

East Lothian Council

Tenant Participation Strategy

2016+

**Consultation Draft**

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## Foreword

East Lothian Council is delighted to present our fourth Tenant Participation Strategy. The tenants' movement in East Lothian continues to flourish and develop in partnership with East Lothian Tenants and Residents Panel (ELTRP).

Tenant Participation is central to the way the Council works and we are fully committed to ensuring that tenants can get involved and actively influence the services we deliver. Tenant representatives are making a real difference to local communities and Council services whilst also increasing their knowledge and skills.

Since our last Strategy was written we have seen the introduction of the Scottish Social Housing Charter and have been developing our activities to ensure we meet our obligations and give tenants opportunities to scrutinise our housing services.

We always promote a menu of options for involvement to make sure that tenants can get involved in a way that suits them. We value all forms of engagement and welcome the opportunities the Charter has given to tenants to challenge our housing services and help us identify where we need to make improvements.

*"ELTRP is fully committed to working in partnership with East Lothian Council to help deliver the Tenant Participation Strategy. The strategy is very important for all tenants in East Lothian as it sets out the way tenants can get support to fully participate in a way that suits them. ELTRP has developed an excellent working partnership with the council and it is through this partnership that tenants' views are taken on board and listened*

*too. I would encourage all tenants to read the strategy and let us know what you think of it and to get involved in whatever way suits you."*



Mark Ormiston, Chairperson ELTRP

*“East Lothian Council welcomes every opportunity to consult with tenants and values their feedback when planning our services. It is important that our tenants feel their views are taken into account and I hope the Tenant Participation Strategy will give tenants the information they need to be included in the decision-making process.”*



Monica Patterson  
Depute Chief Executive, Partnerships &  
Community Services

*“There are always challenges to face in the provision of our services and we look to our tenants to help us identify possible improvements, which is why the Tenant Participation Strategy is such a vital tool for the Council. I hope it will encourage tenants to express their views and join us in improving council services.”*



Norman Hampshire  
Cabinet Spokesperson for Housing &  
Environment

## Section 1 – Introduction

### Our Vision

Our vision is to maximise our tenants' involvement in influencing and scrutinising our housing services.

### Mission Statement

East Lothian Council values tenant participation and we will continue to work with East Lothian Tenants and Residents Panel, local tenants and residents groups and individual tenants to make sure they can take part in influencing and scrutinising our housing services and policies. We aim to improve council services by fully involving tenants in developing and influencing how these services are provided. We will not decide on any major changes about housing policies and conditions before first consulting with our tenants.

### Definition of tenant participation

Tenant participation is about tenants taking part in the decision making process and influencing decisions about housing policies, conditions and housing and related services. It is a two-way process which involves the sharing of information, ideas and power. Its aim is to improve housing services and conditions.

