



# Cassiltoun Housing Association

## TENANT PARTICIPATION POLICY

Date Approved	Proposed Review Date
February 2010	February 2013
Chair Person/Office Bearers Signature:	

**CASSILTOUN HOUSING ASSOCIATION LIMITED**  
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Recognised Scottish Charity SC 035544

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## **1. INTRODUCTION**

### **1.1 Background**

- 1.1.1 Cassiltoun Housing Association Limited is a Registered Social Landlord (RSL) with Communities Scotland, and was registered with its forerunner, the Housing Corporation in Scotland, in 1985.
- 1.1.2 The Association is committed to providing affordable rented housing of a high quality to those in greatest housing need. To facilitate this and to give guidance and clarification to both staff and members of the public, the Association has a Tenant Participation Policy and Strategy that has been approved by the Board of Management.
- 1.1.3 The purpose of this policy is to set out the statutory provisions governing tenant participation by Cassiltoun Housing Association Limited as amended by the Housing (Scotland) Act 2001 (“the 2001 Act”).
- 1.1.4 This policy is issued in terms of section 79 of the 2001 Act and will be taken into account by the Regulation and Inspection Division within The Scottish Housing Regulator, in due course, when monitoring the performance of local authorities and registered social landlords.

### **1.2 Division of Responsibilities**

- 1.2.1 The Association’s Tenant Participation Policy sets the standard for the organisation. The Board of Management assume responsibility for service delivery and through policy variation can improve on that standard.
- 1.2.2 The Association wish to ensure that staff and Board responsibilities in relation to the arrears policy are clear. The Board will be responsible for agreeing policy and evaluating performance. Staff members will have overall responsibility for delivering and monitoring the arrears policy.

### **1.3 Delegated Authority**

- 1.3.1 Implementation of this policy will be the responsibility of the Housing Manager.

## **2. PRINCIPLES, AIMS AND OBJECTIVES**

- 2.1 The objectives of this policy are to set down the key principles that underlie tenant participation within CHA, the framework for that participation and the terms on which CHA’s Tenant Participation Strategy will be implemented and reviewed.

- 2.2 CHA's guiding principle is that all tenants, and the local community should have the maximum opportunity that is practically possible to be directly involved in, to be consulted on and to comment on decision-making within CHA.
- 2.3 CHA have been working with community ownership for the past 24 years and understand that it is vital that tenants are aware of the opportunities to be fully involved in the process and are encouraged, supported and enabled through partnership working.
- 2.4 This overall objective will be achieved by means of the effective implementation of a sensitive and innovative Tenant Participation Strategy through which CHA will seek to work in partnership with tenants and key stakeholders in a mutually supportive environment to:
- Ensure that we have tenant members as the largest single constituency on CHA's Board of Management.
  - Promote and increase tenant awareness of their rights to participate, the ways in which they can get involved, the benefits of participation through the provision of clear, accurate and regular information.
  - Ensure that any real or perceived barriers that serve to discourage, limit and prevent opportunity or involvement are identified and removed.
  - Seek out and explore innovative strategies to encourage and enable tenant participation from traditionally under-represented groups.
  - Ensure that consultation and feedback methods reflect the diverse needs of our tenants including the use of multi-media techniques, cultural and community events and the internet.
  - Implement a Tenant Participation Strategy that will be reviewed in line with the Policy and an Action Plan reviewed annually in full consultation with tenants, and key stakeholders to record progress and performance and take forward the principles of this policy on an ongoing and evolving basis.

### **3. SUSTAINABILITY**

- 3.1 This Policy complies with CHA's commitment to sustainability and takes account of wider economic and social impacts of the policy in terms of individuals, households, local communities and the environment.

- 3.2 In particular, this Policy aims to develop and promote the opportunities available to tenants, and key stakeholders to participate in and influence decision-making in support of long-term impact projects, partnership working and community planning and regeneration initiatives.

#### **4. EQUALITY AND DIVERSITY STATEMENT**

- 4.1 CHA is committed to providing fair and equal treatment for all its stakeholders including tenants and will not discriminate against any on the grounds of race, colour, ethnic or national origin, religion, age, gender, sex, sexual orientation, marital status, family circumstances, employment status or physical ability.
- 4.2 In the ongoing development and provision of tenant participation opportunities and initiatives, CHA will take into account the diverse needs of its tenants, existing and potential service users and be flexible and innovative in its response to issues of literacy, language, cultural diversity and learning disability.
- 4.3 This Policy complies with the requirements of the Housing (Scotland) Act 2001, section 106 as it relates to Equal Opportunities and with CHA's Equal Opportunities Policy. CHA recognises its pro-active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures.
- 4.4 CHA will check its policies and associated procedures regularly for their equality and diversity implications, taking appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.

#### **5. LEGAL AND REGULATORY FRAMEWORK**

- 5.1 In formulating and implementing this Policy, statutory requirements, Performance Standards and Good Practice outlined in documents such as 'Raising Standards in Housing' have been incorporated.
- 5.2 The Legislation that impacts on this policy is The Housing (Scotland) Act 2001, Chapter 3 of Part 2, (sections 53 to 65) which includes provisions giving new rights to tenants and Registered Tenant Organisations (RTOs) in relation to tenant participation and consultation.
- 5.3 Registered Social Landlords (RSLs) and local authorities have important responsibilities that create a framework of statutory duties to consult with individual tenants and tenants' groups. These include:

- A duty on RSLs and local authorities to develop and implement a Tenant Participation Strategy. The strategy should include an assessment of the resources required to facilitate an effective strategy and must show how a landlord intends to go about taking account of the views of tenants, the proposals on which they will consult and the information provided to tenants.
- A duty on landlords to establish a register of tenants' organisations (RTOs) based on the criteria set by Scottish Ministers
- A duty on landlords to inform and consult individual tenants and Registered Tenant Organisations of proposals relating to housing management, standards of service, the Tenant Participation Strategy and places a duty to have regard to representations made by tenants or tenants groups, within a reasonable timescale.
- Landlords must ensure that the Tenant Participation Strategy complies with equal opportunity requirements, as set out in Section 106 of the Act.

