

# **EAST AYRSHIRE COUNCIL**

## **HOUSING COMMITTEE – 17 MARCH 2004**

### **TENANT PARTICIPATION**

#### **Report by the Director of Homes and Technical Services**

#### **1.0 PURPOSE OF THE REPORT**

- 1.1** To inform the Committee of the review of the interim Tenant Participation Strategy and to seek approval of the revised Tenant Participation Strategy and Action Plan, attached as Appendix 1.

#### **2.0 BACKGROUND**

- 2.1** As required by the Housing (Scotland) Act 2001, every Local Authority and Registered Social Landlord must prepare a Tenant Participation Strategy.
- 2.2** The Act requires landlords to develop, with tenants, tenant participation strategies which deal with a number of activities aimed at further developing tenant participation.
- 2.3** The Tenant Participation Steering Group (TPSG), which comprises East Ayrshire Council tenants, has worked alongside the Tenants Information Service (TIS) and officers from the Department to produce the interim Tenant Participation Strategy, which was completed, and presented to Committee for approval on 26<sup>th</sup> March 2003.

#### **3.0 TENANT PARTICIPATION STRATEGY REVIEW**

- 3.1** In line with the strategic objectives outlined to landlords by the Scottish Executive, the Act requires landlords to review the Tenant Participation Strategy with tenants by March 2004.
- 3.2** The Tenant Participation Strategy Action Plan 2003-2004 has been reviewed jointly by the TPSG, officers from the Department and TIS. The 2004-2005 Action Plan identifies the tasks to be carried out over the coming year to continue the development of tenant participation activity in East Ayrshire Council.
- 3.3** The Action Plan tasks are set out in line with the key objectives detailed in the Tenant Participation Strategy, and have:
- Key Actions
  - Lead Roles (Action by)
  - Timescales for implementation
- 3.4** This approach will allow the Department and the TPSG to continue to monitor and review the various agreed actions and their outcomes, thereby providing a clear basis for the continued development of tenant participation across the authority.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1** The Scottish Executive has provided funding to all Local Authority and Registered Social Landlords to support the implementation of the tenant participation components of the Housing (Scotland) Act 2001 through the Capacity for Change Initiative. This funding expires in March 2004.
- 4.2** Whilst the Department continues to commit resources to tenant participation through the provision of operating grants to Tenants' and Residents' Associations, the Council is required to consider how progress made in the development of tenant participation will be sustained.
- 4.3** Local Authorities are therefore required to make an assessment of tenant participation and consultation resources required. This exercise involves consideration being given to the resources required for tenants to actively participate in decision-making processes in relation to their housing conditions and services.
- 4.4** Once the assessment of required resources is complete, this information will be fed into the budgetary process for 2005 / 2006.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1** There are no additional implications beyond those highlighted in section 2.1.

#### **6.0 CONCLUSIONS**

- 6.1** The continued development of effective tenant participation provides mechanisms to promote the improvement of housing conditions and services, whilst meeting the needs and aspirations of both current and future tenants within East Ayrshire Council.

#### **7.0 RECOMMENDATIONS**

- 7.1** It is recommended that Members:
- i. note the content of this report,
  - ii. approve the revised Tenant Participation Strategy including the Action Plan, and
  - iii. approve the issue of the Tenant Participation Strategy to the Scottish Executive by 31<sup>st</sup> March 2004.

**James Lavery**  
**Director of Homes and Technical Services**  
2 March 2004

#### **LIST OF BACKGROUND PAPERS**

1. East Ayrshire Council Tenant Participation Strategy 2003-2004

For further information please contact Joseph Cassidy, Policy Manager, on 01563 576617.

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# Tenant Participation Strategy

## March 2004



**East Ayrshire**  
COUNCIL

Department of Homes and Technical Services

## **CONTENTS**

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<b>Section</b>	<b>Page</b>
1. Introduction	2-4
2. Current Provision	5-8
3. Strategic Aims and Objectives	9
4. Strategy Development	10-14
5. Action Plan	15-22
6. Monitoring and Review	23-24
7. Conclusion	25
8. Appendices:	
• Appendix 1 – Register of Tenants' Organisations, Registration Procedure	26-32
• Appendix 2 – Notification Procedure	33-35
• Appendix 3 - Baseline Report	36-40

## **INTRODUCTION**

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### **East Ayrshire Area Profile**

East Ayrshire is a mixed urban and rural authority with some 123,268 residents (Voluntary Population Survey 1998). It covers a significant area and a diverse range of urban and rural settlements. There are three distinct Housing Market Areas in the Authority area, namely, Kilmarnock and Loudoun, Cumnock, and Doon Valley. Kilmarnock in the north, with a population of just under 45,000, is the largest town and has a range of smaller settlements clustered around it. Cumnock, in the south, is the second largest town with a population of under 10,000, and is surrounded by more dispersed and rural settlements than is the case in the north of the area.

The settlement distribution within the area, along with its geography, transport links and employment base, affects the economy. Settlements such as Stewarton, the third largest town in the local authority area, has for example, links to the Glasgow commuter market, reflecting easy access to main roads.

The economy of East Ayrshire performed relatively poorly during the 1990s, and full time employees in East Ayrshire are among the lowest paid in Scotland, regularly earning 10% less than the Scottish national average. Furthermore, poverty is a more significant feature of the south of the local authority area, in the Cumnock and Doon Valley areas with its former mining communities. At October 2001, there were over 3,700 unemployed claimants across the local authority area, an unemployment rate of 6.1% compared to the Scottish figure of 4.2%.

Economic forecasts suggest that owner occupation may not be a realistic option for many households and therefore, there will be a substantial number of individuals who will continue to rely on the social rented sector to meet their housing needs.

It is projected that over the period 1996 to 2013, population decline in the local authority area as a whole will be 10.2%, well above the Scottish average of 1.6%. Most of the population loss is forecast to be in the Cumnock and Doon valley areas, and particularly in the former mining communities and more rural parts of the local authority area. On the other hand, the population of the northern area is expected to remain fairly stable.

The General Register Office (Scotland), (GRO), forecasts a significant drop in projected population in both the 0-15 and 16-64 age groups in East Ayrshire, compared with the Scottish average. At the same time, increases in the numbers of older people are expected to rise considerably above the national average for the same time period.

While the overall population has been declining, the number of households increased from 50,700 in 1998 to 51,200 in 2001. The projected increase in

households of 2% (from 1998 to 2012), is however, below the Scottish average of 12% (HSG/2000/4.)

In 2001, 30% of households consisted of *single people (compared with 33% in Scotland overall)*. The proportion of single person households is projected to rise 34% by 2010, compared with a rise of 37% for Scotland overall. These changes, together with forecast changes in the local economy, will have an impact on the local housing market, and the social rented and owner occupied sectors.

## **Council Housing**

Council Housing comprises 34% of the total stock in East Ayrshire, compared to 25% at Scottish level. However, the stock is unevenly spread across local housing market areas, with the highest percentage in Cumnock and Doon Valley and the lowest in Kilmarnock and Loudoun.

Whilst the Council is the largest provider of social rented housing in East Ayrshire, the supply of Council accommodation is diminishing as a consequence of Right to Buy. Across East Ayrshire, 34% of the Local Authority social rented stock has been sold since 1980 to sitting tenants.

Overall, the evidence on supply and demand indicates a clear mismatch between the size of available housing and the characteristics of waiting list applicants. Fifty per cent of waiting list applicants are single people. By contrast, only 18% of the Council stock consists of properties with one bedroom. However, East Ayrshire Council's allocation policy allows houses with more than one bedroom to be let to single applicants.

Alongside high levels of expressed demand, 9.7% of all stock stood vacant at April 2000, including a significant stock zoned for demolition<sup>1</sup>. Voids are prevalent in areas with a high incidence of council stock (such as Kilmarnock Central and New Farm Loch), or where there has been significant population loss, reflecting declining employment opportunities (for example in Auchinleck, New Cumnock and surrounding settlements)<sup>2</sup>.

