

For Decision

Agenda Item: 12.2
Date of Meeting: 24/09/25

To: The Management Committee
From: The Director
Subject: Supported Accommodation Unit - Update

1. Introduction and Purpose

- 1.1 Since the beginning of the year Committee has been reviewing the options available for the future of the one remaining supported accommodation unit.
- 1.2 Following Committee's decision at its June meeting, that the preferred option was to continue with the remaining supported accommodation unit and to allow the vacant room to be let again, I sought some further advice from our solicitor.
- 1.3 As reported at last month's meeting, the advice from our solicitor was that we could use an occupancy agreement for the new resident and we were entitled to ask for proof that someone has the legal authority to sign the occupancy agreement on the resident's behalf.
- 1.4 The purpose of this report is to provide Committee with progress on the re-letting of the vacant room.

2. Progress with letting vacant room

- 2.1 At last month's meeting, following on from my written report I was able to give the Committee a verbal update that a meeting with the Care Provider had now been arranged. Unfortunately, the staff member from GCC was unable to attend but had provided much of the information I had requested, by email.
- 2.2 The meeting took place via Teams on 3rd September and two representatives from Quarriers (care provider) attended. The meeting was positive and to assist discussions I had recapped on what had happened that now enabled the room to be let again. I confirmed that any new resident would be signed up on an occupancy agreement and that we would need evidence of the legal authority anyone (e.g. family member) had to sign the agreement on the resident's behalf. This was assuming the resident didn't have the mental capacity to sign the agreement themselves. Quarriers also confirmed that as part of the

allocation process, any potential new resident must have either the mental capacity to sign an agreement or that there is legal authority in place for someone else to sign. A let will not go ahead unless one of these is in place.

2.3 Discussion took place about what might be needed for the vacant room. Quarriers indicated that it was their preference that the room was not furnished (which has become normal practice) as residents tended to have their furniture and furnishings or at least would prefer to furnish it themselves. I explained that the unit was originally set up as fully furnished including individual bedrooms. However, over the years we had become aware that staff or family members had been changing some of the furniture, furnishings in the bedrooms, which had made the task of monitoring and replacing furniture in the rooms increasingly difficult. I advised that I would be willing to consider the option of continuing to furnish the communal areas only and let the bedrooms unfurnished. However, I would need to give this some more thought including the service charge arrangements.

2.4 The meeting concluded with the agreed next steps:

- Quarriers will complete the proforma for the vacant room and send this back to the Council to distribute amongst all care providers;
- Quarriers will have a meeting with the local staff managing the unit to make them aware of the plans to let the vacant room;
- We will, once Quarriers confirm the local meeting has taken place, arrange a visit to the unit to clarify the number of the vacant room and to inspect its condition to determine if any work is needed before it can be let;
- We will review the matter of providing the room unfurnished and the implications for the associated service charge;
- Quarriers will keep us in the loop about progress with getting the room let.

2.5 In relation to the last point above, Quarriers did stress that it may take some time to identify a suitable resident for the room, as it is important to ensure compatibility with the other residents. Also, advised need to be sensitive to the fact that for a number of years, there has only been 3 residents in the unit. So, need to be careful about introducing a 4th resident.

2.6 I had since looked into the service charges for furniture provision. We have a communal furniture charge and a personal furniture charge. However, there is currently a zero charge against both. On further reflection, and after our Housing Services Manager confirmed that all service charges are classed as compulsory for the supported

accommodation unit, I have decided that we will not remove the personal furniture service charge. This is in the event we need to start charging against it in the future. It is my understanding that keeping the service charge, albeit we have a zero charge against it just now, means we can charge costs against it in the future. I have confirmed this to Quarriers.

2.7 At the time of writing this report, I am waiting to hear from Quarriers if they have had the local meeting and we can now proceed with our inspection of the unit.

3. Risk

3.1 The risks relating to the letting of the vacancy in the supported accommodation unit have been considered over the last few months and have been set out again below, for ease of reference. They have been updated, where relevant, to reflect the advice from our solicitor and the outcome of the first meeting with Quarriers.