## **PERFORMANCE STANDARDS/ PRINCIPLES**

The following Performance Standards/Principles are relevant to this Policy:

### **Key Principles**

In developing this policy CHA has taken into account the key principles contained within the National Strategy for Tenant Participation "**Partners in Participation**", which defines participation as:

*"Tenant Participation is about tenants taking part in decision making processes and influencing decisions about housing policies, housing conditions and housing and related services. It is a two way process that involves the sharing of information, ideas and power. Its aim is to improve the standard of housing conditions and service".*

The Scottish Executive Guidance on the tenant participation provisions of the Act, sections 53 to 56, require that landlords ensure that the key principles of the National Strategy are applied in implementing the statutory provisions.

The key principles on tenant participation, information and consultation are set out as follows:

- Tenant participation requires a culture of mutual trust, respect and partnership between tenants, elected and Board members, and Cassiltoun staff at all levels, working together towards a common goal of better housing conditions and housing services

- Tenant participation practice should be seen as a continuous process where information, ideas and power are shared, common understandings of problems are strived for and a consensus on solutions is worked out
- Good tenant participation allows all parties to contribute to the agenda. All participants require to have all the information needed to consider issues properly; that information requires to be clear, timely and accessible and to take account of equal opportunities concerns
- Processes of decision-making should be open, clear and accountable
- Participation must meet the requirements of the legislation surrounding equal opportunities. Good practice in participation removes barriers to effective participation arising from ethnicity, geographic location, special needs, language difficulties, age, sexual orientation, or disability.

### **Performance Standards**

Communities Scotland has the role of regulation and inspection on behalf of Scottish Ministers in line with national Performance Standards jointly published by Communities Scotland, CoSLA and SFHA.

CHA will be required to demonstrate that the following Performance Standard has been achieved:

“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.”

### **Codes of Practice on Tenant Participation**

The codes of practice relevant to this policy are as follows:

- Tenant participation at a Local Level
- Tenant participation in Best Value
- Tenant participation in Regeneration

The codes describe how to apply the principles in the National Strategy for Tenant Participation, “Partners in Participation”.

## **6. POLICY ON TENANT PARTICIPATION**

- 6.1 This policy has been developed in accordance with the requirements of the Housing (Scotland) Act 2001, Performance Standards and Good Practice guidance.
- 6.2 The principles, aims and objectives of the policy will be achieved through the implementation of CHA's Tenant Participation Strategy and Action Plan.
- 6.3 CHA will test and measure the success of the Strategy by means of a clear monitoring framework and will review the priorities and initiatives identified in the strategy on an annual basis in full consultation with tenants, and other key stakeholders. A comprehensive review of the strategy will be conducted every three years in conjunction with the review of this policy.

## **7. PERFORMANCE MONITORING**

- 7.1 In order to judge the success of this policy, CHA will put in place a system which monitors and measures its performance.
- 7.2. Through appropriate monitoring systems and performance agreements, CHA will assess the targets identified and achieved as part of the Tenant Participation Policy and Strategy.
- 7.3 CHA will meet the reporting requirements detailed in this Policy. This will include Tenant Participation updates as part of the monthly Performance Report to CHA's Operations Sub Committee. The report will include the results of any Tenant Satisfaction Surveys for example. This will allow the Board of Management to track specific tenant participation outcomes and monitor performance against targets, including an analysis of reasons for targets not being met and any recommendations for policy/procedural change.

## **8. POLICY REVIEWS/ CONSULTATION**

- 8.1 CHA will review this policy every 3 years. More regular reviews will be considered where, for example, there is need to respond to new legislation/policy guidance. Reviews will consider legislative, performance standard and good practice changes.
- 8.2 CHA has developed this Policy in consultation with tenants, and other service-users and account has been taken of representations made.
- 8.3 A summary of this policy will be published by CHA and will be displayed in CHA's reception area.



## **9. CUSTOMER SERVICE**

### **9.1 Confidentiality**

9.1.1 Information given by customers in relation to this Policy will be treated as strictly confidential and will not be discussed with third parties without their permission. CHA will comply with the requirements of the Access to Personal Files Act 1987 and the Data Protection Act 1998 in this regard.

### **9.2 Customer Satisfaction**

9.2.1 CHA is committed to a high level of customer satisfaction in the delivery of this Policy, seeking continuous improvement. Satisfaction with the full range of services provided by CHA will be measured regularly, including the effectiveness of the objectives of this Policy, and results will be disseminated to tenants, and other service users.

9.2.2 In addition, CHA will carry out on-going customer satisfaction surveys into the effectiveness of the objectives of this Policy.

### **9.3 Complaints**

9.3.1 Our aim is to get it right first time, however, CHA has published its own Complaints Procedure. The procedure can be used where there is dissatisfaction with this policy or its operation. The Complaints Procedure is available as a separate document from CHA's offices and, as with all our policies, can be made available on tape, in Braille, in large print or in translation.

## **10. LINKS WITH OTHER POLICIES**

10.1 This Policy has links with the following CHA Policies

- Tenant Participation Strategy
- Equal Opportunities
- Allocation policy
- Rent Management
- Repairs and Maintenance
- Development