The most common form of dwelling in East Ayrshire is a terraced house, but this varies considerably by tenure. Within the Council sector, around 43% of the stock is flatted, with the majority of the remainder being terraced properties. The distribution of house types can be further disaggregated by Housing Market Area. With regard to dwelling size, the largest properties are in the private sector, including the private rented sector. The social rented sector has higher proportions of the smaller sized accommodation, with the Local Authority sector in particular having two thirds of stock with three rooms or smaller. In part, this is as a result of the Right to Buy, where traditionally, the larger sized properties have been bought by sitting tenants.

Population and household projections suggest that housing needs are changing, and the projected increase in the numbers of older people will

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<sup>1</sup> Local Housing System Analysis 2001

<sup>2</sup> Void Management Report to East Ayrshire Council Housing Committee, 31<sup>st</sup> January 2001

increase the demand for suitable accommodation and support services. Further, there is a low demand for flatted properties in many communities, and a general low demand for Council housing in a number of communities in the south of the authority, and in some parts of Kilmarnock.

### **Registered Social Landlords (RSLs)**

The Registered Social Landlord sector is the only provider of new build housing for social rent in East Ayrshire, and a reduction of the social rented sector is likely to continue, as the rate of Council house sales continues to outstrip the rate of investment into new supply, through registered social landlord provision. Changes in tenure pattern have also been affected by the Large Scale Voluntary Transfer of Scottish Homes' stock to locally based Registered Social Landlords.

Registered Social Landlords (RSLs) provided 5.8% of all housing, in 2000. Overall, RSL properties are larger than the typical Council house size, with 49% of their houses having 3 bedrooms. As well as general needs accommodation, now built to 'barrier free' standards, 14% of the RSL stock aims to meet community care needs.

## **CURRENT PROVISION**

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### **1. Introduction**

The Housing (Scotland) Act 2001 requires landlords to develop, with tenants, tenant participation strategies, which detail a series of activities aiming to further the development of tenant participation.

East Ayrshire Council appointed the Tenants Information Service (TIS) to work with them and tenants to develop the strategy, and to assist in the building of tenant activity. TIS carried out a Health Check with Council Housing staff and a group of tenant representatives and interested tenants between December 2002 and February 2003. The outcome of that Health Check forms the Baseline Report. (Appendix 3).

The Baseline Report formed part of the review of current practice, and assists in identifying the key steps required to further develop tenant participation.

### **2. Knowledge of the National Strategy on Tenant Participation the Housing (Scotland) Act 2001**

There has been a recognition by both staff and tenants that knowledge of “Partners in Participation – the National Strategy for Tenant Participation” and the tenant participation provisions detailed in the Housing (Scotland) Act is very limited. However, TIS has worked to begin to address this issue with the Council, tenants’ representatives and tenants. The Council is committed to ensuring increased awareness continues across housing and related services and with all council tenants.

### **3. Current Monitoring and Evaluation Procedures**

Over the last year TIS has worked with the Tenant Participation Steering Group to ensure tenant and tenant representative involvement in developing the tenant participation strategy. This has included the review of the strategy Action Plan and identification of the tasks required to be carried out in the coming year to improve tenant participation practice.

The revised action plan identifies new methods of involving tenants and tenants’ representatives in future monitoring and evaluation exercises.

The Council operates a Regulation Working Group that monitors progress in various aspects of housing service delivery and the implementation of the requirements of the Housing (Scotland) Act 2001 through a series of staff working groups.

The Council and TIS are currently investigating how tenants can be involved in and informed of this.

#### **4. Dialogue with Tenants**

At present, there is no clear mechanism for involving tenants in the early stages of defining problems, highlighting issues or identifying topics for discussion or review.

Individual tenants and tenants' groups can raise specific issues with the Department of Homes and Technical Services, other Council departments and elected members. Individual tenants can also raise issues or complaints through the Councils' complaints procedure. However, this does not allow the Council and its tenants to consider issues together in a strategic way.

Consultation has taken place with tenants on topics such as the repairs and allocations policies in line with Best Value. However the council set the terms of reference for these reviews with no input from tenants.

The establishment of the TPSG has encouraged a more direct face-to-face dialogue between some sections of HATS and the tenants involved in this group. This progress will continue to be developed and the tenant participation principles adhered to in all future policy reviews and development.

TIS also carried out extensive research into various tenant consultation and participation methods. This report offers the Council an opportunity to try-out different methods of consultation and participation across East Ayrshire.

#### **5. Registration**

The procedure for the Registration of Tenant Organisations as required by the Housing (Scotland) Act 2001 is complete and has been reviewed by TIS in consultation with tenants' groups across East Ayrshire. This procedure has been agreed by officers in Legal Services and HATS.

#### **6. Forward Planning**

At the moment, there is no mechanism in place to ensure that tenants are involved in setting the tenant participation agenda with the Council. In future, staff will work towards this with tenants, in line with the Tenant participation Strategy Action Plan 2004 – 2005.

## **7. Decision Making**

It is considered that staff and elected members have an overall understanding of the distribution of decision - making authority within the Council.

However, it is considered that local staff have a greater understanding of how decisions are taken at the local level, but that not all staff are clear on how decisions are taken at a strategic or corporate level.

Some staff also identified that they are not always clear as to how policy decisions are arrived at, as there is not always an opportunity for staff to influence this.

Tenants consider that although some tenants are clear on how the Council's decision - making structures operate, this does not apply to everyone. They also feel that there is limited information on this available to tenants.

At the moment, tenants consider that there is very limited access to the Council's decision makers, with little or no opportunity to influence decisions. Although tenants' groups can request information from the Council, and ask staff to attend local meetings, responses to this vary across the authority, with some tenants feeling that they get very little positive feedback.

The restructuring of the Homes and Technical Services Section offers an opportunity to ensure all tenants and staff are informed of how the new service will operate both in terms of the day-to-day practicalities and in relation to how local and corporate decisions are taken. The Action Plan 2004 – 2005 states that an information leaflet on the new service will be produced for all staff and tenants.

Utilising both the more established, as well as new methods of consultation and participation in the future should also increase tenant awareness of and access to decision making within East Ayrshire.

## **8. Tenant Representation**

There are thirteen council tenants' and residents' groups within East Ayrshire. All have constitutions and receive funding from the Council for basic administration, approximately £100 per year.

The majority of groups have regular meetings to get information to their membership. The level of local tenant attendance at these meetings and the housing issues addressed varies across East Ayrshire.

At the moment, there is no mechanism for formal representation to the Council to progress tenant participation issues. There is also no method of networking tenants' groups across the authority to work on strategic subjects or issues of mutual concern.

TIS has worked with some of the existing groups to stimulate the idea of developing a tenant network for East Ayrshire. This will continue to be addressed in the Action Plan 2004 – 2005.

## **9. Resources**

The Council has a budget for tenant participation. This currently stands at £23,000, exclusive of staff time. The Department's Policy Section administers approximately £1000 of this budget and groups can apply annually for grants. Some groups receive assistance with minutes, photocopying etc, through the Council either at local offices or through the Support to Communities section.

The Policy Section within the Homes and Technical Services Department is also a support resource to tenants' groups. This support includes providing information to tenants wishing to start up groups and delivering training on accounting and financial management. The Policy Section also provides assistance to groups to complete grant forms and the Finance Section conducts year-end audits for groups' Annual General Meetings.

As detailed in the Action Plan 2004 – 2005, an information leaflet on the support available from the Policy Section will be produced and made available to groups and in local offices.

To encourage participation in Council wide events, tenants can apply for travel costs. This is currently administered by the Councils' Policy Section. However in relation to tenants' groups this will be looked at as part of the tenant participation resource assessment required by Communities Scotland.

This review will also identify the overall resources required for tenant participation at a local or strategic level. As well as putting in place a mechanism for tenants to access funding to attend conferences, seminars or training organised by external or national organisations.