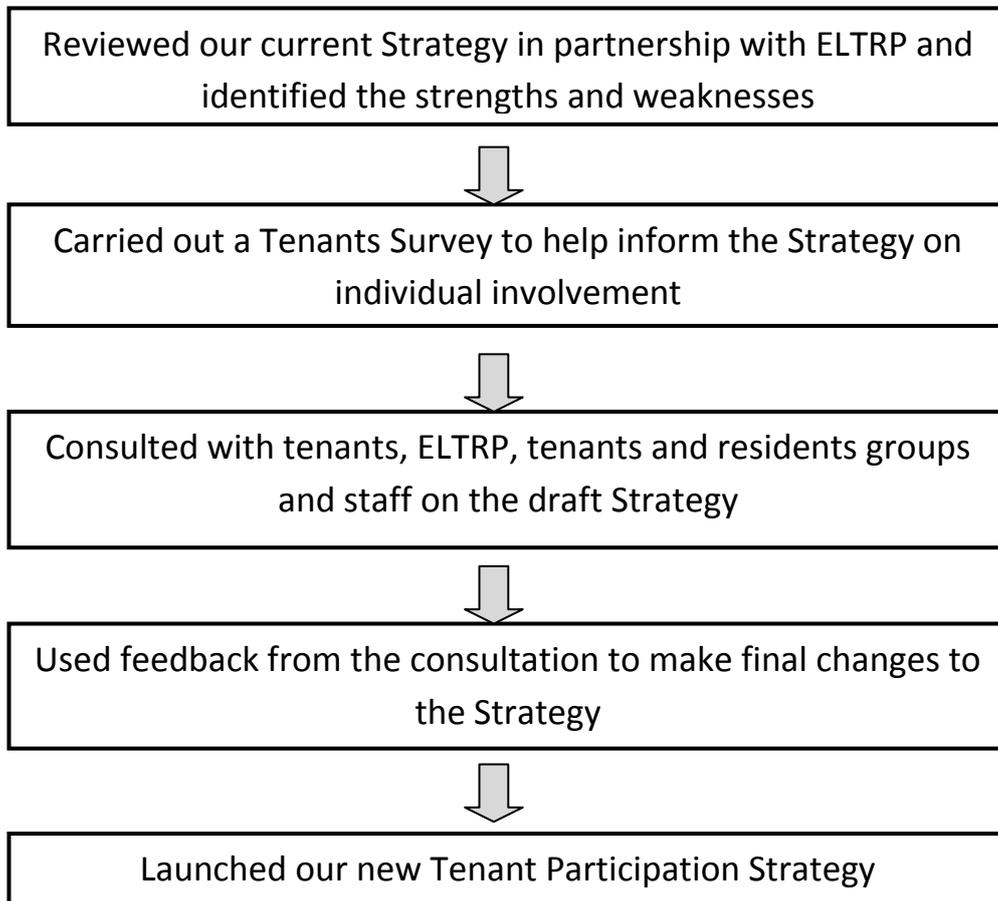
### Principles of tenant participation

For tenant participation to be effective, tenants and landlords must agree on and share certain key principles, which are:

Trust, respect and partnership	Sharing information, ideas and power	Setting the agenda	Time to consider issues properly	Equal Opportunities
Making decisions	Recognition for tenants' organisations	Good working relationships	Involving tenants in rural areas	Resources for tenants' organisations

## How our Strategy was developed

We developed our Strategy in partnership with ELTRP, below is a summary of what we did.



## Section 2 – Legislation

### Legal Framework

The Housing Scotland Act 2001 introduced the first legal requirements for tenant participation and gave tenants rights and set out duties for landlords.

Tenants have rights to:

- form independent representative associations
- access information about housing policies
- be consulted on issues that affect them
- participate in decisions that affect the services tenants receive and have enough time to consider proposals

The Act also sets out what the statutory duties are for councils and registered social landlords. The main duties for landlords are:

- inform tenants and registered tenants and residents organisations (RTOs) of proposals for housing management, standards of service and the tp strategy.
- take into account representations made by individual tenants or tenants' groups
- produce a Tenant Participation Strategy
- set up a Register of Tenant Organisations in line with Scottish Government guidance
- ensure that our Tenant Participation Strategy complies with equal opportunities requirements

Further information about these rights and responsibilities and tenant participation legislation are detailed in Appendix 1A.

## **Section 3 – Social Housing Charter**

The Housing Scotland Act 2010 introduced the Scottish Social Housing Charter. The Charter sets out the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. ***The purpose of the Charter is to help improve the quality and values of the services that social landlords provide<sup>1</sup>.***

The Charter has a total of 16 outcomes which social landlords should aim to achieve whilst providing their housing services. These outcomes are in relation to:

### **The customer / landlord relationship**

1. Equalities
2. Communication
3. Participation

### **Housing quality and maintenance**

4. Quality of housing
5. Repairs, maintenance and improvements

### **Neighbourhood and community**

6. Estate management, antisocial behaviour, neighbour nuisance and tenancy disputes

### **Access to housing and support**

7. 8 and 9. Housing Options
10. Access to social housing
11. Tenancy sustainment
12. Homeless people

### **Getting good value from rents and service charges**

13. Value for money
- 14 and 15 Rents and service charges

### **Other customers**

16. Gypsies / Travellers

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<sup>1</sup> The Scottish Social Housing Charter, Scottish Government 2012

More information can be found on the Charter website [www.housingcharter.scotland.gov.uk](http://www.housingcharter.scotland.gov.uk). A full list of the Charter standards and outcomes can be found in Appendix 2.

Self assessment by Landlords is also now a key Charter expectation. As well as submitting an Annual Return on the Charter to the Scottish Housing Regulator (SHR), landlords need to report their progress on meeting the outcomes in the Charter. We produce an annual Landlord's Report to Tenants, which is developed in partnership with ELTRP. Good practice in self assessment includes the involvement of tenants and is expected by the SHR. This assessment of landlords is known as Tenant Scrutiny and although scrutiny is not new to the Council more information about it works and how we are developing new scrutiny activities can be found in Section 5.

## Section 4 – Links to other Strategies and Policies

It is very important that our Tenant Participation Strategy not only links to other Council Policies and Strategies but also complements and helps to inform them. Some of these Strategies and Policies are listed below although this is not exhaustive:

Council Plan 2012-17

The East Lothian Plan: Single Outcome Agreement 2013 - 23

East Lothian Partnership's - People's Voice 2014

East Lothian Council, Equality Plan 2013 - 2016

Local Housing Strategy 2012-2017

Community Housing Service Plan

Further information about these Strategies and Policies can be found on the Council website [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

It is also important that our Strategy feeds in to other service improvement activities including:

- How Good is Our Council Self Assessment
- Community Housing Services Performance Management Framework
- Social Housing Charter Project Group
- Community Housing Services Communications Group

## Section 5 – How tenant participation works in East Lothian

### Our aims for tenant participation

Our aims for tenant participation reflect our mission to improve council services by fully involving tenants in developing and influencing how these services are provided.

