

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 3 SEPTEMBER 2003

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 current position of the Registration of Recognised Tenants Organisations, (RTO), and provide an overview of the methods of tenant participation and consultation available that may be used within East Ayrshire. These methods could be used either individually or in conjunction with each other as and when appropriate. These methods are highlighted in appendix one of this report.

2.0 INTRODUCTION

- 2.1 The Housing (Scotland) Act 2001 introduces new duties on landlords, both Councils and Registered Social Landlords, to implement tenant participation. Tenant participation is about tenants taking part in decision making processes and influencing decisions about housing policies, housing conditions and services. It is a two way process which benefits both tenants and landlords. It offers tenants an opportunity to influence decisions about housing services and enables landlords to deliver a more responsive service.
- 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), made up of East Ayrshire Council tenants, has been working alongside the Tenants Information Service (TIS) and Housing staff to write the Tenant Participation Strategy, which was considered by members at the Housing Committee held on 26th March 2003.
- 2.4 The TPSG continues to meet and has been working on the Tenant Participation Strategy Action Plan and has also commented on the Council's New Tenancy Information Pack and draft Allocations Policy.

3.0 REGISTRATION OF TENANTS ORGANISATIONS

3.1 Background

- 3.1.1 The Act requires each local authority and registered social landlord to establish and maintain a register of Recognised Tenants Organisations. TIS, in consultation with Housing staff, have produced the registration scheme for tenants' organizations in East Ayrshire.

- 3.1.2 A Registered Tenants Organisation (RTO) is an independent organisation set up to represent tenants' housing and related interests. The aim is to give tenants' organisations, which meet certain criteria, a recognised role in the tenant participation process. An information sheet on RTO's is attached as appendix two.
- 3.1.3 The East Ayrshire Council Registration Procedure includes information about: how and where groups can register; conditions on removal from the register; and appeals procedures. Whilst each landlord is required to have this register to ensure that tenants' groups are actively involved in the participation process, the Act clearly states "consultation with RTO's is not a substitute for consulting with individual tenants".
- 3.1.4 Existing East Ayrshire Council tenants' organisations were consulted on the draft RTO Procedure, and the feedback received has been incorporated into the final document.

3.2 Current Position of Tenants' Organisations

- 3.2.1 At present, there are eleven Council tenants' organisations throughout East Ayrshire. TIS have made written contact with the groups regarding:
- An introduction to the TIS tenant participation contract with the Council.
 - An invitation to attend local information meetings with TIS.
 - Information relating to the tenant participation requirements of the Act.
 - An invitation to the Tenants' Conference held in December 2002.
 - The RTO consultation, which included appropriate support information.
 - Information relating to, and minutes of, the Tenant Participation Steering Group.
 - A copy of the New Tenancy Information Pack and Draft Allocations Policy.
- 3.2.2 TIS also offered to meet with each individual group in their own area regarding an introduction to tenant participation and the registration procedure. This offer resulted in a response from four groups.
- 3.2.3 It is clear that some groups will meet the registration criteria with minimal support. However, other groups may need to address the aims of their organisation and how they inform and/ or take on the views of the tenants they represent, in order to meet the registration criteria.
- 3.2.4 The Department has contacted all the tenants' organisations to arrange a meeting with TIS and the local management to further discuss the registration procedure, and to both encourage the groups to register, and to identify the support required for each group to meet the registration criteria.

4.0 TENANT PARTICIPATION AND CONSULTATION

4.1 Background

4.1.1 Public agencies seek appropriate methods to facilitate genuine consultation and participation. There is evidence of a growing movement within the public sector of involving communities in the design and development of services.

4.1.2 Consultation and participation is crucial within the Best Value Regime embraced by East Ayrshire Council, and examples are attached as appendix one. These methods will form part of the approach to consultation and participation undertaken by the Department.

4.2 Approaches

4.2.1 Public consultation and participation approaches lend themselves to informing the public about services, seeking their views on policies and services, and participation and partnership.

