

eForum

September 2023, Issue 73

Human Rights Bill

The Scottish Government is gathering views to help inform the upcoming Human Rights Bill. The Bill will incorporate a range of rights into Scots law for the first time. There are several implications of the Human Rights Bill of importance for housing support providers. The duties that will be contained in the Bill will apply to bodies carrying out devolved public functions, including bodies carrying out functions of a public nature, such as acting under a contract with a public body.

One treaty that the Scottish Government is planning to incorporate is the UN Convention on the Rights of Persons with Disabilities (CRPD). Article 19 of this Convention includes the right of disabled people to live independently as part of the community. The right to independent living is binding under international law and the UK government is expected to reflect its requirements in law and policy. However, because the right has not yet been incorporated by the UK or Scottish government, people do not have redress if the right is breached. More information about the UNCRPD in Scotland is available through the Scottish Commission on People with Learning Disabilities ([SCLD](#)) and their paper, [the State of Our Rights](#).

The International Covenant on Economic, Social and Cultural Rights (ICESCR) is also being considered by the taskforce to be incorporated into the new Bill. This Covenant includes the right to adequate housing and the right to the highest attainable standard of physical and mental health. The consultation will also consider incorporating a right for older people and a right for participation, alongside the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

As suggested by the [CIH in their paper](#) offering an overview of the right to adequate housing and human rights issues for landlords in Scotland, an evolving human rights framework should help providers with greater clarity about their human rights responsibilities. From a housing support perspective, the human rights bill should be a tool for enabling a human rights-based approach encouraging accountability and monitoring, but this should be accompanied with human rights budgeting to allow duty bearers to meet their new duties.

The consultation on the Human Rights Bill is now open until the 5th of October. The consultation paper is available [here](#).

There are resources on the [HSEU website](#) to find out more about the consultation.

Economic and Social Benefits of Housing Support: Ministerial Meeting

Earlier this year, the [Economic and Social Benefits of Housing Support](#) report was published, as commissioned by HSEU, SFHA, SCLD, Hanover Scotland, and Blackwood Homes and Care. Last week, members of the Research Advisory Group who commissioned the report, met with the Minister for Housing, Paul McLennan MSP. The meeting focused on the findings of the CaCHE report, including the importance of housing support for many different groups of people, and how the recommendations of the report, including improving the visibility of housing support can be taken forward. The research partners are now looking forward to the next stage of research to further demonstrate the economic benefits of housing support.

Independent Review of Inspection, Scrutiny and Regulation: recommendation report

The Independent Review of Inspection, Scrutiny, and Regulation (IRISR) explored how social care support and linked services are inspected, scrutinised, and regulated in Scotland. HSEU contributed to a CCPS response to the IRISR call for evidence. The review has found an implementation gap between the current inspection and scrutiny of services and the progress that is needed. The review suggests that cultural and legislative changes are needed in order to prioritise improvement and consistency in inspection, scrutiny and regulation. The review contains recommendations across 5 themes: A person centred approach; What needs to be inspected, scrutinised, and regulated; How should inspection, scrutiny and regulation be carried out; How will we know systems are working?; How will systems of inspection, scrutiny, and regulation support the workforce?

The review is [available here](#).

Homelessness Prevention Task and Finish Group

At the end of August, the [Homelessness Prevention Task and Finish Group published their final report and recommendations](#). Co-chaired by Crisis and Cyrenians, the group's report considered the ground work necessary for the new prevention duties for public bodies. The plans for new prevention duties mean that responsibility for preventing homelessness would be widened, with those working in areas including health, justice, and education to ask people about their housing situation. The Task and Finish Group report includes medium and long-term actions that are required to ensure the successful implementation of the duties. This includes a recommended action to normalise Housing Support with broad access throughout communities, employment and other relevant settings. The report also identifies some key short-term steps required to ensure the success of the legislation, which include carrying out a full financial assessment to ensure that all

public bodies affected by the new duties have the budget to fulfil their current duties, and making all additional funding required available to support the new duties.

