

# **Ministerial Working Group on Mortgage Lending and Cladding**

## **Report**

**March 2021**

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## Introduction



I have heard personally from many people who have had to change their life plans because of difficulties in buying, selling and remortgaging flatted properties with cladding. For some, especially those with real concerns about the safety of their homes, families and themselves, this has caused uncertainty and anxiety in striving for resolution.

The shared desire to improve the situation that those individuals and families have found themselves in has been the driving force behind the Working Group.

I am grateful to the members spanning public, professional, commercial and personal interests for dedicating their time – in what has been an unprecedented year of challenge for everyone in dealing with COVID-19 – to develop solutions. This has not been a straightforward or linear task. The complexity of this issue means that at times changing circumstances have meant it has felt like each step forward is matched with a step back.

Despite these challenges the Working Group has navigated this uncertainty and charted a sustainable path that will help find a way through the current issues in a logical way.

The approach that is recommended is ambitious and rightly goes beyond challenges in property transactions. It will take substantial investment, time and the continued expertise and support of a wide range of sectors to deliver. By taking forward the recommendations in this Report the Scottish Government will be taking unprecedented action in the public interest to provide assurance to people and their wider communities on the safety of their homes, freeing people from valuation and mortgage lending concerns, and allow support for remediation of buildings to be planned fairly and sustainably.

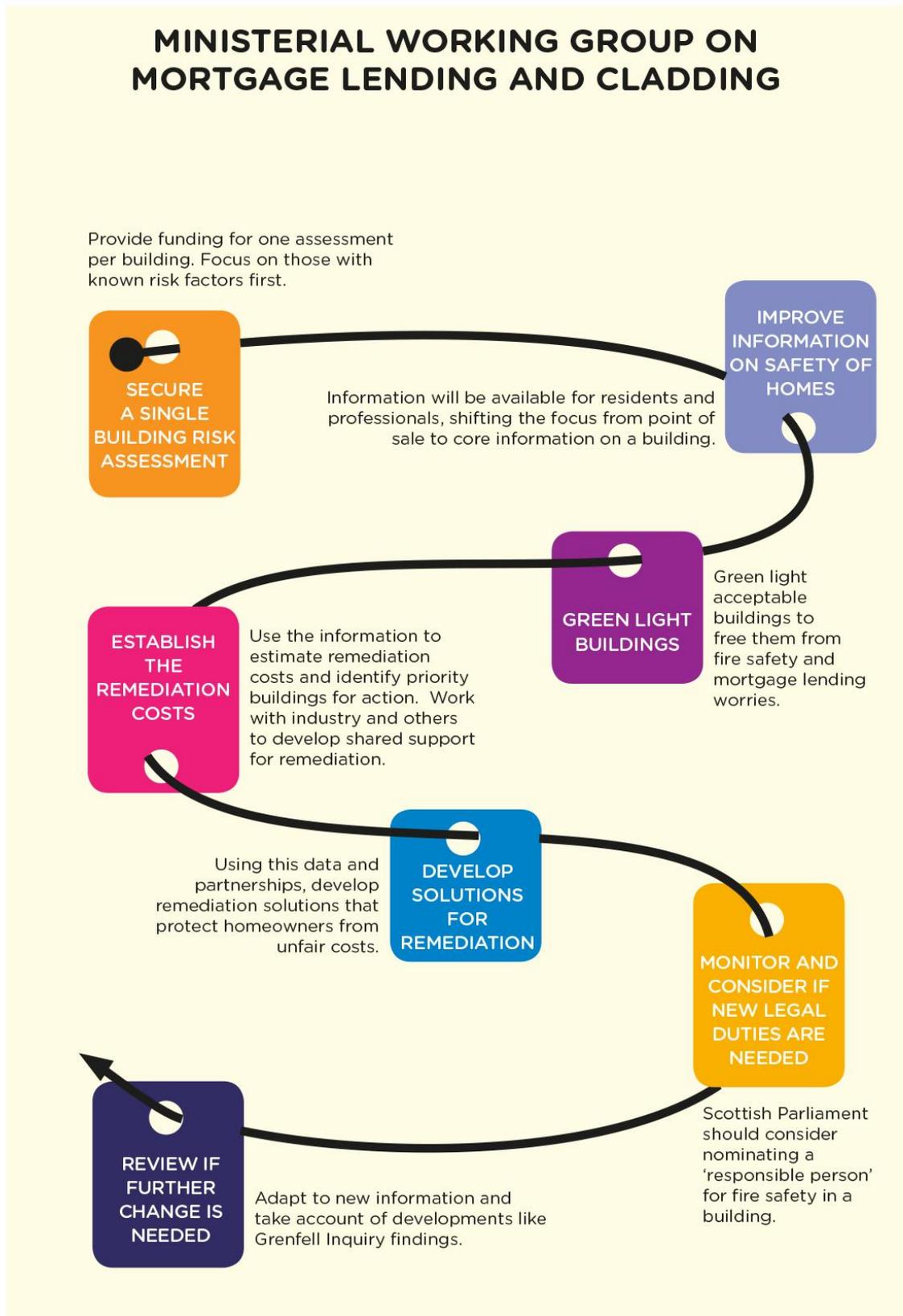
For those that own properties where they have been advised that work is needed, this approach will ensure that their situation and that of others can be considered on a consistent and robust basis with clear advice and support on next steps.