<b>Agree</b> the tenant participation agenda	Make tenant participation <b>accessible</b> and inclusive	Actively <b>promote</b> tenant participation	Encourage engagement and <b>build confidence</b>
<b>Resource</b> tenant participation	Put tenant participation into <b>practice</b>	Develop <b>tenant scrutiny</b>	Meet the requirements of the <b>Social Housing Charter</b>

In order to make sure that we are achieving these aims we will proactively promote tenant participation at every opportunity. We will ensure that we are providing information along with increasing awareness and an understanding of how tenant participation works.

To do this we will provide information about current tenant participation activities in East Lothian. We will involve key members of staff and tenants in our activities and provide training and information sessions for tenants and staff.

We have carried out a Combined Impact Assessment (CIA) of this Strategy to ensure that we have:

- not unlawfully discriminated against any person irrespective of their age, disability, gender, re-assignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation: and
- tried to advance equality of opportunity and foster good relations between people who share a protected characteristic (age, disability, gender, re-assignment, marriage or civil partnership, pregnancy and

maternity, race, religion or belief, sex or sexual orientation) and those who do not.

More information on Equalities Legislation can be found in Appendix 1B.

### **Co-production**

When we are working with our tenants, tenants groups and ELTRP we work with them as equal partners to plan and deliver our services. This way of working is called co-production and is about sharing both the decisions and responsibilities. Co-production is a form of engagement which aims to draw on the knowledge, skills and experiences of the Council who provide the services and our tenants who receive our services. We will work with tenants, tenants and residents groups and ELTRP in this way to make sure we help to develop services that benefits everyone.

### **Participation**

Participation is about sharing information and giving tenants the opportunity to take part in decision making and influence our housing services. Tenants can participate in a number of different ways and it is up to individuals to choose how they want to get involved. Participation brings many benefits not only to individual tenants, but to tenants groups and members of ELTRP too. Some of the benefits can be: having a chance to influence decisions that affect your local community and getting collective support from other tenants about local issues.

### **Consultation**

Consultation is when tenants are given the opportunity to comment on services, policies and procedures before they are finally agreed. Proposals for tenants to consider will have been developed before reaching this stage. Some examples of how we may consult with tenants could be through a letter, postal questionnaire, a survey in Homefront or by holding a Focus Group.

## Information

Information is where tenants and tenants and residents representatives are being asked to comments on changes in policy, they will be provided with information in good time to allow them to make informed decisions.

Timescales for providing information will be agreed in advance with ELTRP.

## Feedback

Homefront, our tenants' newsletter is the main vehicle that we use to give our tenants feedback. We recognise the importance of giving tenants feedback especially when they have taken the time to respond to consultations. We will explain how tenants' views and opinions will be used to change a policy or service. Where it has not, we will also explain the reasons why. We will also feedback to ELTRP members through their newsletter the Panel News.



## Options for tenant participation

We want to make sure that our tenants have an opportunity to get involved in tenant participation in a way that suits them. We recognise that a range of options need to be available so tenants can choose how they would like to participate.

We will ensure that we make our tenant participation activities accessible to all and will be responsive to tenants' individual needs. We will provide tenants with access to the services and resources they need to allow them to become fully involved, this includes:

- using accessible venues for events
- providing access to a loop system at public meetings
- arranging meetings with tenants at a time and in a place that suits them
- providing transport for public meetings
- providing a social element to our events

and on request we can provide:

- signers, interpreters and translation services
- documents in other languages, braille and large print
- a crèche or childcare expenses for public meetings.

We value all forms of tenant participation equally and will make sure that support is available to encourage participation. We recognise that we may need to engage in different and more interactive ways to encourage the involvement of traditionally excluded or under-represented tenants or groups. We value the contributions made by all volunteers in the tenant movement.

We want our communities to develop and build skills and we will provide encouragement and support to help achieve this. Therefore it is very important that we also work in partnership with other agencies that provide and deliver services which affect the communities our tenants live in. We will continue to work with our partners, improve closer working relationships and have an influence on the services they provide.

Tenants can get involved as individuals, through a tenants and residents group or by getting involved in ELTRP.