Programme for Government 23-24

The [Programme for Government](#) (PfG) for 2023-24 was published on the 5th of September. The First Minister also sent a [letter to Homeless Network Scotland](#) of the key policy commitments relating to the housing and homelessness sector. Housing support did not feature heavily in the PfG with many of the relevant commitments having been announced through previous policies.

As mentioned in the PfG and in a [letter to the cabinet secretary](#) for NHS recovery, health, and social care, the £12ph uplift for social care staff is likely to come at the beginning of the next financial year.

The Independent Living Fund has been reopened on a phased basis, with an initial £9 million in 2024-25 'to enable up to 1,000 additional disabled people with the most complex needs to access the support they need and deserve to live independent lives.' The Hospital at Home Programme is also to be expanded with an additional investment of £3.6 million to provide acute-level care at home to avoid hospital admissions.

The other commitments relevant to housing support and supported housing mentioned in the PfG have been previously announced. These include the introduction of a Housing Bill including powers for the introduction of long-term rent controls, new tenants' rights and new duties aimed at the prevention of homelessness. There were no more details of the content of the prevention duties. The PfG also states that Housing First will continue to be promoted as 'the default response for people experiencing homelessness who have multiple and complex needs'.

The PfG also stated that subject to the agreement of Parliament, Stage 1 of the National Care Service Bill will continue to progress this year, towards completion of Stage 2 of the Bill by Easter 2024. There was not any more detail of the content of the NCS.

Good Practice Fire Safety Guidance

If you attended the joint HSEU and SFHA webinar about fire safety and supported housing earlier in September, you will have heard about the Telecare & Scottish Fire and Rescue Service Fire Safety Good Practice Guide. This guide, published last year, aims to further develop a partnership approach between telecare service providers in Scotland and the SFRS to enable people to live safely and well within their communities. The guide sets out safe and effective practice around:

- The referral, assessment, installation and maintenance of smoke and heat detection linked to an alarm receiving centre (ARC)
- Person-centred fire risk assessment

- Call handling in response to heat, smoke and carbon monoxide detection
- Additional fire safety advice and support for telecare.

The GPG is for HSCPs, local authorities, housing providers and other organisations that provide care supported by technology. It takes into consideration changes in Scottish legislation relating to fire, smoke and CO alarms, which came into force on the 1st February 2022. The guidance is available on the [TEC Website](#).

Survey: impact of COVID-related absence on managing care settings

As part of a Strathclyde University project on Managing sickness absence: Informing policy and practice for a fairer workplace, researchers have developed a short survey exploring the impact of COVID-related absence on managing care settings in the UK. Housing support providers are invited to take part if they are interested and this is relevant to them.

This survey is intended for line managers and HR professionals working in the care sector. Please [click here to complete](#).

If you have any enquiries re the survey, please contact the researcher, Jennifer: jennifer.remnant@strath.ac.uk.

DigiFest23 Poster Abstract Submission

Abstract submission deadline: 5pm Monday 9 October 2023

DigiFest23 is now accepting submissions of abstracts from staff or students based in Scotland, the UK and internationally who are working or studying in health, social care, housing, third sector or academic settings. Successful posters should represent a mix of digital health and social care service delivery and digital health and social care research projects. More information is available on the [Digifest Website](#). If you have any questions, please email NSS.SHSCEvents@nhs.scot.

Supporting Mentally Healthy Workplaces: National Learning Network for Employers

Monday 2nd October, 9:30 to 11am

In Partnership with Public Health Scotland and See Me, the Scottish Government will host the third meeting of the 'Supporting Mentally Healthy Workplaces: National Learning Network for Employers' on Monday 2nd October, 9:30-11:00 am on Teams. This event will focus on how creating positive and inclusive workplace cultures can support good mental health and wellbeing.

Maree Todd MSP, Minister for Social Care, Mental Wellbeing and Sport, will be part of a panel of speakers who will share their perspectives on the importance of supporting mental health and wellbeing in the workplace. Attendees will have the opportunity to submit questions to panel members via Slido in advance, as well as



during the event itself. Further details will be provided prior to the event. [Register on Eventbrite.](#)