social Housing 2 (ESSH2) Board was set up and work to detail the requirements to meet the standard has been ongoing throughout 2022.

**Decision**

The Committee:-

- (1) noted the progress made with the Council's consultants (Energy Saving Trust and Changeworks) to develop the elements of the ESSH Delivery Plan 2023-32;
- (2) agreed the financial outcome from the HRA Business Plan 2022 review that the current requirement to meet ESSH2 by 2032 was not affordable to the Council based on the current rent-based funding model; and
- (3) agreed that a further report would be brought back to the Cabinet Committee by the Autumn following the outcome of the Scottish Government Review and the completion of the work with Energy Saving Trust and Changeworks.

**102. NEW BUILD AFFORDABLE HOUSING: PROPOSED PHASE 4 (2024-29) PROGRAMME OPTIONS**

The Committee considered a joint report by the Head of Housing Services, Head of Finance and Head of Property Services outlining the additional borrowing required to complete the Transitional Affordable Housing Programme (TAHP) and outlined the options for development of a Phase 4 Affordable Housing Programme (AHP) 2024-29 and confirmed the outcome of the 2022 HRA Business Plan Review testing the affordability of the proposed programme.

**Decision/**

**Decision**

The Committee:-

- (1) recognised Fife's success in delivering the number of units delivered to date by the Council and the Fife Housing Association Alliance (FHAA);
- (2) noted that the FHAA intended to deliver an additional 2,500 affordable homes across 2024-29 as part of the proposed Phase 4 AHP;
- (3) agreed that the existing Fife Council/FHAA Partnership Agreement be extended to May, 2029;
- (4) approved additional HRA borrowing of £38.778m required to complete Phase 3 and the Transitional Affordable Housing Programme (TAHP);
- (5) approved additional HRA borrowing of £10.5m to provide for the continuation of property acquisitions across 2023-26;
- (6) approved investment in a two year tranche of 500 council houses across 2024-26 requiring additional capital expenditure of £112.5m resulting in additional borrowing of £75m;
- (7) agreed the aspiration of extending to a five year council new build programme (2024-29) of up to 1250 properties subject to an affordability gateway review in 2025/26, including an examination of alternative funding sources to support the five year programme; and
- (8) agreed that the housing options detailed in Section 4 of the report would form the basis of the Phase 4 Programme.

*Having declared an interest in the following item, Councillor Ross Vettraino left the meeting at this stage.*

The Committee resolved, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paras. 8 and 9 of Part 1 of Schedule 7A of the Act.

**103. TURBINE GROUND LEASE, MELVILLE WOODS, LADYBANK (PRIVATE REPORT)**

The Committee considered a report by the Executive Director (Enterprise and Environment) seeking approval to grant a lease of ground within the Lower Melville Woods landfill site, Ladybank.

**Decision**

The Committee approved the lease on the terms detailed in the report.



**THE FIFE COUNCIL - APPEALS SUB-COMMITTEE**

**Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes**

**17 April, 2023**

**3.00 p.m. – 5.00 p.m.**

**PRESENT:** Councillors David Graham (Convener), David Alexander, Ken Caldwell, Linda Erskine and Sarah Neal.

**ATTENDING:** Jacqui Cameron, Service Manager - Human Resources Service and Alison Higgins, Solicitor, Litigation & Advice, Legal and Democratic Services.

Representing the Authority - Elaine Jordan, HR Business Partner, Human Resources Service and Caroline Bruce, Interim Service Manager, Adult Services Resources, Health & Social Care Partnership.

Representing the Appellant – Vicki Leonard, Union Representative, GMB and the Appellant.

**ALSO IN ATTENDANCE:** Beata Psonak-Sokal, Interpreter, Fife Community Interpreting Service.

**3. HEALTH & SOCIAL CARE PARTNERSHIP - DISMISSAL APPEAL**

The Sub-Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

The Sub-Committee considered the written submissions by both parties and also heard both parties' oral representations, following which, the Authority's representatives and the appellant and their representative withdrew from the meeting.

**Decision**

The Sub-Committee agreed that the grounds of the appeal had not been substantiated and therefore the appeal was not upheld.

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## **Waid Cluster School Leadership Models: Outcome of Stakeholder Engagement**

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**Report by:** Carrie Lindsay, Executive Director (Education and Children's Services)

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**Wards Affected:** All

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### **Purpose**

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This report responds to the decision of the Cabinet Committee of 12th January, 2023 to approve further consultation with parents/carers in the Waid Cluster on the full range of leadership models outlined in the School Leadership Models Cabinet Committee paper (December 2022 - included in Appendix A of this paper).

The report provides an overview of the outcome of the engagement with parents/carers, staff, pupils and other interested parties and provides recommended next steps to establish permanent and sustainable school leadership and management arrangements in the Waid Cluster area.

### **Recommendation**

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The Cabinet is asked to:-

- (i) note the outcome of the engagement survey completed by parents/carers, staff, pupils and other interested parties in the Waid Cluster area; and
- (ii) agree the recommended next steps to establish permanent and sustainable school leadership and management arrangements in the Waid Cluster area.

### **Resource Implications**

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None.

### **Legal & Risk Implications**

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There are no direct legal/risk implication arising from the report.

### **Impact Assessment**

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An EqIA and summary form have been completed and formed part of the School Leadership Models Cabinet Committee paper (December 2022 - included in Appendix A of this paper).

### **Consultation**

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Ten in-person engagement sessions with parent/carers, staff and other interested parties took place during week beginning 6th February, 2023 across the schools in the Waid Cluster area. 66 parents/carers or other interested parties attended the in-person engagement sessions.

The Waid School Leadership Models Engagement survey was live from 9th February, 2023 to 10th March, 2023. There were 122 parent/carers, 25 staff and 15 other interested parties' responses.

Pupil Focus Groups took place during this period in all schools in the Waid Cluster.

# 1.0 Introduction

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- 1.1 In December 2022, the School Leadership Models paper, which provided an overview of the development of school leadership models from 2009 that have strengthened the leadership and management of our schools and early learning centres, including the phasing out of teaching headteacher posts, was considered by the Cabinet Committee. The paper also provided an outline of suggested next steps, building on the successes of the last 13 years in Fife and current national and international research, to enable the Education Service to continue to strengthen leadership and management arrangements in schools and early learning centres, in order to achieve improvements in attainment, attendance and positive destinations. *(See link to Committee Paper at end of report.)*
- 1.2 The **aims** of School Leadership Models strategy are outlined below. These are the basis upon which any decision to create joint leadership arrangements across establishments are made:
- (i) to develop and establish leadership models that strengthen leadership and management arrangements across schools and early learning centres (ELCs). This includes creating Headteacher, Depute Headteacher and Principal Teacher posts that are attractive to high quality, experienced candidates, and provides an increase in the number of career progression opportunities for teachers and school leaders across all parts of Fife;
  - (ii) to support partnership working, within and across the local area, which is responsive to the needs of the children, young people, families and communities whilst maintaining the individual identities of every school but capitalising on the opportunities to strengthen partnership working across the local school/ELC communities;
  - (iii) to create the conditions that support staff across schools/ELCs to work together effectively. Encouraging networking and collaboration across the wider staff team, for a range of purposes, to strengthen school improvement activity and the professional learning of staff. Enabling the sharing of skills, knowledge and expertise and encouraging leadership across schools, ensuring the needs of all children and young people are met through high quality learning, teaching and assessment;
  - (iv) to maximise the use of local resources, spaces and opportunities to strengthen relationships amongst children and young people, parents/carers and staff within and across schools/ELCs.
- 1.3 The paper also provided the Cabinet Committee with options for school leadership models in the Waid Cluster area, based on the aims and principles outlined in the report. With most of the Headteacher roles in this cluster area occupied on a temporary basis at present, there is an opportunity to create permanent, more sustainable leadership roles across the area that would attract high quality, experienced candidates to Headteacher, Depute Headteacher and Principal Teacher posts.
- 1.4 The table below outlines: the leadership entitlement of each school based on the pupil roll; the current leadership models in place, with those interim leadership arrangements highlighted as **temporary**, and the equivalent leadership time these current arrangements equate to in each model. Teaching Headteachers are allocated to establishments with fewer than 125 pupils at Management Structure Review points (three-yearly). A map of the schools in the Waid Cluster area is provided in Appendix A.

School	Pupil Roll August 23	Projected Pupil Roll 2028	Leadership Entitlement as per Pupil Roll 2023	Current/Interim Leadership Models in place presently
Waid Academy	698	629	HT plus 2 x DHT	<b>Temporary</b> HT 2 x DHTs (1 Temporary)
Anstruther	308	238	HT plus 2 x DHT	<b>Temporary</b> HT (non-Teaching) 2 X DHTs (2.5 days teaching per week each)
Crail	80	84	Teaching HT	<b>Temporary</b> Teaching HT (3.5 days teaching per week)
Pittenweem	72	91	Teaching HT	<b>Temporary</b> Joint HT (non-teaching)
St Monans	82	70	Teaching HT	
Colinsburgh	39	46	Teaching HT	<b>Temporary</b> Joint HT (non-teaching)
Elie	18	39	Teaching HT	
Kirkton of Largo	15	10	Teaching HT	Permanent Joint HT (non-teaching)
Lundin Mill	104	60	Teaching HT	

1.5 The alternative options for consideration were:

- Option 1:** To make permanent the current leadership models outlined in Figure 2
- Option 2:** 3-18 Leadership Model across Waid Academy & Anstruther Primary School
- Option 3:** 3-18 Leadership Model across Waid Academy, Anstruther Primary School & Crail Primary School
- Option 4:** Joint Leadership Model across Kirkton of Largo, Lundin Mill, Pittenweem, St Monans, Elie & Colinsburgh Primary Schools
- Option 5:** Joint Leadership Model across Kirkton of Largo, Lundin Mill & Colinsburgh Primary Schools
- Option 6:** Joint Leadership Model across Pittenweem, St Monans & Elie Primary Schools
- Option 7:** Joint Leadership Model across Kirkton of Largo, Lundin Mill, Pittenweem, St Monans, Elie, Colinsburgh and Crail Primary Schools

- 1.6 Following consideration of the School Leadership Models paper, on 15th December, 2022, Cabinet Committee asked for a report to be brought to the Cabinet Committee on 12th January, 2023 'with detailed evidence analysing the costs and benefits of joint leadership models, as well as the pressures leading to this potential change of approach, including the shortage of headteachers, the reasons for this and the plan to recruit and train more'.
- 1.7 On 12th January, 2023, the Cabinet Committee approved further consultation with the parents/carers in the Waid Cluster on the full range of leadership models outlined in para. 1.5.
- 1.8 This report provides an overview of the outcome of the engagement with parents/carers, staff, pupils and other interested parties and provides recommended next steps to establish permanent and sustainable school leadership and management arrangements in the Waid Cluster area.

