

**Construction Scotland / Scottish Government Leadership Forum
Restart Sub Group – Meeting 3
1 May 2020
Telephone Conference Call
10:30 – 12:00
Note of meeting**

Present:

Kevin Stewart – Minister for Local Government, Housing and Planning

Construction Industry

[redacted] – Industry Leadership Group member, Construction Scotland
[redacted] – Industry Leadership Group Member, Construction Scotland
Ron Fraser – Executive Director, Construction Scotland
Ken Gillespie – Chair, Construction Scotland
Stephen Good - Chief Executive, Construction Scotland Innovation Centre
Hector MacAulay – Managing Director, Balfour Beatty Scotland
Elliot Robertson – CEO Robertson Group
Alan Wilson – Managing Director, Select
Bruce Clark - Joint Managing Director, RJ McLeod
Nicola Barclay – Chief Executive, Homes for Scotland

Scottish Government and Associated Agencies

Dr Stephen Garvin, Head of Building Standards, SG
Ian Gilzean – Chief Architect, SG
[redacted] – Major Projects, Transport Scotland
[redacted] – Head of Industrial Sectors
Alan Morrison – Health Finance and Infrastructure, SG
[redacted] Industrial Sectors - Construction, SG
[redacted] – Head of Construction Procurement Policy Unit, SG
Colin Proctor – Director, Construction Industry and Delivery, SFT
[redacted] More Homes Division, SG
[redacted] Skills Development Scotland
[redacted] – Industrial Sectors - Construction
[redacted] – Scottish Enterprise

		Action
1	Purpose of Meeting	

The meeting commenced at 10.30.

The Minister welcomed everyone to the third meeting of the Restart sub group.

He advised that the Scottish Government's current guidance remains that all but essential sites should remain closed and he thanked industry for behaving responsibly and complying with the guidance provided.

The Minister reiterated that the focus of this group is on the immediate steps needed to make a safe restart possible and that he shared the industry's ambition to get back to work as soon as the medical evidence tells us it is safe to do so.

The minutes of the previous meeting, circulated earlier, were agreed as read.

The Minister asked [redacted] to provide an update on the actions from the second Restart meeting on 24 April.

[redacted] provided an update as follows:

Action:

- Officials will investigate the restrictions put in place on transport in London and consider what might be useful here. The Minister suggested that we should consider having staggered start times and adjust public transport timetables accordingly.

Progress:

- Officials have contacted Transport Scotland and have asked them to investigate the restrictions put in place on transport in London and consider what might be useful here. Also exploring the Minister's suggestion that we should consider having staggered start times and adjust public transport timetables accordingly.

Action

- Stephen Garvin to provide a note on how we might engage with Local Authority verifiers.

Progress

- This action is complete.

Action

- A paper to be produced on the action required to ensure sites are prepared for a

	<p>return to work operating under new SOPs/guidance.</p> <p>Progress</p> <ul style="list-style-type: none"> • This action is complete. Ron Fraser updated the group at the meeting. • <p>Action</p> <ul style="list-style-type: none"> • We will look at apprenticeship situation and highlight this to the Minister for Business, Fair Work and Skills, Jamie Hepburn. <p>Progress</p> <ul style="list-style-type: none"> • Skills Development Scotland and Skills colleagues are working together to update Mr Hepburn. This issue will be taken forward through the skills group and the wider Forum. Action complete for this group. <p>Action</p> <ul style="list-style-type: none"> • Work stream to provide a communications plan for industry. <p>Progress</p> <ul style="list-style-type: none"> • Alan Wilson, Elliot Robertson, [redacted] and Ron Fraser agreed to take this forward. The Safe Operating Procedures sub group already has a dissemination work stream and work is underway to consider whether this action might be covered through that group. 	
2	Return to Work – Guidance Update	
	<p>The Minister asked [redacted] to introduce this item.</p>	
	<p>[redacted] explained that the Scottish Government construction sector guidance had now been updated and the refreshed version had been published that morning.</p> <p>She highlighted that the guidance has not changed significantly and recommends that construction sites for all non-essential construction work should remain closed.</p> <p>[redacted] went on to say that the refreshed guidance provides more detail on construction sites and associated works, particularly in the energy sector, that can continue under specific conditions. She also pointed out that the refreshed guidance was now more forward looking with a presumption of</p>	

	<p>a phased restart when the medical evidence supports this.</p>	
	<p>Record of Discussion:</p> <p>There was some discussion around the energy projects considered to be essential. [redacted] read some points from the guidance and explained that Mr Wheelhouse and energy colleagues had been consulted to ensure the right energy projects were captured.</p> <p>The distinction between guidance and regulation was discussed and the point made that Scottish Government guidance is not law. Industry made the point that there is nothing stopping firms from going back to work and that many clients wanted work to restart.</p> <p>[redacted] explained that the guidance was prepared with the intention that it did not prevent work from continuing on essential sites.</p> <p>The Minister asked [redacted] to prepare some more detail on this point.</p>	
	<p>Summary:</p> <ul style="list-style-type: none"> • Refreshed constructions sector guidance, to be read in conjunction with the Scottish Government’s business and social distancing guidance has now been published. • The guidance sets out both our initial response for the construction sector in helping to handle COVID-19, as well as beginning to develop a route-map towards restarting activities within overarching public health considerations. <p>Actions:</p> <ul style="list-style-type: none"> • [redacted] to provide further guidance. 	[redacted]
3	Return to Work – Restart Model	
	<p>The Minister thanked Construction Scotland for their work in producing a paper which provides a model for restarting construction work when it is safe to do so. He noted that the paper makes reference to a timeline for return and advised that these dates are not to be taken as indicative of current policy as there is no indication at present on when it will be safe to restart work.</p>	

	<p>The Minister asked Ron Fraser to introduce this item and to talk the group through the paper.</p>	
	<p>Ron advised that the paper goes beyond Restart and spoke about a phased return that could be controlled and monitored. He went on to explain that proposals were fully aligned with Scottish Government guidance on social/physical distancing.</p> <p>The paper proposes a 6 phase lead in to full operation.</p> <p>Phase 0 – Planning Phase 1 – Prestart site prep Phase 2 – Soft start Phase 3 – Steady state (no PPE) Phase 4 – Steady state (with PPE) Phase 5 – increasing density/productivity</p> <p>He advised that the industry felt they could move to phase 1, which could run simultaneously with phase 2, relatively quickly.</p>	
	<p>Record of Discussion:</p> <p>Industry are confident that with their in depth knowledge of working in hazardous environments they are well equipped to operate safely in the current crisis. They have stated that these plans could be implemented from the 11 May if required.</p> <p>Industry consider the initial stages can be done safely without the use of PPE and instead implementing strict physical distancing and safe site operations. This is designed so that supplies currently needed in the NHS are not diverted to construction.</p> <p>As demand from the NHS eases and/or supplies increase, the industry considers that density of staff on site could be increased with the use of PPE which they are well versed in using.</p> <p>The operating procedures outlined for Restart are already in operation on essential construction sites in Scotland and on sites across the UK</p> <p>We need to be careful that Scotland does not appear closed for business. There are reports of businesses losing orders as they can't work.</p>	

	<p>Industry need some positive news.</p> <p>It is possible there may begin to be a lack of compliance with current guidance if we are not soon able to suggest a potential date for restart and some businesses may already be returning to work.</p> <p>The Minister has been provided with Safe operating Procedures which relate to the retail side of housebuilding.</p>	
	<p>Summary:</p> <ul style="list-style-type: none"> • Industry have provided plans to support a gradual return to work in the construction sector which can be controlled and monitored. • This can be enacted as soon as medical evidence supports a return to work. <p>Action:</p> <ul style="list-style-type: none"> • Construction Scotland Restart model to be considered by Chief Medical Officer and health officials immediately and prior to Leadership Forum. • The Minister's letter to the UK Chancellor regarding the Coronavirus Business Interruption Loan Scheme to be circulated. • A response to be provided to Nicola Barclay on Safe Operating procedures for the retail side of housebuilding 	<p>SM</p> <p>SM</p> <p>SM</p>
4	AOB	
	<p>Stephen Good – Spoke further to the action point relating to communication and agreed that it would be more appropriate to have one group considering communication. He will discuss with Alan Wilson.</p> <p>He also spoke about the technology that might assist restart and help with compliance in relation to safe operating procedures. The ICON platform could assist and he encouraged the industry to engage with this.</p> <p>Bruce Clark – Advised that refreshed guidance currently states that it extends until further notice. It was confirmed that this could be amended as soon as the medical evidence supports a return to work.</p>	

	<p>Hector MacAulay – Can we provide evidence of compliance with safe operating procedures from sites in England to help health officials make a decision on restarting construction work in Scotland?</p> <p>Elliot Robertson – Robertson have made a video and provided that to the Minister.</p> <p>Minister – Has not been able to view video yet but will do so and is grateful for the evidence that the industry has provided.</p> <p>Stephen Good – With Ron Fraser’s approval will share links to the safe operating procedures database which holds a wide range of data that could be helpful.</p>	
	The meeting closed at 12.05 pm	
6.	Date of next meeting	
	Minister – The date of the next meeting will be arranged shortly by officials.	

**BUILDING STANDARDS
RESILIENCE LIAISON GROUP**

THIRD MEETING

7 MAY 2020

11.00 to 12.00

By Teleconference

Number - [redacted]

Guest code - [redacted]

AGENDA

	Item	Lead	Timing
1.	Welcome and introductions	SG	5
2.	Note of minute of 30 April 2020 and actions	SG	5
3.	Updates from BSD: <ul style="list-style-type: none">• Verifier position• Certification• Approved Organisations• Temporary health facilities	JMc NM SS LS	10
4.	Updates from Members	All	15
5.	Remote site inspection – finalisation of guidance, training and dissemination	NM	10
6.	Safe Operating Procedures and Verifiers	RF and SMcK	10
7.	AOB / next meeting	SG	5

**BUILDING STANDARDS
RESILIENCE LIAISON GROUP**

**NOTE OF THE THIRD MEETING
THURSDAY 7 MAY 2020
11.00 – 12.00**

By Teleconference

Attendees:

Michael Barton Maynard, Homes for Scotland (MBM)
Murray Horn, Scottish Property Federation (MH)
Scott McKenzie, Local Authority Building Standards Scotland (SM)
Robert Jopling, Certification Scheme Providers (RJ)
David Fletcher, Wheatley Group (DF)
Ron Fraser, Construction Scotland (RF)
David Melhuish, Scottish Property Federation (DM)

[redacted] More Homes, SG [redacted]
Stephen Garvin, Head of Building Standards, SG (SG)
[redacted] Building Standards, SG [redacted]
[redacted] Building Standards, SG [redacted]

Apologies:

Nicola Barclay, Homes for Scotland (NB)
Colin Proctor, Scottish Futures Trust (CP)
Peter Drummond, RIAS (PD)
[redacted] Building Standards, SG [redacted]

1. Welcome and introductions

1.1 All participants were welcomed to the meeting and apologies were noted.

2. Note of the Meeting on 30 April 2020 and actions

2.1 Actions from previous meeting status:

- **SG and [redacted] to consider running a survey with involvement from LABSS** – action taken forward to the Digital Transformation group meeting next week.
- **[redacted] to follow up with SM, MBM and DF to identify industry representatives to scope out pilot projects for consideration by Digital**

Task Force – action taken forward to the Digital Transformation group meeting next week.

- **CP to take forward next steps to demonstrate evidence to next week's Construction Leadership Forum** – action complete with additional evidence being gathered for micro-builders.
- **MH to continue working with SG and LABSS to share information on commercial developments** – action complete.

2.2 The note was circulated in advance of the meeting for review and comments.

3. BSD updates

Verifier position

3.1 [redacted] confirmed that all 32 verifiers have been providing updates on the status of their service each week for the last 8 weeks and these were being followed up by individual tele-conferences where necessary. As at 4 May, all 32 are operational and continue to work with restrictions and adapted processes to take account of government guidance. The national picture is that workforce capacity is currently coping with demand levels. The overall rates of incoming submissions via eBS portal across Scotland followed a seasonal dip over Easter which has come back up this week. This has geographical fluctuations but has seen an overall 26% reduction compared with 2019 figures. For comparison the reduction in the first week of lockdown was 25%.