4.2.2 Some approaches are geared more towards participation, where participants take ownership of the issues being addressed and are involved in appropriate action from the outset. Market research techniques and some consultation methods lend themselves more to finding out the needs, wants, desires and attitudes of participants, and the data collected may or may not be used in any subsequent decision making process.

4.2.3 To ensure consultation and participation methods are meaningful, there should be a commitment to:

- Using a variety of methods to ensure that as many people as possible can be involved.
- Reducing barriers and involving those people who are often excluded from consultation and participation exercises.
- Partnership working.
- Ensuring adequate feedback is received to inform any evaluation process.
- Identifying the level of consultation, whether it is:
 - **Public Information** “Here’s what we are going to do.”
 - **Public Consultation** “Here are our options, what do you think?”
 - **Public Participation** “We want you to help us develop our options and decide our actions.”

5.0 FINANCIAL IMPLICATIONS

- 5.1** Local Authorities are required to make an assessment of the tenant participation and consultation resources required. This exercise involves consideration of the resources required for tenants to actively participate in decision making processes in relation to their housing conditions and services.
- 5.2** Once the assessment of required resources is complete, this will be fed into the budgetary process for 2004/2005.

6.0 POLICY IMPLICATIONS

- 6.1** The Council has approved its Tenant Participation Strategy. This requires a commitment to ensuring that tenants are effectively consulted on all issues relating to housing management, policy and service. In addition, mechanisms should be put in place to create opportunities for meaningful tenant involvement via RTO's and the input of individual tenants.

7.0 LEGAL IMPLICATIONS

- 7.1** The Housing (Scotland) Act 2001 sets out the legal framework for tenant consultation and participation in relation to both RTO's and involving individual tenants. This includes:
- To develop and implement the Tenant Participation Strategy.
 - To establish and maintain a register of Recognised Tenant Organisations.
 - To consult individual tenants and RTO's on a range of housing issues that affect them.
 - To take on board the views expressed by tenants and RTO's.

8.0 CONCLUSIONS

- 8.1** The continued development of effective tenant participation and consultation methods are to be welcomed as they will provide mechanisms for improving housing conditions and services, whilst meeting the needs and aspirations of both current and future tenants within East Ayrshire.
- 8.2** The continued support and development of new and existing tenants' groups across East Ayrshire is fundamental to working towards achieving the tenant participation requirements of the Act.

9.0 RECOMMENDATIONS

9.1 It is recommended that members:

- i. Note the progress made to date on implementing the RTO procedure within East Ayrshire; and
- ii. Note that a further report on the position of RTO's will be brought to a Committee meeting early in the New Year.

James Lavery
Director of Homes and Technical Services
August 2003

LIST OF BACKGROUND PAPERS

1. Tenant Participation Guide.
2. East Ayrshire Council Tenant Participation Strategy.
3. Register of Registered Tenants Organisations Information Leaflet.
4. Tenants Information Service Annual Report.

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

Implementation Officer: Christopher McAleavey, Head of Homes.

METHODS OF CONSULTATION

Method	Informing	Seeking Views	Partnership and Participation
Circulating Documents Used for giving public information. Needs accompanying information	* * *	**	
Newsletters and Leaflets An effective, accessible way of informing the public of an issue or changes to a service	* * *	**	
Open Days, Exhibitions, Road shows Provides a portable, visual presentation of information which can be used in appropriate venues	* * *	**	*
Surveys Used to gather the views of a sample of people to act as an indication of views of the whole target population. Can be carried out in a variety of ways.		* * *	
Public Meetings Provides people with information on a subject. Can provide discussion and gather views.	* * *	**	*
Conferences Gives interested people the opportunity to discuss a number of related issues and reach a consensus on how to progress the topic.	* * *	**	*
Focus Groups A facilitated group of 8-10 selected people to discuss an issue(s) in depth and stimulate ideas that otherwise might not be obtained.	*	* * *	**
Tenants Groups Usually established by people within an area to work together on issues of common concern. They act as a representative voice and provide a mechanism to collect community opinion.	* * *	**	**
Citizen's Panel A group of people representative of the population who have agreed to be consulted periodically for their views, allowing for regular large scale surveys to be carried out at a lower cost than if done separately.	*	* * *	*