## 2.0 Outcome of Engagement Survey

- 2.1 Respondents were asked to rate the extent to which the leadership options suggested would achieve the aims of the School Leadership Models strategy for the schools in Waid Cluster. Respondents were asked to rate, on a sliding scale of 1 to 10, with 1 being 'Not at all' and 10 being 'Fully Support'.
- 2.2 Parents with children in a primary school who responded have had their views counted in both the primary school's collated feedback and that of Waid Academy.
- 2.3 The average response from parents across all schools in the Waid Cluster area was 12% of family groups or 9% of pupil roll. The average response across all primary schools in the Waid Cluster area was 17% of family groups or 12% of pupil roll.
- 2.4 Overview of Parent Responses:

School	Pupil Roll 22/23	No. of Family Groups	No. of Parental responses	%age of Family Groups	%age of Pupil Roll
Anstruther Primary School & Nursery	346	255	36	14	10
Colinsburgh Primary School	34	24	6	25	18
Crail Primary School & Nursery	105	68	11	16	10
Elie Primary School	24	21	15	71	62
Kirkton of Largo Primary School	13	10	1	8	10
Lundin Mill Primary School & Nursery	147	111	12	11	8
Pittenweem Primary School & Nursery	103	73	13	18	13
St Monans Primary School & Nursery	99	76	14	18	14
Waid Academy	698	589	39	6.6	5.5
<b>TOTAL</b>	<b>1569</b>	<b>1227</b>	<b>147</b>	<b>12%</b>	<b>9%</b>

### 2.5 Summary of Parent/Carer Ratings

- 2.5.1 **29** of the Waid Academy parent/carers responses are within the 6-10 (Fully Support) rating in favour of maintaining a single school leadership model at Waid Academy.
- 2.5.2 **76** of the combined Primary School parent/carers responses are within the 6-10 (Fully Support) rating in favour of maintaining leadership models as they are at present. **32** parent/carers responses were in support of alternative leadership models.
- 2.5.3 **26** of the Waid Academy parent/carers responses are within the 1 (Not at all) to 5 rating of the 3-18 leadership model with Waid Academy & Anstruther Primary School. **13** of Waid Academy parent responses are within the 6-10 (Fully Support) rating.
- 2.5.4 **24** of the Anstruther parent/carers responses are within the 1 (Not at all) to 5 rating of the 3-18 leadership model with Waid Academy & Anstruther Primary School. **12** of Anstruther parent/carers responses are within the 6-10 (Fully Support) rating. **31** of Anstruther parent/carers responses are within the 1 (Not at all) to 5 rating of the 3-18 leadership model involving Waid Academy, Anstruther and Crail.

- 2.5.5 **45** of the parent/carer responses from those primary schools, not part of any of the suggested 3-18 models, (Pittenweem, St Monans, Lundin Mill, Kirkton of Largo, Elie and Colinsburgh) were not at all in favour of the 3-18 model.
- 2.5.6 **7** of the Crail parent/carer responses were within the 6-10 (Fully Support) rating of maintaining a teaching headteacher. **10** were not in favour of 3-18 model with Anstruther and Waid Academy and **7** were not in favour of Option 7 – leadership model with all primary schools (excluding Anstruther).
- 2.5.7 Overall parent/carer responses, **42** provided a 6-10 (Fully Support) rating in support of a 3-18 model including Waid Academy & Anstruther Primary School, with **26** providing a 6-10 (Fully Support) rating for Waid Academy, Anstruther Primary School and Crail Primary School.
- 2.5.8 **7** of the Lundin Mill parent/carer responses were in favour (6-10 rating) of maintaining joint leadership model with Kirkton of Largo. **7** parents/carers (1-5 rating) were not in support of Option 4. **8** parent/carers (1-5 rating) were not in support of Option 5 and **10** parent/carers (1-5 rating) not in support of Option 7.
- 2.5.9 One parent/carer responded from Kirkton of Largo. The preference was to maintain the joint headteacher arrangement with Lundin Mill, with the next preference being Option 7.
- 2.5.10 100% of parent/carer responses from Elie Primary School were in support of maintaining the joint headship with Colinsburgh. There was no support for any of the other models proposed.
- 2.5.11 There was very limited support from Colinsburgh parent/carers for Option 4 or 7. However, all parent responses felt the current arrangement with Elie Primary School also achieved the aims of leadership strategy.
- 2.5.12 **11** of the parent/carer responses at Pittenweem were in support of continuing the current joint leadership arrangements with St Monans (6-10 ratings) with limited support for any other leadership option proposed.
- 2.5.13 **11** of the parent/carer responses from St Monans provided a low score in relation to the current arrangements, Option 4 or Option 6. **4** parents/carers were in support of Option 7. The majority of St Monans' parents either wish to have a single headteacher for their school or a PT in both St Monans and Pittenweem.

## 2.6 **Summary of Parent/Carer Comments**

- 2.6.1 Parent/carers were keen to see permanent arrangements being put in place to provide stability for the schools where temporary arrangements are in place currently.
- 2.6.2 With regard to the option of a 3-18 model across Waid Academy and Anstruther Primary School, the majority of parents/carers felt that both schools needed their own dedicated Headteacher to lead the improvement necessary in both establishments and that the schools needed to maintain their own visions and identities, with Senior Leadership Teams visible in each. There was concern that the skill set of secondary and primary headteachers was very different and the model was too complex. There was also some concern that this model would not be fair on the other primary schools in the Waid Cluster area.

- 2.6.3 Those parents/carers in support of the 3-18 model commented on the opportunity to attract more candidates to a higher-grade post, that a shared vision and strategy would benefit both schools and noted the success of these models in other parts of Scotland. A number of parents/carers commented on the many advantages of joint leadership models, e.g. sharing resources, budgets, spaces and the potential to improve transitions in learning and support that the model could achieve. Parents/carers also highlighted the importance of fairness and sustainability, and there was some concern raised regarding the disproportionate time and financial support required to sustain small schools.
- 2.6.4 In relation to the 3-18 model including Waid Academy, Anstruther and Crail, there was limited support for this model. The majority of Crail parents/carers were in favour of maintaining the Teaching Headteacher post in the school, however, there was acknowledgement of the benefits of linking with other schools, so long as there was a promoted member of staff based in the school. However, the option of being linked as part of the group of 7 schools in Option 7 was felt by most to be too many schools/children. However, there were a few comments suggesting the option of a pairing with another primary school of a more similar size.
- 2.6.5 Lundin Mill parents/carers indicated little support for any alternative model to the current joint leadership arrangement with Kirkton of Largo Primary School. The parent/carer response from Kirkton of Largo Primary School was also in support of maintaining current arrangements.
- 2.6.6 All parents/carers from Elie Primary School supported maintaining the current joint leadership arrangement with Colinsburgh Primary School. The comments provided highlighted that parents/carers viewed any alternative model as a reduction in the leadership time dedicated to Elie. Given the size of Elie, parents/carers expressed concern that the school would likely be overlooked by any increase in the number of schools within the leadership model.
- 2.6.7 Almost all parents/carers from Colinsburgh Primary School wanted to maintain the current leadership arrangements with Elie Primary School. However, there was an increase in support for three schools within the model, to ensure equity in leadership time across all schools in the East Neuk. The comments indicated a strong preference for maintaining Elie as part of the grouping.
- 2.6.8 Almost all parents/carers were in support of maintaining the joint leadership arrangement with St Monans Primary School. There was concern that an increase to three schools within the leadership model would result in the Headteacher being less visible in any one school. A small number of parents/carers stated that they would prefer a Teaching Headteacher at Pittenweem, whilst others stated that they would want to avoid Teaching Headteachers but would consider other options in terms of groupings.
- 2.6.9 The majority of St Monans' parents/carers provided a 'Not at All' response to maintaining arrangements as they are. However, the comments provided suggested that, for most, either a dedicated Headteacher to St Monans or the current joint leadership model with Pittenweem was preferred. However, comments provided did highlight the need for permanency in any arrangements moving forward. 31% of parents/carers felt that a larger grouping of schools would more fully meet the aims of the strategy, as this would provide consistency and sustainability for the schools in the area.

## 2.7 **Summary of Staff Responses:**

- 2.7.1 Staff were invited to attend in-person engagement sessions at five venues across the Waid Cluster area, with good attendance at almost all sessions.

- 2.7.2 Nine staff members from Waid Academy and Anstruther Primary School completed the survey. Seven staff members were in favour of maintaining a single school Headteacher at Waid Academy.
- 2.7.3 Thirteen staff from across the seven smaller primary schools responded to the survey. Responses to the models varied across the group. However, key themes emerged including concern regarding the sustainability of Teaching Headteacher posts due to the demands of the role and difficulties recruiting into posts but also concerns that a shared headteacher would not be able to give all establishments adequate support, particularly with children with additional support needs. There was also consideration of the benefits of schools being more strongly connected, with more opportunities to work with a wider range of staff to support all aspects of curriculum development. Staff also commented on the benefits of having an increased number of middle leadership roles in the area supported by a more strategic headteacher.

## 2.8 Summary of Pupil Responses

- 2.8.1 In each of the primary schools, focus groups or simple surveys were carried out with representative groups of children, to explore their thinking on the advantages and disadvantages of the different types of models, particularly in relation to their own school.
- 2.8.2 The table below provides a sample of the pupil views on the 3-18 model:

3-18 Models	
Advantages	Disadvantages/Concerns
<ul style="list-style-type: none"> <li>One HT would have knowledge of both schools</li> <li>We would know the HT better</li> <li>An opportunity to get to know people before to support transition</li> <li>We would have a bigger school community</li> <li>We would be able to join together for learning and activities. We could use the Sport Centre</li> <li>It will be helpful when we go to high school as we will know the area and Waid</li> <li>We can make more friends, have more sport clubs and share the equipment</li> <li>The secondary teachers could come to teach us specific subjects like art, science and PE.</li> <li>We could get a secondary school experience and meet some of the teachers so we know what to expect and be less anxious when we move to Waid.</li> </ul>	<ul style="list-style-type: none"> <li>They want their HT to be a personal visible presence and involved in the day to day and this would be lost</li> <li>Can the HT pitch their interactions across all the different ages?</li> <li>The HT might struggle to manage time across the schools</li> <li>We would want to have a DHT here all the time if we have to share the HT.</li> <li>We do not need to be part of Waid before we move as there are lots of transition opportunities for us – STEM Day, Frappe, Broomlee, 2-day visit...</li> <li>The quality of the person leading the school is more important than the leadership model It could be more chaotic if we were to be together with Anstruther for events.</li> <li>Would the HT plan his/her week to part of school life eg assemblies etc</li> <li>Would pupils get the help they need from the HT?</li> </ul>



2.8.3 Please see below a sample of pupil views on the other school leadership models:

Joint Leadership Models	
Advantages	Disadvantages/Concerns
<ul style="list-style-type: none"> <li>• Smaller primary schools should be brought in with bigger ones to enhance the experience of the learners in the smaller schools.</li> <li>• It would be good to have other leaders in the school.</li> <li>• I am fine with having a deputy head as long as we still see our HT sometimes.</li> <li>• I think all schools should be the same and get the same opportunities and experiences.</li> <li>• Joint after-school clubs (meet new people/larger numbers)</li> <li>• Joint Events</li> <li>• Meeting new children</li> <li>• Teams for sports events if we don't have enough children to make up a team on our own</li> <li>• More opportunities for school trips</li> <li>• More teachers</li> <li>• Meet more people going to the same high school</li> <li>• Can help develop more friendships out of school</li> <li>• Get to meet new people and get to know more people</li> <li>• Go on trips together</li> <li>• Can build a better relationship with another school</li> <li>• We can compare schools and see what each school does better</li> </ul>	<ul style="list-style-type: none"> <li>• It would be sad to not have her all the time, but she might like having different jobs.</li> <li>• It might be too hard for just one Headteacher for all the schools.</li> <li>• I think it should stay the way it is with multiple Headteachers.</li> <li>• Not as much time with our HT/Don't see our HT much</li> <li>• Less HT attention for our school</li> <li>• Harder for teachers not having HT there</li> <li>• Less assemblies as the HT has to do them for the other school too</li> <li>• Not as much time for Hot Choc and Talk</li> <li>• Harder for HT to go between 2 schools when they need to</li> <li>• Have to share money with the other school</li> <li>• Not always having time to suggest our ideas to the HT</li> <li>• Not always having time to have fun with the HT</li> <li>• Not having as good a relationship with the HT as it good be</li> </ul>

## 2.9 Summary of Responses from Other Interested Parties

2.9.1 There were 15 respondents from other interested parties to the engagement survey.

2.9.2 The majority of responses were in favour of maintaining current leadership arrangements across the schools. The main themes emerging from the comments was that the current system was working and should be made permanent, that the individuality of each school should be retained and that the leaders needed to be visible in every school. One response suggested the return of teaching Headteachers in all small schools.