## **10. Developing Tenant Capacity to Influence**

The Council acknowledges that there is a need to develop tenants' capacity to influence and take part in the council's decision-making procedures.

The Council recognises that there is a need to further develop existing tenants' groups, and establish new groups in areas currently not represented. It also acknowledges the need to develop mechanisms to encourage more tenants throughout East Ayrshire to become involved in tenant participation activities, taking into account the requirements of the Equal Opportunities legislation.

## **11. Points for Consideration**

Tenant participation is limited and varied at a local level with no methods in place at present to ensure tenant participation at a strategic or authority wide level. The Council needs to consider this, and identify with tenants the following:

- Mechanisms to further develop and support existing groups.
- Methods to encourage the establishment of new tenants' groups.
- Innovative ways to encourage tenants to get involved in tenant a participation activity.
- Opportunities for tenants to network with each other across the local authority area.

There is a need to develop mutual trust and partnership between the Council, tenants' groups and individual tenants. This may be addressed by ensuring that tenants and staff have access to information, training and support. It may also be beneficial to consider some joint staff, tenant and elected member training.

In order that tenant participation activity is meaningful and effective, clear procedures should be put in place to ensure that tenants have the information they require so that they can make informed decisions on the issues that affect them.

Mechanisms should also be put in place to ensure that adequate timescales are set out throughout all aspects of tenant participation and consultation activities.

To assist in achieving the above, the Council and its tenants have developed the tenant participation Action Plan that details the steps necessary to implement the strategy. This Action Plan identifies who is responsible for carrying out the action, and establishes the allotted timescales for the action and the mechanisms for monitoring and evaluation. The TIS Healthcheck Report and Tenant Participation Baseline Report has provided a basis for this Action Plan.

## **STRATEGIC AIMS AND OBJECTIVES**

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The Strategy is being developed to achieve the following strategic aims and objectives:

### **Aim:**

To comply with the tenant participation elements of the Housing (Scotland) Act 2001.

### **Objectives:**

- To prepare implement and review the Tenant Participation Strategy for East Ayrshire.
- To ensure that tenants, elected members, staff and the community are aware of the tenant participation elements of the Housing (Scotland) Act 2001.
- To ensure that tenants are advised of their rights and landlords' obligations under the Housing (Scotland) Act 2001.
- To assess and adequately resource tenant participation throughout East Ayrshire.
- To ensure that tenants and tenant representatives are able to fully participate through the provision of adequate training, information and resources.
- To develop and maintain a Register of Tenants' Organisations.
- To develop notification procedures for Register of Tenants' Organisations and tenants of relevant issues.
- To encourage all tenants' and residents' groups to become Registered Tenants Organisations, (RTOs).
- To develop a Tenants' Federation.
- To encourage tenant involvement across East Ayrshire.
- To ensure equality of access through the promotion of equal opportunities requirements in the implementation of tenant participation processes.

## **STRATEGY DEVELOPMENT**

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### **1. Introduction**

The Tenant Participation Strategy has been developed by the Council, working in partnership with TIS and tenants, and has been ongoing since August 2002. So far, this process has consisted of:

#### **i. Identification of Current Tenant Participation Practice**

The TIS Health Check document has been used in interviews with Housing staff and tenants. The Health Check is a tool to identify what needs to be done to develop a tenant participation strategy across East Ayrshire. The information from these interviews has been collated and forms the Base Line Report.

#### **ii. Tenant Seminar**

TIS, in partnership with staff from the Department of Homes and Technical Services, held a one-day conference for tenants on “Developing a Tenants Participation Strategy”. The aim of the conference was to:

- Encourage East Ayrshire Council staff and tenants to work with TIS to discuss the Tenant Participation Strategy.
- Explore how tenants can influence the development of the Tenant Participation Strategy.
- Look at different structures and methods of Tenant Participation.
- Explain East Ayrshire Council’s scheme for the Registration of Recognised Tenants’ Organisations.

Feed back from the one-day session has been collated and analysed, and used by TIS to inform their Base Line Report (Appendix 3).

#### **iii. Staff Training**

A series of staff training sessions were delivered to housing staff. The participative approach to the training was designed to introduce tenant participation and covered:

##### Part 1

- An introduction to tenant participation
- Tenant participation and the Housing (Scotland) Act 2001
- Key principles and Landlord duties
- Tenant Participation and how it affects staff.

## Part 2

- Consultation and participation methods
- Issues / topics tenants may want to be consulted on
- Who makes the decisions and;
- The pros and cons of tenant participation and consultation

### **iv. Tenant Training**

A flyer has been prepared and circulated to existing tenants' and residents' associations regarding training opportunities. TIS have also recognised that areas without a tenants' and residents' association may request advice on starting up a group and therefore, the leaflet will be available at the road shows, housing offices, from Support to Communities staff et al.

### **v. Road Shows**

In an attempt to reach tenants who would not normally attend meetings or conferences, a series of 'road shows' or information sessions were organised to cover the authority.

The aim of these sessions was to explain tenant participation in East Ayrshire and identify the ways tenants can become involved in their street, community or at an East Ayrshire wide level. The sessions were informal and consisted of an information stand and a chance for tenants to drop in and speak to staff from TIS.

The sessions were advertised in the local press. In addition, East Ayrshire Community Work staff agreed to distribute flyers, which were also be available in the Housing offices.

The venues and dates for the road show events were arranged for March and April 2003 across East Ayrshire.

### **vi. Meetings with Tenants**

Twenty-six tenants attended a meeting held in February 2003 in Kilmarnock to consider:

- Discussing our work in relation to developing the Tenant Participation Strategy.
- Discussing views on current Tenant Participation activity in East Ayrshire using the TIS Health Check.
- Identifying the next steps for tenants.

At the meeting, tenants agreed to move onto the next step of drafting the Tenant Participation Strategy. This resulted in the establishment of the Tenant Participation Steering Group (TPSG). The TPSG were supported to develop the strategy, and provided with relevant information by TIS. The draft strategy was presented to the tenants in April 2003 for further consultation and

negotiation. It was then will be subject to an extensive consultation exercise with the wider tenants, tenants organisations, staff and other interested parties.

The TPSG along with staff representatives then reviewed the 2003 – 2004 Draft Action Plan and identified the tasks and timescales for the 2004 – 2005 Action Plan.

**vii. Registration of Tenants' Organisations (RTOs)**

The Council produced a draft Registration of Tenants' Organisations Procedure.

East Ayrshire Council Tenants' and Residents' Associations were then consulted on the procedure. They were invited to express their views by either inviting TIS to one of their meetings, or by returning a feed back proforma. To assist, a briefing paper on RTOs was also issued to the groups.

In February 2004 Tenants and Residents groups then worked with TIS to review this procedure. At this time it was agreed that the procedure should remain as is with a further and more extensive review to be carried out in line with the 2004 – 2005 Action Plan.

**viii. Area Local Committees**

A presentation was made at each of the seven Area Local Committees during 2003.

**ix. Future Developments**

The above work has primarily been aimed at raising the profile of Tenant Participation, as it is acknowledged that the authority is starting from a low base, as evidenced by the results of the Health Check.

Consequently, while one of the main aims of the strategy is to increase the involvement of tenants in the management and delivery of housing services, equally important is the methods available to tenants to become involved and make their voices heard.

Therefore, while the authority will continue deliver engagement with tenants through the traditional methods of tenants' groups and the development of a tenant network or federation, it is also recognised that such methods do not meet the needs of all of the tenants. Consequently, in parallel with the development of traditional methods, the authority intends to expand the choices available to tenants on how to engage with the landlord.