There are no silver bullets or shortcuts available to us – the Working Group has been thorough in exploring the best way forward – but I am determined to do what I can to put arrangements in place that can deliver the recommendations in this Report urgently and in partnership with others, following the 2021 Scottish Parliamentary elections.

A handwritten signature in black ink, appearing to read 'Kevin Stewart', with a long, sweeping flourish extending to the right.

KEVIN STEWART MSP  
Minister for Local Government, Housing and Planning

## Summary graphic of route map



## **Background to the Group**

1. Since 2019, people in Scotland have been experiencing difficulties when trying to buy, sell or remortgage flatted residential properties in buildings with external wall cladding. The people affected are facing difficult circumstances and there is a need for action from all sectors to resolve the matter as quickly as possible.
2. The Ministerial Working Group was established in 2020 bringing together relevant public, private, professional and commercial interests with a remit to address the issues, risks and obstacles involved and to develop solutions. The work of this Group builds on previous work of Government through the Ministerial Working Group on Building and Fire Safety established after the Grenfell Tower tragedy. However, while the focus of that Working Group has been and continues to be on improving safety measures in buildings, the Ministerial Working Group on Mortgage Lending and Cladding has had its focus on actions required to enable people to buy, sell and remortgage properties in buildings with external wall cladding.
3. From the outset the Group has been clear that valuation and mortgage lending issues have arisen because of real safety concerns arising from the tragic events at Grenfell Tower. Everyone involved in this work agrees that the approach must be to address these safety concerns – which extend beyond those who own property – and that this in turn will lead to solutions for the issues experienced by people in property transactions.
4. This Report is the culmination of the Group's work over the past year and includes practical considerations on the operation of the EWS1 process, and addresses broader issues. The conclusions reached focus on actions that are needed to improve the situation for people buying, selling and remortgaging flatted residential property in Scotland but also would, if implemented, see wider assurance on the safety of people.

## Context – issues, risks and obstacles identified

5. The EWS (External Wall System) process, resulting in an EWS1 Report, was developed by the Royal Institution of Chartered Surveyors (RICS), UK Finance and the Building Societies' Association in consultation with others in 2019. It provides a way for those selling flatted property with external wall systems to show that these have been assessed by an expert. This in turn is used by valuers to determine whether remediation works with a material impact on valuation might be needed, and by lenders in considering whether to lend on a property. The intention was that this would apply to high rise residential buildings of 18m height and above, however in practice, and following publication of UK Government advice on building safety in January 2020 which applies to flatted buildings of all heights (not houses), the process is being used for buildings at a variety of heights and surveyors and lenders have taken varying views on the applicability of EWS1. The varying positions taken by lenders reflect their own legitimate commercial decisions and risk appetites for flats affected by potentially unsafe cladding. Valuers have also taken different approaches, which reflects their professional expertise and work for which they hold professional indemnity insurance. This has been frustrating for people trying to understand when an EWS1 would be needed.
6. There is a lack of robust data on the number of people, and flatted properties, in Scotland that have used the EWS1 process. Anecdotally, it has worked for some but on the whole the operation of EWS1 in Scotland has faced some practical challenges. The Group has heard evidence from homeowners, professionals, surveyors and lenders on the following areas that need to be addressed:
  - Clarity on when an EWS1 assessment is required, who can provide it and how to source an appropriately qualified and insured professional.
  - Multiple ownership of flatted buildings in Scotland meaning that EWS1 assessment is operating on an individual flat basis rather than for a whole building, as originally intended.
  - The market for professional indemnity insurance is a limiting factor in the availability and affordability of securing appropriately qualified professionals to undertake EWS1 assessments.
  - The lack of single EWS1 assessments per building (often driven by the need to obtain appropriate consent of multiple owners or the limits of professional indemnity insurance in place) means varying 'rewrite' costs for other flat owners wishing to sell or remortgage their property.
  - Challenges for homeowners in issues such as insurance cover and knowing what to do next if an EWS1 report points to action being needed that would affect the value of the flat before a lender will agree to lend on that flat – particularly if remediation is expected to be costly and would need agreement of multiple co-owners.
  - Concerns about whether the process is vulnerable to fraud.