2.9.3 Those parties in favour of alternative models being considered commented on the need to reduce teaching headteachers; the risk of there not being enough high-quality candidates for the number of headteacher posts in the area; that expertise could be spread across schools; that models would improve collaboration, and that the larger models still ensured a promoted member of staff in each school.

## 3.0 Conclusions

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- 3.1 Children across the primary schools considered the benefits and challenges of each of the models. There was concern amongst the children about not seeing their Headteacher as much in joint leadership models and how this may affect their relationship with them. However, the children also considered the possible benefits of working with a larger group of teachers and leaders, as well as the children from the other schools through activities, trips, events and team games.
- 3.2 A few parents/carers commented on the re-establishment of teaching headteachers within all schools currently with joint leadership models, however, most parents/carers were in favour of maintaining current joint leadership arrangements. Staff within the smaller schools acknowledged the benefits and challenges of both Teaching Headteacher posts and joint leadership models, with almost all showing a stronger preference for the joint leadership models.
- 3.3 Whilst almost one-third of all parent/carer responses had some or full support for the 3-18 model across Waid Academy & Anstruther Primary School, the majority expressed concern regarding the skill-set that would be required of a Headteacher across sectors, and the need for a dedicated Headteacher in each establishment (Waid Academy & Anstruther Primary School). Most parents/carers and staff who responded to the survey wish to maintain the single school Headteacher in both schools.
- 3.4 Elie Primary School and Colinsburgh Primary School currently have a Headteacher across both schools. Elie Primary School has a roll of 24 children and Colinsburgh Primary School has a roll of 34 children. As outlined in the table in para. 1.4, both schools would be entitled to a Teaching Headteacher based on pupil roll. This would equate to 1.5 days of leadership and management time for the Teaching Headteacher in each school. At present, each school receives 2.5 days leadership and management time in the current Joint Leadership Model. This incurs a cost to the Education Service, due to the additional 2 days leadership and management time. To ensure a leadership model that is more sustainable and is line with the financial costs across Fife's schools, we need to consider an alternative leadership model that includes Elie and Colinsburgh Primary Schools.
- 3.5 Based on the feedback from parents/carers, staff and pupils, there is substantial support for the joint leadership arrangements in place, and the benefits that are being realised by these models, most specifically the avoidance of having a Teaching Headteacher with only 1.5 days leadership and management time.
- 3.6 A strong theme to emerge from the feedback from staff and parents/carers was the need for longer-term stability in the leadership and management arrangements that are put in place, ensuring that they are fair and equitable across the schools.

## 4.0 Suggested Next Steps

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- 4.1 Based on the feedback gathered from the survey, the service recommends the following next steps to move towards permanent leadership arrangements across the schools in the Waid Cluster area:
  - (i) continue with the single school leadership models at Waid Academy & Anstruther Primary School;
  - (ii) sustain the joint leadership arrangement across Lundin Mill Primary School and Kirkton of Largo Primary School;

- (iii) create a joint leadership arrangement between Pittenweem Primary School and Crail Primary School. This would create a non-teaching Headteacher across the schools with a 50/50 split of leadership and management time to each school. This would remove the Teaching Headteacher post at Crail Primary School. The combined roll of both establishments would be  $96+96 = 192$  in August 2023. To support the transition to this model, a Principal Teacher would be funded. However, this would need to be reviewed in Summer 2024 to evaluate the financial sustainability of this additionality;
- (iv) create a joint leadership arrangement between St Monans, Elie & Colinsburgh Primary Schools. The combined roll of the three establishments would be  $18+39+103 = 160$  in August 2023. This would create a leadership model that was financially sustainable for all schools.

- 4.2 Within each joint leadership model, protocols and processes will be established to ensure that all staff are aware of steps to be taken in any given situation, (e.g., child protection or emergency evacuation), whether the Headteacher is on the premises or not. This is consistent with arrangements across all joint leadership models in Fife.
- 4.3 The table below provides an overview of the Proposal for the School Leadership Models 23/24 onwards, following the outcome of the engagement process. Appendix A provides a map outlining the changes in school leadership arrangements and Appendix B provides a detailed breakdown of the cost of the current/interim, entitled and proposed models.

School	Pupil Roll August 23	Projected Pupil Roll 2028	Leadership Model
Waid Academy	698	629	Permanent Single School Headteacher 2 x Deputy Headteachers
Anstruther	308	238	Permanent Single School Headteacher 2 x Deputy Headteachers (2.5 days teaching per week each)
Crail Pittenweem	80 72	84 91	Permanent Joint Headteacher (Non-Teaching) <i>Temporary Principal Teacher – Transition Year</i>
St Monans Colinsburgh Elie	82 39 18	70 46 39	Permanent Joint Headteacher (Non-Teaching) Principal Teacher (0.8FTE/4 days Teaching Time) <i>Budget allows for some flexibility in this model</i>
Kirkton of Largo Lundin Mill	15 104	10 60	Maintain Current Leadership Model Permanent Joint Headteacher (Non-Teaching)

## **List of Appendices**

Appendix A: Map of Waid Cluster Schools (Purple Area only)

Appendix B: Staffing Breakdown & Cost Analysis – Suggested Leadership Models 2023/24

## **List of Links**

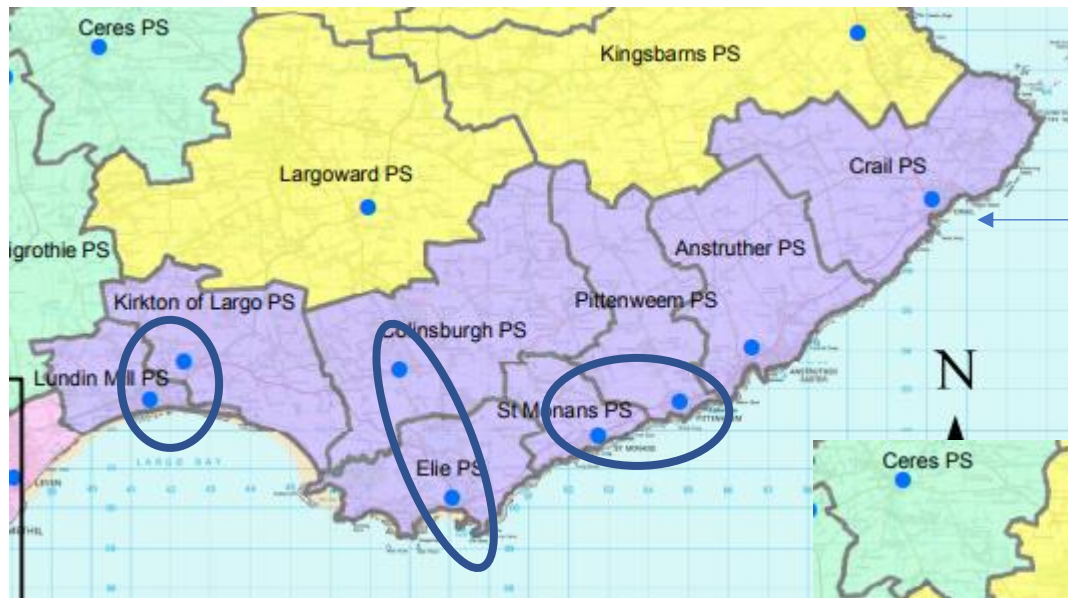
[School Leadership Models \(2\) – Cabinet Committee Paper January 2023](#)

## **Report Contacts**

Angela Logue  
Head of Education & Children's Services  
Fife House, North Street, Glenrothes  
Email: [Angela.logue@fife.gov.uk](mailto:Angela.logue@fife.gov.uk)

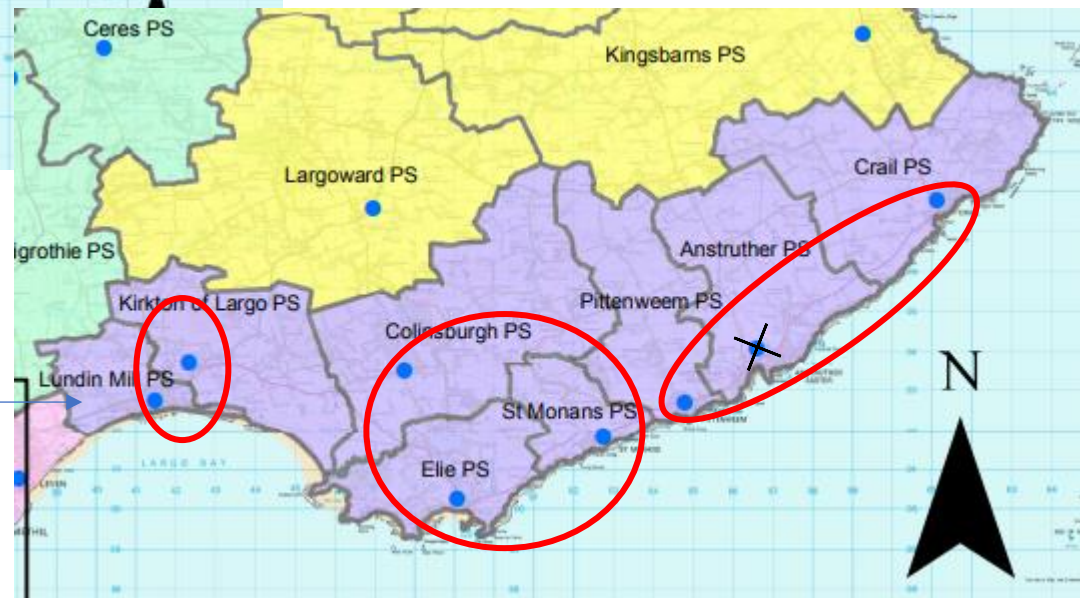
Kevin Funnell  
Service Manager (Operations)  
Fife House, North Street, Glenrothes  
Email [kevin.funnell-ed@fife.gov.uk](mailto:kevin.funnell-ed@fife.gov.uk)

## Appendix A - Map of Waid Cluster Schools (Purple Area only)



**Current Joint Leadership Models Circled**

**New Joint Leadership Models Circled**



## Appendix B – School Leadership Models – Costing Illustrations

### Elie and Colinsburgh – Costing for a Teaching Headteacher in both schools (Entitlement)

School	Management Model	FTE	Scale Point	Total Cost	Notes
Colinsburgh (single HT)	THT	1	DHT03	£148,707	Approx. 34 pupils no nursery
Elie (single HT)	THT	1	DHT02		Approx. 27 pupils no nursery – salary is lower as FME under 10%

### Elie and Colinsburgh – Costing for current joint leadership arrangement across both schools

School	Management Model	FTE	Scale Point	Total Cost	Notes
Elie / Colinsburgh	HT	1	DHT04	£158,130	Non-Teaching Headteacher
Elie Class Teacher (0.7fte)	Teacher	0.7	MT05		To cover the Teaching HT time within Elie, 0.7fte
Colinsburgh Class Teacher (0.7fte)	Teacher	0.7	MT05		To cover the Teaching HT time within Colinsburgh, 0.7fte

Based on pre-pay award salaries the above model **costs the Service almost £10,000 annually**. This cost will rise with the Teachers Pay Award.