3.2 [redacted] advised that all verifiers must produce improvement plans for their service as a condition of their appointment. Stakeholder engagement is a key part of taking actions forward and work has continued using online platforms like Microsoft Teams to host meetings and share documentation during videoconferences. Recent examples include a BSI audit being held virtually and software suppliers carrying out systems development work remotely. Verifiers are finding ways to keep their service improvement activities moving forward in the background.

3.3 [redacted] also noted that most verifiers were now starting to look towards the safety of their staff when a return to offices and construction sites is possible. They have been reviewing their local risk assessments and drafting phased recovery plans to allow office bases to be set up to take account of social distancing measures. They are also keen to see the work being done by this group on guidance for remote site inspections and safe operating procedures, in anticipation of an industry re-start. They continue to have a high number of enquiries from the public around starting work on site and they want to be as ready as they can be to support their customers to start building safely.

Certification

3.4 [redacted] updated the group on Certificate of Design Schemes, (structure and energy schemes) have declined on average around 8% to 10% for the equivalent period in 2019. Statistics for certification of construction schemes are not available. Scheme Providers have indicated that the number of certificates being

issued is negligible, with contractors adhering to the restriction of movement policy. All Scheme Providers have received a copy of the latest guidance issued by SG on COVID19. Clarification on issues relating to the structural design scheme was sought by SER in relation to the non-availability of paper format design information that was within offices. This was raised with LABSS, alternatives have been agreed and guidance issued by LABSS to all verifiers and SER.

Approved Organisations

3.5 [redacted] noted that EPC production figures for domestic certificates decreased by 89% in April 2020 compared to those for April 2019. The most significant decline relates to house sales which have declined by 98%. The decline in non-domestic EPC numbers for April 2020, shows a 40% decline from April 2019. All Approved Organisations have received a copy of the latest guidance issued by SG on COVID19.

3.6 [redacted] also raised that future work areas will focus on the planned changes to Section 6, Energy and Section 2, Fire and there was a Ministerial submission being drafted for consideration on this review. SG agreed that there may be an opportunity for members of this group to have input to that work.

Temporary Health Facilities

3.7 [redacted] reminded the group that the Health Resilience liaison group is made up of representatives from Scottish Government (Building Standards Division, Health Infrastructure and Planning), Health Facilities Scotland (HFS), National Health Scotland (NHS) and Local Authority Building Standards Scotland (LABSS). The third meeting of the Health Resilience liaison group was held on 6 May 2020. Information has been gathered from NHS and LABSS about the location and type of facility e.g. care, mortuaries and testing facilities to create a new register that can be used to monitor the construction or conversion of buildings required during the COVID-19 period. The register will be updated on a monthly basis. There are currently 38 entries on the register of facilities and at this time no hospital or mortuary facilities have been required but this will be monitored. HFS are in discussion with Glasgow City Council to discuss a strategy for returning the SECC building back to its normal use, although no timescales are being set.

4. Updates from Members

4.1 MBM gave an update from Homes for Scotland members who have recently carried out a survey of Local Authorities regarding their current capacity to deliver consents i.e. Roads, Planning and Building Standards. Current restrictions are difficult for members and pose challenges to the longer term economic impact and forward planning activities for future investments in Scotland. Work continuing in England has allowed some testing of the current guidance. It continues to be a crucial period for the industry with the lockdown affecting the last quarter of economic activity which will have implications for business planning and financial viability of companies. MGM noted the importance of continuing dialogue with Local

Authority stakeholders including LABSS to develop guidance and to ensure new protocols and requirements can be met by all parties.

4.2 SG recognised the difficulties facing the construction industry will have a long term impact economically and appreciates that this will put many companies in an uncertain position.

4.3 DM thanked SG and SM for their time spent completing work on the action from last week to share information on commercial work in the pipeline. DM also recognised the frustrations of Homes for Scotland members and agreed these were experienced across the industry. DM raised concerns that work classed as non-essential may start before proper guidance is issued. RF reflected the same concerns. **ACTION: DM will provide SG and SM with list of sites once available from members.**

4.4 SG confirmed that BSD are aware of the concerns raised but that these issues were beyond the remit of this group. Without a clear strategy for exiting lockdown it's difficult to address some of the concerns at this time, although the Construction re-start group are meeting tomorrow and the Construction Leadership Forum are looking at some of the wider issues.

4.5 DM also noted the longer term investor confidence has been shaken in Scotland and extended lockdown measures will have implications for future investment.

4.6 RJ passed thanks to BSD and LABSS for their efforts in developing guidance for SER scheme. Proposals for remote monitoring of certification has been agreed with BSD and will be rolled out over next few weeks. RJ also picked up on comments from NB last week with her concerns around the capacity of verifiers and with particular reference to recommence site inspections. He welcomed further discussion on the role for certifiers, possibly through mandatory certification, to alleviate some of the pressures on local authority workforces.

4.7 MBM also noted feedback from verifiers in the Homes for Scotland survey findings that greater use of certification was suggested by local authorities as a way in which industry could provide support and was happy to explore this further with members.

4.8 SG noted there had been a long history of discussions around the mandatory versus voluntary nature of certification and recognised the substantial resource that could be utilised. **ACTION [redacted] to have follow up discussions with MGM and RJ around how certification could further support an industry re-start.**

4.9 DF provided an update for contractors and assured the group that while there was enthusiasm to resume business there were no intentions to break lockdown restrictions.

4.10 SM raised concerns around sites which had been closed down for a number of weeks and reports from the public of a lack of security leading to opportunities for

theft or vandalism. Reminder for industry to carry out regular checks on their own sites.

4.11 [redacted] welcomed involvement in upcoming pilots for remote verification inspection especially to include small domestic projects.

5 Remote site inspection – draft guidance

5.1 NM updated the group on the finalisation of guidance circulated to all members of the group and thanked those who provided feedback subsequently incorporated to the new version. Further versions will be developed as more evidence is gathered. Digital Transformation group are due to meet next week and take forward pilot projects as well as further training in the form of toolbox talks or online via LABSS website and the Construction Scotland i-Con knowledge hub.

ACTION – NM to provide an update from the Digital Transformation Group

5.2 DF added to NM comments and stated that dialogue with framework contractors had identified projects at advanced stages across Scotland (Glasgow, Edinburgh and West Dunbartonshire) to take forward support for testing guidance.

5.3 SG welcomed input from DF and confirmed these would be considered by the Digital Transformation group next week. The guidance will be put forward to the Minister with a refresh date attached for further updates. Limitations of remote verification inspections will be made clear and will not be promoted to circumvent lockdown restrictions on non-essential construction.

5.4 MBM thanked [redacted] for producing the guidance and noted that Homes for Scotland members welcomed the document which will come in useful when starting back on site when it is safe to do so.

6. Safe Operating Procedures and Verifiers

6.1 SG recognised Construction Scotland's time and efforts in developing Safe Operating Procedures.

6.2 RF noted the criticality across industry at this time and the divergence north and south of the border. Construction Scotland have worked closely with Scottish Government on the 5 phase plan which was received positively by Kevin Stewart MSP and was referenced in the First Ministers update to the nation last week on the revised Framework for Decision Making. RF emphasised that industry are ready and poised to re-start once safe operating procedures are agreed with Public Health Scotland and unions, due to feedback this week. Scottish Government already have guidance for essential construction and guidance for non-essential construction will be tailored to take account of Scottish Government guidance. Construction Scotland Innovation Centre continuing to gather evidence of adapted site and risk assessments in a database. RF will be submitting an update report to Kevin Stewart MSP. DF requested that report is circulated to group. **ACTION – RF to submit report to SG or GM for circulation to group with next meeting's papers.**

6.3 SM confirmed that verifiers are covered by wider guidance under protocols for visitors to sites but noted that supplementary guidance was being looked at by LABSS executives. This may take the form of a LABSS national guidance note. SG asked timescales and SM confirmed this was being progressed as soon as possible. **ACTION – SM to co-ordinate sub-group of LABSS members to input into supplementary guidance for verifiers**

6.4 SG also asked if Construction Scotland were planning any specific downloads on their website for industry professionals like clerk of works, verifiers, inspectors. RF confirmed this wasn't being done at the moment but resources are being developed all the time. He agreed micro-builders and domestic projects will require further consideration since large scale site guidance won't easily translate for smaller projects. DF offered evidence from smaller organisations for inclusion in Construction Scotland's database. **ACTION – DF to forward smaller scale evidence to RF for consideration.**

7. AOB / Next meeting

7.1 There were no other items of business. A note of the meeting will be issued no later than Monday and BSD will organise the next meeting to take place in the latter half of next week. Suggestions for inclusion on the next agenda were requested.

Building Standards Division
7 May 2020

-----Original Appointment-----

From: [redacted]

Sent: 05 May 2020 21:11

To: [redacted]

Subject: Restart sub group

When: 08 May 2020 11:15-12:15 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Teleconference

All

Please note the change of time for this meeting.

Apologies that these are coming to you so late but please find attached the agenda for tomorrow and the minutes of last week's meeting.

AGENDA

1. Welcome and confirmation of attendees

2. Key Issues for Discussion

Return to Work

- Chief Nursing Officer – [redacted]

3. AOB – Date of next meeting

Teleconference details:

Tel: [redacted]

Guest Passcode: [redacted]

Regards

[redacted]

**Construction Scotland / Scottish Government Leadership Forum
Restart Sub Group – Meeting 4
8 May 2020
Telephone Conference Call
11:15 – 12:15
Note of meeting**

Present:

Kevin Stewart – Minister for Local Government, Housing and Planning

Construction Industry

[redacted] – Industry Leadership Group member, Construction Scotland
 [redacted] – Industry Leadership Group Member, Construction Scotland
 Ron Fraser – Executive Director, Construction Scotland
 Ken Gillespie – Chair, Construction Scotland
 Stephen Good - Chief Executive, Construction Scotland Innovation Centre
 Hector MacAulay – Managing Director, Balfour Beatty Scotland
 Elliot Robertson – CEO Robertson Group
 Alan Wilson – Managing Director, Select
 Bruce Clark - Joint Managing Director, RJ McLeod
 Nicola Barclay – Chief Executive, Homes for Scotland

Scottish Government and Associated Agencies

Dr Stephen Garvin, Head of Building Standards, SG
 Fiona McQueen – Chief Nursing Officer
 [redacted] – Major Projects, Transport Scotland
 [redacted] – Head of Industrial Sectors
 Alan Morrison – Health Finance and Infrastructure, SG
 [redacted] Industrial Sectors - Construction, SG
 [redacted] – Head of Construction Procurement Policy Unit, SG
 Colin Proctor – Director, Construction Industry and Delivery, SFT
 [redacted] More Homes Division, SG
 [redacted] – Scottish Enterprise

		Action
1	Purpose of Meeting	
	<p>The meeting commenced at 11.15.</p> <p>The Minister welcomed everyone to the fourth meeting of the Restart sub group.</p> <p>He advised that the Scottish Government share the industry’s ambition to get back to work as soon as the medical evidence supports a return and highlighted comments made by the First Minister that the construction sector will be one of the first sectors to come out of lockdown,</p>	

He thanked the industry for continuing to behave responsibly and for complying with the guidance.

The Minister welcomed the Chief Nursing Officer, Fiona McQueen to the call to explain in more detail the medical rationale behind the current lockdown.

It was agreed that the minutes of the previous meeting, circulated earlier, would be revised in light of comments received from Elliot Robertson. These will be re-circulated.

The Minister then asked [redacted] to provide an update on the actions from the third Restart meeting on 1 May.

[redacted] provided an update as follows:

Action:

- [redacted] to provide further guidance on the reason for guidance and not regulation.

Progress

- This action is complete and a note has been provided to the Minister.