## **Solutions identified**

### *Improving consistency and clarity on affected buildings*

7. In 2020 RICS confirmed that they would review the operation of the EWS1 approach. In November 2020 it was announced that RICS would develop new advice for valuers to enable them to take a more proportionate approach and reduce the number of buildings where an EWS1 is needed.
8. The Group supported, and contributed to, the development of the RICS guidance on when an EWS1 might be needed. Following a public consultation RICS published this guidance on 8 March 2021 and it is effective from 5 April 2021. The guidance sets out clearly and concisely the factors a valuer should consider in determining whether or not an EWS1 should be required.
9. The Scottish Government is developing a Scottish Advice Note on External Wall Systems, intended to give practical advice on determining the fire risk posed by external wall systems on life safety grounds. This will include advice relating to specific types of buildings and materials. Members of the Group have been engaged in that work. The Group was aware of the need to avoid unintended consequences from the publication of the Scottish Advice Note. The Scottish Government has stated it intends to publish the Scottish Advice Note in 2021 following further targeted consultation.

### *Securing an EWS1 and professional indemnity insurance challenges*

10. The Scottish Parliament does not have powers in relation to financial services, including mortgage lending and insurance. Challenges in the professional indemnity insurance market are common across the UK.
11. In February 2021 the UK Government committed to work on a targeted, state-backed indemnity scheme for qualified professionals unable to obtain professional indemnity insurance for the completion of EWS1 forms. Further details of this scheme are not yet known. The Scottish Government has raised with the UK Government that in seeking to address the current issues that this is not limited to only EWS1 assessments but applies to other assessments and surveys that need to be undertaken to determine safety risk. The Scottish Government has also said that intervention should not only provide a temporary fix to challenges in relation to EWS1, but also to address the broader issue of professional indemnity insurance for other building safety work that may be needed. The focus needs to be not only on property transactions but also on the bigger picture of the safety of people.

### *Transparency and safeguarding against fraud*

12. The Group has considered the potential for fraud from the EWS1 process, and although evidence had not been seen of this being of concern in Scotland, developments such as the EWS1 portal, operated by the Fire Industry Association, were seen as helpful.

13. Alongside its guidance published in March 2021, RICS published updated details of relevant professional bodies whose fully qualified members may be able to undertake an EWS1.

*Using legislation to support EWS1 process*

14. A full review of possible legislative options was undertaken to support the Group in its work, with a focus on existing powers given the time needed for primary legislation. No provisions were identified that could be used to support, require or enforce a single EWS1 assessment report being provided for a building in multiple ownership.

15. The Group did consider some limited further options (Fire (Scotland) Act 2005 and Building (Scotland) Act 2003), that while not applicable to EWS1 could have some relevance to advancing solutions by securing an assessment of a property on grounds of fire safety or building standards compliance.

16. There were mixed views within the Group about the merits of the existing legislative options. Ultimately, primary legislation would be needed to address long-standing challenges around buildings in multiple ownership. On pragmatic grounds, to enable swifter action, other solutions were explored.

*Addressing the broader picture beyond EWS1 – securing single assessment of buildings and routes to remediation*

17. Other routes for incentivising the outcomes that the Group wanted to see were considered. A single assessment for an entire building is desirable and in the public interest. While developments such as the High Rise Inventory (providing information on the construction and fire safety of domestic buildings of 18m and above) provide a starting point, it is imperative that Scotland is able to build a better picture of the risk profile of affected buildings as the first step to utilising public funds for remediation.