### **Individual Involvement**

Individual involvement can include:

- responding to tenant surveys
- responding to consultation questionnaires
- through telephone, email or letter
- by attending consultation events
- getting involved in estate inspections
- being on our *Register of Interested Tenants*



“being involved in tenant participation as an individual has increased my knowledge and confidence”

### **Tenants and Residents Groups**

Tenants and residents groups work to collectively influence change in their community and we have a network of groups in East Lothian who can get involved through:



“I got to know everyone in the area by getting involved in my local tenants group”

- responding to consultations
- getting involved in estate inspections
- participating in Local Housing Partnerships
- attending ELTRP events and other meetings
- getting involved in community planning

## East Lothian Tenants and Residents Panel

East Lothian Tenants and Residents Panel (ELTRP) also offer tenants an opportunity to get involved and participate in a way that suits them. ELTRP is the umbrella organisation for local tenants and residents groups throughout East Lothian and is run by an Executive Committee. The Committee regularly consult with their members on relevant topics like rent levels. They organise events and support and encourage the development of tenant participation in East Lothian.

To find out more information about the Panel you can visit their website [www.eltrp.co.uk](http://www.eltrp.co.uk)

Since being involved with ELTRP "I have increased my knowledge and skills by learning from different people and attending meetings"



## east lothian tenants and residents panel

### East Lothian Development Support Project

The Council have employed the Tenants Information Service (TIS) to support ELTRP, tenants and local groups to help them fully participate in decisions affecting them. The resources and support provided by the council help ELTRP, tenants and local groups develop the tenants' movement in East Lothian.

"TIS has helped me by attending meetings with us and providing learning packs"

The East Lothian Development Support Project has 6 main outcomes:

1. The tenants and residents movement is more informed, confident, skilled and empowered
2. Improved communication between the tenants and residents movement and East Lothian Council and other organisations
3. Increased democratic participation and influence across the tenants and residents movement
4. Provide a range of opportunities for the tenants and residents movement to become involved in reviewing service provision standards and performance then influence and recommend improvements
5. Strengthen links between ELTRP, local groups and interested individuals
6. Provide a range of opportunities for the tenants and residents movement to become involved in, and influence self assessment and the council's tenant scrutiny framework

The Project employs three members of staff who are all based in the ELTRP Office: a Development Officer, Outreach Officer and Administrative Officer. ELTRP and local groups identify work priorities for the project team. To make sure these priorities are being delivered the project is monitored on a quarterly basis by ELTRP, ELC and TIS.

A wide range of support is also available from the Council including the Service Development Team and the local community housing teams. The types of support that are available include, photocopying, stationery supplies, free access to Council venues for meetings, provision of refreshments for local groups' annual general meetings etc.

Other Council sections, including Amenity Services, the Safer Communities Team and Road Services also support local groups through attending estate inspections and attending local group meetings and ELTRP events.

The Council in partnership with ELTRP and TIS will continually look at other ways of working and promoting tenant participation and are considering:

- better use of social media – Facebook and twitter
- advertising specific initiatives that tenants could get involved in
- use of text and development of smart phone apps
- offering incentives to encourage tenants to get involved

### **How we will resource tenant participation**

East Lothian Council recognise that tenants need time and proper resources to consider proposals and to fully participate to influence and develop services. The Council and ELTRP will work in partnership to ensure that there are adequate resources in place to support tenants, tenants groups and ELTRP.

The Tenant Participation Budget for 2015/16 was £264,300.00 and some of the main items of expenditure in that year are shown in the list below.

<b>Main items of expenditure</b>	<b>£</b>
Tenants Information Service Contract	<b>110,192.50</b>
Tenants Group Grants	<b>1,500.00</b>
TIS Annual Memberships for Tenants and Residents Groups	<b>120.00</b>
Production of Tenant's Newsletter (Homefront)	<b>30,000.00</b>
TP element of staffing costs (Service Development Team)	<b>44,770.00</b>
Venue hire and crèche costs	<b>120.00</b>

<b>ELTRP Costs</b>	<b>£</b>
Delegated ELTRP Budget	<b>22,106.08</b>
ELTRP Office - rent and rates	<b>11,760.00</b>
IT equipment and support (notional)	<b>1,000.00</b>
Miscellaneous (office cleaning etc.)	<b>1,500.00</b>
Water rates	<b>700.00</b>

Tenant Participation spend per tenant (per year) = £30.73.

The Council can also provide the following support and in-kind resources for tenants and tenants and residents groups.

- free access to Council venues for meetings
- reimbursement of travel and subsistence expenses
- training for tenants and tenants and residents groups
- access to photocopying and stationery supplies
- child care / carers expenses to enable tenants to attend meetings
- transport on request for specific events
- provision of refreshments for tenants and residents groups annual general meetings
- a dedicated Council Officer with responsibility for tenant participation.

### **Our recent successes and future opportunities**

To demonstrate how we are making progress shown below are some of our successes and opportunities.

