

Registered Tenants Organisation Policy and Procedures

Service: Housing Services	Date	Staff Member
Version Number: 2		
Approved by: Management Committee	21/10/2019	N/A
Effective From:	22/10/2019	N/A
Next Review Date:	10/2024	CE
Revision Number: 2.1		
Revision Date:	21/10/2019	CE
Posted on Intranet:	25/10/2019	PA
Posted on Website:	N/A	N/A
Publicity Material issued:	N/A	N/A
Handbook(s) updated:	N/A	N/A
Document Register updated:	25/10/2019	PA
Previous Version archived:	N/A	N/A
SSHC: Charter Standards and Outcomes:	2 & 3	
SHR: Standards of Governance and Financial Management	1.3, 2.2, 2.4	

Scottish Social Housing Charter Relevant Standard Outcomes

STANDARD	OUTCOME
<p>Section:- The customer/landlord relationship</p> <p>2. Communication</p> <p>Social landlords manage their businesses so that:</p> <ul style="list-style-type: none"> <i>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 makes decisions and the services it provides.</i> <p>3. Participation</p> <p>Social landlords manage their businesses so that:</p> <ul style="list-style-type: none"> <i>tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.</i> 	<p>This outcome covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems and smart-phone applications. It is not just about how clearly and effectively a landlord gives information to those who want it. It also covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback. It does not require landlords to provide legally protected, personal or commercial information.</p> <p>This outcome describes what landlords should achieve by meeting their statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants, other customs and bodies representing them such as registered tenant organisations to become more capable of involvement – this could include supporting them to scrutinise landlord services.</p>

Scottish Housing Regulator – Relevant Standards of Governance and Financial Management and Guidance

STANDARD	GUIDANCE
<p>1 The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</p>	<p>1.3 The governing body ensures the RSL complies with its constitution and its legal obligations. Its constitution adheres to these Standards and the constitutional requirements set out below.</p>
<p>2 The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.</p>	<p>2.2 The governing body recognises it is accountable to its tenants, and has a wider public accountability to the taxpayer as a recipient of public funds, and actively manages its accountabilities.</p> <p>2.4 The RSL seeks out the needs, priorities, views and aspirations of tenants, service users and stakeholders. The governing body takes account of this information in its strategies, plans and decisions.</p>

REGISTERED TENANTS ORGANISATION POLICY AND PROCEDURES

CONTENTS:

1. GENERAL POLICY
2. REGISTRATION PROCEDURE
3. GENERAL DATA PROTECTION REGULATION
4. REVIEW

APPENDIX 1 – Registered Tenant Organisation Checklist

REGISTERED TENANTS ORGANISATION POLICY AND PROCEDURES

1. GENERAL POLICY

- 1.1 The Housing (Scotland) Act 2001 introduced the rights for tenants of registered social landlords such as Lochalsh and Skye Housing Association (the Association) in relation to tenant participation and consultation.
- 1.2 The Association's policy on tenant participation encourages tenants to become involved in the decision making process on an informal basis. However, this new legislation requires more formal procedures to be in place where a group of tenants have got together with a view to implementing change.
- 1.3 In order to meet these requirements all groups that are formed have to be registered on the Register of Tenants Organisations (RoTO's) but in order to be registered each group has to meet certain criteria referred to in appendix 1.
- 1.4 Groups that are registered will be consulted on certain issues such as policy changes that may affect them. Therefore, being on the RoTO's can help tenants to influence the decision making process within the Association.

2. REGISTRATION PROCEDURE

- 2.1 Once you have formed a group and wish to apply for registration with the Association please complete and return the Tenant Group Registration Form to Lochalsh & Skye Housing Association, Morrison House, Bayfield, PORTREE, Isle of Skye IV51 9EW. As noted in 1.3 above you should also provide:-
 - Tenant Group Registration Form, completed. This asks for certain basic details about your group. Please note that all information on this form will be entered onto the RoTO's held at the Association and that this register is a public document.
 - A copy of your constitution – this can be a simple document but must reach certain standards. For example, it must show how you elect your office bearers.
 - Details of the people making up your Committee.
 - Details of the area your group covers, could be "Lethin Park only."
 - Information about your Membership Policy
 - A set of accounts, if your group has been active for more than 1 year.
 - Details of your consultation and representation processes.
- 2.2 When your application is received it will be assessed, and you will be contacted again to discuss it if further information is required.
- 2.3 You will be contacted within 14 days of the receipt of your application to confirm you have been placed on the RoTO's.

- 2.4 If you are not eligible you will be contacted within 14 days of the receipt of your application and advised why this has been the case. You can appeal against the decision by writing to the Chief Executive giving details of why you think the decision is wrong. The Chief Executive will refer the matter to the Management Committee of the Association for a decision. If the Management Committee upholds the original decision and you are still not satisfied with this, you have a further right of appeal to the Scottish Housing Regulator who will consider your appeal. Details of who to contact will be provided by the Association.
- 2.5 Some groups may take time to meet all the eligibility requirements. Our aim is to work with you so that you do become eligible within a reasonable timescale to be placed on the RoTO's. Although, we will consider whether or not a group is on the RoTO's when any funds or grants are requested, if we are working towards being eligible to register your group but you do not yet have everything in place, this will not necessarily prevent you from being awarded funding by this Association.
- 2.6 Your group will be asked to re-register in April on a 3 yearly basis, in order to remain on the RoTO's. If your group does not respond or no longer meets the criteria it will be removed from the RoTO's. However, this will not be done without advising you, and wherever possible the Association will work with you to ensure you remain registered.