In the review of Tenant Participation by The Housing Corporation in December 2002 a number of issues were raised which suggested

that only considering participation by the traditional routes would not meet the needs of all tenants. It states:

“Recent research by the National Consumer Council, *Consumer Involvement and Representation* (2001), questions the extent to which consumers wish to be directly involved, particularly in higher-level areas such as strategy and governance, and says they are often cynical about such consultation. It suggests that more sustained engagement with consumers on localised matters that directly affect their day-to-day lives, and the provision of better, more focused information are more important to them, and will provide more value for informing future strategies.”

It further goes on to state that we should consider:

- Understanding consumer concerns; for example, by developing long term strategies for market research into customer views.
- Consulting consumers directly; for example by establishing consumer panels with whom regulators and service providers consult on changes in policy and practice.
- Listening to the public by developing structures for regulators to assess, monitor and improve the quality of services provided to consumers.
- Listening to specific groups of consumers by ensuring that consultation is planned and aimed at particular groups, and to provide support and training to those groups to build their capacity and confidence to become involved in issues important to them.
- Checking policy standards against consumer preferences by consulting and carrying out research on regulators’ own standards And policy, to ensure that these align with consumers’ views and concerns.

In light of that research the Authority proposes to develop a number of additional methods of engaging with tenants directly, especially through use of IT and web technology.

- a. In support of the Council's corporate development of e-enabled services, work will be undertaken to enable access to housing services. This will include web surveys. This will be available either directly to the tenant through their own internet connection or through the public access terminals and computers, which are available in all offices, libraries and other council facilities.
- b. The new IT based complaints procedure, operating within housing, will be further developed to provide ongoing

management information on service delivery issues. This will provide a direct understanding of tenant concerns.

- c. Undertake a Tenant/ User Satisfaction Survey, carried out by an appropriate external partner. This will refer back to the previous area wide survey carried out in 1998 and will act as a base line for the Council. In addition it will also give an indication of changes in tenant's views over the last five years. This comprehensive survey and its findings will be widely circulated.
- d. Create a dedicated Customer Care Team whose task will be to take forward the analysis of the above survey to inform future plans. In addition, the team will also conduct ongoing regular surveys across various discrete areas of the housing function to continue to inform improvement and development of services.
- e. The team will also be responsible for facilitating focus groups and tenant juries as an other method of consulting on changes to policy and practice. These findings will be added to the input from tenants' groups and the federation to provide a more comprehensive understanding of tenant views.
- f. The team will also carry out research into what other methods of consultation are successfully being used elsewhere. This will assist the authority in refining and expanding its methods of consultation

## **ACTION PLAN**

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### **East Ayrshire Council**

#### ***Tenant Participation Strategy Action Plan 2004 - 2005***

#### **Key**

TP = Tenant Participation

TPSG = Tenant Participation Steering Group

BNS = Better Neighbourhood Services

SC = Supporting Communities

SW= Social Work

BMEF = Black and Minority Ethnic Forum

RTOs = Registered Tenants Organisations

TARAs = Tenants & Residents Associations

TPO = Tenant Participation Officer

EAC = East Ayrshire Council

TIS = Tenants Information Service

TPAS = Tenant Participation Advisory Service

LHS = Local Housing Strategy

#### **Introduction**

This Action Plan lists the objectives as stated in the page 9 of the Tenant Participation Strategy. The corresponding tasks, participants and timescales show what steps/actions will be taken to achieve the objective, who is involved and when it is anticipated the tasks will be achieved.

OBJECTIVE	TASK	PARTICIPANTS	TIMESCALE	COMMENTS (must be joint with tenants)
<b>To review and implement the East Ayrshire Tenant Participation Strategy</b>	Revise TPS Action Plan in consultation w/ staff reps and TPSG	EAC/ TPSG / TARA's	March 04	
	<i>Establish an ongoing monitoring timetable as follows:</i>			
	<ul style="list-style-type: none"> <li>Quarterly with TPSG and staff reps</li> </ul>	EAC/ TPSG /	February 04 - quarterly ongoing	
	<ul style="list-style-type: none"> <li>Annually with TARAs – commencing April 04</li> </ul>	EAC / TPSG / TARA's	April 04 - annually	
	<ul style="list-style-type: none"> <li>Include TP section in Tenant Satisfaction Survey</li> </ul>	EAC	April 04	
<ul style="list-style-type: none"> <li>Conduct an initial survey of all tenants to assess interest in TP activities and preferred methods of involvement</li> </ul>	EAC / all tenants	Oct 04		
		EAC / TPSG/	April 04	

	<p>Hold a one - day seminar to launch the strategy.</p> <p>Identify and gather relevant information to inform progress within the Tenant Participation Strategy Action Plan.</p> <p>Identify standards relating to tenant participation practice both qualitative and quantitative.</p> <p>Review whole strategy in consultation with TPSG, tenants and relevant others</p>	<p>councillors / TARA's / tenants interested others</p> <p>EAC / TPSG / TARA's</p> <p>EAC / TPSG</p> <p>EAC / TPSG / TIS</p>	<p>April 04</p> <p>March 05</p> <p>Summer 05</p>	
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OBJECTIVE	TASK	PARTICIPANTS	TIMESCALE	COMMENTS (must be joint with tenants)
<p><b>To ensure that elected members and staff are aware of the tenant participation elements of the Housing (Scotland) Act 2001.</b></p>	Continue to provide information and training to staff, elected members and others on:	EAC / Councillors / TIS / others	Ongoing	
	1. TP provisions of the Housing (Scot) Act 2001 <ul style="list-style-type: none"> <li>• Ensure information sheets on tenant participation are available in all local offices</li> <li>• Include TP leaflet in tenants handbook</li> </ul>			
	2. On EAC TP Strategy <ul style="list-style-type: none"> <li>• Invite staff, elected members and others to the TP strategy Launch</li> <li>• TIS presentation to Housing Committee</li> </ul>	EAC	March 04	
	3. Consultation & Participation methods <ul style="list-style-type: none"> <li>• Ensure information on consultation &amp; participation methods are distributed to staff, elected members et al</li> </ul>	EAC / TIS	June 04	
	3. Consultation & Participation methods <ul style="list-style-type: none"> <li>• Ensure information on consultation &amp; participation methods are distributed to staff, elected members et al</li> </ul>	EAC / TIS	April 04 – ongoing	
	4. Monitoring & evaluation techniques <ul style="list-style-type: none"> <li>• Provide training / information sessions on best practice in monitoring &amp; evaluation</li> </ul>	EAC/ TPSG / TARA's / TIS	September 04	
		EAC	April 04	

	<p>5. Tenant/ Customer Care/Service</p> <ul style="list-style-type: none"> <li>• Conduct a Tenant Satisfaction Survey</li> </ul> <p>6. Awareness of internal procedures</p> <ul style="list-style-type: none"> <li>• EAC to produce an information sheet to all tenants on the service restructuring</li> </ul>	EAC	December 04	
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<b>OBJECTIVE</b>	<b>TASKS</b>	<b>PARTICIPANTS</b>	<b>TIMESCALE</b>	<b>COMMENTS (must be joint with tenants)</b>
<b>To ensure that tenants and the community are aware of the tenant participation elements of the Housing (Scot) Act 2001</b>	<p>Continue to deliver training and information sessions to increase skills, knowledge and awareness.</p> <ul style="list-style-type: none"> <li>• Assess information, training and support needs of TPSG and TARA's</li> <li>• Develop a programme of training / information sessions in light of above</li> <li>• Continue to produce the EAC Annual Tenants Calendar</li> </ul>	<p>TIS/ EAC / TPSG / TARA's / tenants etc</p> <p>TIS</p> <p>TIS / EAC</p> <p>EAC</p>	<p>Ongoing</p> <p>May 04</p> <p>September 04</p> <p>December 04</p>	