Successes	Opportunities
Developed scrutiny activities in partnership with ELTRP.	New way for tenants to get involved and influence our services.
Reviewed the estate inspection process and currently monitoring how well this is working	Improved process and opportunities for individual tenants and members of tenants groups to get involved in inspections
Promoted and encouraged further tenant participation involvement through Tenants Survey	Encourage more individual tenants to get involved and set up a Register of Interested Tenants
Continued to involve ELTRP in our development and reviewing of housing policies and procedures	Ensure ELTRP representatives have the opportunity to get involved and influence the services we provide
Provided Housing Induction Sessions for ELTRP Executive Committee Members	Increase ELTRP representatives knowledge and understanding of our housing services

Continued to support the network of Tenants and Residents Groups in East Lothian	Provide support and resources to assist Groups to operate independently
Supported involvement in the community planning area partnerships	Support Tenants & Residents and individual tenants to get involved and participate

## Tenant Scrutiny

With the introduction of the Social Housing Charter and new independent Scottish Housing Regulator came the requirement that landlords must be more proactive in self regulation and must involve tenants in this scrutiny process. Tenant scrutiny is a way of giving tenants and their representatives' greater influence and the ability to hold their landlord to account.

This form of self assessment is not something new to East Lothian Council and ELTRP and we have good structures in place and whilst we continue to support all our tenant participation activities we are also developing new scrutiny activities in partnership with ELTRP. Our objective is to:

*“make sure tenants and customers take a lead role in assessing and examining our housing services in a clear and open manner. To report their findings in a way that supports and allows the Council to make improvements and deliver a good quality service, which is value for money and increases tenant and customer satisfaction”.*

There are many benefits of scrutiny for both the Council and our tenants, some of which include, service improvements, efficiency savings, enhanced tenant and customer satisfaction.

## Our scrutiny framework

Our framework for tenant scrutiny is tenant led and gives our tenants and other customers the opportunity to challenge our performance and to work with us. To help us with this we must ensure tenants:

- know where we are performing well
- can identify areas for improvement
- are able to compare our performance with other similar Councils.

Therefore the aim of our scrutiny framework is to:

*“Involve tenants in the improvement of the Council’s Community Housing Service and to create a culture of continuous improvement with tenant and customer involvement”.*

An outline of the framework we have adopted is shown in Appendix 3. This framework gives us the opportunity to make sure that there is proper management and reporting of our scrutiny activities and shows the main groups involved in this process.

We have been developing *new* scrutiny activities in partnership with ELTRP since 2014, these activities have looked at certain parts of the service and details of what we have done are shown below:

- TIGS – Tenants Independent Grassroots Scrutiny – Estate Inspection process
- Mystery Shopping Pilot Project – Customer Services and Communication
- Desk Top Audit – Allocations Policy
- ELTRP ASB Survey – Antisocial Behaviour
- Review of Council website pages – Tenant Participation.

We will continue to work in partnership with ELTRP and develop scrutiny activities, looking at the service areas that they identify.

### **Desk Top Auditor**

“I enjoyed doing the Audit and learned new things”

### **Mystery Shopper**

“I found the whole experience very fulfilling from phoning the automated system to visiting the local council offices”

## Section 6 – Action Plan

Actions	Timescales	Who is responsible?
<b>Aim 1: Agree the tenant participation agenda</b>		
Make sure tenants continue to be involved in the development, review and scrutiny of our services	2016 – 2019	ELC / ELTRP
Ensure tenants’ priorities can feed in to our day-to-day work and business planning	2016 - 2019	ELC
Provide good information to our tenants and ELTRP so they know how well we are performing as a landlord	Annually	ELC / ELTRP
Produce a list of policies for review and consult annually on our Service Plan	Annually	ELC
<b>Aim 2: Make tenant participation accessible and inclusive</b>		
Implement Tenant Participation Strategy	2016	ELC
Produce regular editions of Homefront in partnership with ELTRP to inform tenants and staff on housing issues	2016 - 2019	ELC / ELTRP
Investigate new and different ways of communicating with tenants through the TIS Project.	2016 - 2019	ELC / TIS
Consider improving ways we communicate with tenants through better use of social media, text and smart phone apps	2016 - 2019	ELC
Develop mechanisms to engage with seldom heard groups/individuals	2016 - 2019	ELC
<b>Aim 3: Actively promote tenant participation</b>		
Encourage more individual tenants to get involved	2016 - 2019	ELC
Advertise specific initiatives for tenant involvement and consider using incentives if appropriate	2016 - 2019	ELC
Increase opportunity for tenants, ELTRP and local tenants and residents groups to participate in short life review groups or focus groups	2016 - 2019	ELC