Action:

- Construction Scotland Restart model to be considered by Chief Medical Officer and health officials immediately and prior to Leadership Forum.

Progress

- This was sent to health officials immediately on Friday afternoon. We have received feedback from Health Protection Scotland which has been shared with CS.

Action:

- The Minister's letter to the UK Chancellor regarding the Coronavirus Business Interruption Loan Scheme to be circulated.

Progress

- This action is closed and the letter has been circulated.

Action

- A response to be provided to Nicola Barclay on Safe Operating procedures for the retail side of housebuilding

	<p>Progress</p> <ul style="list-style-type: none"> • This action is closed. A letter was sent to Nicola Barclay on 1 May. 	
2	Return to Work – Restart Planning	
	<p>The Minister explained that there had been a lot of discussion about the medical evidence in previous meetings, in particular around why the guidance differs between England and Scotland and he asked the Chief Nursing Officer, Professor Fiona McQueen to introduce this item to the group.</p>	
	<p>Professor McQueen opened the conversation by expressing her thanks to the industry on behalf of the NHS for the successful completion of the NHS Louisa Jordan and other essential NHS projects in the fight against Covid 19.</p> <p>She explained that medical professionals were learning more about the virus every day but it remains that there is no vaccine and the timescale for developing one was likely to be 12-15 months.</p> <p>There are two things health professionals are concerned about:</p> <ul style="list-style-type: none"> • Our NHS being overwhelmed (The R number is an important indicator) • Long term damage to people’s health from not being able to work/the effects of lockdown. <p>The decisions being made to protect the public take both points into consideration and are based on getting people back to work without risking spread of the virus.</p> <p>Professor McQueen explained that the virus stays on surfaces and by ensuring people stay at home they were not touching surfaces therefore were reducing the risk to others.</p> <p>She mentioned that she had seen the industry’s Restart Model and accepted that the construction sector is better placed than other industries to cope with the virus - being well versed in assessing risk and in the use of PPE. She explained that there were other things to consider such as travel but that the industry, with guidance in place, should be well placed to return to work when the time is right.</p>	

	<p>Professor McQueen invited questions.</p>	
	<p>Record of Discussion:</p> <p>There was some discussion around the differing guidance for construction across the UK. Professor McQueen advised that she was unaware of the advice to Westminster but it was considered that the rate of infection in Scotland was currently slightly higher than in England and decisions in Scotland had been taken on the medical advice available.</p> <p>The point was made that construction workers seldom travel via public transport as a large proportion of construction work takes place in areas not served by public transport. They are already considering existing modes of travel to ensure they comply with physical distancing guidelines i.e travelling alone by car</p> <p>There is a need to get industry back to work to prevent mental health issues. The contribution of the construction sector to the economy and to employment in Scotland is fully recognised and the potential consequences of lockdown to poverty, unemployment and mental health is very much understood.</p> <p>The validation process for considering updated Site Operating Procedures and the Restart Model should be shortened. Industry would like to address any feedback/questions that health officials have on these documents directly. The Minister asked officials to consider how that might be done perhaps through providing a single point of contact.</p> <p>The Reproduction value (R Value) was discussed with industry wondering what this would have to be to trigger a return to work. This has to be less than 1 and medical opinion must suggest that there is a realistic prospect that it will stay below 1. Currently it is believed to be around 0.7.</p> <p>Professor McQueen left the call.</p> <p>The Minister advised that he had announced a £100 million loan fund for SME housebuilders to help support the industry.</p> <p>It was suggested that companies are planning to/will be forced to announce redundancies. This will be exacerbated if the UK Government Job Retention Scheme ends at the end of June as scheduled.</p>	

	<p>IT poverty for some apprentices in the construction sector was raised and the Minister advised that a new digital loan fund had been announced by Miss Campbell recently. Officials were asked to investigate if this could help.</p> <p>Industry would like a timeline for a return to work and for their Restart Model and Site Operating Procedures to be agreed. The Minister stated that a timeline could not be given and we continued to depend on health professionals to give the necessary assurances that a return to work was appropriate.</p>	
3	<p>Summary:</p> <ul style="list-style-type: none"> • Industry were grateful for the insights provided by the Chief Nursing Officer. • The industry Restart Model and updated Site Operating Procedures should be considered together and when read this way should address initial feedback from Public Health Scotland on the Restart Model. • It was considered that the Job Retention Scheme urgently needed to be extended to prevent further redundancies. <p>Actions:</p> <ul style="list-style-type: none"> • Officials to make sure the Restart Model and Site Operating Procedures are considered by Public Health Scotland together. [redacted] • Officials to consider a faster way of validating the guidance produced by Construction Scotland, possibly through a single point of contact with health officials. [redacted] • Officials to provide the Minister with the updated operating procedures and plans for restart prepared for the Rail industry. [redacted] • Officials to consider the new digital loan fund announced by Miss Campbell and provide details to industry. [redacted] • Officials to consider what further correspondence has been issued to the UK Chancellor in relation to the Job Retentions Scheme and provide details [redacted] 	
3	AOB	
	<p>[redacted] – Spoke about the need to ensure that industry guidance was agreed by Trade Unions. Trade Unions had already seen the proposals and</p>	

	<p>provided comments and the group agreed to keep them involved in the validation process.</p> <p>Ian Gilzean – Mentioned that RIAs were keen to be involved in wider discussions in relation to industry restart especially on the thinking around re-design and re-opening. It was considered their input would be useful and that Ian should continue to keep RIAs apprised.</p> <p>Stephen Good – Spoke of the e mail he sent before the meeting and asked the group to sign up for alerts through the Construction Dashboard and to disseminate that to stakeholders.</p> <p>Elliot Robertson – Asked whether it might be possible for certain parts of Scotland with a lower infection rate to return to work earlier than others. The Minister advised that the First Minister is looking at all options and that decisions will be made based on the medical evidence.</p>	
	<p>Actions:</p> <ul style="list-style-type: none"> • Officials to disseminate details of the CSIC Construction Dashboard to stakeholders 	[redacted]
	The meeting closed at 12.15 pm	
6.	Date of next meeting	
	Minister – The date of the next meeting will be arranged shortly by officials.	

**BUILDING STANDARDS
RESILIENCE LIAISON GROUP**

FOURTH MEETING

15 MAY 2020

1.30pm - 2.30pm

By Teleconference

Number - [redacted]

Guest code - [redacted]

AGENDA

	Item	Lead	Timing
1.	Welcome and introductions	SG	5
2.	Note of minute of 7 May 2020 and actions	SG	
3.	Updates from BSD: <ul style="list-style-type: none">• Verifier position• Approved Organisations• Temporary health facilities	JMcD SS SG	5
4.	Certification; follow up to last week's discussion	NM and RJ	10
5.	Adaptation to buildings for COVID-19, building standards issues	PD	10
6.	Remote site inspection – publication of guidance, next steps and further digital work and LABSS taskforce	NM and SMcK	10
7.	Safe operating procedures and verifiers guidance update	RF and SMcK	10
8.	Items from members – not covered above	All	5
9.	AOB / next meeting	SG	5

BUILDING STANDARDS RESILIENCE LIAISON GROUP

NOTE OF THE FOURTH MEETING FRIDAY 15 MAY 2020 1.30 pm – 2.30 pm

By Teleconference

Attendees:

Michael Barton Maynard, Homes for Scotland (MBM)
Murray Horn, Scottish Property Federation (MH)
Scott McKenzie, Local Authority Building Standards Scotland (SM)
Robert Jopling, Certification Scheme Providers (RJ)
David Fletcher, Wheatley Group (DF)
Peter Drummond, RIAS (PD)
Colin Proctor, Scottish Futures Trust (CP)
David Melhuish, Scottish Property Federation (DM)

[redacted] More Homes, SG [redacted]
Stephen Garvin, Head of Building Standards, SG (SG)
[redacted] Building Standards, SG [redacted]
[redacted] Building Standards, SG [redacted]

Apologies:

Nicola Barclay, Homes for Scotland (NB)
Ron Fraser, Construction Scotland (RF)
[redacted] Building Standards , SG [redacted]

1. Welcome and introductions

1.1 All participants were welcomed to the meeting and apologies were noted.

2. Note of the Meeting on 7 May 2020 and actions

2.1 The note was circulated in advance of the meeting for review and was accepted. Members updated on the status of actions from previous meeting:

- **DM will provide SG and SM with list of sites once available from members.** DM confirmed that SPF members have been asked to provide feedback. In particular, members were asked about the extent of completions to be expected for purpose built student accommodation in the next few

months. The information gathering exercise is on track and DM will provide an update at the next meeting.

- [redacted] **to have follow up discussions with MBM and RJ around how certification could further support an industry re-start.** This action point was covered under agenda item 4.
- [redacted] **to provide an update from the Digital Transformation Group.** This action point was covered under agenda item 6.
- **RF to submit report to SG or [redacted] for circulation to group with next meeting's papers.** This action point was covered under agenda item 7.
- **SM to co-ordinate sub-group of LABSS members to input into supplementary guidance for verifiers.** This action point was covered under agenda item 7.
- **DF to forward smaller scale evidence to RF for consideration.** It was noted this action point was for DM rather than DF. DM advised that SPF members have been encouraged to submit evidence to the Construction Scotland dashboard.

3. Updates from BSD

Verifier position

3.1 [redacted] confirmed that all 32 verifiers have continued to provide weekly updates on the status of their service and follow up tele-conferences are being arranged where necessary. As at 11 May, all 32 are operational and continue to work with restrictions and adapted processes to take account of government guidance. The national picture is that workforce capacity is continuing to cope with demand levels. The overall rates of incoming submissions via eBS portal across Scotland show an overall 38% reduction compared with 2019 figures. For comparison, the reduction in the first week of lockdown was 25%.

3.2 [redacted] advised that the majority of building standards staff are classed as essential by Local Authorities and have been protected from being redeployed. Some verifiers had previously redeployed staff, where they had capacity within their teams, to assist colleagues with crisis response activities for delivering business grants and social care. This was a temporary arrangement and they are starting to see the return of their staff to their normal duties in building standards. Following the reduction in the number of warrants this week it is anticipated that any capacity freed up will be used to progress improvement work streams to develop electronic systems and processes in the background. This will also allow time to focus on documenting new processes and training for staff to embed improvements.

3.3 [redacted] also noted that services are continuing to consider the safety of their staff and reviewing their local risk assessments in partnership with their health and safety advisers. They have welcomed further guidance for remote verification

inspections and the wealth of information being shared via the Construction Scotland dashboard. They have been ensuring their teams and stakeholders are being kept fully informed. In a very small minority of cases, verifiers in some areas are seeing reports of non-essential construction progressing without government approval. Verifiers are passing these to enforcement colleagues as appropriate and customers are being referred to government guidance.

Approved Organisations

3.4 [redacted] reported that EPC production figures for domestic certificates is at 2% and certificates for non-domestic buildings is at 30% of normal business from this time of year in 2019.

3.6 BSD has written to all Approved Organisations to reiterate the stay at home advice issued by Scottish Government in response to the changed guidance issued by UK Government in the last week.

Temporary Health Facilities

3.7 SG reported that information on temporary healthcare buildings has been collected and around 38 temporary facilities have been identified. A procedure for data collection on a rolling monthly basis is being developed with Heath Facilities Scotland and LABSS. There may be other temporary facilities that have not been captured and ongoing data collection will be required to ensure the register of facilities is comprehensive and data can be used to support the Test, Trace and Isolate approach in future.

3.8 Pressure on healthcare facilities appears to have eased but this may change and requirements for NHS Louisa Jordan and other temporary facilities will continue to be monitored.

4. Certification

4.1 [redacted] reported that certification of design activity has decreased on average by 25% compared with 2019 whilst certification of construction has decreased by 85% of normal activity which relates to the current suspension of non-essential construction.

4.2 As set out in the action point from the last meeting, a meeting with BSD and certification scheme providers took place on Thursday 14 May to discuss how approved certifiers could assist in the construction industry re-start by providing additional capacity and including the possibility of mandatory certification.