St Monans, Elie and Colinsburgh – Costing for a Teaching Headteacher in each school (Entitlement)

School	Management Model	FTE	Scale Point	Total Cost	Notes
Colinsburgh (single HT)	THT	1	DHT03	£226,933	Approx. 34 pupils no nursery
Elie (single HT)	THT	1	DHT02		Approx. 27 pupils no nursery – salary is lower as FME under 10%
St Monans (single HT)	THT	1	DHT04		Approx. 107 pupils (82 Primary and 25 Nursery) FME at 36%

St Monans, Elie and Colinsburgh – Costing for new joint leadership arrangement across the three schools

School	Management Model	FTE	Scale Point	Total Cost	Notes
St Monans/Elie /Colinsburgh	HT	1	DHT06	£219,644	Non-Teaching Headteacher
Elie Class Teacher (0.7fte)	Teacher	0.7	MT05		To cover the Teaching HT time within Elie, 0.7fte
Colinsburgh Class Teacher (0.7fte)	Teacher	0.9	MT05		To cover the Teaching HT time within Colinsburgh, 0.7fte
St Monans Class Teacher (0.7fte)	Teacher	0.7	MT05		To cover the Teaching HT time within St Monans, 0.7fte
Principal Teacher (additional salary cost)	PT	1	PT01		Difference in cost between PT and teacher
Class Teacher (0.2fte)	Teacher	0.2	MT05		To cover the PT management time, 0.2fte

The remaining budget for this model will remain with the Headteacher to use to support the improvements needs of the schools. The budget could be used to allow class teachers additional time to lead areas of improvement, to allow the Principal Teacher more non-teaching time or to add an additional Principal Teacher into the model.

Pittenweem & Crail – Costing for Teaching Headteacher in both schools (Entitlement)

School	Management Model	FTE	Scale Point	Total Cost	Notes
Pittenweem (single HT)	THT	1	DHT07	£166,421	Approx. 103 pupils (73 Primary and 30 Nursery) FME at 40%
Crail (single HT)	THT	1	DHT05		Approx. 109 pupils (77 Primary and 32 Nursery) FME under 10%

Pittenweem & Crail – Costing for current joint leadership arrangement across both schools

School	Management Model	FTE	Scale Point	Total Cost	Notes
Pittenweem & Crail	HT	1	DHT08	£167,904	Non-Teaching Headteacher
Pittenweem Class Teacher (0.7fte)	Teacher	0.7	MT05		To cover the Teaching HT time within Pittenweem, 0.7fte
Crail Class Teacher (0.7fte)	Teacher	0.7	MT05		To cover the Teaching HT time within Crail, 0.7fte



4th May, 2023.  
Agenda Item No. 5

## **Houses in Multiple Occupation (HMO): Review of the Overprovision Policy**

**Report by:** John Mills, Head of Housing Services

**Wards Affected:** All

### **Purpose**

This report invites members to review the housing policy for controlling HMO licence applications on the grounds of overprovision under Section 131A of the Housing (Scotland) Act 2006 (introduced by the Private Rented Housing (Scotland) Act 2011). While this policy was introduced strategically for Fife on 30th August, 2018, it was applied to St. Andrews from 11th April, 2019 with a commitment made to review implementation after three years.

### **Recommendations**

Cabinet Committee is asked to:-

1. note the outcome of the review of the HMO Overprovision Policy in maintaining a “no growth” position in relation to provision of HMOs in the St Andrews area;
2. maintain the strategic HMO Overprovision Policy for Fife under Section 131A of the Housing (Scotland) Act 2006 (introduced by the Private Rented Housing (Scotland) Act 2011) within the defined HMO overprovision locality of St. Andrews;
3. approve a targeted approach within the current HMO overprovision policy to tackle the issue of student homelessness in St. Andrews, to grant up to fifteen HMO licences for a period of 3 years, to accommodate students from September 2023, managed by the University of St. Andrews; and
4. delegate the operational delivery of this targeted approach to the Housing Decision Panel.

### **Resource Implications**

There are no additional resource requirements as HMO overprovision costs are managed within the ring-fenced HMO licensing budget. Fee charges cover a three-year period and there will be years where income is higher than others and any surplus or deficit in year is ringfenced and carried forward into future years. All current budgets are set in line with the current charging policy with income anticipated to cover costs over a rolling three-year period. Income and Expenditure are reviewed on an annual basis.

### **Legal & Risk Implications**

Legal Services supports the implementation of the HMO Overprovision Policy to minimise the legal and risk implications to the Council, particularly when representations are made by individuals to the HMO Housing Decision Panel or the Regulation and Licensing Committee.

An EqIA and summary form have been completed – the summary form is attached to the report.

## Consultation

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Consultation has been progressed with the local Ward members in St. Andrews, Protective Services and the Planning Service.

A consultation survey with private tenants and landlords/agents was carried out in November 2022. HMO Overprovision Policy consultation was carried out from December 2022 to January 2023 via a public survey. Consultees included residents, the Confederation of St. Andrews Residents' Associations (CSARA), Ward members and the University of St. Andrews.

## 1.0 Background

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- 1.1 In June 2000, a mandatory licensing scheme for Houses in Multiple Occupation (HMOs) was introduced under the Civic Government (Scotland) Act 1982. The licensing scheme sets safety standards for this type of rented accommodation and ensures that landlords and their agents are 'fit and proper' persons to hold a licence. HMOs are now licensed under Part V of the Housing (Scotland) Act 2006, an HMO licence being required for accommodation that is:
  - occupied by three or more persons from three or more families;
  - occupied as a sole or main residence; and
  - providing shared basic amenities.
- 1.2 Section 131A of the Housing (Scotland) Act 2006 (introduced by the Private Rented Housing (Scotland) Act 2011) provides that the Council may refuse to grant a HMO licence where it considers that there is HMO overprovision in the locality in which the living accommodation is situated. Individual HMO applications within the context of an HMO overprovision policy must be decided on the basis of:
  - whether there is an existing HMO licence for the property;
  - the number and capacity of licensed HMOs in the locality;
  - the need for housing accommodation in the locality and the extent to which HMOs are required to meet that need; and
  - the views of the applicant/s and any person living in the accommodation.
- 1.3 In August 2018, the former Community and Housing Services Committee agreed to introduce a strategic HMO Overprovision Policy for Fife and to form a Member Working Group to oversee the process of consultation with residents and stakeholders around the implementation of the policy in St. Andrews. Following a survey of St. Andrews' households, stakeholder organisations and students, Committee agreed in April 2019 to implement the policy in a defined boundary of St. Andrews (Appendix 1). This was on the basis of 'no further growth' in HMO levels with a review of the policy position after three years.

- 1.4 Legislation requires that the HMO Overprovision Policy is 'reasonably applied' and each application is considered on its own merit. Exemptions were agreed to the policy, including purpose-built student housing, specific needs housing, licences in process on the date of Committee, renewed licences and HMOs with a recent change of ownership. An officer-led HMO Housing Decision Panel was established, supported by Housing Services, Protective Services and Legal Services, to determine HMO applications under the Overprovision Policy on behalf of the Regulation and Licensing Committee.
- 1.5 The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 came into effect on 1st March, 2022. This 2022 Order introduced a requirement for local authorities to develop a licensing scheme for Short-term Lets. Fife Council implemented the Short-term let (STL) Licencing Scheme on 1st October, 2022. Powers to designate Short Term Let Control Areas (STLCA) have been introduced to manage high concentrations of secondary lettings by restricting or preventing short-term lets that affect the availability of residential housing and the character of the local community. Within a STLCA, a change of use to a short-term let will always require planning permission. It is not a ban on short-term lets but will allow planning policies to be used by local planning authorities to assess applications for such a change of use and allow communities and individuals the right to make representations through the planning application process. Planning Services will work with Housing Services and Protective Services to identify the extent of short-term lets and their impact. A decision to designate a STLCA is subject to consultation which will require evidence of the planning issues which the STLCA will address. The Evidence Report for the Local Development Plan will be published in January 2024 and will inform the position on STLCAs and evidence collection will involve cross-service work with Housing, Business and Employability and Protective Services. It is noted that coming to a recommendation on a STLCA designation does not need to wait until the proposed (draft) Local Development plan is published.
- 1.6 It is too early to establish and evidence the wider impact of the introduction of the Short Term Let licencing scheme on local housing market conditions in St. Andrews with the number of applications received to date relatively low and the position on STLCAs unknown. The final date for existing hosts and operators to submit applications for a licence is 1st October, 2023. Based on the position to date, around 40% of applications received are for Short Term Lets in the St. Andrews Area. Of these, 85% are designated as secondary lets and 15% home share or home lets, a similar profile to the rest of Fife.

## 2.0 HMO Overprovision in St Andrews

- 2.1 In March 2019, there were 1,219 HMOs in Fife and 1,046 (86%) of these were in St. Andrews LHS Area. Data from the Assessors Service confirmed that there were 6,861 dwellings in St. Andrews and therefore HMOs represented 15% of housing stock in the area.

The table below shows the HMO numbers in St. Andrews when the policy was introduced in 2019 compared to 2023:

**Table 1: HMO Licences (Granted & Pending) 2019 and 2023 (St Andrews Town)**

HMOs in St Andrews 07/03/2019		HMOs in St Andrews 14/02/2023	
Total No. HMOs	Total Permitted Occupancy	Total No. HMOs	Total Permitted Occupancy
1,046	6,994	1,029	6,870*

\*4,272 is the occupancy of student halls, Table 2 shows the full breakdown

2.2 The HMO Overprovision Policy has been successful in fulfilling its original objective of no growth in the number of HMOs from the position in April 2019. Since the implementation of the HMO Overprovision policy, the number of HMOs in St. Andrews town has reduced by 17 properties with a reduction of 124 permitted occupants. This indicates a commensurate reduction in accommodation available within this sector.

2.3 Table 2 below shows the breakdown of HMO licenses by property use and occupancy level in St. Andrews:

**Table 2: Property Use and Occupancy Levels**

Main Use of Property	HMO Licence	% of all HMO Licences	Occupancy	% of total Occupancy	Average Occupancy per HMO Use
HMO-Flats or houses let as a whole	637	61.90%	2,564	37.32%	4.0
HMO-Student Halls of residence	385	37.41%	4,272	62.18%	11.1
HMO-Supported Accommodation	3	0.29%	15	0.22%	5.0
HMO-Landlord with lodgers	2	0.19%	8	0.12%	4.0
HMO-Other employee residences	2	0.19%	11	0.16%	5.5
<b>Grand Total</b>	<b>1,029</b>	<b>100.00%</b>	<b>6,870</b>	<b>100.00%</b>	<b>6.7</b>

Appendix 2 shows the mapping of the HMOs by property use

2.4 An analysis of the HMO licences and the 2022 Assessors Roll has been carried out. The total number of HMO licences is 1,029 and the Assessors Roll indicates there is 6,954 dwellings within St. Andrews. Current figures would indicate by this measure that HMOs represent 14.7% of the housing stock in the area.

2.5 The Officers' Housing Decision Panel (HDP) was established to assist the Regulation and Licencing Committee in dealing with the volume of applications being made to Committee. The HDP considers applications for new HMO licenses in terms of the Overprovision Policy. Since the policy was introduced, the table below shows the overprovision cases determined.

**Table 3: HMO Overprovision Cases & Outcomes**

Overprovision Cases	Granted	Refused	Withdrawn	Awaiting Decision
36	26	3	3	4
100.0%	72.2%	8.3%	8.3%	11.1%

- Reasons licences were granted include late renewal applications, best use of property as an HMO and the Overprovision Policy does not apply in some cases.
- The main reason for applications withdrawn are due to the sale of a property/owner deceased.
- The main reason applications are refused is representation could not show good reason the Overprovision Policy should not apply; one case went to court with the appeal upheld.

- 2.6 The figures demonstrate that Fife Council has been considering each case on its own merits and through ‘reasonable application’ of the HMO Overprovision Policy. It should also be noted that the policy has been considered through a judgement by the Dundee Sheriff Court and the policy was found to be legally competent.