Inform and communicate to tenants and staff information about tenant participation and scrutiny activities through TP Strategy, Charter Bulletins, ELTRP / Staff events	2016 – 2019	ELC
Consult with tenants and staff on issues that affect them	2016 - 2019	ELC
<b>Aim 4: Encourage engagement and build confidence</b>		
Provide independent development support, information, advice and training through the East Lothian Development Support Project (ELDSP)	2016 - 2017	ELC / TIS
Monitor and regularly review the Development Support Project Workplan	Bi-monthly	ELC / ELTRP / TIS
Review the East Lothian Development Support Project	2019	ELC
Provide ELTRP with a delegated budget to fund tenant participation, scrutiny activities and regularly monitor	Quarterly	ELC / ELTRP
Provide Housing Induction Sessions to ELTRP Executive Committee Members	Annually	ELC
Provide training and awareness to staff and tenants	Annually	ELC
Encourage community housing staff to take an active role in supporting local groups and tenant participation activities in their area	2016 - 2019	ELC
Develop a range of options for consulting with tenants including using existing resources within other agencies/providers	2016 - 2019	ELC
<b>Aim 5: Resource tenant participation</b>		
Ensure ELTRP, tenants groups and tenants are provided with development support	2016 – 2019	ELC
Agree ELTRP Delegated Budget	Annually	ELC / ELTRP
Provide a full time Council Officer with responsibility for tenant participation	2016 - 2019	ELC
Review costs associated with tenant participation	Annually	ELC

<b>Aim 6: Put tenant participation into practice</b>		
Continue to encourage and promote tenant involvement in estate inspections and local initiatives	2016 - 2019	ELC
Encourage tenant involvement in Local Lettings Plans	2016 - 2019	ELC
Continue ELTRP involvement in Programme Board and Business Plan Meetings	2016 -2019	ELC
Continue ELTRP representation on ELC Project Groups	2016 - 2019	ELC
Continue to support East Lothian TP Liaison Group and attend other Forums and networking events	2016 – 2019	ELC
Monitor and evaluate the impact of our tenant participation activities	2016 - 2019	ELC
<b>Aim 7: Meet the requirements of the Social Housing Charter</b>		
Ensure ELTRP representatives continue to be involved in Charter Working Group	Annually	ELC
Involve ELTRP representatives in developing our Landlords Report to Tenants	Annually	ELC / ELTRP
Continue to develop tenant scrutiny activities in partnership with ELTRP	Annually	ELC / ELTRP
<b>Aim 8: Develop tenant scrutiny</b>		
Develop a leaflet promoting tenant scrutiny for tenants, local groups and ELTRP members	2016	ELC / ELTRP
Proactively recruit new tenant representatives to get involved in scrutiny activities	2016 - 2019	ELC / ELTRP
Put in place a framework for tenant scrutiny and embed in our Tenant Participation Strategy	2016	ELC

## Section 7 – How the Strategy will be monitored and reviewed

To ensure that our tenant participation activities are working well and having an impact on improving services and communities we will monitor it. We will use a number of tools to try and ensure that we provide both quantitative (numbers) and qualitative (quality) information.

Quantitative information will be gathered using the list of indicators shown below:

- ✓ Number of tenants and residents groups
- ✓ Number of Registered Tenant Organisations
- ✓ % of tenants and residents groups that are registered
- ✓ Number of new groups formed in last 12 months
- ✓ Number of scrutiny activities carried out in last 12 months
- ✓ Spend per tenant on tenant participation in the last financial year
- ✓ Actual amount (in £s) budgeted for tenant participation in the last financial year
- ✓ Actual spend on tenant participation in last financial year
- ✓ Number of TP Strategy Group meetings in last 12 months
- ✓ Number of tenants' newsletters (Homefront) produced in last 12 months
- ✓ Number of estate inspections carried out in last 12 months



Qualitative information will be gathered by doing impact assessments, which we will do from time to time with individuals or tenants groups to measure the impact of our tenant participation activity.

An impact assessment is an approach where a series of questions are asked to gather information to show the impact and difference being involved has made. Scotland's Housing Network has provided a template to help Councils when carrying out these assessments. We carried out three impact assessments in 2014 and shown below are a few of the comments from individuals involved.



Some examples from a recent impact assessment

Social Return on Investment is another way to measure impact which can be undertaken with a range of different stakeholders. A Study<sup>2</sup> was carried out to evaluate the social return created in the East Lothian Development Support Project in 2013 which showed that for every £1 invested in tenant participation by the Council approximately £2 of social value is created. Further information on the study is available from the Tenants Information Service [www.tis.org.uk](http://www.tis.org.uk)

<sup>2</sup> Community Development & Tenant Participation, Tenants Information Service / July 2015

## Section 8 – Register of Tenant Organisations

A Registered Tenant Organisation (RTO) is an independent organisation which is set up to represent tenants' interests on housing and related issues. The Housing (Scotland) Act 2001 gives tenants groups a statutory right to register with their landlord as a RTO.

The benefits of being a registered tenant group can include:

- a right to be consulted over proposed changes to housing services
- it places a duty on the Council to consult with RTOs on issues that affect them
- in addition the Council is required to take notice of representations made by RTOs, within a reasonable timescale (these timescales will be agreed with the tenants)
- an opportunity for RTOs to get involved in the Regional Networks (RTO networking forums) which operate across Scotland

East Lothian Council set up and maintains the register of RTOs in East Lothian<sup>3</sup> on behalf of the Council, East Lothian Housing Association and Homes for Life Housing Partnership. The Council has a duty to provide and maintain the register which is updated annually and is on display in Council, ELHA and HfLHP offices.