4.3 It was noted that the scope of certification is set out in the Building (Scotland) Act 2003 and that certification is an option available for gaining building warrant approval and acceptance of a completion certificate. It is difficult to amend primary legislation and there are other issues including existing contractual arrangements, the need to seek agreement with verifiers for the use of approved certifiers where not already agreed and the need to backdate any legislative change.

4.4 Further work will be done to consider the significance of these issues and seek advice from Scottish Government legal advisers on possible options for change. **ACTION:** [redacted] **to continue discussion with SG Legal Directorate on options for possible legislative change.**

4.5 The promotion of certification was also discussed with scheme providers to highlight how approved certifiers can deliver benefits from assuring compliance and bringing additional capacity for verifiers by removing the need to check aspects of work. A further meeting will take place on Wednesday 20 May to discuss ideas to promote the benefits of certification and provide an update on the legislative position.

4.6 RJ expressed the appreciation from scheme providers that BSD has moved quickly to convene the first meeting and move the discussion forward. Scheme providers recognise the difficulties with the proposal for mandatory certification due to the legislative constraints but appreciate the issue is being considered. RJ acknowledged that certification can support verifiers to focus on checking compliance with building regulations and create additional capacity for this aspect of the verifier's role.

4.7 SG recognised that certification has a role in supporting the re-opening of construction for house building and commercial and public buildings. However, a greater understanding of the capacity of certification schemes to respond in this way is necessary to support communications and accurate messaging.

4.8 MBM reported that he will seek views from HfS members to understand why they may or may not choose to use an approved certifier at the moment and will contribute his findings to the next meeting with scheme providers. DM and MH commented that they will complement the work by MBM to seek views from the commercial side of the sector. **ACTION: MBM, DM and MH to seek views from members of HfS and SPF on their use of certification schemes and provide findings to [redacted].**

4.9 RJ will report back to scheme providers and seek information on the capacity of their approved certifiers to mobilise and support industry re-start. **ACTION: RJ to seek views from scheme providers on capacity to support re-start and report to NM.**

5. Adaptation to buildings for COVID-19

5.1 SG indicated that guidance on the design of urban spaces and on safe operating procedures for different businesses have been issued by UK Government. The guidance covers necessary adaptations for future use in relation to physical distancing measures.

5.2 PD reported that RIAS has been considering the alterations required to different building types and how guidance can be put in place quickly to avoid any delay when restrictions begin to be eased. The guidance is focused primarily on retail, commercial/ offices and manufacturing buildings. Healthcare buildings, educational establishments and leisure facilities are not included at this stage.

5.3 The guidance is intended to provide a way forward that takes into consideration virus transmission advice from the Chief Medical Officer and the UK Government's SAGE advisory group. RIAS will deploy one or two experts in commercial and office design to consider the issues and the impact on warrantable work as a starting point for further discussion.

5.4 Guidance should assist building owners in understanding how to mitigate the transmission risk through physical changes to a building's structure and services. The example of understanding the role of ventilation systems was given to illustrate matters beyond the main focus of physical distancing. SS noted that understanding both where building regulations apply and where a building warrant is not required (conditions in Schedule 3 to Regulation 5 in the building regulations) would assist with the development of guidance. BSD can provide procedural advice to support development of the document and make connections with other officials involved the development of guidance for the reopening of construction sites.

5.5 DM asked if the insights from owners in the serviced office environment had been included as detailed thinking on adaptations to these buildings has been done. DM will check if information is available to share with RIAS and will facilitate connections with owners of offices if necessary. **ACTION: PD to organise a follow-up discussion with DM in relation to the serviced office environment.**

5.6 SM commented there has been nothing in relation to warrantable works for adaptations through LABSS. However, arrangements to support return to work is being discussed by local authorities and the position is that working from home is expected to continue for a considerable period of time where possible. SM suggested that insurance companies, such as Zurich, may have useful insights on adaptations following their work around potential claims by employees returning to the workplace.

5.7 CP confirmed he will follow-up with PD to discuss adaptations for schools and other public buildings on behalf of the Scottish Futures Trust. **ACTION: CP to arrange a discussion with PD on adaptations to schools and public buildings.**

5.8 SG agreed to include this item on the agenda for the next meeting to discuss advice on virus transmission risks and the common types of work that are warrantable and what adaptations may be done without a warrant.

6. Remote Site Inspections and further digital work

6.1 [redacted] thanked members for their help shaping the guidance on remote verification inspections. The guidance was issued to local authorities by the Minister for Local Government, Housing and Planning on 13 May. A link was sent to members and BSD is keen to see the guidance promoted widely. BSD can provide a short version of the guidance for wider sharing if necessary.

6.2 [redacted] reported the LABSS Digital Transformation Group met for the first time on 12 May with involvement from BSD and noted the group had access to a further pool of 15 volunteers from across Scotland to support the work. A survey will be conducted to understand verifiers' digital capability and case studies will be taken

forward to support implementation of the remote inspection guidance. [redacted] passed contact details for MBM, DM and PD to LABSS to enable HfS, SPF and RIAS to take part in four case studies. The work will be initially based on four case studies but wider participation in the work is being encouraged. The LABSS website will be redeveloped to host case study information and best practice guidance in due course. SM commented that a work plan and draft survey have been circulated to members of the Digital Transformation Group to enable progress next week.

6.3 DF asked if the location and geography of the case studies had been decided and NM reported that LABSS is looking at local authorities with an interest in taking part before deciding on specific projects.

7. Safe Operating Procedures and Verifier Guidance Update

7.1 RF provided a written update and SG delivered this to the group on his behalf. RF has incorporated comments from the Health and Safety Executive and the National Society of Environmental Protection Officers to strengthen the safe operating procedures to support the reopening of all sites. The intention is to issue the guidance to all contractors who are preparing for a restart.

7.2 CP reported that a report is being developed for presentation to the Construction Leadership Forum meeting next week. He commented that the safe operating procedures are intended for all involved in construction and it would be helpful to include a section on remote site inspections. SG recognised that LABSS has been involved in this work to ensure the local authority perspective is included. SM reported that the majority of local authorities are developing their risk assessments and involvement will ensure these corporate requirements align with the safe operating procedures. LABSS is currently awaiting the draft document before preparing best practice guidance for verifiers.

7.3 RF was requested to share the draft safe operating procedures document with members for their comments. **ACTION: RF to share the draft safe operating procedures document with members.**

8. Items from members

8.1 [redacted] advised members that More Homes Division in SG has been working to support small to medium sized enterprise in the housebuilding sector. A support scheme will be launch on Monday 18 May to provide access to liquidity support for SMEs with a turnover less than £45 million per year.

8.2 [redacted] advised that SMEs in the housebuilding sector reported difficulties accessing support provided by UK Government. Support from SG recognises the valuable contribution these businesses make in Scotland particularly in the provision of affordable homes. Information on the SME Liquidity Loan Fund can be found at: <https://www.gov.scot/publications/coronavirus-covid-19-liquidity-support-sme-housebuilders/>

8.3 PD reported that RIAS will conduct a second survey of members covering workforce issues and consents. PD will advise the group of the findings.

9. AOB/ Next Meeting

9.1 There were no other items of business. A note of the meeting will be issued no later than Monday and BSD will organise the next meeting to take place in the latter half of next week. Suggestions for inclusion on the next agenda were requested.

Building Standards Division

18 May 2020

COVID-19: HOME MOVES IN SCOTLAND WORKING GROUP

MEETING 01

20 MAY 2020

Agenda

1. Introductions [SG]
2. Remit and membership – **Annex A** [SG]
3. Overview of current position – **Annex B** [SG]
4. Reflections on changes made by UK Government on 13 May: [ALL]

Revised regulations for England at **Annex C**

Revised guidance for England at **Annex D**

5. Discussion of possible approach for Scotland: [ALL]

Overview of steps in the buying and selling process - **Annex E**

6. Next steps [SG]
7. AOB [ALL]
8. DONM [SG]

Preparation

1. We want to be ready to reopen the housing market and moves between all tenures in Scotland as soon as it is safe to do so. For the purposes of this first meeting on 20 May, we will focus on the steps involved in home sales and purchases.
2. It would be very helpful if you could:
 - Familiarise yourself with the material in this pack, including the approach taken by the UK Government for England.
 - Be ready to share your views on a possible approach for Scotland.
 - Develop or gather information on potential safe operating procedures for your sector; and where these are already operational in England, consider how they might translate to Scotland.

**More Homes Division
Scottish Government**

15 May 2020

REMIT AND MEMBERSHIP

Remit

1. The purpose of the group is to help prepare to reopen the housing market and moves between all tenures in Scotland as soon as it is safe to do so. The group will advise Scottish Government on the workability of COVID-19 mitigation measures for each sector and profession. The Scottish Government's approach will be informed by the views of this group and the medical and scientific evidence and advice specific to the pandemic in Scotland.
2. This group brings together representatives of the sectors and professions, including professional and trade bodies, and representatives of tenants, owners and the public interest.
3. Group members will:
 - a) Advise on priorities for their interests.
 - b) Suggest mitigating measures to keep workers and the public safe.
 - c) Develop / share detailed guidance and procedures for their own sector.
 - d) Assist Scottish Government in developing its approach to reopening the housing market and moves between all tenures.
4. Meetings will be conducted by videoconference and members may also be invited to comment on documents in correspondence, sometimes at short notice. In order to facilitate the free and frank exchange of views, members will treat the papers circulated and discussions in confidence. A brief note will be taken by Scottish Government but views will not be attributed to any individual member.

Membership (as of 15 May)

Scottish Government – More Homes Division (Chair)
British Association of Removers
Citizens Advice Scotland
First Mortgage
Homes for Scotland
J&E Shepherd
Law Society of Scotland
Lloyds Banking Group
Millar & Bryce
National Association of Estate Agents / ARLA Propertymark
Nationwide BS
Registers of Scotland
Royal Institution of Chartered Surveyors
Scottish Association of Landlords
Shelter
Solicitors Property Centre
UK Finance / Scottish Mortgage Committee

OVERVIEW OF THE CURRENT POSITION

Scotland: now

1. The health and safety of the people of Scotland is our top priority. We need to practice physical distancing and stop all non-essential activity that leads to unnecessary contact.
2. On 31 March 2020, we published [Coronavirus \(COVID-19\): guidance on moving home](#) urging people to delay moving to a new home while stay-at-home measures are in place¹. At the time, this mirrored guidance published on 26 March 2020 by the UK Government²
3. Where move dates had already been agreed, we asked parties to do all they could to agree alternative dates for when it was likely that stay-at-home measures would no longer be in place.
4. The guidance allows for a home move to proceed where: it is reasonably necessary; it can be completed safely; and the destination home is empty or can also be safely vacated. The home move guidance covers moves between existing homes as well as into new build. The Scottish Government strongly advises anyone in the process of moving home to seek advice from their solicitor.
5. We have also published five other guidance notes in relation to housing:
 - [Coronavirus \(COVID-19\): guidance for social landlords](#)
 - [Coronavirus \(COVID-19\): guidance for private landlords and letting agents](#)
 - [Coronavirus \(COVID-19\): information for homelessness services](#)
 - [Coronavirus \(COVID-19\): framework to support gypsy/traveller communities](#)
 - [Coronavirus \(COVID-19\): guidance on allocations for the housing sector](#)

England now

6. On 13 May, the UK Government loosened restrictions in England, with a change in their Coronavirus restriction regulations³ and new guidance⁴ taking effect. For ease of reference, the relevant law is reproduced at **Annex C** and the guidance at **Annex D**.
7. The UK Government also issued new guidance on working safely during Coronavirus (COVID-19)⁵ on 11 May.