### 3.0 Stakeholder Consultation

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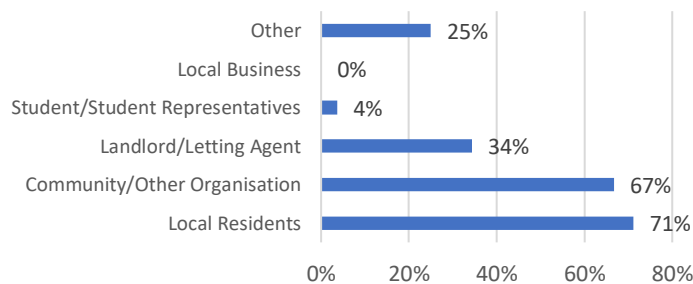
- 3.1 A major part of the HMO Overprovision Policy review was a significant consultation exercise with the following stakeholders:
- Private Landlord/Agent Consultation
  - Private Tenant Consultation
  - HMO Overprovision Policy Consultation
  - Feedback from Stakeholders including the University of St. Andrews, local elected members, and the Confederation of St. Andrews Residents’ Associations (CSARA).
- 3.2 Fife Council carried out a private landlord/agent consultation in November 2022 to find out more about the use of private lets in St. Andrews. This survey should be considered as a sample survey, providing an indication of the position and does not provide firm conclusions on actual numbers of “locked bedrooms” (bedrooms that may be unoccupied in private lets due to an HMO licence being required to accommodate 3 or more unrelated people sharing). 241 private landlords/agents responded to the survey. 70% of landlords had properties with 1–2 bedrooms and 30% with 3–5 bedrooms. The responses clarified who mainly resides in the properties; 70% students or university related, 20% local residents and 10% for others.
- 3.3 The survey feedback indicated 21 properties in scope to be potentially licensed with 27 bedrooms available, but it was not clear how many additional bedrooms landlords would seek to let should the possibility be available. Five owners mentioned the HMO Overprovision Policy as a reason for not having a license with three of these properties in scope for licencing.
- 3.4 Fife Council also carried out consultation in November 2022 with private tenants in the St. Andrews area to help understand more about the properties used for letting. The survey was shared with St. Andrews University students and posted on social media. 184 responses were received, with 159 of the respondents living in a private let in St. Andrews: 30% renting a 1–2-bedroom property and 70% renting a property with 3 or more bedrooms. 17 students confirmed they did not live in St. Andrews as cannot find suitable accommodation or rents are too high.
- 3.5 The survey responses indicated 27 properties with 3 or more bedrooms have unused bedrooms, with reason provided as not HMO licensed or bedrooms are too small and/or used for other purposes. Respondents reported 18 properties (22 bedrooms) are not HMO Licenced but the views of the landlords as to why this is the case are not known.
- 3.6 The feedback from both consultation surveys indicated that although there may be underutilised bedrooms in the private sector, the survey was inconclusive and did not evidence that this is always a direct consequence of the HMO Overprovision Policy, or to what extent this could be the case. Other factors such as bedroom size and compliance requirements for a property to be granted an HMO Licence could be relevant.

- 3.7 From December 2022 to January 2023 Fife Council carried out an online consultation on the HMO Overprovision Policy with the intention to collate the views of stakeholders in the St. Andrews area, to inform Cabinet. This approach is consistent with wider consultation approaches undertaken by the Council in aiming to gauge the views of a broad cross-section of the community.
- 3.8 1,475 stakeholders responded to the public survey and the following views were expressed relating to the question below:

***Which of the following option should Fife Council consider when reviewing the HMO Overprovision Policy for St Andrews?***

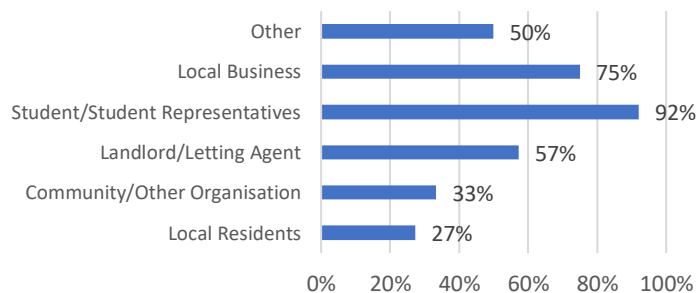
**Option 1:** Continue with the current policy which allows no growth to the number of HMOs in St Andrews – 0% from April 2019 (260 responses)

**Option 1**



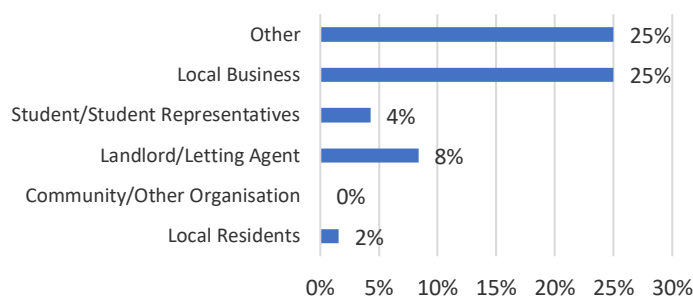
**Option 2:** Remove the policy, making no restriction on the growth of the number of HMOs in St Andrews (1,145 responses)

**Option 2**



**No Opinion:** (70 responses)

**No Opinion**



**Table 4: No of Responses by Options**

<b>Respondents</b>	<b>No Opinion</b>	<b>Option 1</b>	<b>Option 2</b>	<b>No Opinion</b>	<b>Option 1</b>	<b>Option 2</b>
Local Residents	3	136	52	2%	71%	27%
Community/Other Organisation	0	2	1	0%	67%	33%
Landlord/Letting Agent	20	82	137	8%	34%	57%
Students/Student Representatives	44	38	948	4%	4%	92%
Local Business	1	0	3	25%	0%	75%
Other	2	2	4	25%	25%	50%

Responses indicate:

- **Option 1** – no further growth is preferred by residents and community/other organisations
- **Option 2** – to remove the policy is preferred by students, private landlords/agents, and local business

The consultation undertaken in 2019 indicated similar views with households and organisations / groups preferring no further growth while students preferred option 2 which was for some growth

- 3.9 The HMO Overprovision Policy allows for the following exemptions: The survey asked whether the same exemptions should apply, with the responses of those in favour noted below:

**Table 5: Exemption Responses**

<b>Current Exemptions</b>	<b>Responses</b>	<b>Ranking</b>
Purpose-built student halls and other supported housing dedicated to specific client groups	800	1
Current licences while continuing to meet HMO licensing conditions	683	2
Applications for existing HMO licences including where there has been a recent change of ownership as detailed in Section 136 of the Housing (Scotland) Act 2006	603	3
Death of licence holder as detailed in Section 137 of the Housing (Scotland) Act 2006	512	4
No opinion	416	5

- 3.10 The Confederation of St. Andrews Residents' Associations (CSARA) provided a written submission which outlines their views on the impact of the Policy. CSARA indicated continuing support for an overprovision policy suggesting families have benefitted from reduced competition from buy-to-let landlords and that the Policy has curbed the loss of family homes, including a substantial number of former social housing. CSARA believe the policy has successfully reduced the cost of such houses as they no longer command an HMO premium and make it more possible for families with modest means to compete in the housing market, helping to re-establish a mixed sustainable community. CSARA are of the view that some areas have seen families moving to homes that they would inevitably have been priced out by Buy to let.
- 3.11 The Housing Service view of the CSARA claim is that it is questionable if families have indeed benefited from the control and reduction of HMO numbers. The rents charged for private rental properties in St. Andrews are the highest in fife and beyond the financial reach of most families looking for housing in the Town.
- 3.12 Consultation with the St. Andrews & Strathkinness Ward members has confirmed their view that growth of HMO properties available in St. Andrews would alleviate student homelessness and make best use of housing stock. Noting that many students did not have access to suitable housing, may be living outwith St. Andrews or living with friends and the policy may increase the numbers of potential unofficial HMOs. The view expressed is that an increase in the number of HMOs would help towards reducing the rent level and availability of housing for students and families.
- 3.13 The University of St. Andrews has made representations about the issue of student homelessness and supports growth in the number of HMO properties in St. Andrews to alleviate pressure on students to secure suitable accommodation for the academic year 2023-24. The University has put forward a proposal to increase the provision by an additional 90 bedspaces. In addition, a request that applications be fast-tracked to enable additional HMOs to be available from September 2023. The University proposal is that these would be permanent HMO arrangements and not time limited to only three years.
- 3.14 The University of St. Andrews has facilitated accommodation in nearby Dundee to meet the needs of University of St. Andrews' students who have been unable to find accommodation in St. Andrews.
- 3.15 It is noted that student homelessness is a national problem with other University cities experiencing similar pressures. This issue is being considered by the Scottish Government/CoSLA Homeless Prevention and Strategy Group established to take forward The Ending Homelessness Together Action Plan, actions already identified through the work of the Local Government and Communities Committee and the Homelessness and Rough Sleeping Action Group (HARSAG).

## 4.0 Policy Review and Options

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- 4.1 HMO Overprovision Policy review options for Cabinet:
- **Option 1:** Maintain the policy – at 0% with no further growth
  - **Option 2:** Remove the policy – allow the market to determine growth levels
  - **Option 3:** Recognise the flexibility within the 'no growth' position to allow for an agreed exemption in relation to student homelessness



- 4.2 The consultation itself was never intended to be the sole determinant of any decision around future HMO housing policy. The decision rests with Cabinet members after considering consultation feedback and representations from stakeholder groups. There are opposing views shown from households, organisations/groups in St. Andrews for no more HMOs, versus Ward members, students and the University of St. Andrews who would prefer further growth in HMOs.
- 4.3 An important point to note within legislation is that HMO applicants and occupiers must be consulted individually around the HMO Overprovision Policy (irrespective of the threshold applied) and their views considered in reaching any decision around an HMO application (paragraph 1.2). Every case must be judged on its own merits irrespective of the wider policy agreed by Committee. This means that every refusal can be challenged and the Council will be required to demonstrate the reasonableness of its decision in each case.
- 4.4 The HMO Overprovision Policy review has shown the policy has achieved the original “no growth” objective as the number of HMOs in St. Andrews has not increased from April 2019. However, there has been a reduction of seventeen HMO premises and 124 occupants, impacting on the housing options available to accommodate students and other residents.
- 4.5 The issue of student homelessness has been raised by the University of St. Andrews and it is noted that the University are building additional student halls accommodation to help meet this need, with plans to provide additional accommodation by late 2024. The HMO figures outlined in the report indicate that there is some flexibility to address the pressure of student homelessness in the interim, whilst not impacting on a “no growth” position. It is recommended that a targeted approach is approved to enable up to fifteen HMO licenses to be approved, managed through the University to accommodate around 45 - 60 students. These licenses would be agreed for a three-year period.
- 4.6 The university student population for 2021–22 was 10,425 students, 8,260 undergraduates and 2,164 postgraduates. As noted from table 2, university halls of residence have an occupancy level of 4,272 which accounts for 40% of students.

## 5.0 Conclusions

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- 5.1 HMOs are a key element of the private rented sector in Fife, which itself plays a significant role in meeting housing needs in Fife. The demand for HMO accommodation is particularly high in St. Andrews compared to other parts of Fife. A policy position was introduced in 2019 to ensure ‘no further’ growth in HMO numbers within St. Andrews. This position has been reviewed after three years’ operation and the no growth position has been achieved, with an overall reduction of 17 in the numbers of HMO properties available in St. Andrews.
- 5.2 The issue of student homelessness is evident and there is an opportunity to consider a targeted approach within the HMO Overprovision Policy to mitigate this pressure. This could be accommodated within the “no growth” aspirations of the HMO Overprovision Policy as it stands.
- 5.3 Planning Services will work with Housing Services and Protective Services to identify the extent of short-term lets across Fife and the impact. A decision to designate a STLCA is subject to consultation which will require evidence of the planning issues which the STLCA will address. That work will be carried out in parallel to preparing the local development plan from 2024, however it is noted that coming to a recommendation on a STLCA designation does not need to wait until the proposed (draft) Local Development plan is published.. The possible interaction between STLCA and the Overprovision Policy will need to be fully considered to ensure that the policy approach delivers objectives in practice.