There are a number of benefits to tenants groups becoming registered and further information about our Registration Policy and a copy of the most recent RTO register can be found on the Council website

[www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

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<sup>3</sup> Register of Tenant Organisations in East Lothian, East Lothian Council / November 2015

## **Appendix 1A**

### **Tenant Participation Legislation**

The Scottish Government introduced legislation about tenant participation in the Housing (Scotland) Act 2001. This gave tenants rights in tenant participation and consultation, and placed certain duties on Registered Social Landlords (RSLs).

Tenants have the right to:

- form independent representative associations and apply for registration from their landlord
- access information about policies regarding housing and related services
- be consulted on issues that affect their homes and locality
- participate in decisions that affect the services they receive and have enough time to consider draft proposals and put forward their views.

Councils and housing associations (RSLs) have duties to consult with individual tenants and tenants groups and they must:

- prepare a tenant participation strategy. It has to include an assessment of the resources needed to make sure there is effective tenant participation. It must also provide a statement of the resources being made available. The strategy also needs to show how the views of tenants will be taken into account, what tenants are likely to be consulted about, and the information to be provided to tenants
- set up a register of tenants' organisations, in line with guidance from the Scottish Government
- inform individual tenants and registered tenant organisations (RTOs) about proposals for housing management, standards of service and the tenant participation strategy itself
- ensure that their tenant participation strategy complies with equal opportunity requirements
- take into account representations made by individual tenants or tenants' groups.

## Appendix 1B

### Equal Opportunities Legislation

In its Equality Plan 2013 – 2016, East Lothian Council has adopted the definition of equal opportunities used in the UK Equalities Review 2007 which is, 'An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and be.'

This definition of equal opportunity captures three aspects of equality:

**Opportunity** - whether everyone really has the same chance to reach their potential

**Agency** - what degree of choice and control an individual has in taking part

**Process** – whether discrimination (or the way we do things) causes or contributes to a particular inequality

Under current equalities legislation, namely The Equality Act 2010 & The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as well as The Climate Change (Scotland) Act 2009, The Environmental Impact Assessment (Scotland) Act 2005, The Children & Young People (Scotland) Act 2014, and The Human Rights Act 1998, the Council has a statutory duty to assess the impact its decisions and actions have in the community and the environment. The Combined Impact Assessment (CIA) allows us to demonstrate how our Tenant Participation Strategy will contribute to the Council Plan 2012 – 2017 overarching priority 'to reduce inequalities across and within our communities' through four key areas of activity, namely:

- Reducing unemployment, particularly youth unemployment and improving positive outcomes for school leavers
- Raising attainment in schools, particularly for pupils from more economically 'deprived' areas, and providing a broader work based education experience

- Reducing inequalities and ensuring the most disadvantaged groups and communities, have access to services that maximise opportunities to break the cycle of poverty or mitigate the impact of deprivation
- Supporting the capacity of communities and voluntary organisations to show community resilience and maximise social capital from community and social networks.

Under the Housing (Scotland) 2001 Act, the Council has a duty to meet equal opportunity requirements when carrying out housing functions. As a local authority, East Lothian Council is also required to implement the Public Sector Equality Duty introduced through the Equality Act 2010 in 2011 to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

We consider that the development of this Tenant Participation Strategy is an important element of ensuring all tenants have the opportunity for involvement.

## **Appendix 2**

### Social Housing Charter outcomes and standards

#### **The customer/landlord relationship**

##### 1: Equalities

Social landlords perform all aspects of their housing services so that:

- Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

##### 2: Communication

Social landlords manage their businesses so that:

- Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it make decisions and the services it provides.

##### 3: Participation

Social landlords manage their business so that:

- Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

#### **Housing quality and maintenance**

##### 4: Quality of housing

Social landlords manage their businesses so that:

- Tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.

##### 5: Repairs, maintenance and improvements

Social landlords manage their businesses so that:

- Tenants' homes are well maintained, with repairs and improvements carried out when required and tenants are given reasonable choices about when work is done.

## **Neighbourhood and community**

6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure that:

- Tenants and other customers live in well-maintained neighbourhoods where they feel safe.

## **Access to housing and support**

7, 8 and 9: Housing options

Social landlords work together to ensure that:

- People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them
- Tenants and people on housing lists can review their housing options.

Social landlords ensure that:

- People at risk of losing their homes get advice on preventing homelessness.

10: Access to social housing

Social landlords ensure that:

- People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.