18. Assessment of buildings, if designed in a way to build confidence in its output, would move us from a position of broad categories of buildings that are subject to EWS1 for mortgage valuations to a defined group of buildings that require attention and can be considered for remediation support.

19. Providing Scottish Government funding for these single building assessments could be a practical way through the challenges of multiple owner agreement and ensure that the risk profile of buildings is understood on a consistent basis.

20. While this approach will still be subject to challenges of suitably qualified people being available to undertake the work, adopting a planned, prioritised and phased approach to utilising the limited resource this way, rather than on an individual flat by flat basis through EWS1 or in response to the demand that may be created by the Scottish Advice Note, is sensible. This would also help support homeowners trying to navigate the current system of instructing EWS1 on an individual basis without clear support or guidance on what happens next.

21. The Group noted funding developments in England and support for remediation and leaseholders. The Group has not considered in detail models of remediation funding for Scotland, as this would need to follow the evidence and knowledge of overall availability of funds in Scotland from a variety of sources. Further detail is urgently required from the UK Government on the implications for Scotland of announcements made in February 2021.
  
22. Some homeowners in affected buildings have experienced issues around the rising cost of buildings insurance and, indeed, difficulties securing appropriate insurance cover. Financial services, including insurance, is a matter reserved to the UK Government. The Scottish Government has raised this with the UK Government and is pursuing further discussions on action to support homeowners.

## Conclusions – recommendations for resolution

A summary graphic of the Group's recommended approach is included in this Report. Having considered the various solutions available, in conclusion the Group –

1. Commends the RICS guidance for valuers as an important step forward in defining where an EWS1 will be needed for the benefit of professionals, homeowners and lenders.
2. Supports the position of the Minister for Local Government, Housing and Planning that the publication of the Scottish Advice Note on External Wall Systems, although intended for a different purpose, should complement this work and help address current issues faced by homeowners in buying, selling or remortgaging property.
3. Accepts that there are no current legislative provisions that could be used by the Scottish Government to support, require or enforce a single EWS1 assessment report being provided for a building in multiple ownership.
4. Welcomes the commitment of the UK Government to take action to intervene in the professional indemnity insurance market, and notes that while the resolution of issues being experienced by professionals and powers for intervention are at UK level, the solution put forward by the UK Government should meet the needs of those in Scotland.
5. Recommends that ultimately the aim in Scotland should be that an EWS1 assessment is no longer required to support a valuation for buying, selling or remortgaging flatted property and that the need fulfilled by EWS1 should be met through a new approach of a single building assessment, launched with Scottish Government funding. It is expected that the single building assessment will be broader in scope than the EWS1 but, where applicable, also provide equivalent information.
6. Recognises that uncertainty around the buildings affected has been challenging and recognises that both the RICS guidance and Scottish Advice Note together with advice from appropriate professionals should provide a solid basis from which affected buildings can be identified and the risks and remediation need assessed.
7. Is clear that solutions to buying, selling and remortgaging flatted properties with cladding should not be developed in isolation from the wider need for confidence in the safety of people and buildings and a clear path to remediation of affected buildings.
8. Supports an approach to assessing the risk of affected buildings, undertaken by a suitably competent, qualified and insured person against a common and robust set of criteria, to achieve a reliable and comprehensive basis for understanding the remediation needed.

9. Recognises that providing Scottish Government funding for an assessment of an entire building, could cut through some challenges to homeowners and property managers in securing agreement of co-owners.
10. Recommends that better information is made publicly available, for example through a database or portal, on the safety profile of domestic properties with cladding, if this can be done in a way that does not present risks to people from malicious behaviour.
11. Welcomes the development of the High Rise Inventory as an important step in establishing a picture of buildings across Scotland but notes its limitations as a tool to be relied upon for the purposes of assessing risk and establishing remediation need. For these purposes, and depending on the particular circumstances of a building, assessments would be needed that include physical inspection and testing.
12. Recognises that Scottish Government funded single building assessments present an opportunity to build on the information in the High Rise Inventory and that the outcomes from this investment should be made available for multiple purposes.
13. Supports that the information from single building assessments could be used to triage the buildings red/amber/green, green lighting those where the assessment is acceptable to release owners and residents from fire safety, valuation and mortgage lending concerns, replacing the need for an individual EWS1 per flat. In the case of those assessed as red or amber risks, the assessments will form the basis of assessing remediation need, costs and funding gap to support bespoke solutions. In all cases, assessments will consistently support informed valuation opinions on remediation costs thereby enabling mortgage lending decisions, subject to lender appetite and particular circumstances.
14. Notes that these single building assessments would be for a broader purpose than the EWS1 but should be developed with the aim that they also meet the need that the EWS1 approach fulfils and in a way that is straightforward for valuers and lenders to utilise.
15. Recognises that while the intention should be to phase out the need for EWS1 there will be a period where EWS1 remains active in parallel. All interested parties should work together to minimise duplication in limited resource, including in circumstances where whole building surveys have already been completed to an acceptable alignment with the specification of Scottish Government funded single building assessments. This should also apply where existing EWS1 reports provide acceptable information for an entire building.
16. Recommends that where acceptable whole building surveys already undertaken are in line with or exceed the specification for Scottish Government funded single building assessments, options to provide refunded support to homeowners for these surveys should be explored. Where further work is needed to 'top up' the work already done to meet the specification of Scottish Government funded