	<ul style="list-style-type: none"> <li>• Insert regular TP articles in the local press, commencing with the Press Release on the TP Strategy launch</li> <li>• Have a regular TP feature in the Council's "Headlines" Magazine</li> </ul> <p>Identify new ways to involve people such as:</p> <ul style="list-style-type: none"> <li>• Further develop the EARS scheme</li> <li>• Develop a tenant volunteers program</li> <li>• Assist TARAs to further inform and involve wider community</li> </ul> <p>Involve tenants and tenants representatives in the development of the Local Housing Strategy</p>	<p>EAC</p> <p>EAC / TPSG / TARA's</p> <p>EAC / TPSG / TARA's</p> <p>EAC / TPSG / TARA's / others</p>	<p>April 04 - ongoing</p> <p>Commence in next Headlines after February 04</p> <p>April 04 - ongoing</p> <p>April 04</p>	
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	<ul style="list-style-type: none"> <li>• Consultation on draft with TARA's and interested tenants</li> </ul> <p>Develop a one - page information leaflet on TP to</p> <ul style="list-style-type: none"> <li>• Provide publicity on the TP strategy</li> <li>• Be given out at tenancy sign ups</li> <li>• Be made available in local offices</li> <li>• Be included in Tenants' Handbook</li> <li>• Be available on Council Web Site</li> </ul> <p>To ensure tenant participation principles are adhered to in policy reviews and development</p> <p>Utilise other Council mailings to inform and encourage involvement in TP</p>	<p>EAC / TPSG / TIS</p> <p>EAC / TPSG / TARA's</p> <p>EAC</p>	<p>May – July 04</p> <p>April 04</p> <p>Commence March 04 w/ rent setting policy review</p> <p>Ongoing</p>	
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<b>OBJECTIVE</b>	<b>TASK</b>	<b>PARTICIPANTS</b>	<b>TIMESCALE</b>	<b>COMMENTS (must be joint with tenants)</b>
<b>To continue to review the Procedure for the Registration of Tenants' Organisations</b>	In consultation with RTOs and tenants' associations regularly review the procedure	EAC/Tenants Associations/ TIS	March 2004	
<b>To develop notification procedures for RTO's and tenants on relevant issues</b>	Update and circulate the simple leaflet explaining the RTO procedures offering support and guidance and how the procedure has benefited registered groups.	TIS/EAC	April 2004	

<p><b>To encourage all tenants' and residents' groups to become Registered Tenants' Associations.</b></p>	<p>Update the registration policy and procedures in light of the review and publicise to all TARA's at time of support grant applications          Hold a register of RTOs          Encourage groups to register          Providing training/ briefing notes, organise RTO events as appropriate.</p>	<p>EAC/TIS/RTOs/ TARA's</p>	<p>April 2004</p>	
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<p><b>OBJECTIVE</b></p>	<p><b>TASK</b></p>	<p><b>PARTICIPANTS</b></p>	<p><b>TIMESCALE</b></p>	<p><b>COMMENTS (must be joint with tenants)</b></p>
<p><b>To develop an East Ayrshire Network of individual Tenants &amp; Residents and TARA's.</b></p> <p><b>OR Develop four local based networks throughout EA in Kilmarnock, Dalmellington, Doon Valley and Cumnock</b></p>	<p>Using "Independent " resources to develop the Network</p> <p>Promote membership by:</p> <ul style="list-style-type: none"> <li>- Publicising the activities and successes/ good practice of groups in a newsletter</li> <li>- Ensure meetings are interesting and</li> </ul>	<p>EAC/ Housing Associations/ Tenants Organisations/TIS</p> <p>TIS/EAC</p>	<p>Ongoing</p> <p>June 2004</p>	

	<p>relevant for all groups e.g. by inviting speakers</p> <ul style="list-style-type: none"> <li>- Ensuring that groups have sufficient resources to carry out their activities</li> <li>- Think of ways to make things "Fun" e.g. social night</li> </ul>			
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OBJECTIVE	TASK	PARTICIPANTS	TIMESCALE	COMMENTS (must be joint with tenants)
<p><b>To encourage tenant involvement throughout East Ayrshire responding to the different geographical and cultural needs of tenants throughout East Ayrshire.</b></p>	<p>Continue to encourage the development of existing and /or new tenants and residents groups. Visit local offices to raise awareness of group development</p> <p>Ensure meetings are held in suitable venues to cover the whole of East Ayrshire. Consider rotating the venue of the TPSG</p> <p>Encourage membership of the TPSG and strategic events through personal invitation, local papers, public notices</p>	<p>EAC/TIS</p> <p>EAC</p> <p>EAC</p>	<p>Ongoing</p> <p>Ongoing</p> <p>March 2004</p>	

	Continue support to existing groups developing a programme to include advice sessions, publications, field trips and respond to any other requests from the tenants' organisation.	EAC/TIS	Ongoing	
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<b>OBJECTIVE</b>	<b>TASK</b>	<b>PARTICIPANTS</b>	<b>TIMESCALE</b>	<b>COMMENTS (must be joint with tenants)</b>
<b>To ensure equality of access through the promotion of Equal Opportunities requirements in the implementation of tenant participation processes.</b>	<p>Using EAC carry out an investigation into the population of East Ayrshire to identify where they may be pockets of excluded people.</p> <p>Organise an "Equalities Stakeholder Meeting" with BNSF project workers, BME Forum, social work, Supported Tenancy Staff to discuss ways to involve younger tenants, older tenants and tenants with special needs (physical and or mental disabilities or tenants which may be socially excluded) in tenants' groups and strategic tenant participation.</p>	<p>EAC/ Housing Associations</p> <p>BNSF/EAC/SW</p>	<p>May 2004</p> <p>April 2004</p>	

	<p>If appropriate hold a series of local "Open Forums" inviting young tenants to attend to explore common issues</p> <p>Attend meetings in Sheltered Housing Complexes as appropriate.</p>	<p>TIS/ EAC/ tenants</p> <p>EA/ EAC/ tenants</p>	<p>May 2004</p> <p>June 2004</p>	
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## **MONITORING AND REVIEW**

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### **Implementation of the Tenant Participation Strategy**

Progress with the implementation and development of the tenant participation strategy will be regularly monitored and reviewed, with tenants and tenants' representatives, tenants' and residents' associations and Registered Tenants' Organisations, to ensure that it is effective in delivering its stated aim and objectives of tenant participation, so as to comply with the tenant participation elements of the Housing (Scotland) Act 2001. An annual audit will be undertaken as part of the review of the Strategy. Details of how this review will be carried out are in the Action Plan 2004 – 2005 above.

Elected members and staff, together with other housing providers operating in the area will also be encouraged to participate in this exercise, so that the Strategy continues to be both relevant and applicable across East Ayrshire.

Appropriate training and information will be provided to tenants and tenants' representatives to fully participate in this process.

The review will evaluate the success of the Strategy in meeting its identified aims and objectives, as laid out in Section 3, Strategic Aims and Objectives.

### **Communities Scotland's Regulation Framework**

Part 3 of the Housing (Scotland) Act 2001 introduced the Single Regulatory Framework with effect from 1<sup>st</sup> November 2001. Inspections apply to all aspects of the provision of housing accommodation and related services generally understood as the *housing function*, which includes Tenant Participation.

The Single Regulatory Framework Performance Standards have been developed by Communities Scotland in consultation with a wide range of housing providers and representative organisations to promote co-operation and the improvement of housing and related services. The framework supports self-assessment and external scrutiny arising out of inspection, so as to improve the quality and delivery of services for current and future tenants and service users.

The Tenant Participation Performance Standard, G.S.2.2, notes:

*“We have published and are implementing a sound strategy for encouraging and supporting tenants, residents and service users to participate actively in all areas of our work. We support tenants who take an active interest in managing their homes.”*

'Features to Look For' include:

- Can we demonstrate that outcomes from tenant and service user participation influence the way we deliver services.
- What are the views of tenants', tenants' organisations and other service users on the level and range of opportunities available to participate in both strategic and operational aspects of our housing services.
- How well do we perform against our own targets for tenants and service user participation.

The standard and 'features to look for' set out within the framework will be included in the monitoring and evaluation process, through the development of the Tenant Participation Strategy.