Method	Informing	Seeking Views	Partnership & Participation
<p>Planning for Real A Community Development tool, involving the use of a physical model, which can be applied to housing as it aims to involve a wide range of people in a practical process to determine their needs and priorities.</p>	*	***	***
<p>Electronic Consultation Allows people to give their views on line on current consultation topics selected by the Council. Individuals can also access information on past consultation exercises.</p>	*	***	
<p>Deliberative Opinion Poll Involves selecting a representative sample of the target population, giving them information on the issue to be considered, inviting them to participate in a meeting or discussion group, then taking a poll of views.</p>	*	***	*
<p>Open Space Creates a democratic framework from which participants create their own programme of discussions around a central theme.</p>		***	**
<p>Community Visioning Creates the opportunity for one or more diverse groups of people to meet in a positive atmosphere and develop a vision of what they want in relation to a particular area.</p>	*	***	**
<p>Market Research Is used by skilled individuals to gather the views of a sample of people to act as an indication of views of the whole target population. Can be carried out in a variety of ways including: mail questionnaires, telephone interviewing and personal interviews.</p>		***	*



Information Sheet for Tenants Groups & Tenants



The Registration of Tenants Organisations

INTRODUCTION

In July 2001, the Housing (Scotland) Act 2001 became law and now affects the way the Council works with Tenants/Residents Groups.

The **Registration of Tenants Organisations** is part of the new Act and gives groups the right to be consulted on certain Housing matters by their Landlord.

WHAT IS A REGISTERED TENANT'S ORGANISATION?

Registered tenants organisations are independent groups, set up mainly to represent tenants interests in relation to housing and related services. Registration aims to give tenants groups a recognised role in tenant participation and to give them the opportunity to show that they are open, democratic and accountable.

WHY HAVE REGISTRATION?

Registration will give tenants groups' rights to be properly recognised by their landlord .

Registration should ensure that the landlord asks for **and pays attention to** the views of tenant's groups, especially in relation to housing policies, housing conditions and housing and related services.

WHAT ARE THE BENEFITS OF REGISTRATION?

Landlords must:

- ✓ Ask RTO's what issues they want to be consulted on.
- ✓ Make arrangements for obtaining and considering the views of RTO's
- ✓ Notify RTO's of an intent to make proposals or changes in relation to housing management, housing policy, housing conditions and related services
- ✓ Give RTO's information about proposals under consideration
- ✓ Allow RTO's time to consider draft proposals and put forward their views.

WHAT DO TENANTS GROUPS NEED TO BECOME REGISTERED?

To become a registered tenant organisation (RTO), groups must:

1. Have an appropriate constitution
2. Have an elected committee of at least 3 people, who may co-opt other members on to the group.
3. Identify the area that the group represents
4. Have a membership policy that shows that membership is open to all council tenants in the defined area over 16 years old
5. Show that the group's finances are used appropriately, recorded and independently audited each year
6. Show that the group consults with the wider membership and acts on the views of the tenants that it represents

WHAT NOW?

- The Council worked with the Tenants Information Service (TIS) to develop the procedure for the **Registration of Tenants Organisations**
- Tenants groups were invited to comment on the East Ayrshire RTO procedure. These comments were taken on board and changes made accordingly
- This information sheet is being sent to all tenants groups about the Registration.
- Policy staff from Homes & and Technical Services and the TIS Development Managers will meet groups to discuss Registration further and to help those groups who want to get registered.
- All tenants groups will be invited to register with East Ayrshire Council.
- The Council will keep an up to date list of Registered Tenants Organisations. This list will be made available to the public.

HOW TO GET MORE INFORMATION ABOUT REGISTRATION:

- **Contact Carolyn Eager, Homes & technical Services on Tel. 01563 76614**
- **Invite TIS to attend your local tenants' group meeting**
- **Contact TIS on 0141 248 1242**