### **List of Appendices**

1. HMO Overprovision Locality / Defined Settlement Envelope
2. St Andrews HMO Map by Property Use
3. Equality Impact Assessment / Summary Form

### **Background Papers**

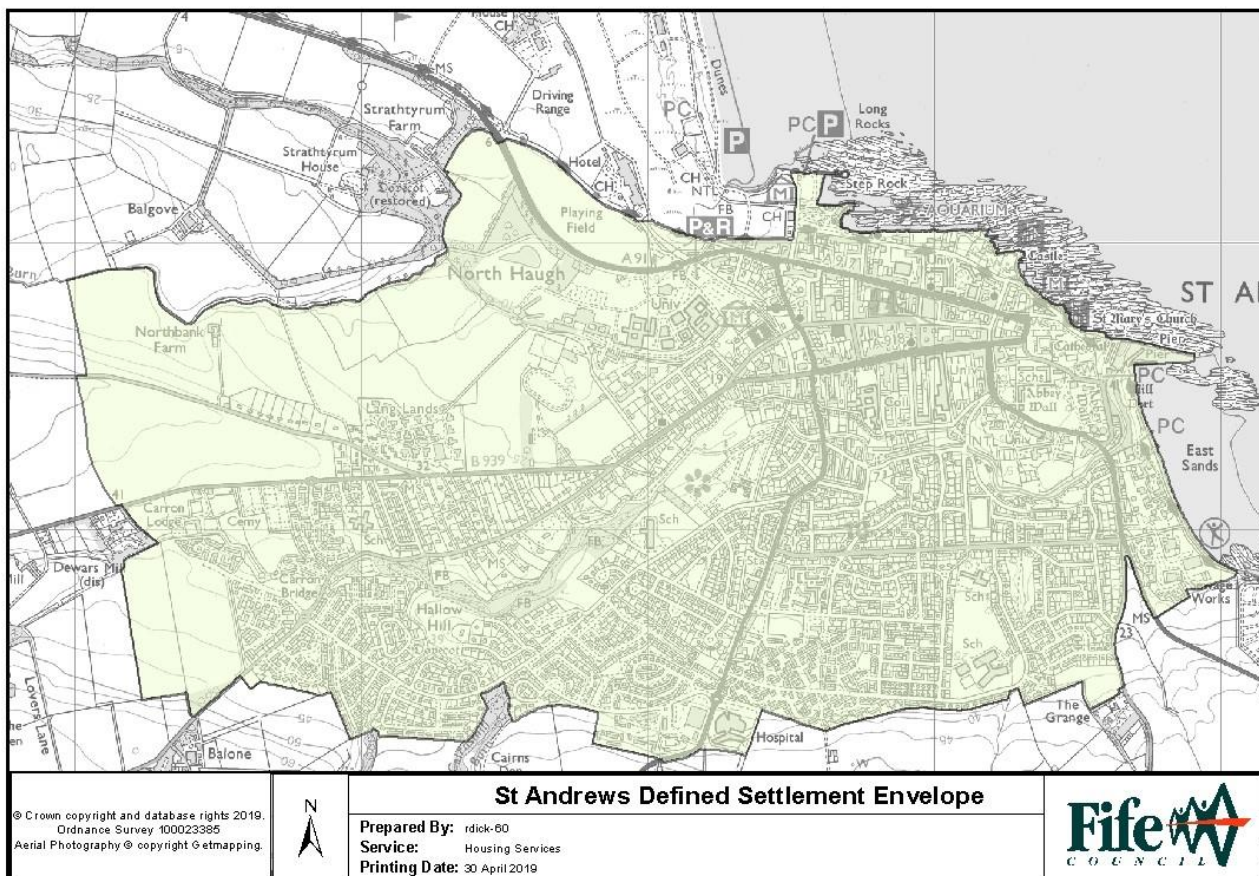
The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:

- Housing (Scotland) Act 2006
- Private Rented Housing (Scotland) Act 2011 Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities (updated January 2012)
- HMO Overprovision Policy Statement  
<https://www.fife.gov.uk/kb/docs/articles/housing/private-rented-sector/homes-in-multiple-occupancy-licence>

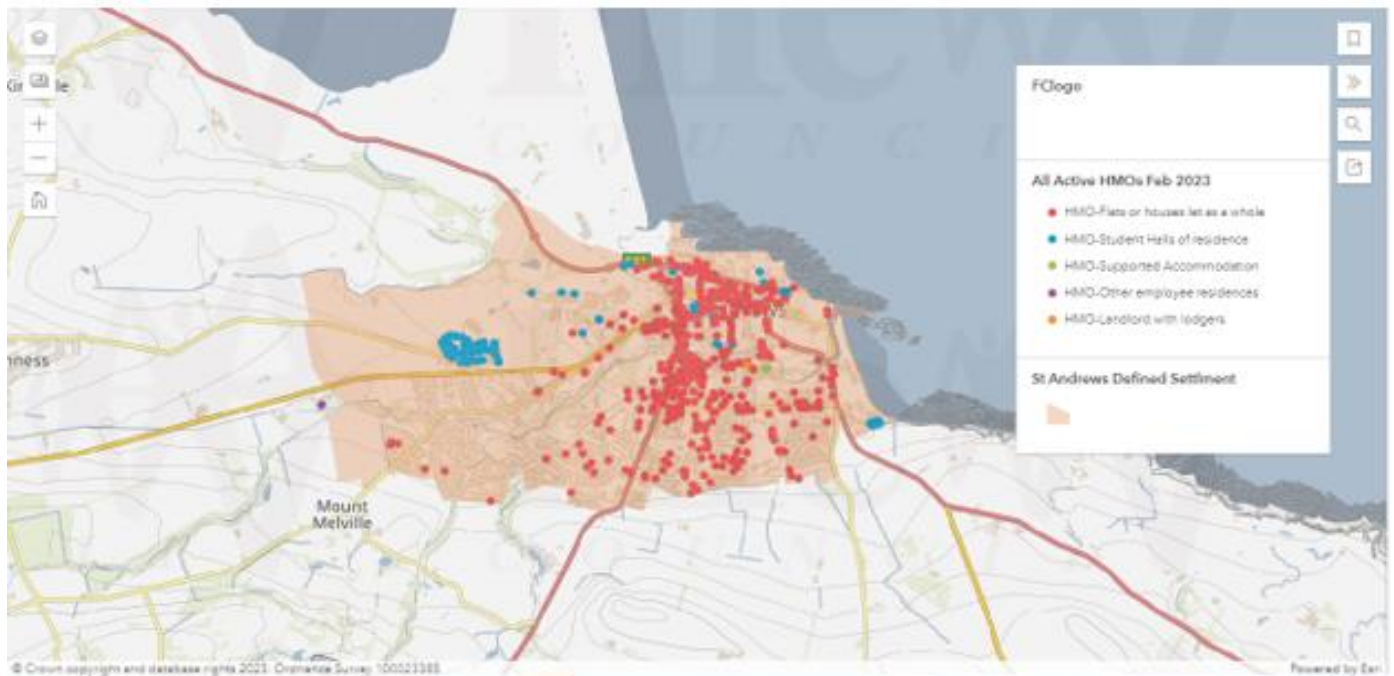
### **Report Contact**

Mhairi Mullen,  
Service Manager. Private Sector Housing  
Fife House, Glenrothes  
Email – [Mhairi.mullen@fife.gov.uk](mailto:Mhairi.mullen@fife.gov.uk)

## HMO Overprovision Locality / Defined Settlement Envelope



## St Andrews HMOs by Property Use



## Equality Impact Assessment / Summary Form

<p><b>Which Committee report does this relate to (specify meeting date)?</b></p> <p>Cabinet Committee 6<sup>th</sup> April 2023</p>
<p><b>What are the main impacts on equality?</b></p> <p>While residents within the protected characteristics living in St Andrews may be affected by the proposal to continue to limit new Houses in Multiple Occupation, there will be no difference in the treatment of residents who share a protected characteristic and those who do not.</p>
<p><b>What are the main recommendations to enhance or mitigate the impacts identified?</b></p> <p>N/A</p>
<p><b>If there are no equality impacts on any of the protected characteristics, please explain.</b></p> <p>Those with protected characteristics will not be treated differently from the wider population through this proposal.</p>
<p><b>Further information is available from: Name / position / contact details:</b></p> <p>John Mills, Head of Housing Services, john.mills@fife.gov.uk</p>

4th May, 2023.  
Agenda Item No. 6

## **Tackling Dampness and Mould in Council Houses – Proposed Action Plan**

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**Report by:** John Mills, Head of Housing Services and John Rodigan, Head of Environment and Building Services

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**Wards Affected:** All

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### **Purpose**

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The report outlines the work to date that Council Services have taken, supporting the Council's landlord role, to ensure that the incidence of condensation, dampness and mould in our council houses can be more effectively mitigated for the wellbeing of council tenants and their families. The report proposes a strategic approach and Action Plan to take this important work forward during 2023/24.

### **Recommendations**

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Members are asked to:

- (1) note the progress made to date in responding to all outstanding tenants' complaints since the tragic death of Awaab Ishak in Rochdale;
- (2) agree the proposed Approach and Action Plan to mitigate the incidence of dampness, condensation and black mould more effectively in council houses; and
- (3) agree that the Approach and Action Plan will be supported by additional resources sourced through existing HRA Revenue and Capital Budgets in 2023/24.

### **Resource Implications**

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Resourcing the Action Plan will be achieved through use of the existing HRA Revenue and Capital Budgets for 2023/24. This will be managed by diverting some specialist staff resources in Housing and Building Services and reprioritising the deployment of roofing, roughcast and other repairs to tackle water ingress where appropriate.

### **Legal & Risk Implications**

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There are legal, health and reputational risks of failure to effectively tackle dampness, condensation and black mould in council housing. The UK Government in England and the Housing Regulator have required social landlords to act to reduce the risk to health and wellbeing. In Scotland, the housing sector has led the effort to bring forward an effective response to condensation and black mould. The Housing Service will add the risk to health as a major issue in the preparation of the Annual Assurance Risk Statement to People and Communities Scrutiny Committee in October 2023.

### **Impact Assessment**

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An Impact Assessment has been completed and the outcome is attached in summary as Appendix 1 to this report.



Consultation is ongoing with the Fife Tenants Forum, Tenants Information Service (TIS), Chartered Institute of Housing (CIH), Association of Local Authority Chief Housing officers (ALACHO) and the Scottish Federation of Housing Associations (SFHA).

## 1.0 Background

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- 1.1 Following the publication of the Coroner's Report in England into the death of Awaab Ishak and the subsequent dissemination of the main findings, Housing Services moved quickly to begin a formal review of the Council's current approach to tackling complaints of dampness, condensation and black mould. Following a request from Cabinet Committee in November, the Head of Housing issued an Elected Members Brief on 24th November, 2022 which outlined a series of steps to be taken to take forward the review.
- 1.2 Dampness and condensation have been areas of concern for the Council for some years and there are a range of actions that we currently take to combat the problem. For clarity, dampness is the presence of moisture through rising damp due to a breakdown of the existing damp proof course or water ingress from leaky windows, doors or problems with guttering or roofs. Disrepair in council houses is relatively straightforward to resolve and we act with Building Services to undertake a range of works during the year.
- 1.3 Condensation is more problematic and is not the same as dampness as defined above. It is caused by a range of deficiencies in housing design and a lack of effective heating and ventilation.
- 1.4 The formal review actions are:
  1. A call-in of all outstanding cases of dampness and condensation was requested from Area Housing Managers by end November 2022.
  2. An audit of actions taken to date and works still to be completed for all outstanding cases will be completed by February 2023. Revisits to properties will be part of this audit.
  3. Current review of processes and procedures, including current actions taken to tackle dampness and condensation, will be completed by late January 2023.
  4. A dedicated staff group will be brought together with staff from Housing and Building Services to provide a fast response to tenants' complaints and support for Area Housing staff.
  5. Training on condensation, dampness and mould will be provided to all relevant staff by the Timber Preservation Team Manager.
  6. Revised information for members and tenants will be launched as part of a special edition of Down Your Street in April 2023.
- 1.5 This report contains a progress report on the formal review of the Council's current approach and outlines a proposed revised approach to tackling dampness, condensation and black mould, underpinned by an action plan and a service statement for tenants to be implemented over the short-term.