¹ <https://www.gov.scot/publications/coronavirus-covid-19-staying-at-home-and-away-from-others-social-distancing/>

² <https://www.gov.uk/guidance/government-advice-on-home-moving-during-the-coronavirus-covid-19-outbreak>

³ <http://www.legislation.gov.uk/id/uksi/2020/500>

⁴ <https://www.gov.uk/guidance/government-advice-on-home-moving-during-the-coronavirus-covid-19-outbreak>

⁵ <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>

Scotland: next steps

8. **There is currently no change to policy on home moves in Scotland.** The position remains that home moves can only happen where reasonably necessary, and our regulations and guidance are unchanged (see [Coronavirus \(COVID-19\): guidance on moving home](#)). The health and safety of the people of Scotland is the Scottish Government's top priority. We know that current restrictions are causing difficulty for many people who want to buy, sell or move home. We want to get the housing market moving as soon as it is safe to do so, but we will only act in line with the medical and scientific evidence and advice specific to the pandemic in Scotland.
9. Any decisions to alter the current restrictions in Scotland will be aligned to the principles set out in our publication *COVID-19 A Framework for Decision Making*⁶ of 23 April and the further information⁷ published on 5 May.
10. To assist preparation and discussion, an overview of steps in the buying and selling process is attached at **Annex E**. This provides a checklist and a place to record possible modifications.

Home moves: completion and sale of new build homes

11. On 6 April 2020 the Scottish Government published guidance for the construction sector which classed domestic house building as non-essential work which should cease. This advice was not changed by a subsequent updating of the guidance⁸ (1 May 2020). The completion and sale of new build homes clearly requires both a relaxation of rules around construction work and a reopening of the housing market.

Other relevant COVID-19 working groups

12. There are a number of other working groups whose remit is relevant to this group and it will be important to make the relevant connections, through Scottish Government and other common membership:

- **Local Authority Housing Resilience Group**

Meets weekly to identify the overarching priorities and emerging for the local authority housing sector and agree upon joint approaches for resolution. It makes connections with the **Social Housing Resilience Group**, hosted by SFHA, and **PRS Resilience Group** (see below). This group can escalate matters to political group leaders and the Minister for Local Government, Housing and Planning.

⁶ <https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making/>

⁷ <https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making-further-information/>

⁸ <https://www.gov.scot/publications/coronavirus-covid-19-construction-sector-guidance/pages/overview/>

- **Social Housing Resilience Group**

This is hosted by SFHA and supported by Better Homes in Scottish Government and includes representation from GWSF, the Scottish Housing Regulator, Public Health Scotland, CIH, Wheatley Group, ALACHO and COSLA.

- **PRS Resilience Group**

This is led by Better Homes in Scottish Government and includes representation from the Scottish Association of Landlords, ARLA Propertymark, CAS, Shelter, some local authorities, ALACHO and COSLA.

- **Construction Leadership Forum**

The Construction Leadership Forum (CLF) was originally formed in 2019 to focus on quality and procurement improvement in the construction industry. It is a joint forum between Construction Scotland (CS) and the Scottish Government (SG) and is now functioning as a liaison forum for the construction industry during the COVID-19 pandemic. The CLF will be chaired by the Minister for Local Government, Housing and Planning for the duration of the crisis. It includes representatives from CS, SG, the Construction Scotland Innovation Centre, Scottish Futures Trust, Transport Scotland, the **Construction Industry Coronavirus (CICV) Forum** and also some industry representatives.

The CLF has established four subgroups, including **Restart** and **Safe Operating Procedures (SOPs)** being the most relevant here. The SOPs developed to date are largely designed for external new build construction sites. The CICV Forum is working with CS to develop SOPs for maintenance and associated 'indoor' or small scale sites. Homes for Scotland has produced SOPs for home building sales activities (such as viewing, show homes etc).

REVISED HOME MOVE CORONAVIRUS RESTRICTIONS IN ENGLAND

The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (SI 2020/350) (c.i.f. 26 March) as amended by the Health Protection (Coronavirus, Restrictions) (England) (Amendment (No. 2) Regulations 2020 (SI 2020/500) (c.i.f. 13 May) now read as follows:

Restrictions on movement

6.—(1) During the emergency period, no person may leave the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1), a reasonable excuse includes the need—

...

(l) to undertake any of the following activities in connection with the purchase, sale, letting or rental of a residential property—

- (i) visiting estate or letting agents, developer sales offices or show homes;
- (ii) viewing residential properties to look for a property to buy or rent;
- (iii) preparing a residential property to move in;
- (iv) moving home;
- (v) visiting a residential property to undertake any activities required for the rental or sale of that property;

UK GOVERNMENT GUIDANCE FOR ENGLAND ONLY – 13 MAY 2020

[UK] Government advice on home moving during the coronavirus (COVID-19) outbreak.

Numbering added in left margin to facilitate discussion.

1. This guidance applies to people moving into homes in the private or social sector.
2. Last updated 13 May 2020

Contents

3. 1. [Advice to the public](#)
4. 2. [Advice to industry](#)
5. 3. [Social landlords](#)
6. The government has amended the coronavirus (COVID-19) regulations to make clear that people who wish to move home can do so. This guidance provides important public health information to ensure that moving home and key activities around this, such as viewing property, can happen safely.
7. It is important that everyone knows how to [stay alert, contain the virus and save lives](#). Our success containing the virus so far has been hard fought and hard won. We must proceed with the utmost care in the next phase, and avoid undoing what we have achieved. One of the simplest steps you can take when moving home is to wash your hands frequently and wherever possible stay at least 2 metres apart from people who are not members of your household.
8. This document does not represent a return to normality. The process of finding and moving into a new home will need to be different given those involved in the process will have to adapt practices and procedures to ensure that the risk of spread of coronavirus is reduced as far as possible. This will include doing more of the process online, such as virtual initial viewings; vacating your current property whilst other people are shown around; and ensuring your property is thoroughly cleaned before someone else moves in.
9. We encourage all parties involved to be as flexible as possible over this period and be prepared to delay moves, for example if someone becomes ill with coronavirus during the moving process or has to self-isolate. It may also become necessary to pause all home moves for a short period of time to manage the spread of the coronavirus. We will let you know if this has to happen.

10. You should consider whether you need to make provisions in contracts to manage these risks. You should not expect to move into any home where people have coronavirus or are self-isolating.

Advice to the public

11. More detail on progressing the individual elements of the home buying and selling or rental process and how this applies to different groups is set out in the next section.

Vulnerable people or those shielding

12. We recognise people who are shielding or otherwise vulnerable may also have pressing needs to move home; however, this should be balanced with the increased risks presented by coronavirus.
13. In line with government's advice, those who are shielding or otherwise clinically vulnerable should ensure they are aware of the [medical advice](#), including on staying at home and avoiding unnecessary contacts over this period, if at all possible. All parties involved in home buying and selling should prioritise agreeing amicable arrangements to change move dates for individuals in this group, or where someone in a chain is in this group.
14. Clinically vulnerable and shielded individuals (ie those who have received a letter advising they are in the clinically extremely vulnerable group) will need to carefully consider their personal situation and the circumstances of their own move and may wish to seek medical advice before deciding whether to commit to or go ahead with a move. Some moves are likely to be lower risk - for instance if the home is empty, all travel can take place in their own transport and they can avoid contact with others.
15. We would encourage everyone in these categories who does intend to move, to make clear their status to all of the professionals involved in the process. They may be able to implement additional precautionary measures to further protect you.

People self-isolating or having tested positive for coronavirus

16. Moving home is not appropriate whilst you pose a direct risk of transmitting coronavirus. People who have coronavirus or are self-isolating with their family member should not leave their home to either move home, or undertake property viewings.
17. If you are contractually committed to move home, you should delay your move until all members of your household have come to the end of their self-isolation period. All parties involved in home buying and selling should prioritise agreeing amicable arrangements to change move dates for individuals, or where someone in a chain or their family member is self-isolating or has tested positive for coronavirus.

18. Should a move be essential for people in this category, for instance due to an urgent health and safety risk, please contact Public Health England/local public health teams for advice.

What does this mean for my property move or purchase which is scheduled whilst measures to fight coronavirus apply?

19. People are free to move home, however the process of finding and moving into a new home is likely to be different, as those involved in the process will need to adapt practices and procedures to ensure that the risk of spread of coronavirus is reduced as far as possible. It is vital that everyone [stays alert and safe](#).
20. • Initial viewings should be done virtually wherever this is possible and property agents should help you to do this.
21. • All physical viewings should be limited to members of the same household and open house viewings should not take place.
22. • When physically viewing properties, where possible, you should avoid touching surfaces, wash your hands regularly, and bring your own hand sanitiser. The number of people on a viewing should be minimised to those from your household that absolutely have to be there. If you need to be accompanied by small children, you should try to keep them from touching surfaces and ensure they wash their hands regularly.
23. • If people are being shown around your current home, you should open all internal doors and ensure surfaces, such as door handles, are [cleaned](#) after each viewing with standard household cleaning products.
24. • As most people choose to, we recommend that you vacate your property whilst viewings are taking place in order to minimise your contact with those not in your household.
25. • Anyone involved in any aspect of the home moving process should practice social distancing in line with public health advice.
26. • When moving between properties, you and those in your household should try to do as much of the packing yourself as you can. Where this is not possible, you should speak to removal firms in advance. There is further advice about this below.
27. • If you are particularly worried about the risk of infection, then speak to the professionals involved, your landlord, estate agent or removers as they may be able to put in place extra measures.
28. Everyone involved in the moving process must follow [social distancing](#) to minimise the spread of the virus.

1. Preparing to buy, sell or move home

29. You can put your home on the market and start to look for properties you want to move into. If any member of the household being viewed is showing symptoms or is self-isolating then estate agents should not physically visit the property.

30. • You can begin to market your home and estate agents are able to visit in order to take photos/videos of the property.
31. • To help prevent the spread of infection, we encourage people to do the majority of their property searching online; for example only physically viewing those properties which you believe you are most likely to want to move into.
32. • As usual, you can also start to bring together the documentation necessary to sell your property (more information on these documents is available in the government's [guidance on how to sell homes](#)).
33. • If you wish to buy a new build property you should make contact with the developer in the usual way. You should be able to view the show home or visit the particular plot you are interested in purchasing, although there will be appointment systems in place.

2. Viewings

34. People should use virtual viewings before visiting properties in person where possible, in order to minimise public health risks. If any member of either the household being viewed, or the household undertaking a viewing is showing symptoms of coronavirus or is self-isolating, then a physical viewing should be delayed. All viewings should take place by appointment and only involve members of a single household.
35. • We encourage people to do their property searching online wherever possible. Initial viewings should be done virtually wherever this is possible and physical viewings should only be conducted where buyers are seriously considering making an offer on a property.
36. • To support this, agents may ask home occupiers to conduct virtual viewings. This will help reduce the number of properties people need to visit before finding their future home.
37. • Viewings should be conducted by appointment only and no open house viewings should take place.
38. • If your property is being viewed, you should open all the internal doors prior to the viewing, and allow access to handwashing facilities and ideally separate towels/paper towels.
39. • As most people choose to do, we encourage that you vacate your property whilst viewings are taking place in order to minimise your contact with those not in your household.
 - When viewing a property, all parties should wash their hands and avoid touching surfaces where possible. Agents will ask you to restrict the number of people who accompany you on a viewing so that social distancing can be practised, and only those in your immediate household should be there.
40. • We expect agents to accompany clients on a viewing but follow social distancing rules wherever possible. Where viewings are unaccompanied, agents should make sure viewers and homeowners understand how they should conduct themselves.
41. • Once the viewing has taken place, the homeowner should ensure surfaces, such as door handles, are [cleaned](#) with standard household

cleaning products and towels disposed of safely or washed as appropriate.

3. Making offers or reservations

42. You are free to make or accept an offer or reserve a property as normal.
43.
 - There is a greater risk that parties may need to delay their move because someone is showing symptoms of coronavirus or self-isolating. Where needed your legal adviser should advise you and help make sure that any contracts or agreements are as flexible as possible to accommodate this risk.
44.
 - Prospective purchasers may wish to visit a property again once they have agreed a sale, for example to measure up. Where this has been agreed to, the above advice on prioritising virtual visits, hygiene measures, maintaining social distancing at all times and mitigating contact where possible should be followed.
45.
 - Purchasers may also want to send in tradespeople to carry out inspections. Where possible these should be scheduled with one person visiting the property at any time. No tradespeople should enter a property where a member of the household is showing symptoms of coronavirus or self-isolating. Where a tradesperson is visiting the property, the occupier should maintain social distancing, wash their hands regularly and minimise contact as far as possible, for example by staying in another room. These visits should be carried out in line with government [safer working guidance](#).