TIS will carry out information / training sessions on the Single Regulatory Framework and how tenants can gear up to influence the inspection process. It is envisaged that this will be carried out jointly with tenants and interested staff members.

### **Performance Indicators**

The review process will also take into consideration a range of information to be collected through the development of Performance Indicators, together with the results of both formal Tenant Satisfaction Surveys and general feedback from tenants, so as to enhance the service delivery.

## **CONCLUSION**

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As part of establishing an understanding of current Tenant Participation activity, it was recognised that the Authority was starting from a low base. Therefore, while this strategy has been produced in accordance with legislation, it is only the beginning of a process that will be developed over time in partnership with the tenants and Tenants Information Service (TIS).

This document is a record of progress achieved since the Authority engaged TIS, in August 2002, as well as articulating activity over the next 18 months. However, in the longer term, as the tenants and staff gain in confidence, a continually evolving comprehensive strategy will emerge which is both more inclusive and better reflects the aspirations of the community.

Consequently, it was the aim of the partners, by 31 March 2004, to have reviewed and evaluated the actions identified so far, to ensure that the developing strategy is effective in delivering Tenant Participation in East Ayrshire.

This document is the result of this review.

**Register of Tenants' Organisations - Draft  
Registration Procedure**

East Ayrshire Council

Registration of Tenant Organisations Procedure

**INTRODUCTION**

The Housing (Scotland) Act 2001 introduces the concept of Registered Tenant Organisations (RTOs). The aim is to give tenants' and residents' associations, which meet certain criteria as determined by the Scottish Executive, a recognised role in the tenant participation process. As part of the Tenant Participation Strategy, which is currently being developed, every effort will be made by East Ayrshire Council to encourage the development of tenants' organisations. In the event that tenants' organisations, which meet the required criteria, do develop, the Act requires that they be registered.

Registration imposes responsibilities on the Council as a landlord. It also clarifies which associations the Council will be required to consult with, for both tenants' associations and the Council. The Housing (Scotland) Act 2001 places a duty on East Ayrshire Council to consult with Registered Tenants Organisations on issues that affect them. In addition, the Council is required to take notice, within a reasonable timescale, of the representations made by Registered Tenants' Organisations. These timescales will be agreed with the tenants.

East Ayrshire Council's register of tenants' organisations is to be a public document and will be available for inspection at all Housing Offices within East Ayrshire. Copies of the register will be sent to all Registered Tenants' Organisations on request. The register will also be published on the Council's Homes and Technical Services web site, which can be accessed at [www.east-ayrshire.gov.uk](http://www.east-ayrshire.gov.uk)

Tenants' and residents' associations which become registered with East Ayrshire Council will retain the right to view published information in advance of publication and will be given the opportunity to comment on the accuracy of the information contained in the register.

In line with data protection sensitivities, the information to be made available to the public will consist of:

- ◆ the name of the RTO
- ◆ details of the RTO area of operation
- ◆ the names of the organisation's office bearers
- ◆ Contact details of the RTO including an address (this can be a box number if required), email (where appropriate) will be published.

*New tenants' organisations will be supported through the registration process by the Tenants Information Service and Policy staff in the Department of Homes and Technical Services.*

## **REGISTRATION CRITERIA**

Set out below are the criteria that tenants' and residents' associations must meet to achieve registration.

### 1. Constitution

To become an RTO any tenant organisation must have a publicly available written constitution that sets out:

- its objectives and area of operation;
- how people can become members of the organisation;
- the way the committee will operate;
- how people can become committee members/office bearers;
- how the business of the organisation will be conducted;
- how decisions will be reached democratically;
- how funds will be managed;
- arrangements for public meetings;
- arrangements for an annual general meeting (AGM);
- how changes can be made to the constitution;
- its commitment to the promotion of equal opportunities and the promotion of East Ayrshire Council's tenants' interests in dealings with the Council on tenancy related matters.

East Ayrshire Council can provide developing RTOs with a model constitution.

### 2. Committee

The organisation must have a committee that:

- Members are elected onto at an annual general meeting. This would normally be done in the first year of operation;

- Members are required to stand down from after a period specified in the constitution;
- Has at least three members;
- Can co-opt others onto the committee during the course of the year;
- Has elected office bearers;
- Can demonstrate that decisions are reached democratically
- Promotes equal opportunities.

The Tenants Information Service and East Ayrshire Council can provide training in basic committee skills. Any enquiries about the provision of training by the Council should be directed to the Policy Staff of the Department of Homes and Technical Services.

### 3. Area of Operation

The association must operate within:

- A defined geographical area which includes Housing Stock owned and managed by East Ayrshire Council or
- A defined geographical area, which includes Housing Stock, owned and managed by East Ayrshire Council and Housing Stock owned and managed by another Registered Social Landlords where appropriate.

### 4. Membership Policy

Membership of the association and participation in its activities must be open to all eligible tenants:

- of a house situated within the association's defined area of operation
- under a Scottish Secure Tenancy (SST) or Short Scottish Secure Tenancy (SST)
- within the area of operation who are over the age of sixteen years.

### 5. Accounting

The organisation must maintain proper and timely accounting records. It should present a financial report at each committee meeting and an annual financial statement showing income and expenditure to the AGM. This should include a statement of assets including cash in hand and money deposited in bank accounts. Liabilities, including outstanding invoices for goods received, should also be included in the statement. The statement should be independently validated by East Ayrshire Council's Homes and Technical Services Finance staff, and be presented at its annual general meeting.

Organisations have an obligation to return all funding or assets purchased with spent money issued by East Ayrshire Council in the event that the organisation ceases to exist.

The Tenants Information Service and East Ayrshire Council will assist RTOs to establish appropriate accounting records and to produce an annual financial statement.

## 6. Consultation and Representation

The organisation must demonstrate to East Ayrshire Council that it is committed to representing the interests of its members and that it can represent the views of the tenants in its defined area of operation.

It is recognised that groups may comprise a mix of tenants and residents. There is nothing to prevent a mixed group of tenants and residents applying to become registered provided it meets the necessary criteria, and there is a mechanism in place within the group for the views of tenants to be given. This may be done through tenant only surveys or tenant sub-committees.

## **PROCESS OF REGISTRATION**

East Ayrshire Council seeks to encourage tenants' and residents' associations to register with the Council and to become Registered Tenants Organisations. The process of registration has been designed to be both clear and straightforward for tenants to follow. Assistance will be available at all stages of the process and applicants are encouraged to contact Policy staff in the Department of Homes and Technical Services for assistance as required.

Tenants' and residents' associations within East Ayrshire can become RTOs through the following process:

1. The organisation must submit an application in writing to the Policy Section of the Department of Homes and Technical Services and include:
  - a copy of its written constitution;
  - names and addresses of committee members;
  - list of office bearers and the position held;

- a description of the area of operation and
  - a statement setting out how the association plans to engage with its members and how it will represent their views.
2. On receipt of an RTO application, East Ayrshire Council will acknowledge receipt within 7 working days and process the application within 14 days but no longer than 21 days. The applicant will be advised in writing of the outcome of the application and where appropriate, will be offered guidance, assistance and support should this be required to meet the registration criteria.

Appropriate training, where required, will also be provided by the Tenants Information Service or Policy Staff in the Department of Homes and Technical Services.

3. The RTO must continue to satisfy the criteria for registration detailed above. Any changes to the RTOs constitution, membership criteria, area of operation or office bearers must be notified to East Ayrshire Council within 28 days of the change. Registration will normally last for three years.
4. Any tenants' and residents' association may apply to register with more than one landlord with 20 tenancies within the association's area of operation. A separate application shall be sent to each landlord in writing. Details of each landlord's registration procedures can be obtained from the landlord directly. East Ayrshire Council seeks to encourage tenants' and residents' associations to register with other landlords. Assistance with applications to register with other landlords can be provided by staff in the Policy Section in the Department of Homes and Technical Services.
5. Information provided to East Ayrshire Council for the purpose of registration will be made available to the public, with the agreement of the RTO, and only in a format prescribed by the Housing (Scotland) Act 2001. Any information held by the Council will be subject to the conditions of the Data Protection Act 1998.