single building assessments, supporting this 'top up' rather than an entirely new assessment should be considered.

17. Understands that buying and selling a home can be a stressful experience. Since generating information on the safety of a building at the point of sale can add to this anxiety, the Group recommends that the single building assessments are used to build a reliable source of information that can be made available at any time through a database or portal, to avoid a point-of-sale trigger for assessment of these buildings in the future.
18. Recognises that, while it has focused on privately owned properties, on the grounds of safety, public interest and fairness the Scottish Government's approach to assessments may be tenure neutral and include social housing and rental tenures should assessments be required of building stock in those sectors.
19. Notes that the availability of suitably qualified and insured professionals active in this market is a limitation to the pace of assessments. We recommend the Scottish Government implements a phased approach, coupled with clear public messaging, that aligns available resource to properties most at risk at each stage.
20. Notes that pending detail on the intervention in the professional indemnity insurance market from the UK Government, insurance costs could impact the overall cost of assessments to the Scottish Government. The Group recommends as part of design of the assessment programme issues such as liability are carefully considered and clear from the outset.
21. Recognises that the specification of single building assessments will be very important and recommends that in planning an assessment programme the Scottish Government continues to work with others including industry, local authorities, valuers, lenders, insurers, property managers and owner and resident representatives on practical implementation and considers testing the specification before rolling out.
22. Recommends that alongside the programme of Scottish Government funded single building assessments, there is clear and concise information available for homeowners, setting out how these will work and for how long they are valid. Information should also be available on the steps that should be taken on the outcome of the assessments, including if any building is considered by a local authority to present a danger, and the routes to enforcement of necessary work. The Group recognises the potential implications for home and buildings insurance costs and that upfront information needs to be available to homeowners as part of the programme.
23. Acknowledges the important role of local authority verifiers in the delivery of buildings as well as inspections by warranty providers. The Group has not seen evidence that homes currently under construction are of ongoing concern, in part due to reported action by housing developers. The Group recommends that this should continue to be monitored by the new homes industry, local authorities and the Scottish Government. To ensure we avoid legacy issues and to provide clear

information for all new homes, clear standards and a confirmation process for new homes with recording of detailed information about construction and fire safety for homeowners or on a public database or portal should be considered.

24. Recommends that funding for remediation should come from a variety of sources, including public funds, and welcomes the view of the Minister for Local Government, Housing and Planning that he does not want to see homeowners faced with paying unfair remediation costs.
25. Recognises that while some developers have taken action on remediation and others have set money aside for this purpose, there remains a need for the house building sector to play their part in remediation. Solutions should be developed in partnership with that sector once the scale of the remediation funding gap, and the extent of any wider concerns about construction (as has been seen from experience in England) are known. Detail of the tax and levy announced by the UK Government to pay for cladding remediation is not yet known, and the implications of this for Scotland need to be considered alongside any other solutions.
26. Notes that some homeowners are already in a situation where they know of issues in their buildings and that remediation is needed, causing uncertainty, anxiety and distress to individuals and their families. While some owners and developers will continue to take action, we recommend that there is an urgent need for the Scottish Government to provide clear timescales for affected owners on decisions for future funding support.
27. Notes that options for remediation funding in Scotland do not mirror those in England due to the differing tenure system and borrowing limits on the Scottish Government.
28. Recommends that, in line with the published guidance from RICS, the forthcoming Scottish Government advice and any updated guidance from the Institution of Fire Engineers, the need for remediation will not only be for properties of 18m height and above, although recognises that in overall consideration of risk these may be the first properties targeted for a single building assessment.
29. Recognises that the remediation required could vary dramatically, from relatively low-cost interventions, to work required at prohibitive cost to homeowners. This should be established through single building assessments and any triggers for action/support should be developed in accordance with the evidence including what would maximise progress in improving the safety profile of buildings.
30. Recommends that the Scottish Government should keep an open mind about what forms part of funding for remediation and that this responds to the need identified through the single building assessments, for example any other fire safety construction defects identified as part of the assessment.
31. Recommends that in tailoring solutions to remediation the Scottish Government ensures that any remediation is delivered with certainty and clarity on standards