3. GENERAL DATA PROTECTION REGULATIONS

- 3.1 The Association will treat your personal data in line with our obligations under the current data protection regulations and our own policies and procedures
- 3.2 Information regarding how your data will be used and the basis for processing your data is provided in the Association's Privacy Policy.

4. REVIEW

- 4.1 This document will be reviewed by the Management Committee or Sub-Committee set up for that purpose in accordance with the requirements of the Association's Register of Policies and Procedures.
-

**REGISTERED TENANTS ORGANISATION CHECKLIST
(Scottish Executive Criteria for Registration)**

1. CONSTITUTION

Your group must have a written constitution available for inspection by the public that sets out: -

- Your objects and area of operation
 - State how your group will represent your members.
 - Define your membership area. e.g. if you represent a community within a town you may define your area by street. If you represent a village you could put down the name of your village.
 - State your commitment to the promotion of the housing and housing related interests of the tenants of Lochalsh and Skye Housing Association.

- Your membership criteria and the procedure for application for membership
 - State who is eligible to become members of your group. e.g. membership is open to all tenants and/or residents in your area, and members must be at least 16 years of age. Membership will cease upon the person leaving the area. The group should also decide whether or not your members must pay a subscription fee.

- The operation of your Committee
 - State how many times per year your Committee will meet, the number of open meetings per year, the month the AGM is to be held etc.

- Your procedure for election of Committee and Office Bearers
 - e.g. after the first year, the Committee will be elected at the AGM. Office Bearers will be elected at the AGM or by the Committee from their own number at the first meeting after the AGM. Retiring Committee Members can stand for re-election, etc.

- How your business is conducted, including delegation of powers
 - A set of rules relating to conduct at meetings, decision taking, documentation required for meetings and correspondence etc.

- How your decisions are reached
 - You must demonstrate that decisions are reached democratically, e.g. by giving members the opportunity to become actively involved, by publicising meetings etc.

- How your funds are managed
- e.g. the treasurer will keep proper accounts of the finances of your group, which will be managed through a bank account etc.
- Your procedures for meetings of members including the AGM

- Requests for meetings and quorum requirements. Meetings should be held regularly so those members are given an opportunity to take part in important business.
- Your procedure for amending your constitution
 - How to go about instituting changes and proposed changes to the constitution etc.
- Your commitment to the promotion of Equal Opportunities
 - Your group should demonstrate your commitment to promoting the interests of all tenants in your area and taking account of their views. This can be done through meetings, newsletters, surveys, etc.

2. COMMITTEE

- Your group must have a Committee, the members of which are elected at the AGM and members of the Committee must be required to stand down after a period specified in your constitution.
 - Requirements must be stated in the constitution.
- Your Committee must consist of at least 3 members
 - The Scottish Executive requires that there will be at least 3 members.
- Committee Members can co-opt other members on to the Committee during the course of the year.
 - Members can be co-opted, if and when required.
- Your Committee procedures set out in your constitution must require that the decisions of the Committee are reached democratically.
 - This requirement aims to place accountability at the forefront of tenant groups. Democratic decisions have to be shown via the executive. For new groups, this will be assessed by looking at your constitution, details of the Committee and how they are appointed, frequency of meetings, minutes, etc.
- Promotes Equal Opportunities
 - You should show that you are meeting your obligations with regard to promoting Equal Opportunities within the group.

3. AREA OF OPERATION

- Your group must operate within a defined area, and in which there is housing stock owned or managed by the Association with whom you are seeking to register.
 - This is to allow groups to recognise natural areas of operation. Where a number of small groups claim to cover the same area they would be encouraged to join up as one group, for more effective working.

4. MEMBERSHIP POLICY

- Membership must be open to all Association tenants with a Scottish Secure Tenancy/Short Scottish Secure Tenancy and of a house situated within your defined area or operation.
 - Your group should demonstrate that membership is open to all eligible tenants within your area. Active involvement and participation will be encouraged.

5. ACCOUNTING

- You must maintain proper accounting records showing income and expenditure and a statement of assets and liabilities. Your constitution must require that an annual financial statement, - externally scrutinised by the Association or by a qualified accountant should be prepared for presentation at your AGM.
 - Where your group has funds, these must be properly reported and accounted for. If you have been awarded funding by the Association, external scrutiny may be carried out as a condition of that funding.

6. CONSULTATION & REPRESENTATION

- You must be able to demonstrate to the Association your commitment to representing the interest of your members and your ability to represent the views of your members who are tenants of the Association with whom you are seeking to register.
 - This requirement demonstrates the need for tenant groups to be accountable in what they do. A statement could be produced showing how tenants' views are sought and represented, e.g through newsletters, at public meetings, etc.

7. FURTHER INFORMATION AND ASSISTANCE

- The Housing Association will provide information and assistance to groups wishing to form RTO's and you should contact:

Lochalsh & Skye Housing Association
Morrison House
Bayfield
PORTREE
Isle of Skye
IV51 9EW
Tel: 01478 612035
Fax: 01478 613377
email: info@LSHA.co.uk

SCHEDULE OF REVISIONS		
DATE	REVISION No.	DETAILS
21.10.2019	2.1	ADDED: Cover page – new SHR Standards of Governance and Financial Management
21.10.2019	2.1	AMENDED 2.1 - DELETED "(Appendix 2) to Maureen Taylor, Housing Services Officer.
21.10.2019	2.1	ADDED: NEW Point 3 - GENERAL DATA PROTECTION REGULATIONS
21.10.2019	2.1	APPENDIX 1 – Point 7 - DELETED – Maureen Taylor, Housing Services Officer.