For groups which are in the early stages of development, East Ayrshire Council recognises that formal criteria may be a disincentive to tenants who may otherwise be interested in participation. The Council will waive these conditions temporarily where it will further the development of participation in the relevant area. The Council is also willing to work with informal groups in other circumstances. Where, for example, a group is made up of both tenants and residents, a situation apparently not covered by the legislation, the Council seeks to include this type of group in the participation process.

## **REMOVAL FROM THE REGISTER**

Tenants' and residents' associations, which have successfully applied for registration with East Ayrshire Council, can be removed from our Register in any of the following circumstances:

- the organisation no longer meets the registration criteria; or
- the organisation ceases to exist or does not operate; or
- there is a mutual agreement between the organisation and East Ayrshire Council

Removal from the Register will only take place after 21 days notice. Notice will be served in writing to all registered committee members of the organisation, setting out the reasons and the effective date of removal.

In the case of an RTO which appears to the Council to have ceased to exist, notice of de-registration will be deemed to have been given to the association if it is served at the last known address known to the Council to be the principal place of business of that organisation.

Where an RTO makes a written application to the Council to be removed from the Register, the Council will require to receive a copy of the minute of the meeting at which this was agreed. The Council will reply to such a request within 14 days.

In the case of an appeal against removal, the removal will be suspended until the appeals procedure has been exhausted.

## **APPEALS PROCEDURE**

In terms of the registration process, tenants' and residents' associations and RTOs retain the right to appeal against decisions taken about them by East Ayrshire Council.

An association may appeal against the Council's decision to:

- not register the organisation; or
- remove the organisation from the Register; or
- not remove the organisation from the Register.

In the first instance, any appeal by an organisation must be made in writing to Director of the Department of Homes and Technical Services.

East Ayrshire Council will consider the appeal and any supporting evidence within one month of receipt of the organisation's appeal and respond in writing to the organisation. The appeal will initially be considered by the Head of Homes with further rights of appeal being available against the decision of the Head of Homes to the Director of the Department of Homes and Technical Services and against the decision of the Director of the Department of Homes and Technical Services to the Housing Appeals Sub-Committee of the Council's Housing Committee in accordance with the provisions of the Council's Scheme of Delegation. The procedure to be followed at the Housing Appeals Sub-Committee will be as provided for in the Council's approved hearings procedure which provides for an oral hearing.

Following the completion of the Council's internal appeal procedures, an organisation has the right to appeal to Communities Scotland. The Regulation and Inspection Division of Communities Scotland will consider such appeals on behalf of Scottish Ministers. Appeals should only be made to Communities Scotland after East Ayrshire Council's appeal procedures have been exhausted.

During the appeals process where an RTO is already registered, it will remain registered until the outcome of the appeal is known.

## **AMENDMENTS TO THE REGISTER**

RTOs are required to inform East Ayrshire Council if:

- ◆ there is any alteration to their constitution;
- ◆ there is any change to their office bearers;
- ◆ there is any alteration to their membership criteria or
- ◆ there is any change to their area of operation.

Changes to the above which do not affect the registration criteria will be recorded in the Register. Should any notified changes affect the ability of a RTO to meet the registration criteria, the organisation will be notified in writing by the Council, as these may constitute grounds for de-registration.

## **REVIEW PROCESS**

These procedures will be reviewed every three years in full consultation with Registered Tenants' Organisations.

The next review date is April 2007 (3 years from the agreement of these procedures).

## **Appendix 2**

### **Register of Tenants' Organisations Proposed Notification Procedure**

Notification procedures require to be developed and agreed with tenants and tenants' representatives, to consider a range of options to facilitate effective consultation.

The range of notification options to be considered will cover:

- **Newsletters**

Newsletters have been issued to tenants and to tenants' and residents' associations about issues such as:

- The Housing (Scotland) Act 2001,
- The introduction of the Scottish Secure Tenancy, (SST),
- Tenant Participation,
- Performance Indicators with regard to Repairs, Allocations, Arrears and Homelessness for 2001/ 2002.

The Tenant Participation Strategy Action Plan detailed above, encourages the publication of further newsletters to tenants and to tenants' and residents' associations. This information will also be issued to Registered Tenants' Organisations, in East Ayrshire.

- **Written Notification**

As detailed within the Housing (Scotland) Act 2001, both tenants and Registered Tenants' Organisations require to be informed in advance about both policies and procedures, and works that may affect their homes and tenancies, namely:

- Major repairs,
- Alterations,
- Improvements

Notification procedures in this regard require to be developed and agreed with tenants, tenants' and residents' associations and with Registered Tenants' Organisations, to include Performance Indicator information, as part of the strategy.

- **Consultation:**

- Tenant Satisfaction Survey

An updated Tenant Satisfaction Survey is being developed, and will be informed by information requested by tenants, tenants' and residents' associations and Registered Tenants' Organisations.

Regulation Working Groups which have been established within the Department of Homes and Technical Services will also consider the information to be collected through this survey, so as to offer information for comparison with the last survey reported in May 1998, and to provide additional information, to inform the development of the service.

- Customer Care Team

A new section has been developed to offer one contact point for customer care within the Department of Homes and Technical Services.

- Web Site

The Council's web site contains:

- An A – Z of Services,
- A Council Talk Back page,
- Information about:
- Councillors' surgeries, Committees and Council offices.

The Department of Homes and Technical Service's web site contains information about housing and related issues, such as:

- How to apply for a house,
- The Allocations Policy,
- Other providers,
- Performance Indicator information,
- Repairs,
- The Housing Options Guide.

There is also a section on Tenants' and Residents' Groups, detailing the groups already established in East Ayrshire, and another on Tenant Involvement, which provides information on:

- How to join or set up a group,
- Useful contacts within the Department,

- Related links to other agencies that provide independent information and advice on Tenant Participation.

The web site can be accessed at: [www.east-ayrshire.gov.uk](http://www.east-ayrshire.gov.uk).

- **Tenants' Handbook**

Through the development of the Tenant Participation Strategy, a Tenants' Handbook will be developed in full consultation with tenants' groups and Housing staff, so as to be clear, and easy to read.

It is envisaged that this new tenants handbook will be available for all tenants by October 2004.

- **Registered Tenant Organisations (RTOs)**

The Registration of Tenants' Organisations Procedure has been agreed by Staff from the Homes and Technical Services Department Policy Section and Legal Services Departments.

East Ayrshire Council Tenants' and Residents' Associations have been consulted on the procedure. They have been invited to express their views by either inviting TIS to one of their meetings, or by returning a feed back proforma. To assist, a Briefing Paper on RTOs was also issued to the groups.

Groups also worked with TIS to review the procedure in line with the requirements of the Act in February 2004.

- **Non-Registered Organisations**

As noted in the Registration of Tenants' Organisations Procedure, for groups in the early stages of development, the Council recognises that formal criteria may be a disincentive to tenants who may otherwise be interested in participation. The Council will waive these conditions temporarily where it will further the development of participation in the relevant area.

The Council will also work with informal groups in other circumstances. Where, for example, a group is made up of both tenants and residents, a situation apparently not covered by the legislation, the Council seeks to include this type of group in the participation process.

Further, the Council will work with non-registered tenants' and community-based groups to consult with and notify them of relevant issues.