(including for example under a recognised accreditation scheme) so that in future years industry and homeowners can proceed in confidence without exception.

32. Notes that where remediation is already taking place, this is a complex and time consuming process and recommends that the Scottish Government take forward work to assess the skills and materials needed to meet the remediation required.
33. Notes that while discussions have focused on remediation, in some cases the most appropriate course of action will be mitigation of the risk through other measures.
34. Recommends that although the incentivised approach should be taken as a practical way forward, the Scottish Parliament will ultimately need to consider primary legislation to address the challenges of multiple owner agreement through creating a responsible person or duty holder and notes that this will not be straightforward, with potential unforeseen consequences for the role of property managers.
35. Notes that, in responding to the Grenfell Tower Inquiry Phase 1 recommendations, the Scottish Government has said that longer-term work on tenement reform may provide a solution to the question of creating a responsible person for fire safety in a building of multiple owners. The Group recommends that this work is accelerated in relation to fire safety, should the evidence from single building assessments and remediation show that there is an urgent safety need that cannot be met through the existing framework.
36. Recommends that the Scottish Government considers on an ongoing basis any further changes to systems, processes or enforcement that might be needed following evaluation of the incentivised approach to assessments.
37. Notes that the Grenfell Tower Inquiry Phase 2 will make recommendations that are relevant to the Scottish Government and that the real-world data from the single building assessment programme will provide useful evidence to inform consideration of those recommendations.

## Appendix I

### Ministerial Working Group Membership

The Group was chaired by Kevin Stewart MSP, Minister for Local Government, Housing and Planning and comprised members from a range of organisations which have a direct role or influence in finding solutions. The Group was supported by Scottish Government officials from More Homes and Building Standards Divisions.

- Chris Ashurst, High Rise Scotland Action Group (from September 2020)
- John Baguley, Royal Institution of Chartered Surveyors (until December 2020)
- Nicola Barclay, Homes for Scotland
- Douglas Cochrane, independent (formerly of Lloyds Banking Group)
- Ian Fergusson, Shepherd Chartered Surveyors
- John Marr, UK Finance
- Stewart McKenzie, Nationwide Building Society and Chair of UK Finance Scotland Policy Committee
- David Reid, Property Managers Association Scotland
- Alastair Ross, Association of British Insurers
- Brian Smith, Law Society of Scotland
- Stephen Wood, Scottish Fire and Rescue Service

The Group met formally on 28 April, 29 September and 10 December 2020 and on 28 January and 15 March 2021.

## Appendix II

### Quick Reference Table mapping Challenges, Solutions and Recommendations

Challenges	Solutions	Recommendations
<p>Clarity on when an EWS1 assessment is required, who can provide it and how to source an appropriately qualified and insured professional</p>	<p>In 2020 RICS confirmed that they would review the operation of the EWS1 approach. In November 2020 it was announced that RICS would develop new advice for surveyors to enable them to take a more proportionate approach and reduce the number of buildings where an EWS1 is needed.</p> <p>The Group supported, and contributed to, the development of the RICS guidance on when an EWS1 might be needed. Following a public consultation RICS published this guidance on 8 March 2021 and it is effective from 5 April 2021. The guidance sets out clearly and concisely the factors a valuer should consider in determining whether or not an EWS1 should be required.</p> <p>The Scottish Government is developing a Scottish Advice Note on External Wall Systems, intended to give practical advice on determining the fire risk posed by external wall systems on life safety grounds. This will include advice relating to specific types of buildings and materials. Members of the Group have been engaged in that work.</p> <p>The Group was aware that there is a need to avoid unintended consequences from the publication of the Scottish Advice Note. The Scottish Government has stated it intends to publish the Scottish Advice Note in 2021 following further targeted consultation.</p>	<p>2-23</p>