4. Property searches and surveys

46. Your legal representative should be able to carry out searches on your property online in order to progress your transaction and you can contact them to discuss likely timescales.
47. Your surveyor can undertake surveys of the property you wish to purchase.
48.
 - Surveyors should not enter a property where a member of the household is showing symptoms of coronavirus or self-isolating.
49.
 - Where possible we encourage inspections to take place by appointment only, with one person visiting the property at any time. Surveyors should follow government [guidance for professionals working in other people's homes](#) and guidance on [social distancing](#).
50.
 - If your home is being surveyed, you should ensure the surveyor has access to all the parts of the property they need to inspect, and make efforts to minimise contact with the surveyor, for example by staying in another room whilst they are inspecting your home.

5. Agreeing to move

51. Once you have agreed to move home by exchanging contracts or signing a tenancy agreement, you have entered into a legal agreement to move. We encourage all parties to be as flexible as possible over this period and be

prepared to delay moves if needed, for example if someone becomes ill with coronavirus during the moving process or has to self-isolate. You should not expect to move into any home where people are ill or self-isolating.

52. • Your legal adviser should be able to help you to ensure that any contract you enter into has sufficient flexibility to allow the purchase to be delayed in the event that an individual in one of the parties contracts coronavirus or has to self-isolate.
53. • We encourage you to be as flexible as possible if you are asked to delay your move, and in turn, you can speak to your legal advisor about this.

6. Moving your belongings

54. Removal firms are able to operate, although they may need to adjust usual procedures in order to ensure moves happen as safely as possible.
55. • We encourage you to contact removal firms as early as possible in advance of your move.
56. • You and your household should also try and do as much of the packing yourself as possible. However, where this is not possible, you should speak to your removal firms in advance.
57. • We ask that, where possible, you [clean](#) your belongings, with standard domestic cleaning products before they are handled by others, including removal firms.
58. • Whilst the removers are in your home, you should ensure any internal doors are open and seek to minimise your contact with the crew, maintaining a distance of at least 2 metres where possible.
59. • All parties should wash their hands and avoid touching surfaces where possible to reduce the risk of transmitting the coronavirus.
60. • You should not provide refreshments but you should ensure they have access to hand washing facilities, using separate towels or paper towels if possible, which should be washed or disposed of safely afterwards.

Advice to industry

61. All businesses should follow the government's latest [guidance for employers and businesses](#) on coronavirus and [safer working guidance](#).
62. As well as government guidance, we encourage all professionals to speak to their representative bodies and familiarise themselves with the guidance that these bodies have prepared for their specific sectors.
63. It is important that all businesses work together to ensure we [stay alert and safe](#) to minimise the spread of infection and we expect all sectors to consider how they can operate in a way which minimises the need for face to face contact.

Estate agents

64. Estate agents can open for business but should consider how and when to reopen their premises given government guidance on [safer working](#). Estate

agents should inform customers and their own staff about their procedures, so that they are safe throughout the sales process.

65. • Agents should ask whether any party is showing symptoms or has been asked to self-isolate before going ahead with any viewing, or visits to offices.
66. • Agents should operate using an appointment system for visits to their offices and when conducting viewings.
67. • Agents should not carry out any open house viewings.
68. • Agents should strongly encourage clients to view properties virtually in the first instance and then only physically inspect properties which they have a strong interest in.
69. • Agents can accompany physical viewings and seek to maintain a minimum of 2 metres distance from others wherever possible. Where social distancing is not possible and the visit is within an enclosed space, they should consider wearing a face covering in line with [government guidance](#).
70. • Where they do not accompany the visit, they should make sure that both buyers and sellers clearly understand how the viewing should be conducted safely.
71. • Agents should not drive clients to appointments.
72. • All parties viewing a property should wash their hands with soap and water (or hand sanitiser if not available) immediately after entering the properties, with internal doors opened and surfaces having been wiped down before they enter. Separate towels or paper towels should be used if possible and washed or disposed of safely after use.
73. • Agents should do what they can to promote flexibility when arranging move dates, for example advising clients to ensure contracts have explicit terms to manage the timing risks presented by coronavirus.
74. • Agents should work with their clients and other agents to broker a new date to move where sales are due to complete and one of the parties falls ill with coronavirus or has to self-isolate.
75. • Agents should ensure that any keys are appropriately [cleaned](#) before handover.

Developers and new build sales

76. Developers can continue with sales during this period but should ensure that their sales teams follow the government's [safer working guidance](#). Developers should inform consumers and their own staff about their procedures, so that they are safe throughout the sales process.
77. • Where possible, developers should promote virtual viewings.
78. • Where physical viewings do take place, including visits to show homes, these should be by appointment with one household visiting one property at a time.
79. • Developers should [clean](#) surfaces between viewings.
80. • For new reservations and contracts, developers should work with conveyancers to ensure contracts take account of the risks posed by coronavirus, including building in flexibility in case move dates need to

change as a result of someone falling ill with coronavirus or needing to self-isolate.

81. • Developers should do what they can to support anyone with coronavirus symptoms or self-isolating, and those they are in chain with, to agree a new date.

Tradespeople

82. Moving home is often a time when people want to undertake work to improve their new home or prepare their old home for sale. This work can involve fitting new kitchens, redecorating, and other home improvement work. This work is also important when people aren't moving home. It is a key way for households and landlords to improve the home environment and address poor quality accommodation while also providing important work for tradespeople who's businesses have been affected by the virus.
83. Tradespeople should follow the follow the government's safer working guidance. Companies should ensure employees understand how to operate safely and communicate this to customers.
84. • Tradespeople should contact the household in advance to check that no member of the household is showing symptoms of coronavirus or self-isolating. If they are, works should be delayed.
85. • No work should be carried out by a person who has coronavirus symptoms, however mild.
86. • Tradespeople should wash their hands on entering the property using separate towels of paper towels which need to be washed or disposed of safely after use.
87. • Tradespeople should seek to minimise contact with homeowners and remain 2 metres apart from householders at all times.
88. • Tradespeople should implement a buddy system and ensure that the same people work together where this is needed.
89. • Tradespeople should bring their own refreshments but you should ensure they have access to hand washing facilities, using separate towels or paper towels if possible, which should be washed or disposed of safely afterwards.

Conveyancers

90. Conveyancers can open for business and can take on new instructions. They should make sure their clients are aware of the differences in completing transactions during this period.
91. • Conveyancers should aim to conduct as much of their business remotely as possible.
92. • Where client meetings need to take place, measures should be put in place to ensure appropriate social distancing and hygiene measures.
93. • Conveyancers should do what they can to promote flexibility making provisions for the risks presented by coronavirus, for example when advising their clients who are ready to move not to exchange contracts

- on an occupied property unless they have made explicit provision for the risks presented by the virus.
94. • Conveyancers should prioritise support for anyone who is clinically vulnerable or shielding, or with symptoms of coronavirus or self-isolating to agree a new date to move.

New Build Home Warranty Assessments and claims against the warranty

95. Inspectors can carry out warranty assessments on new build properties. Inspectors should follow public health guidance on [social distancing](#) and guidance for [working in other people's homes](#). Companies should ensure employees understand how to operate safely and communicate this to customers.
96. • New build warranty providers can continue to provide a normal service to homebuilders and consumers, including site visits and inspections.
97. • No work should be carried out by a person who has coronavirus symptoms, however mild or anyone who has been asked to self-isolate.
98. • Inspectors should contact the household in advance to check that no member of the household is showing symptoms of coronavirus or self-isolating. If they are, works should be delayed.
99. • Where residents are making a claim against their new build warranty, in the first instance they should speak with the warranty provider. Where possible the warranty providers should investigate claims remotely using video or photo evidence. If this is not possible and an inspector needs to visit an occupied property, this should be done by appointment and measures put in place to ensure physical contact is minimised, for example with residents staying in another room during the visit.

Surveyors and EPC assessors

100. Surveyors and EPC assessors are free to visit properties to carry out surveys. Surveyors should follow the latest government guidance for [working in other people's homes](#). Where surveys are carried out, all public health guidance on [social distancing](#) must be followed. Companies should ensure employees understand how to operate safely and communicate this to customers.
101. • Surveyors should contact the owners of the property to be surveyed prior to the survey to make sure they understand which areas will be surveyed and ensure that all doors and access panels are open and surfaces have been [cleaned](#) with household cleaning products in line with public health advice. During a visit, members of the household should follow social distancing guidance, staying 2 metres away wherever possible, for example by staying in another room.
102. • No work should be carried out by a person who has coronavirus symptoms, however mild or anyone who has been asked to self-isolate.
103. • Surveyors should wash their hands immediately upon entering the property, using separate towels or paper towels which need to be washed or disposed of safely after use.

104. • Surveyors should be clear in any reports about areas which they weren't able to inspect due to public health limitations.

Removals firms

105. Removal firms are able to operate and should follow the latest government guidance on [safer working](#). Where moves are carried out, [social distancing](#) should be followed. Companies should ensure employees understand how to operate safely and communicate this to customers.
106. • Removers should contact the household in advance to check that no member of the household is showing symptoms of coronavirus or self-isolating. If they are, works should be delayed.
107. • They should also encourage households to ensure all internal doors are open and surfaces and possessions have been [cleaned](#) with household cleaning products prior to them entering the property.
108. • No work should be carried out by a person who has coronavirus symptoms, however mild.
109. • Removers should wash their hands on entering the property using separate towels of paper towels which need to be washed or disposed of safely after use.
110. • Removers should seek to minimise contact with homeowners and remain 2 metres apart from householders at all times.
111. • Removers should implement a buddy system and ensure that the same people work together when moving bulky items and furniture.
112. • Removers should bring their own refreshments but you should ensure they have access to hand washing facilities, using separate towels or paper towels if possible, which should be washed or disposed of safely afterwards.

Letting agents and private landlords

113. Tenants' safety should be letting agents' and landlords' first priority. The government has put in place protections for tenants during the coronavirus outbreak, including legislation to delay when landlords are able to start proceedings to evict tenants. This means until 30 September 2020, most landlords will not be able to start possession proceedings unless they have given their tenants three-months' notice.
114. This guidance for landlords and letting agents is to help them safely let empty properties, or properties which tenants are voluntarily vacating. While broader measures to protect tenants during the coronavirus outbreak remain in place, letting agents and landlords should endeavour to avoid ending tenancies where the tenant wants and is able to stay.
115. Letting agents and landlords should be aware of and follow government [guidance on coronavirus and renting](#), which explains these protections in greater detail, and make sure tenants are aware of this guidance.

- 116. • Private landlords and letting agents should not conduct viewings in properties where tenants are symptomatic or self-isolating, or where it has been determined that they are clinically extremely vulnerable and are shielding.
- 117. • In other cases, where viewings can proceed, they should be conducted in line with the guidance on viewings earlier in this document.
- 118. • Any visits to a property must be made in accordance with government's [guidelines on working in other people's homes](#) and [social distancing](#).
- 119. • If possible, necessary repairs, gas and electrical safety checks should be conducted in the period between a property being vacated and a new tenant moving in. If this is not possible and visits are needed to an occupied property, this should be done by appointment with measures put in place to ensure physical contact is minimised, for example with residents staying in another room during the visit.
- 120. • Landlords should make every effort to abide by gas and electrical safety requirements, which continue to be of great importance for tenants' safety. This may be more difficult due to restrictions associated with the coronavirus outbreak, for example where a tenant has coronavirus symptoms, is self-isolating or shielding. Under such circumstances, provided the landlord can demonstrate they have taken reasonable steps to comply, they would not be in breach. See further Health and Safety Executive [guidance on how to deal with specific circumstances](#). Letting agents may also want to consider obtaining landlord and tenant consent for inventory clerk appointments to also occur before a tenant moves in or after a tenant moves out during vacant periods if possible.
- 121. • Letting agents and landlords should take steps to ensure any properties are prepared ready for new tenants, this may include cleaning to minimise any potential spread of the virus in line with [government advice](#).
- 122. • Letting agents and landlords should consider how best to conduct tenancy check-ins for new tenancies agreed while broader measures remain in place, taking care to follow government advice on [social distancing](#) to minimise possible spread of coronavirus.
- 123. • Letting agents and landlords are reminded of the [temporary COVID-19 measures that adjust right to rent checks](#), temporarily allowing these checks to be conducted remotely. Lettings agents and landlords should consider other areas where in person payments, referencing or checks can be conducted remotely instead and take further advice if required.