## Appendix 3

### Tenants Information Service Baseline Report

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#### 1. Introduction

- 1.1 The Housing (Scotland) Act 2001 introduces new duties on landlords, both Councils and Registered Social Landlords, to implement tenant participation. The Act requires landlords to develop, with tenants, tenant participation strategies, which detail a series of activities aiming to further the development of tenant participation.
- 1.2 East Ayrshire Council appointed the Tenants Information Service (TIS) to work with them and tenants to develop the strategy and to assist in the building of tenant activity. This is an ongoing process until March 2004. TIS carried out the Tenant Participation "Health Check" with the Council and a group of tenant representatives and interested tenants between December 2002 and February 2003. The outcome of the "Health Check" forms this Baseline Report.
- 1.3 The "tenants' group" consisted of interested tenants and tenant representatives from two tenants' and residents' groups in East Ayrshire, who responded to an invitation to attend a Tenant Seminar in December 2002 and follow up meetings organised by TIS and the Council.
- 1.4 The Base Line report will form part of the review of current practice and will assist in identifying the key steps required in developing the tenant participation strategy. This is the next stage in the process following on from the Base Line Report.

#### 2. Knowledge of National Strategy on Tenant Participation and the Housing (Scotland) Act 2001

- 2.1 Both Council staff and tenants acknowledged that there is limited understanding amongst staff and tenants of the National Strategy for Tenant Participation and the tenant participation sections of the Housing (Scotland) Act 2001. However, TIS is working with the Council and tenants to increase awareness of both.

#### 3. Current Monitoring and evaluation procedures

- 3.1 There are no formal monitoring and evaluation procedures in place. There are currently no tenants involved in monitoring of tenant participation.

3.2 East Ayrshire Council is a member of the Scottish Housing Best Value Network. Officers from the Policy Section and other council departments attend meetings of this group.

3.3 In addition to the above, the Council has a Regulation Working Group which monitors progress in the various aspects of service delivery and the implementation of the requirements of the Housing (Scotland) Act 2001 through a series of staff working groups.

#### **4. Dialogue with tenants**

4.1 At the moment, there are no clear mechanisms for involving tenants in the early stages of defining problems or issues for discussion or review. The Council does endeavour to give tenants information on specific topics such as rent increases, via public meetings and presentations and reports to the Local Committee.

4.2 Consultation with tenants has taken place on topics such as the repairs and allocations policies in line with Best Value. However, the Council will have set the terms of reference for these reviews with no input from tenants.

4.3 The Council also uses the local press to distribute information to tenants.

4.4 Tenants' groups can request the Council to attend local meetings to raise specific issues or concerns. However, responses to these requests seem to vary across the authority.

4.5 Tenants can raise issues or concerns with their local elected member.

4.6 Tenants can also raise issues of concern through the Council's Complaints Procedure.

4.7 Recently, there has been an increased opportunity for tenants and residents to raise local issues via the Citizens Forums in Better Neighbourhood Services Fund areas.

4.8 Tenants feel that there is little or no opportunity to influence decisions taken by the Council. It is also considered that in some consultation exercises, decisions have already been reached before tenants' views are sought.

4.9 At present, there is no mechanism to allow tenants to bring forward issues or subjects for dialogue with the Council in a strategic way.

#### **5. Forward Planning**

- 5.1 At the moment, there is no mechanism to ensure that tenants are involved in setting the tenant participation agenda with the Council. However, staff hope to work towards this with tenants in the future in line with the TIS work plan. This should be addressed in the tenant participation strategy.

## **6. Registration**

- 6.1 East Ayrshire Council is working with TIS to complete the procedure for the Registration of Tenant Organisations. A draft procedure has been agreed by the Policy Section and Legal Services, and is currently with tenants' groups throughout East Ayrshire for consultation and comment. In accordance with the Scottish Executive Guidelines, it is recommended that these procedures will be reviewed every three years.
- 6.2 The Council currently has a list of tenants' and residents' groups.

## **7. Decision Making**

- 7.1 Views on decision making were mixed. The Council feels that staff and Councillors have an overall understanding of how decisions are made within the Council. However, it is considered that local staff have a greater understanding of how decisions are taken at the local level but that not all staff are clear on how decisions are taken at a strategic or corporate level. Some staff also identified that they are not always clear as to how policy decisions are arrived at, as there is not always an opportunity for staff to influence this.
- 7.2 At the moment, tenants feel that there is very limited access to the Council's decision makers with little or no opportunity to influence.
- 7.3 Tenants groups' can request information from the Council and ask staff attend their meetings. Responses to these requests vary across the local authority, with some tenants feeling that they get very little positive feedback from this.
- 7.3 Tenants feel that although some of them are very clear on how the Council's decision-making structures operate, this does not apply to everyone. They also consider that there is limited information on this available to tenants.

## **8. Tenant representation**

- 8.1 There are thirteen council tenants' and residents' groups within East Ayrshire. All have constitutions and receive funding from the Council. The majority of groups have regular meetings to get information out to their membership. The level of local tenant attendance at these meetings and the housing issues addressed varies across East Ayrshire.

8.2 At the moment, there is no formal tenant representation to the Council. There is also no method of networking groups across the authority to work on strategic issues or concerns.

## **9. Resources**

9.1 The Council has a budget for tenant participation. This currently stands at £23,000, exclusive of staff time. Approximately £1000 of this budget is administered by the Department's Policy Section and groups can apply annually for grants. Some groups receive assistance with minutes, photocopying etc through the Council either at local offices or through Support to Communities. Some groups also fund raise for additional activities.

9.2 The Policy Section within Homes and Technical Services is also a support resource to tenants' groups. This resource includes providing information to tenants wishing to start up groups and delivering training on accounting and financial management. The Policy Section also provides assistance to groups to complete grant forms, and the Finance Section conducts year end audits for groups' Annual General Meetings.

9.3 To encourage participation in Council wide events tenants can apply for travel costs.

9.4 At the moment, there is no method of identifying the resources required for tenant participation at a local or strategic level. This will be addressed in the tenant participation strategy.

## **10. Developing tenant capacity to influence**

10.1 The Council has acknowledged that there is a need to develop tenant's capacity to influence and take part in the decision making procedures of the Council. The tenants feel that although there are some groups in East Ayrshire organised with representative structures, they question the amount of influence they actually have with the Council.

10.2 The Council recognises that there is a need to further develop existing tenants' groups and establish new groups in areas currently not represented. It also acknowledges the need to develop mechanisms to encourage more tenants throughout East Ayrshire to become involved in tenant participation activities, taking into account the requirements of the Equal Opportunities legislation.

## **11. Points for consideration**

11.1 Tenant participation is limited and varied at a local level. There are organised tenants' groups in some areas, which are resourced to an

- extent. However, the level of support given to these groups varies across the authority.
- 11.2 At a strategic or authority wide level, however, there are no methods for ensuring tenant participation at present.
  - 11.3 The Council is required to consider how to involve tenants more fully across the Authority. This should be addressed in the tenant participation strategy.
  - 11.4 There is a need to develop mutual trust between the Council, tenants' groups and individual tenants.
  - 11.5 Consideration should be given to forward planning, particularly in relation to housing policy reviews and issues for mutual discussion. An annual timetable could be developed to assist.
  - 11.6 Tenants and staff will require information, training and support to enable the participation to be meaningful and effective.
  - 11.7 The information needs of groups should be addressed. Provision of a *Who's Who* in the Council would be a useful first step.
  - 11.8 The resource needs of tenants' groups are met, to an extent. An assessment of further resource needs will be made as part of the tenant participation strategy.
  - 11.9 Some information and training needs have been identified as part of the TIS work plan. A further assessment of this will be made within the tenant participation strategy and subsequent action plan.
  - 11.10 Joint training with tenants, tenants' groups, staff and elected members should be considered to clarify roles and responsibilities.
  - 11.11 The tenant participation strategy should identify the decision making procedures within the Council to ensure that tenants' groups get access to decision makers.
  - 11.12 Clear procedures should be put in place regarding the information tenants require in order that they can make informed decisions on issues which affect them. Procedures should also indicate the timescales needed to consider the information.
  - 11.13 In recent months, the Council has endeavoured to ensure that information is easy to understand. It is important that this continues to improve in relation to access to information and to increase the value it has for tenants.

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