<p>The market for professional indemnity insurance is a limiting factor in the availability and affordability of securing appropriately qualified professionals to undertake EWS1 assessments</p>	<p>The Scottish Parliament does not have powers in relation to financial services, including mortgage lending and insurance. Challenges in the professional indemnity insurance market are common across the UK.</p> <p>In February 2021 the UK Government committed to work on a targeted, state-backed indemnity scheme for qualified professionals unable to obtain professional indemnity insurance for the completion of EWS1 forms. Further details of this scheme are not yet known. The Scottish Government has raised with the UK Government that in seeking to address the current issues that this is not limited to only EWS1 assessments but applies to other assessments and surveys that need to be undertaken to determine safety risk. The Scottish Government has also said that intervention should not be so narrow that it provides a temporary fix to challenges in relation to EWS1 but not the broader issue of professional indemnity insurance for other building safety work that may be needed. To do so would be to focus on property transactions rather than the bigger picture of the safety of people.</p>	<p>1, 20, 21</p>
<p>The lack of single EWS1 assessment per building (often driven by the need to obtain appropriate consent of multiple owners or the limits of professional indemnity insurance in place) means varying 'rewrite' costs for other flat owners when they come to sell or remortgage their property</p>	<p>A single assessment for an entire building is desirable and in the public interest. While developments such as the High Rise Inventory (providing information on the construction and fire safety of domestic buildings of 18m and above) provide a starting point, it is imperative that Scotland is able to build a better picture of the risk profile of affected buildings as the first step to utilising public funds for remediation.</p>	<p>13, 24 - 37</p>

<p>Challenges for homeowners in issues such as insurance cover and knowing what to do next if an EWS1 report points to action being needed that would affect the value of the flat before a lender will agree to lend on that flat – particularly if remediation is expected to be costly and would need agreement of multiple co-owners</p> <p>Multiple ownership of flatted buildings in Scotland meaning that EWS1 assessment is operating on an individual flat basis rather than for a whole building, as originally intended</p>	<p>Assessment of buildings, if designed in a way to build confidence in its output, would move us from a position of broad categories of buildings that are subject to EWS1 to a defined group of buildings that require attention and can be considered for remediation support.</p> <p>Providing Scottish Government funding for these single building assessments could be a practical way through the challenges of multiple owner agreement and ensure that the risk profile of buildings is understood on a consistent basis.</p> <p>While this approach will still be subject to challenges of suitably qualified people being available to undertake the work, adopting a planned, prioritised and phased approach to utilising the limited resource this way, rather than on an individual flat by flat basis through EWS1 or in response to the demand that may be created by the Scottish Advice Note, is sensible. This would also help support homeowners trying to navigate the current system of instructing EWS1 on an individual basis without clear support or guidance on what happens next.</p> <p>The Group noted funding developments in England and support for remediation and leaseholders. The Group has not considered in detail models of remediation funding for Scotland, as this would need to follow the evidence and knowledge of overall availability of funds in Scotland from a variety of sources. Further detail is urgently required from the UK Government on the implications for Scotland of</p>	
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	<p>announcements made in February 2021.</p> <p>A full review of possible legislative options was undertaken to support the Group in its work, with a focus on existing powers given the time needed for primary legislation. No provisions were identified that could be used to support, require or enforce a single EWS1 assessment report being provided for a building in multiple ownership.</p> <p>The Group did consider some limited further options (Fire (Scotland) Act 2005 and Building (Scotland) Act 2003), that while not applicable to EWS1 could have some relevance to advancing solutions by securing an assessment of a property on grounds of fire safety or building standards compliance.</p> <p>There were mixed views within the Group about the merits of the existing legislative options. Ultimately, primary legislation would be needed to address long-standing challenges around buildings in multiple ownership. On pragmatic grounds, to enable swifter action, other solutions were explored.</p>	
<p>Concerns about whether the process is vulnerable to fraud</p>	<p>The Group has considered the potential for fraud from the EWS1 process, and although evidence had not been seen of this being of concern in Scotland, developments such as the EWS1 portal, operated by the Fire Industry Association, were seen as helpful.</p> <p>Alongside its guidance published in March 2021, RICS published updated details of relevant professional bodies whose fully qualified members may be able to undertake an EWS1.</p>	<p>5, 8-12, 15, 19, 21, 23, 36</p>



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