

Section 1

Q1: Is the form and manner of notifications of proceedings to local authorities clear to you from the information contained in these regulations?

YES/NO

Comment :

Q2: Do you believe that the information outlined in the Notice of Proceedings in Form 1 is sufficient to ensure effective implementation of section 11?

YES/NO

Comment :

Q3. Do you believe that the information outlined in the Calling -up Notice etc, in Form 2 is sufficient to ensure effective implementation of section 11?

YES/NO

Comment ;

Q4. Do you have any suggestions to make Forms 1 and 2 in the regulations more 'user friendly'?

YES/NO

Comment :

Q5: Do you have any general comments or suggestions on the form and manner of the notification to local authorities from landlords and creditors as outlined in the regulations set out in section 1?

YES/NO

Comment:

Section 2

A) STATUTORY GUIDANCE TO LOCAL AUTHORITIES

Q6: Are you clear from the guidance at which stage local authorities should expect to receive the notification of proceedings?

YES/NO

Comment :

Q7: Do you have any comments/suggestions in relation to local authorities ensuring landlords or creditors know where to send proceedings?

YES/NO

Comment : Suggest identifying one central point within the local authority to send the forms to. Also it would be helpful if the forms could be sent electronically.

Q8: Is it clear from the guidance which information local authorities should expect to receive from landlords and creditors?

YES/NO

Comment :

Q9: Is the guidance clear on what actions should be taken by local authorities when notification is received from landlords and creditors?

YES/NO

COMMENT

Q10: Do you have any comments about the data protection issues raised in the guidance?

YES/NO

Comment : What is the obligation on the local authority if it wants to share the information with a third party, such as an advice agency, and the data subject withholds permission?

Can the Executive provide more specific guidance on how long the notice from the landlord or other creditor should be retained?

Q11: Do you have any general comments or suggestions you believe would strengthen the statutory guidance to local authorities set out in section 2?

YES/NO

Comment:

B) GUIDANCE TO LANDLORDS AND CREDITORS

Q12: Is it clear from this guidance what the duty of landlords and creditors under section 11 is and how it should be discharged?

YES/NO

Comment:

Q13: Is it clear from the guidance what the purpose of section 11 is and how landlords and creditors can contribute to and benefit from this?

YES/NO

Comment :

Q14: Is it clear from the guidance what actions landlords and creditors can take to help prevent homelessness?

YES/NO

Comment :

Q15: Do you have any general comments or suggestions you believe would strengthen the guidance to landlords and creditors set out in section 2?

YES/NO

Comment: RSLs and private landlords should provide housing support and advice and information to help prevent the situation reaching the Notice stage. RSLs in particular should play a much greater role in preventing homelessness and should provide support services to help prevent vulnerable tenants becoming homeless.

EQUALITIES

Q.16: Do you feel the proposals promote equality? If not, please give details of your concerns?

YES/NO

Comment:

MONITORING AND EVALUATION OF IMPLEMENTATION

The Scottish Executive will consider carrying out a study on responses of local authorities, landlords and creditors to implementation of section 11. This will require local authorities to monitor implementation during the first year and provide this information to the Scottish Executive.

Q.17: Do you agree with local authorities be asked to monitor implementation in the first year and being asked to provide this information to the Scottish Executive?

YES/NO

Comment: We would prefer to have more information on this before committing ourselves however we agree in principle that local authorities monitor implementation in the first year. Our preference is that local authorities, RSLs, Private landlords and creditors should all make returns to the Executive on the operation of the scheme so that the Executive can assess the overall impact of S11.

Q.18 Do you have any other comments or suggestions about the monitoring and evaluation of the implementation of section 11?

YES/NO

Comment: There should be a role for RSLs and private landlords in monitoring the implementation of s11.

Respondent information form

Respondent information form

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Q1 Responding on behalf of organisation

On behalf of Organisations

Q3 The name and address of your organisation will be made available to the public (in the Scottish Executive library and/or the Scottish Executive website. Are you content for your response to be made available?

Yes

Q4 Sharing Responses / Future Engagement

Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

Yes