Social landlords

- 124. Allocation by local housing authorities is governed by [Part 6 of the Housing Act 1996](#) and authorities must have regard to statutory guidance. Registered providers of social housing should refer to the [relevant regulatory standards](#) set out by the Regulator of Social Housing.
- 125. Landlords will need to consider how to carry out their activities in line with the government's advice on [social distancing in the workplace](#)). Practices should also be altered in line with this wider guidance, including:
- 126. • property inspections for vacating tenants

- 127. • collecting returned keys
- 128. • conducting viewings
- 129. • conducting tenancy sign-ups
- 130. • preparing homes to be re-let
- 131. Some applicants and tenants may be anxious about moving at this time. It will be important to ensure that they are not put under undue pressure to move, if they are not ready or able to do so.
- 132. It will also be important to discuss with applicants and tenants their state of health, level of vulnerability and their arrangements for moving (including any assistance required) before proceeding with the move.
- 133. Landlords should avoid moving tenants who are showing symptoms of coronavirus or self-isolating. There may be exceptions to this (e.g. safety reasons) and in these scenarios landlords should speak to the local Public Health team about appropriate infection control measures before taking any action.
- 134. Landlords should also avoid moving residents who are shielding because they have been notified they are in the clinically extremely vulnerable group. If a home move is required, the landlord should speak to the local Public Health team for advice on appropriate measures to protect the resident.

Right to Buy ~~[deleted]~~

Last updated 13 May 2020

OVERVIEW OF STEPS IN THE BUYING AND SELLING PROCESS: DRAFT FOR COMPLETION

This is provided as a checklist / framework for discussion, comment and to log suggested modifications. Some group members will have a cross-cutting interest in all stages.

	Step	Current process	Possible modifications?	Group members with lead interest
1	Mortgage in principle	Potential buyer will approach lenders to get a Mortgage Agreement in Principle which will give them a good idea of the maximum amount of a mortgage they would be offered. Buyers will either approach lenders directly or go through a broker.		UK Finance First Mortgage Lloyds Banking Group Nationwide BS
2	Property Valuation	The selling agent will visit the property intended for sale to provide an estimate property valuation and provide a quote for all costs involved in the sale of the property.		Solicitors Property Centre NAEA J&E Shepherd
3	Home Report	Selling agent or seller will instruct the surveyor to visit the property and prepare the Home Report. The Home Report is valid for 3 months and includes: <ul style="list-style-type: none"> • a single survey and valuation; • a property questionnaire; and • an energy report. 		RICS J&E Shepherd

	Step	Current process	Possible modifications?	Group members with lead interest
4	Marketing and listing the property	Selling agent will visit the property to take photographs and measurements and will usually produce a property brochure. The For Sale board goes up and the property is listed on property portals.		Solicitors Property Centre NAEA
5	Viewings	Interested buyers will arrange to view the property via the seller or selling agent.		Solicitors Property Centre NAEA
6	Making/managing offers	If interested in the property, the buyer will submit a note of interest or an offer via their Solicitor. If the property has received multiple notes of interest, the selling agent will discuss setting a closing date with the client where buyers can then submit their best and final offer, or the client may choose to accept an offer before a closing date is set.		Solicitors Property Centre NAEA Law Society of Scotland
7	Additional Survey Reports	If the Home Report discloses issues with the property, such as dampness or roof repairs, the buyer may wish to instruct an additional survey report.		RICS

	Step	Current process	Possible modifications?	Group members with lead interest
8	Buying new build home	Some variations in the process for buying a new build home, c.f. an existing home. Purchaser may wish to view property.		Homes for Scotland J&E Shepherd
9	Securing a mortgage	Once offer has been accepted, buyer will apply for mortgage.		UK Finance First Mortgage Lloyds Banking Group Nationwide BS
10	Conveyancing	<p>Solicitor will liaise with client to the progress of the conclusion of the Missives and the conveyancing formalities to complete the sale on the agreed Date of Entry or Completion Date.</p> <p>This part of the process usually takes around 8 weeks to complete.</p> <p>Client usually required to hand over the relevant documentation and sign forms.</p>		Law Society of Scotland

	Step	Current process	Possible modifications?	Group members with lead interest
11	Settlement	The sale consideration is sent and received via Solicitors, the keys are handed over to the purchaser and, once any outstanding mortgage debt has been paid off, and the transaction costs deducted, the net sale proceeds are paid to seller.		Law Society of Scotland Searchers
12	Registration	New owner's details will be added to the land register. The home will have a 'title sheet' on the register, which lists: <ul style="list-style-type: none"> • the current owner • the price of the home • mortgage details • any conditions affecting the property. 		Registers of Scotland Law Society of Scotland
13	Moving out/in	Buyer/seller will either complete the move themselves, hire a van or use a Removal Firm to assist with their move.		British Association of Removers

COVID-19 HOME MOVES IN SCOTLAND WORKING GROUP NOTE OF MEETING 1

Wednesday 20 MAY 2020

Attendees:

Andrew Mott – More Homes Division, Scottish Government

[redacted] – More Homes Division, Scottish Government

[redacted] – More Homes Division, Scottish Government

[redacted] – Better Homes Division, Scottish Government

[redacted] - Private Law Unit, Scottish Government

[redacted] – Registers of Scotland

[redacted] – Registers of Scotland

[redacted] – Millar & Bryce

[redacted] – Law Society of Scotland

[redacted] – Law Society of Scotland

[redacted] – Solicitors Property Centre

[redacted] – Royal Institution of Chartered Surveyors

[redacted] – J&E Shepherd

[redacted] – UK Finance

[redacted] – Nationwide Building Society / UK Finance

[redacted] – Lloyds Banking Group / UK Finance

[redacted] – First Mortgage

Nicola Barclay – Homes for Scotland

Fionna Kell – Homes for Scotland

[redacted] – National Association of Estate Agents / ARLA Propertymark

[redacted] – Scottish Association of Landlords

[redacted] – British Association of Removers

[redacted] – Citizens Advice Scotland

[redacted] – Shelter

Welcome and introductions

1. Andrew Mott welcomed everyone to the first meeting of the Working Group and thanked organisations for their participation. He noted that the main objective of this initial meeting was to get the Group's views on the updated UK Government (UKG) home moves guidance and regulations (published on 13 May) and the extent to which these could be applied to Scotland. It was reiterated that the purpose of this meeting for the Scottish Government (SG) was to listen to the sector's views to help plan for a future restart of the housing market in Scotland.

Overview of current position

2. SG referred to Annex B of the meeting papers and stressed that there was currently no change to policy on home moves in Scotland. The position in

Scotland remained that home moves could only happen where reasonably necessary; regulations and guidance were unchanged. SG's overriding priority was to protect the health and wellbeing of the population but also wanted to restart the housing market as soon as it was safe to do so, in line with medical and scientific evidence and advice.

Remit and Membership

3. Members were invited to share any comments on the membership and remit of the Group, as set out in the meeting papers. The Group were broadly in agreement with the remit but wanted to ensure that sessions were action-driven. While the remit and membership was appropriate for this first meeting, it would be key that future meetings took account of all tenures.
4. Homes for Scotland (HfS) highlighted the need for the inclusion of habitation certificate and warranty providers in these discussions and suggested making links with the Building Standards Resilience Group to make sure their views were also represented.

Reflections on UK Government Guidance

5. The Group were broadly supportive of the updated UKG guidance on home moves and welcomed the reopening of the housing market in England. The finance and removals sector had started to see the housing market gradually moving again in England following the relaxation of restrictions but it was still too early to draw any conclusions around the effectiveness of the changes made in the guidance.
6. Some members had engaged closely with MHCLG to prepare for restarting the housing market in England and had produced sectoral guidance which helped to support the UKG approach and Guidance.

Action: Royal Institution of Chartered Surveyors to share guidance produced for MHCLG with the Group

Discussion of possible approach for Scotland

7. The Group called for any future approach in Scotland to be **consistent with the UKG approach**, particularly given that some organisations would be operating UK-wide. Members stressed that the sector was anxious to see the Scottish housing market reopen as soon as possible, not least because many businesses could not afford not to operate for much longer, even under the furlough system.
8. Members also stressed that, while many organisation had been making preparations in anticipation of the housing market fully opening again in Scotland, the sector would expect to receive an appropriate notice period before any changes were introduced. The Group broadly agreed that a **notice period of 7 days would be appropriate**, but also did not want this in itself to cause any delays.

9. In considering SG's approach to developing future home moves guidance, the Group felt that the UKG guidance, with modest improvements, would provide a good foundation for the Scottish approach. Scottish guidance would need to be clear (e.g. around advice for those shielding), provide confidence to the public that the appropriate health protection measures were in place and manage people's expectations that it would take time for some businesses to return to full service. Members expected that when the housing market restarted in Scotland, there would not be the same level of demand to move as pre-pandemic, but there would be an initial spike for those moves unable to proceed during lockdown.

10. The following considerations for the Scottish guidance were also raised:

- **Viewings** – members agreed that a virtual first approach would be best but also needed to consider how this would work for homes with poor/no broadband connection or limited access to technology. Property viewings were traditionally conducted by the home owner rather than the estate agent which was recommended in the UK guidance. It was questioned whether it would be more appropriate for the owner to conduct viewings in most instances to limit the number of external people entering the home (estate agent could be a super spreader). One member also questioned whether physical viewings should only be permitted when a note of interest had been made. Another point to consider was where there were joint purchasers, such as a parent helping a child purchase a home, and whether it was acceptable for both parties to visit.
- **Clarity on health protection measures** – members highlighted a nervousness among homeowners/tenants in England about allowing people into their homes and asked SG to be clear on what health protection and cleaning measures would be required at all points of physical contact (e.g. for property viewings and removals). Plain English, explicit Personal Protective Equipment (PPE) requirements would need to be spelled out in the home moves guidance. Others considered this was better dealt with in sector-led, sector specific guidance. Links should also be made to other measures which could have an impact, for example travel restrictions and use of ferries.
- **Shielding and vulnerable people** – it would be useful to be clear on what was expected for / from shielding and vulnerable people after they have moved. It was also important for landlords to ascertain tenants' vulnerability before arranging viewings of their home.
- **Vacating the property** – if there was a requirement for homeowners or tenants to vacate the property at any stage in the process (e.g. to enable viewings or single survey to be conducted safely) or if there was a time lag between move and purchase, then consideration would need to be given about where tenants/homeowners were expected to go during this time.

- **Home Reports** – members broadly agreed that the current Home Reports process in Scotland should continue (i.e. Home Reports carried out when property is brought to market rather than at the end of the process). It was argued that having the Home Report in place could help to minimise physical visits and help to sustain the market. One member raised a cautionary note about the potential for fraud with valuations conducted remotely, as people could submit photos or evidence relating to a different property from the one they were selling.
- **Cross-tenure approach** – there was a gap in the UKG guidance in terms of tenants' properties being sold and an underlying assumption that moves were taking place across the same tenure, which the SG approach would need to take into consideration. It would also be important for SG to account for the vulnerability of tenants and homelessness prevention. More guidance was also needed for landlords, particularly around how to safely conduct viewings, for example in cases of HMO properties. Links should also be made with the social sector.
- **Flexible approach** – the guidance should highlight that flexibility would also be required to agree move dates etc. in order to manage expectations. There needed to be some understanding that processes will take longer and that there should not be pressure to move on particular date as this would be impacted by anyone in the chain who may need to self-isolate. Members also flagged possible capacity issues within the sector and that they hadn't yet been able to test what the capacity would be. One participant suggested SG could consider a focus on primary residences only in the first instance.
- **Equity release** – it was noted that valuations and surveys were also required for equity release, not just home moves, and there was likely to be significant demand for this, given the financial strain on some households.
- **Publicity** – the Tenants' Deposit Scheme was noted as a good way to get advice and guidance out more widely.