Risk Category	Mitigating Measure
<p>Legal/Regulatory:</p> <p>Need to let vacant room on correct basis i.e an occupancy agreement or a Scottish Secure Tenancy;</p> <p>Resident's mental capacity to sign an agreement (SST or Occupancy Agreement).</p>	<p>Legal advice sought. Appear to have option of Occupancy Agreement or SST. Have decided to continue with Occupancy Agreements.</p> <p>Establish this with Council/Care Provider and ensure if occupant hasn't got mental capacity, that the agreement is signed by someone who has legal authority to do so. We can ask for evidence of relevant documentation.</p> <p>Care Provider, at recent meeting, confirmed the resident will either have the mental capacity or there will be legal authority in place e.g. family member with power of attorney or guardianship.</p>
<p>Governance:</p> <p>Allowing the vacant room to be let, means the operation of the supported accommodation unit indefinitely</p>	<p>Unit has been running for almost 25 years without any real challenges. The main issue and reason for winding down the units (having non-members</p>

<p>Financial:</p> <p>Length of time to find a new resident including if no legal authority in place for agreement to be signed on resident's behalf. Void loss continues.</p> <p>If subsequent vacancies arise we are liable for rent/service charge loss</p>	<p>occupying our properties and not being able to lease to third parties/entities) has been removed with the change in our constitution.</p> <p>Initial meeting with Care Provider who confirmed that it may take some time to find a new resident but will proceed with completing the pro-forma for the vacancy and return to GCC to distribute amongst all care providers.</p> <p>Any potential resident identified must either have mental capacity or have someone with legal authority to act on their behalf.</p> <p>Explore potential for agreement with the Council that if the void period is longer than 3 months, they will become liable for rent/service charge loss. If this is not possible, then we would need to accept/tolerate this risk.</p> <p>This is the point, I covered in my email to the staff member of GCC, which was the only point they didn't respond to. I will raise this again. However, this is not a deal breaker and will be a bonus if we obtain the Council's agreement. However, being realistic don't think this will happen.</p>
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4. Delivery of our Strategic Objectives

Area	Related Strategic Objective(s)
Continuing with Supported Accommodation Unit and re-letting of vacant room in supported accommodation unit	3) Deliver value for money 6) Use resources efficiently and effectively 7) Achieve the highest standards in all that we do

5. Application of our Core Values

Area	Related Core Value(s)
Continuing with Supported Accommodation Unit and re-letting of vacant room in supported accommodation unit	<ul style="list-style-type: none"> Accountable and Compliant Efficient and Responsible

6. Compliance and Assurance

- 6.1 Implementing the Committee's decision to continue with the remaining supported accommodation unit, which involves the letting of the vacant room and, identifying and considering the associated risks, means we are compliant with Regulatory Requirements and in particular:

Compliance Source	Details
The Standards of Governance and Financial Management for RSLs	<p>Standard 4 - The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.</p> <p>Guidance 4.1 – The governing body ensures it receives good quality information and advice from staff and, where necessary, expert independent advisers, that is timely and appropriate to its strategic role and decisions. The governing body is able to evidence any of its decisions.</p> <p>Guidance 4.4 - The governing body identifies risks that might prevent it from achieving the RSL's purpose and has effective strategies and systems for risk management and mitigation, internal control and audit.</p>

6.2 Evidence Bank

Evidence	Assurance Exercise Location
<ul style="list-style-type: none"> Report for 24/09/25 meeting; 	<ul style="list-style-type: none"> Regulatory Standard 4 – Guidance 4.1 and 4.4

6.2.1 Committee is reminded that our Assurance Exercises are available in the Committee Log-in Area of our website, which Committee can access at any time.

7. Summary

7.1 Following Committee's decision in June about the future of the remaining supported accommodation unit, which involved allowing the vacant room to be let again, I sought some further legal advice and then contacted the relevant staff in the Council and the Care Provider to notify of Committee's decision. A meeting was held with the Care Provider on 3rd September which was quite positive. The next steps from that meeting are set out in para 2.4.

7.2 Risk has been considered at Section 3 and has been updated to reflect legal advice obtained and outcome of first meeting with care provider.

7.3 Section 4 shows how continuing with the remaining supported accommodation unit, links to the delivery of our strategic objectives.

7.4 Section 5 shows how continuing with the remaining supported accommodation unit, links to the application of our Core Values.

7.5 Section 6 sets out how we comply with Regulatory requirements.

7.6 Committee is asked to note the progress with the letting of the vacant room at the remaining supported accommodation unit. Any further updates on this matter will be reported at the meeting.