

CLAS CIRCULAR

2024/07 (14 May)

Disclaimer

CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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EMPLOYMENT

Allocation of tips

For action by 1 October

CLAS members who operate cafés and similar facilities at their premises should be aware that the [Employment \(Allocation of Tips\) Act 2023](#) will come fully into force on **1 October 2024**, commencement having been delayed from 1 July. From that date, businesses in England, Scotland and Wales must meet new legal requirements for how they allocate and pay certain tips, gratuities and service charges to their workers; and CLAS members whom it may affect are advised to start looking at how they allocate tips if they have not already done so.

In advance of commencing the Act, the Government has laid before Parliament a [Code of Practice on Fair and Transparent Distribution of Tips](#). There is a Government press release [here](#).

[Source: Department of Business and Trade, 30 April]

PROPERTY & PLANNING

Regulation of social housing in England

For information **and possibly for action**

The UK Government has released an [update](#) on the measures it is taking to improve social housing standards in England. Of possible interest to members that operate social housing are the following.

- The Regulator of Social Housing's new consumer regime came into effect on 1 April 2024, and the Regulator has started a programme of routine inspections of large social landlords (those with over 1,000 homes).
- The Housing Ombudsman Service's [Complaint Handling Code](#) became statutory on 1 April 2024, meaning that social landlords are obliged by law to follow its requirements. The Code aims to achieve best practice in complaint handling and ultimately to provide a better service to social housing residents.

[Source: DLUHC, 30 April]

Social Housing Decarbonisation Fund: Wave 3

For information **and possibly for action**

Details of the upcoming [Social Housing Decarbonisation Fund \(SHDF\) round 3](#) have been released by the Department for Energy Security and Net Zero. The Fund will upgrade a significant amount of the social housing stock currently below Energy Performance Certificate (EPC) band C up to that standard. It will support the installation of energy performance measures in social homes in England and facilitate the subsequent widespread adoption of decarbonised heating systems and is intended to:

- deliver warm, energy efficient homes;
- reduce carbon emissions;
- tackle fuel poverty;
- support green jobs; and
- develop the retrofit sector.

Around £1.2bn is available, which includes funding for the Devolution trailblazers. This builds on the allocations made under the previous waves of the SHDF: Wave 2.2, 2.1, 1 and the Demonstrator.

There are two routes to access funding under SHDF Wave 3: the Challenge Fund and Strategic Partnerships. SHDF Wave 3 is open to:

- local authorities and combined authorities;
- registered providers of social housing (including housing associations and arms-length management organisations (ALMOs) that are registered providers); and
- registered charities that own social housing

All eligible organisations can apply directly to Wave 3 either as single applicants or as the lead of a consortium.

The delivery window for SHDF Wave 3 will run to **30 September 2028**. All grant funding for SHDF Wave 3 projects must be transferred to the grant recipient and spent by 31 March 2028, meaning that projects can only use co-funding in the final 6 months of delivery.

[Source: DESNZ, 13 May]

SCOTLAND

Review of charity regulation in Scotland - possibly

For information **and possibly for action**

The Scottish Government has launched an online review of [charity regulation](#), with the intention of establishing the purpose and parameters for a possible review. It asks ten short questions, split into three sections:

1. The need for a review and the purpose of a review.
2. The parameters for a review: what should it cover and not cover?
3. Technical areas for review.

The Scottish Government has already committed to look at reorganisations of statutory and Royal charter charities, incorporation to a Scottish Charitable Incorporated Organisation (SCIO) and audit thresholds.

The consultation questions are [here](#). It closes on **22 July**.

[Source: Scottish Government, 10 May]

Employment Injury Assistance Scheme

For information **and possibly for action**

The Scottish Government has launched a consultation on replacing the UK Government's Industrial Injuries Scheme in Scotland. Views are sought on how the Scottish Government's planned Employment Injury Assistance should be delivered and on the next steps for introducing this benefit.

This consultation paper provides an overview of the benefits that make up the Industrial Injuries Scheme and the challenges of transferring it to the Scottish Government. Views are sought on the approach to delivery and proposed next steps.

The consultation can be accessed [here](#), and will close on **24 June**.

[Source: Scottish Government, 30 April]