AOB and next steps

11. Registers of Scotland (RoS) and Law Society of Scotland (LSS) would be ready for the market to reopen and any previous issues had since been overcome.
12. There were calls to consider action to stimulate demand once the market reopened due to concerns that the market would slow down after an initial spike in activity. SG was considering this and suggested it could be a topic for discussion at a future meeting.
13. SG would consider all of the points raised by members and begin to prepare Scottish guidance and amendments to the restriction regulations, ready for

the reopening of the Scottish housing market. SG would continue to engage with the Group as this progressed.

Scottish Government
20 May 2020

**BUILDING STANDARDS
RESILIENCE LIAISON GROUP**

FIFTH MEETING

21 MAY 2020

1.30pm - 2.30pm

By Teleconference

Number - [redacted]

Guest code - [redacted]

AGENDA

	Item	Lead	Timing
1.	Welcome and introductions	SG	5
2.	Note of minute of 15 May 2020 and actions	SG	
3.	Updates from BSD / More Homes: <ul style="list-style-type: none">• Verifier position• Approved Organisations• Temporary health facilities• Remote inspection and trials• SME loans	JM SS SG NM MT	10
4.	Updates from members: <ul style="list-style-type: none">• Commercial sites – key sites list• Housing sites• Safe operating procedures guidance• LABSS update	DM MBM / DF RF SMcK	10
5.	Certification; follow up to last week's discussion	NM and RJ	10
6.	Adaptation to buildings for COVID-19, building standards issues	PD and SS	10
7.	Programme update – energy standards and sprinkles	SS	10
8.	AOB / next meeting	SG	5

**BUILDING STANDARDS
RESILIENCE LIAISON GROUP**

**NOTE OF THE FIFTH MEETING
THURSDAY 21 MAY 2020
1.30 pm – 2.30 pm**

By Teleconference

Attendees:

Murray Horn, Scottish Property Federation (MH)
Scott McKenzie, Local Authority Building Standards Scotland (SM)
Robert Jopling, Certification Scheme Providers (RJ)
David Fletcher, Wheatley Group (DF)
Peter Drummond, RIAS (PD)
Colin Proctor, Scottish Futures Trust (CP)

[redacted] More Homes, SG [redacted]
Stephen Garvin, Head of Building Standards, SG (SG)
[redacted] Building Standards, SG [redacted]
[redacted] Building Standards, SG [redacted]

Apologies:

[redacted] Building Standards, SG [redacted]
David Melhuish, Scottish Property Federation (DM)
Nicola Barclay, Homes for Scotland (NB)
Ron Fraser, Construction Scotland (RF)
Michael Barton Maynard, Homes for Scotland (MBM)

1. Welcome and introductions

1.1 All participants were welcomed to the meeting and apologies were noted.

2. Note of the Meeting on 15 May 2020 and actions

2.1 The note was circulated in advance of the meeting for review and was accepted. Members updated on the status of actions from previous meeting:

- [redacted] **to continue discussion with SG Legal Directorate on options for possible legislative change.** This action point was covered under agenda item 5.

- **MBM, [redacted] and MH to seek views from members of HfS and SPF on their use of certification schemes and provide findings to [redacted].** This action point was covered under agenda item 5.
- **RJ to seek views from scheme providers on capacity to support re-start and report to [redacted].** This action point was covered under agenda item 5.
- **PD to organise a follow-up discussion with [redacted] in relation to the serviced office environment.** This action point was covered under agenda item 6.
- **CP to arrange a discussion with PD on adaptations to schools and public buildings.** This action point was covered under agenda item 6.
- **RF to share the draft safe operating procedures document with members.** This action point was covered under agenda item 4.
- **[redacted] to provide an update from the Digital Transformation Group.** This action point was covered under agenda item 3.
- **RF to submit report to SG or [redacted] for circulation to group with next meeting's papers.** This action is still outstanding and should be carried forward.
- **[redacted] to co-ordinate sub-group of LABSS members to input into supplementary guidance for verifiers.** This action point was covered under agenda item 4.

3. Updates from Scottish Government

Verifier position

3.1 [redacted] confirmed that all 32 verifiers have continued to provide weekly updates on the status of their service and follow up tele-conferences are being arranged where necessary. As at 18 May, all 32 are operational and continue to work with restrictions and adapted processes to take account of government guidance. The national picture is that workforce capacity is continuing to cope with demand levels. The overall rates of new applications via eBS portal across Scotland show an overall 37% reduction compared with 2019 figures. For comparison, the reduction in the first week of lockdown was 25%.

3.2 [redacted] circulated an overview paper of verifier position to supplement her verbal update to the group. This provides further detail on the service status criteria for verification and dangerous building functions. She confirmed that this includes the current status of all verifiers and further breakdown of the eBS statistics, which the whole group may find useful.

3.3 [redacted] explained that the weekly updates provide a very basic snapshot of service delivery across Scotland but that BSD continue to engage with Local Authorities to provide ongoing support for improvement work required to meet their

conditions of appointment. Through this direct engagement BSD can also look into any specific issues raised by group members as we move towards the recovery phase if this would be helpful.

Approved Organisations

3.4 [redacted] reported that EPC production figures for both domestic and non-domestic certificates have increased slightly within the past week, figures are still significantly below those of the same period in 2019 by 89% and 58% respectively.

3.5 [redacted] confirmed that Approved Organisations have been provided with weekly EPC statistics, providing an overview of the total number of Scottish EPCs produced by category e.g. house sale, ECO grant, social rented properties.

Temporary Health Facilities

3.6 [redacted] reported that further information on temporary healthcare buildings has been provided with details of additional facilities being checked. The procedure for data collection with Health Facilities Scotland and LABSS has been developed to be carried out directly with health providers.

3.7 Healthcare facilities such as the NHS Louisa Jordan are currently not in use, although there has been discussion around using them for training before decommissioning and the need for a warrant will continue to be monitored.

Certification

3.8 [redacted] stated that Certificate of Design Schemes (structure and energy schemes) have declined a further 5% during the past week. Scheme providers for the constructions schemes (electrical and plumbing) estimate that figures are also down a further 5%.

Remote Inspections and trials

3.9 [redacted] confirmed that LABSS were progressing trials via their Digital Transformation Task group. Their approach has been to match verifiers with projects nearing completion based on geographical area in consultation with MBM, DF and PD. They are prioritising remote verification trials and a digital capability survey of members is being carried out.

3.10 [redacted] updated the group that LABSS are also exploring the use of MS Teams for video conferencing capability on site and Stirling Council have been leading on this trial. Work was ongoing with eDev colleagues to look at enhancing capacity within eBS portal to accept larger files containing digital evidence. A survey of local authority users was being conducted with potential for a system upgrade to be taken forward by the end of this year.

SME Loans

3.11 [redacted] updated the group that the SME loan process was now live and a link has previously been circulated for promotion to wider networks.

4. Updates from members

Commercial sites – key sites list

4.1 MH confirmed that SPF members have been asked to provide feedback. In particular, members were asked about hotel and retail sectors. The information gathering exercise is on track. **ACTION DM will provide an update on commercial site lists at the next meeting.**

Housing sites

4.2 DF confirmed that contractors will still be absorbing today's statement from the First Minister on the Routemap for the exit from lockdown. Preparatory work has been ongoing to support a staged re-start. DF highlighted a number of sites at advanced stages of construction nearing completion which could be good candidates for piloting remote verification guidance. **ACTION – DF to pass information to [redacted] and SM for consideration.**

Safe operating procedures guidance

4.3 CP stated urgent action was required to finalise consultations with HSE, TUC and Unite unions prior to publishing documentation for safe operating procedures and a re-start model to tie in with wider Scottish Government guidance. **ACTION- CP to share published information with the group**

LABSS update

4.4 LABSS look forward to having sight of new procedures being developed. Local Authorities are taking forward local guidance under their corporate obligations for employee health and safety. Grant Tierney from Aberdeen City Council is leading on interpreting guidance into verifier specific protocols.

5. Certification

5.1 [redacted] updated the group on the meeting with Certification providers this week to discuss options for mandatory certification. The options had been explored with certifiers and legal colleagues and a number of barriers prevented this from being a viable option. The group will continue to look at options for promoting certification benefits including reducing the number of people required to attend in person on site. **ACTION – [redacted] to take forward promoting certification benefits with providers and a LABSS representative**

5.2 RJ stated that scheme providers were happy to engage with contractors on sites nearing completion to see how they can help.

6. Adaptations to buildings

6.1 PD confirmed that RIAS were taking forward actions with volunteer experts in office and commercial design and were awaiting further guidance announced by Scottish Government. There had been a recent surge in enquiries from RIAS

members directly to local authorities; PD has requested that these are routed via the liaison group.

6.2 [redacted] confirmed that there is a recognition that buildings may need to adapt for public health reasons. [redacted] stated that from a regulatory perspective that current guidance could be enhanced where there is a need for greater clarity around risks and design, but that this would be evidence led. **ACTION – [redacted] to share short summary paper with group once finalised**

6.3 CP highlighted educational establishments may need temporary buildings to expand capacity and that this was being looked at within Education departments at a local level.

7. Programme update – energy standards and sprinklers

7.1 [redacted] provided an update on ongoing work for Section 2 Fire and the 2018 consultation on fire safety in high rise buildings and separate commitment by Ministers to David Stewart MSP following his private members bill. Changes are being progressed to introduce sprinklers in all new flats, all new social housing and new housing used for care or with a larger number of occupants. Proposals already consulted on. Intent to lay SSI after the summer and to publish late 2020 and implement May 2021 to meet the commitment for social housing changes within this Parliamentary term.

7.2 [redacted] also informed the group about Section 6 Energy research which is underway to inform revision of newbuild standards and support 2024 Programme for Government commitment for decarbonisation of heat and related topics on overheating risk, ventilation and application of standards to existing buildings to complement Energy Efficiency Scotland activity. A working group will take forward work, including related Futures Board topic on improving compliance/performance. Consultation will be required subject to a review of programme timescales.

7.3 [redacted] stated that an update Ministerial briefing is pending submission to review timescales for implementation and will seek views on timetabling, including the current situation and the medium term impact on the capacity of the sector to deal with further change in the near future. BSD intend to publish updated information for stakeholders.

7.4 SG recognised that substantial pieces of work not related to the current crisis were still being progressed in the background, albeit with revisions to delivery timescales.

8. AOB/ Next Meeting

8.1 There were no other items of business. A note of the meeting will be issued no later than Tuesday and BSD will organise the next meeting to take place in the latter half of next week. Suggestions for inclusion on the next agenda were requested.

Building Standards Division

21 May 2020

-----Original Appointment-----

From: [redacted]

Sent: 27 May 2020 18:14

To: [redacted]

Subject: Restart sub group

When: 29 May 2020 10:30-11:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Teleconference

All

The next meeting of the Restart sub group will take place on Friday. If you are able to join the conference call please accept this invite. The minutes of the last meeting on 8 May were already circulated but I have re-attached for ease of reference.

Agenda as follows:

AGENDA

1. Welcome and confirmation of attendees

2. Key Issues for Discussion

Return to Work – Statement from Mr Stewart, Minister for Local Government, Housing and Planning, followed by Q&A

3. AOB – Date of next meeting

Teleconference details:

Tel: [redacted]

Guest Passcode: [redacted]

Regards

[redacted]