11: Tenancy sustainment

Social landlords ensure that:

- Tenants get the information they need on how to obtain support to remain in their home: and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

## 12: Homeless people

Local councils perform their duties on homelessness so that:

- Homeless people get prompt and easy access to help and advice: and provided with suitable good-quality temporary or emergency accommodation when this is needed: and are offered continuing support to help them get and keep the home they are entitled to.

### **Getting good value from rents and service charges**

## 13: Value for money

Social landlords manage all aspects of their businesses so that:

- Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

## 14 and 15: Rents and service charges

Social landlords set rents and service charges in consultation with their tenants and other customers so that:

- A balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and other customers can afford them
- Tenants get clear information on how rent and other money is spent, including any details of individual items of expenditure above thresholds agreed between landlords and tenants

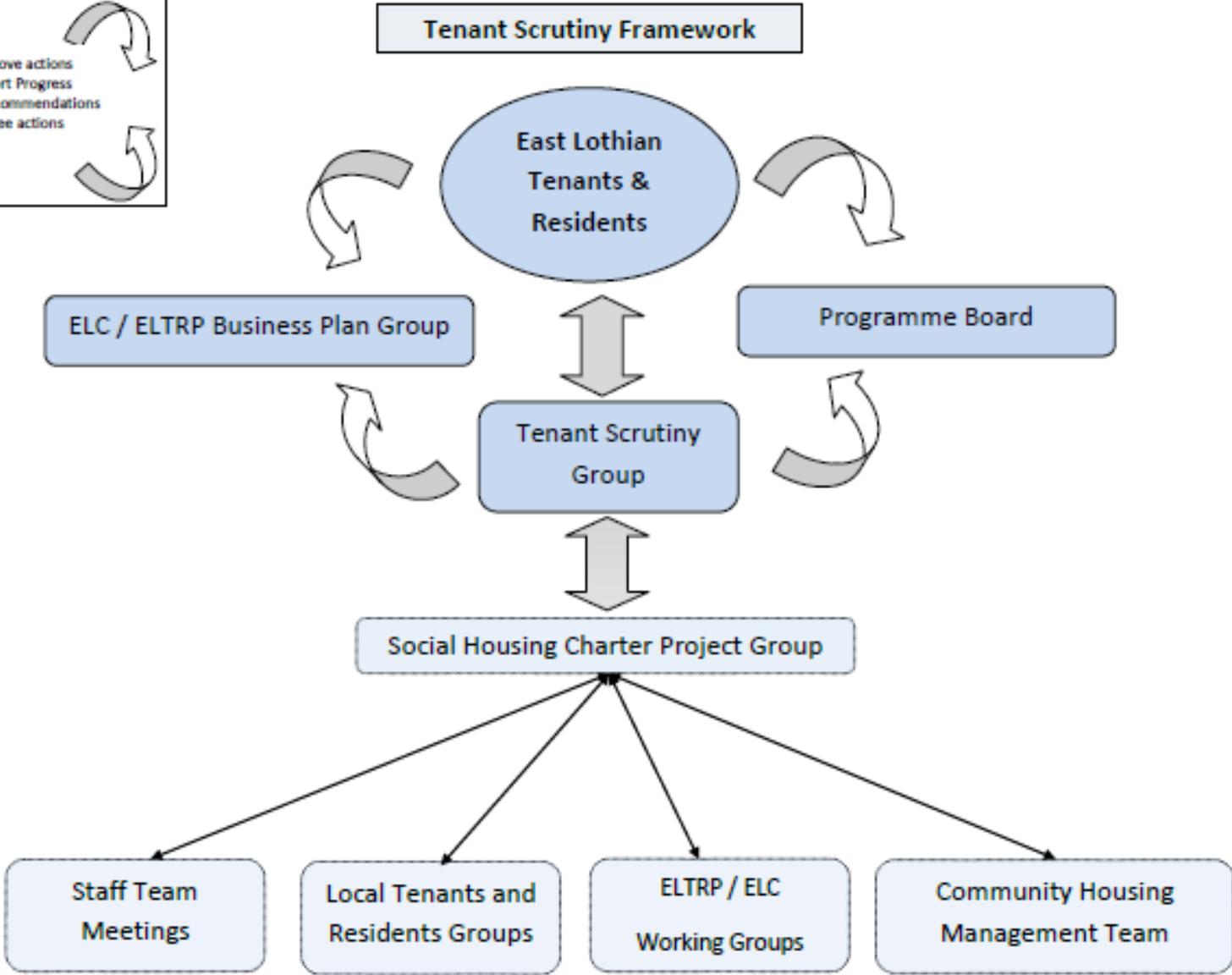
### **Other customers**

## 16: Gypsies / Travellers

Local councils and social landlords with responsibility for managing sites for Gypsies / Travellers should manage the sites so that:

- Sites are well maintained and managed.

**Appendix 3**



East Lothian Council

Tenant Participation Strategy

2016 – 19

If you would like further copies of this document, please contact:

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