## 2.0 Formal Review - Progress Update

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2.1 Table 1 reports on the review actions outlined in section 1.4.

Review Actions	Timeline	Progress
Call-in of outstanding complaints	End November 2022	Complete
Audit of outstanding cases	February 2023	75% complete
Review of processes and procedures	January 2023	Complete
Dedicated staff group in Housing & Building Services to respond	February 2023	Complete
Training for staff	Begin by February 2023	50% complete
Revised Approach – Information launch for members and tenants	April 2023	In progress

- 2.2 The current operational focus by the dedicated Condensation and Dampness Team is on the audit of outstanding cases (Action 2) from the 594 complaints from tenants produced by the Area Housing Teams and direct referrals. Around 70% of referrals have been identified as condensation. 175 have been referred to the Council's specialist contractor, Richardson & Starling. Currently, 75 remain to be visited and assessed by the specialist team.
- 2.3 The remaining visits to 75 tenants will take place over the next 4-6 weeks. The visits are aimed at diagnosis and taking effective action to mitigate the problems identified.
- 2.4 Following the Cabinet Committee meeting, the effort will now focus on the preparation of information and advice for tenants and local members on the revised approach. This will include a communications campaign with posters and literature provided within libraries, Community Centres, Local Offices and video presentation on the Fife Council website. The Council tenants' newsletter, *Down Your Street*, will carry articles and case studies on the new approach and how tenants can help to reduce the incidence of condensation working closely with the Council to ensure that the problem is adequately dealt with.

## 3.0 Improved Approach to Condensation and Black Mould

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- 3.1 Tackling condensation at a time of a cost-of-living crisis is challenging and a cause of concern for our tenants. With the cost of energy, the highest in living memory, tenants are struggling to keep themselves and their homes warm and are reluctant to adequately heat and ventilate their properties for fear of losing the valuable heat they have generated. Unfortunately, these are the ideal conditions to create condensation and, if left long enough, to generate black mould growth.

### Housing Sector Guidance

- 3.2 In December 2022, the Chartered Institute of Housing (CIH) published a guide to effectively respond to tenants' complaints of dampness, condensation and mould and how to deal effectively with the problem. The guide provides useful advice to landlords on what should be in an effective approach to tackling the problem.



*“The fundamental role of landlords is to provide tenants with safe homes to live in. This must include effectively and promptly resolving issues in homes which pose a danger to residents’ health and wellbeing.” How to deal with damp and mould” page 1, CIH 2022*

- 3.3 In February 2023, the Scottish Housing Sector came together to publish a briefing on damp and mould. “Putting Safety First - a briefing note on damp and mould for social housing practitioners”. Unlike in England, the Scottish Government has not directed social landlords to respond to the problems of dampness, condensation and mould in housing. The Housing Sector is leading the response.

[Housing sector comes together to publish briefing on damp and mould \(cih.org\)](https://www.cih.org/press-releases/housing-sector-comes-together-to-publish-briefing-on-damp-and-mould)

### **Service Principles and Priorities**

- 3.4 The service principles and priorities have been developed by reference to the guides published by the Housing Sector and our own review of the current approach in Fife. These are:
1. **Stop blaming tenants** as the cause of condensation and shift the culture of the service to work alongside tenants with effective advice and support, together with providing services directly to mitigate condensation and black mould.
  2. **Be proactive** as opposed to waiting for tenants to complain. Get on the front foot and survey the stock for condensation and black mould. The use of sensor technology in the types of housing that may be prone to condensation will assist tenants and the council to prevent condensation and black mould before it becomes a serious problem affecting health.
  3. **Single Point of Contact** as the best way for tenants to get to the Dampness and Mould team. This enables the Services to respond more quickly and provides a clear audit trail of how many enquiries are coming in and how quickly they are being dealt with.
  4. **Fast and Effective Response** to tenant enquiries and complaints.
- 3.5 The basis of our proposed information campaign for tenants is to inform and educate on how to prevent mould growth within the home by:
- Producing less moisture
  - Preventing the spread of moisture
  - Adequately heating the home
  - Treating mould effectively by supporting tenants to clean affected areas, with help from the Council through cleaning services
- 3.6 Although these are basic recommendations and guidelines to follow, the cost-of-living crisis has made it difficult for tenants to heat and ventilate their homes effectively. Housing and Building Services have identified measures to practically assist tenants at this time.

## **4.0 Taking Action**

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- 4.1 The volume of condensation and dampness referrals has increased by 400%. Referrals to Richardson & Starling have increased similarly for the more complicated cases with a backlog of up to six weeks compared to previous performance.

- 4.2 With the assistance of Building Services, seven additional Housing staff have received training to assist the current dedicated Housing Professional in visiting referred council houses. These staff are visiting the backlog of referrals and giving practical advice and assistance. During the home visit, staff are checking on any fabric issues that may be contributing to the issue such as blocked or broken rainwater goods, defective or dirty fans, defective roofing, inefficient heating controls. Where these works are required, job tickets are raised for Building Services to rectify the defects. Where basic measures are not sufficient to rectify the problem and an underlying problem is suspected, these will be passed to the Housing Professional to assist and then potentially passed to our specialist contractor for more fabric-intrusive improvement or mitigation measures.
- 4.3 Building Services are developing an in-house team to assist with condensation and dampness with a newly created post of Team Manager, existing Surveyor and Assessor in place to assist with the referrals. Building Services are also developing a works team to undertake specialist dampness mitigation work. It is intended that this new cohort of staff work in partnership with the Housing Service team complementing the work also undertaken by Richardson & Starling. This partnership approach will enable Housing Services to assess and commission necessary improvements in a more timeous manner.
- 4.4 Where underheating and the cost of fuel is an issue for tenants, tenants will be referred to our partners in Cosy Kingdom for budget and energy advice together with assistance for income maximisation. Area Housing staff can also make discretionary fuel top-up payments for vulnerable tenants requiring assistance.
- 4.5 Removing mould from council properties is a priority to promote health and well-being. Housing, Building Services and Cleansing Services will put in place assistance for tenants to clean the affected areas.
- 4.6 Our commitment to support council tenants is outlined in the following **Service Statement**.

#### **What's on offer for Council Tenants from Housing and Building Services**

1. Improved advice, information and support for tenants to assist them to live better in their council tenancy, including website information and Down Your Street summer edition
2. Single point of contact for tenants through a generic email address to report complaints
3. Fast response by a dedicated Housing Team of 5 technical staff with a 2–3-day inspection target
4. Accurate diagnosis of cause of dampness, condensation and mould
5. Urgent repairs ordered where required and prioritised by Building Services to a 7-day target
6. Appropriate treatment of affected areas by Building Services and in extreme cases, by Cleaning Services
7. Installation of Environmental Sensors to assist the council tenants to manage moisture within houses that are significantly affected by condensation and mould
8. Continue to partner Cosy Kingdom to provide targeted advice and support for tenants in fuel poverty who cannot afford to adequately heat their home

## **5.0 Resourcing the Revised Approach**

- 5.1 All repair and mitigating works will be funded from the existing 2023/24 HRA Revenue and Capital accounts. Following the implementation of the proposed approach to tackling dampness, condensation and mould, a close financial monitor will be maintained by Housing, Building Services and Finance Service to ensure that any additional spend is managed within existing budget. Should this expenditure become sizeable, the Head of Housing has discretion, in consultation with the Head of Finance, to move budget within the HRA in year.

## 6.0 Conclusions and Next Steps

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- 6.1 The death of Awaab Ishak has been a shock to everyone in the Housing Sector and confirms that poor housing conditions, if left untreated, can lead to significant health impacts, including death. Governments, Regulators and social landlords are now stepping up to ensure that a higher priority and more effective approaches are adopted to ensure that this never happens again.
- 6.2 Following some months of review and audit work, Housing and Building Services are now in a better position to quantify and understand outstanding complaints from tenants and have developed an improved approach to offer advice, support and service to council tenants during 2023/24.

**John Mills**  
**Head of Housing Services**

**John Rodigan**  
**Head of Environment & Building Services**

### **List of appendices:**

- 1. Summary of EQIA
- 2. FEAT Assessment

### **List of publications relied on in the preparation of this report:**

February 2023 Putting People's Safety First - CIH, ALACHO, SFHA, SHR  
[putting-safety-first.pdf \(cih.org\)](#)

### **Report Contacts**

Helen Wilkie  
Service Manager – Housing Condition & Supply  
email: [Helen.Wilkie@fife.gov.uk](mailto:Helen.Wilkie@fife.gov.uk)

Ian Dawson  
Business Change Manager for EESSH2  
email: [ian.dawson@fife.gov.uk](mailto:ian.dawson@fife.gov.uk)

## Equality Impact Assessment Summary Report

<p><b>Which Committee report does this EqIA relate to (specify meeting date)?</b></p> <p>Cabinet Committee – Thursday, 4th May, 2023 Tackling Dampness and Mould in Council Houses – Proposed Action Plan</p>
<p><b>What are the main impacts on equality?</b></p> <p>There are no negative impacts on equality.</p> <p>As a result of the proposed action the Council will now take to mitigate dampness, condensation and mould, there will be an improvement to tenants' health &amp; wellbeing. Specifically, the removal of black mould where it occurs will have a beneficial impact on adults and children with respiratory illnesses.</p>
<p><b>What are the main recommendations to enhance or mitigate the impacts identified?</b></p> <p>The main recommendation is to agree the proposed Approach and Action Plan to mitigate the incidence of dampness, condensation and black mould more effectively in council houses. Successful implementation will have a positive impact on the incidence of condensation and black mould in council houses.</p>
<p><b>If there are no equality impacts on any of the protected characteristics, please explain.</b></p> <p>N/A</p>
<p><b>Further information is available from: Name / position / contact details:</b></p> <p>John Mills Head of Housing Services Email: john.mills@fife.gov.uk</p>

Fife Environmental Assessment Tool (FEAT)

Please complete the white cells below:

Project name:	Tackling Dampness and Mould in Council Houses – Proposed Action Plan	Committee report title :	Tackling Dampness and Mould in Council Houses – Proposed Action Plan
Committee name & date:	Cabinet Committee 4th May 2023	Have the proposals been subject to any other formal environmental assessment?	No
Completed by:	Helen Wilkie & Ian Dawson	Completed on:	N/A

#

Sign off: Report authors and service managers should sign off the assessment on worksheet 1. Committee conveners / clerks should also sign off the assessment to show that it has been taken into account during the decision making process.

Help: Please refer to the guidance notes and links (columns, H, I and J of this sheet) if you are unsure how to answer. This sheet also details contacts who can help you to answer questions if you are unsure. If you require additional guidance or support please contact the Climate Change and Zero Waste team in Refsol (Fife Council's environmental ALEO) and they will help you to complete the assessment.

A. Wildlife and biodiversity		Answer	Comments
Fife Council is committed to protecting and enhancing Fife's natural heritage.		Please select an option:	Please clarify your response
1	What impact will the proposals have on wildlife (including protected sites and species)?	No impacts / not applicable	Internal treatments to domestic properties. No interaction with wildlife.
B. Impacts on people		Answer	Comments
Fife Council is committed to protecting and enhancing the wellbeing of our people.		Please select an option:	Please clarify your response
2	What impact will the proposals have on environmental nuisance? (i.e. visual impacts, traffic, noise, vibration, odour, dust, particulates, smoke)	A mixed impact (good and bad)	Additional use of vehicles to carry out inspections and remedial works
3	What impact will the proposals have on human health or wellbeing?	Beneficial impact	Removal of dampness and condensation / mould will have a beneficial impact on tenants health.
C. Pollution		Answer	Comments
Fife Council is committed to protecting and improving air, water and soil quality.		Please select an option:	Please clarify your response
4	What impact will the proposals have on pollution (including pollution to air, water or soil)?	A mixed impact (good and bad)	Appropriate use of fungicidal washes to treat affected areas will have a short term environmental impact. This will be mitigated by improvements in air quality and tenant health.
D. Climate change		Answer	Comments
Fife Council is committed to cutting carbon emissions and making Fife more resilient.		Please select an option:	Please clarify your response
5	What impact will the proposals have on greenhouse gas emissions?	A mixed impact (good and bad)	5. Additional use of vehicles to carry out inspections and remedial works. 6&7. N/A
6	What impact will the proposals have on resilience to the adverse effects of severe weather events, including flooding and landslips?	Beneficial impact	
7	What impact will the proposals have on flooding and sites designated as being at risk of flooding or sea level rise?	Beneficial impact	
E. Resources and waste		Answer	Comments
Fife Council is committed to using resources efficiently and minimising waste.		Please select an option:	Please clarify your response
8	What impact will the proposals have on how much waste is generated or how waste is managed?	A mixed impact (good and bad)	8 & 9. Contractor appointed will work to existing waste reduction strategies within the Pre Construction Plan as per CDM regulations.
9	What impact will the proposals have on energy use and the consumption of material resources?	A mixed impact (good and bad)	
F. Cultural heritage		Answer	Comments
Fife Council is committed to protecting Fife's cultural heritage.		Please select an option:	Please clarify your response
10	What impact will the proposals have on cultural heritage (including designated heritage / archaeology sites or listed buildings)?	No impacts / not applicable	N/A

FEAT Score Summary

The cells below will complete automatically - do not edit

Good practice (green)	3	More than 3 green answers indicates that the environmental impacts of proposals have been well managed, that the project is appropriately sited and that opportunities to enhance the environment have been taken. It is recommended that (subject to other discussions) the policy change should be considered favourably.
Data gaps or mixed impacts (orange)	5	More than 3 orange answers indicates either that the proposals will have mixed impacts, or that the environmental impacts from the proposals are not well understood. Liabilities could arise as a result. Consistently selecting the 'don't know' option could also indicate that the assessment has not been completed with sufficient care and attention. If there are more than 3 'don't know' responses, it is recommended that the assessment is repeated with support from the Climate Change and Zero Waste team or the relevant topic help contacts listed in the guidance column, so that data gaps can be filled. It is recommended, subject to other discussions within the Committee, that the proposals are not approved until environmental impacts are better understood.
Environmental red flags (red)	0	More than 2 red answers indicates that the project could unintentionally cause wide-ranging damage to the environment and / or that negative impacts are not being appropriately mitigated, or that a policy is not in keeping with the local environment. It is recommended that the proposals are revised with guidance from the appropriate Fife Council environmental experts (i.e. Climate Change and Zero Waste team, Floods team, Biodiversity team, Environmental Services etc) so that environmental liabilities and risks can be minimised. It is recommended, subject to other discussions within the Committee, that the proposals are not approved until environmental liabilities are minimised as far as reasonably practicable. Where a policy affects an area with heritage value or at risk of flooding, some red flags are inevitable but providing that these are explained satisfactorily in the comments section of the assessment this is acceptable.
No impacts identified (grey)	2	More than 3 grey answers indicates either that the policy change has very few environmental impacts or that the assessment has not been completed properly. This may be because the policy is well designed, or does not interact with the wider environment. However it is recommended that if Committee is concerned that environmental impacts have been overlooked, that the assessment is repeated with support from the Climate Change and Zero Waste team so that a more comprehensive understanding of environmental impacts can be provided for decision making.
SCORE TOTAL	10	<div><div></div><div>If the score total cell (cell D39) turns red this indicates that the assessment has not been fully completed. Please recheck the assessment and make sure you have selected an answer for all 10 questions.</div></div>

Now please sign-off the assessment

FEAT Assessment Sign-off

The cells below will complete automatically - do not edit

Sign off	Name	Date
Project manager (Service Manager)	Helen Wilkie & Ian Dawson	12 April 2023
Head of Service	John Mills	12 April 2023
Committee clerk		

# Fife Environmental Assessment Tool (FEAT) - data validation

Do not edit or delete cells on this page

Validation list response	Count
Beneficial impact	3
A mixed impact (good and bad)	5
Negative / harmful impact	0
No impacts / not applicable	2
Don't know	0

10

Password = FEAT

## **Shared Lives Fife - Uplift to Payments for Long-Term Placements**

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**Report by:** Nicky Connor, Director of Health and Social Care

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**Wards Affected:** All

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### **Purpose**

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The purpose of this report is to provide Fife Council with information on the proposed uplift in payments made to Shared Lives Fife carers who provide support and accommodation to adults within their own home on a long-term basis.

### **Recommendation(s)**

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It is recommended that members: -

1. agree to match the highest current payment rates for long-term placements within Shared Lives schemes in Scotland, i.e. Scottish Borders; the rationale for this is to encourage growth into service and attract new carers, bringing Fife in line with being one of the best paying authorities.
2. agree to the removal of Level 2 from the graded rates and move to 3 graded payment levels of Low, Medium and High, in line with the Scottish Borders' framework.

### **Resource Implications**

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The resource implications for the proposal for existing placement would be approximately £182,259 per annum and budget has been identified that will fund this proposed change. The ongoing budget identified is part of the Health and Social Care Partnerships medium term financial strategy which includes cost avoidance/save initiative against higher cost placements.

New placements will be funded at the new rates, if agreed, through the purchase and approval arrangements within the Health & Social Care Partnership and the costs met from the SW purchasing budgets.

### **Legal & Risk Implications**

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Without enhancing the payment scheme for Shared Lives Fife carers, there is a significant risk of loss of the service.

The impact on any reduction or overall loss of this service would require alternative residential placements for service users supported by this service which, in turn, would create a further financial pressure on the Health & Social Care Partnership.

### **Impact Assessment**

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No impact assessment has been completed or is required.



In the preparation of this paper there has been discussion with Shared Lives Plus, the national umbrella organisation, and with Fife's Shared Lives Carers through the Shared Lives Fife consultation group.

## 1.0 Background

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- 1.1 Shared Lives Fife, a member of the Scottish network of adult placement schemes, Shared Lives Plus, is a network of self-employed carers, managed and governed by Fife Health and Social Care Partnership (HSCP), who provide day support, short breaks and long-term adult placements to people assessed as meeting Fife HSCP eligibility criteria. Most service users currently in receipt of service from Shared Lives Fife (SLF) are individuals with a learning disability.
- 1.2 Shared Lives Fife (SLF) carers provide the following support in their own homes:
  - Day Support
  - Short Breaks/respite (including overnight)
  - Long term support
- 1.3 The governance for SLF includes an Approval Panel who oversee all statutory checks and balances of recruitment of new SLF carers; review all placements and ensures SLF carers maintain all necessary compliance with mandatory training, etc.
- 1.4 Shared Lives Schemes are widely recognised as being extremely cost effective, person centred and evidential of best value. Shared Lives Plus, originally the National Association of Adult Placement Services, has been campaigning since 2018, the "Invaluable" campaign, for local authorities to include Shared Lives Carers in annual pay reviews, just like any other part of social care services. The campaign mobilised carers and schemes and resulted in several pay rises across Scotland.
- 1.5 SLF has not kept pace with other local authority pay reviews and long-term placement fee rates within Fife are now at the lower end of the spectrum nationally. All new carers joining SLF to date have been foster carers transitioning into the adult scheme as and when their foster child also transitions into adult services. The service has been unsuccessful in securing any new carers and pay is deemed to be a factor in this.

## 2.0 Issues and Options

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- 2.1 In 2022, SLF currently has capacity for a total of 85 active care arrangements. For long-term care placements, this accounted for 32 SLF placements, with the remaining placements being for day support care, or short breaks. For long-term care placement, since 2020, the number of long-term households providing a SLF care support has remained constant.
- 2.2 Any potential to grow the scheme is now dependent upon attracting new carers to consider becoming Shared Lives Carers. Whilst not solely determined by pay rates, that is beginning to be a notable factor.
- 2.3 Long-term placements are currently organised and paid on a graded scale, informed by assessed level of complexity of need of the supported person. Fees for long-term support are paid depending on complexity of need of the individual(s) with needs identified at Level 2 up to level 5. Levels are identified using a profiling tool where a series of questions scores the level and type of support that the carer will be required to provide to the individual and, in turn, the level of additional payment for any complex support using a dependency level score sheet.



2.4 The current fee rates for long term placements in 2022-23 are follows:

Support Type	Current Fee (Weekly)
Long-term support Level 2	£211.20
Long-term support Level 3	£272.71
Long-term support Level 4	£333.52
Long-term support Level 5	£379.16

2.5 Informed by the Shared Lives Plus Invaluable Campaign, SLF undertook a benchmarking exercise with other Scottish Shared Lives schemes. Information was only received back from four other areas, however, even with this limited information, it has been identified that current long term placement fees offered in Fife are at the lower end of the spectrum.

Fees noted below are the rates per week for long term placements:

Support Type	Fife	Scottish Borders	Midlothian	Moray	East Lothian
Long-term support Level 1	Not offered	Not offered	Not offered	£183.00	£345.20
Long-term support Level 2	£211.20	Not offered	Not offered	£294.00	
Long-term support Level 3	£272.71	£372.40	Not offered	£441.00	£379.65
Long-term support Level 4	£333.52	£422.66	£309.26	Not offered	
Long-term support Level 5	£379.16	£481.25	£455.00	Not offered	

2.6 It should be noted that SLF long-term placements are a direct alternative to other residential care service arrangements. Fife HSCP commissions a number of residential care home placements with independent care home providers, with the average weekly fee in the region of £1,700 per week. The recruitment of new Shared Lives Carers to inflate capacity in availability of long-term care placements is a cost-effective option for Fife HSCP and directly contributes to achievement of best value.

## 3.0 Conclusions

3.1 The range of cost comparisons illustrated in this report evidence the gap in payments for Shared Lives Fife carers providing long-term care when compared to other similar schemes or, indeed, to the alternative care provision that Fife Health & Social Care Partnership commission from our external care providers.

3.2 It is proposed that the “Level” of support is changed from the current arrangements from Level 2 to Level 5 and they are re-categorised as Low, Medium & High.

- 3.3 From the benchmarking exercise, it is evident that Fife's payment scheme for SLF carers is funding this service at a lower rate. It is proposed that Fife adopts the same level of funding that is in place within the Scottish Borders.
- 3.4 By re-categorising of the levels and using the payment scheme funding rates in line with Scottish Borders, this would require additional funding for the Partnership of £182,259 per annum, based on the current level of SLF carers.
- 3.5 The changes to the Levels and revised funding and associated increase in costs is noted on the table below:

Existing Level	Revised Level	Current Number of Long-Term Placement	Current Weekly Fee	Proposed New Weekly Fee	Additional Funding (per annum)
Level 2	Low	6	£211.20	£372.40	£50,432.57
Level 3		4	£272.71	£372.40	£20,792.49
Level 4	Medium	9	£333.52	£422.66	£41,832.13
Level 5	High	13	£379.16	£481.25	£69,202.44
Total		32			£182,259.62

- 3.6 By making these changes to the payment arrangements for SLF carers, it is hoped that this will attract new carers to provide this vital support and the Partnership would be proactive to promote and grow the service.

### Report Contact

Rona Laskowski  
Head of Critical & Complex Care  
Health & Social Care Partnership  
Fife House, Glenrothes

Telephone: 07816 368295  
E-mail: Rona.Laskowski2@nhs.scot