



WESLO TENANT PARTICIPATION COMMITTEE

Minutes of the above meeting held on Thursday 3 November 2011 Bathgate Office at 7.00pm

Present from Weslo: David McLaren, Housing Manager
Gillian McAllister, Assistant Housing Manager
Jessie McCue, Housing Officer
Margaret Walker, Admin Officer
Pamela Menzies, Housing Support Officer

Tenants: Eileen Porter – Tenant Director, Bathgate – Chair
Hugh Ruck, Tenant Director, Livingston
Janette Wallace, Tenant Director, Stoneyburn
Evelyn Johnstone – Livingston Station
Jim Porter – Bathgate
Colin Torrie - East Calder
Sybil Watt – Bo'ness
Graham Lawson – Armadale

1. **Apologies for Absence**

Action

Alex Bow - Tenant Director, Bo'ness
Glen Mulligan - Fauldhouse
Gordon Smith – Bo'ness

2. **Introduction**

David McLaren welcomed everyone to the meeting including Graham Lawson from Armadale who was attending his first meeting. Eileen Porter was invited to chair the meeting in Glen Mulligan's absence.

3. **Previous Minutes**

The minutes of the meeting held on 14 July 2011 were approved.

4. **Matters Arising**

Bathroom Update - David McLaren advised that the Bathroom Upgrade Improvement Scheme is still on hold due to current work commitments at the Yard.

Improvement Plan – All Board members and staff have now received Schedule 7 training.

Tenant E-mail Group - David McLaren advised that we currently have 18 addresses and a target has been set to have 50 tenants e-mail addresses by the end of the year and staff will continue to actively pursue existing and new tenants for their details.

5. **Scottish Social Housing Charter**

This was presented to the Committee by Margaret Walker who circulated copies of Weslo's response to the Scottish Government on 1 November 2011. The Charter had been previously circulated and discussed with the Committee and feedback sought prior to Weslo's submission in order that tenants' views could be taken on board. The consultation documents were also made available to staff via the intranet and to a wider audience via the Weslo website. Margaret took the opportunity to thank Eileen, Hugh and Janette for their responses.

The purpose of the Scottish Social Housing Charter (Charter) is to give tenants, homeless people and other customers a clear understanding of what to expect from a social landlord.

The Charter will contain outcomes that the new independent Scottish Housing Regulator will use to assess landlords performance in delivering services to tenants, homeless people and any others who benefit from the services. The Regulator will then publish performance reports, and will be able to set performance improvement plans.

Weslo recognises that the most important issues for tenants include the provision of good quality accommodation, a good repairs service and a safe and secure environment.

Margaret highlighted some of the concerns raised by Weslo in their submission.

It is felt that the draft format of the Charter does not produce outcomes that the Regulator will be able to use to monitor, assess and report on RSL's performance and the language used is too simplistic.

The customer/landlord relationship

Tenant Participation - We do not feel that sufficient credence is given to those tenants who choose not to be involved with their landlord and have suggested that Tenant Participation is to be actively encouraged but at a level that tenants feel comfortable with.

Quality of the housing and of the environment

Repairs, maintenance & improvements – We are in agreement that tenants should benefit from an easily accessible repairs service that is responsive to their needs. It is however unreasonable that tenants should expect a service based on their individual expectations without due regard to the quality of the stock, the cost of the service delivery etc.

Estate Management – consideration needs to be given to mixed tenure estates where there are a multitude of other influencing factors including owner occupiers and remote landlords. It also needs to be recognised that the landlord is not necessarily responsible for all the services and this is why it is important to develop a variety of approaches to resolve matters.

Access to housing and support

There is a recognised lack of social rented housing and Landlords do not have sufficient stock to house everyone on the waiting lists. How can this be an outcome? Surely it is a case of making the necessary information available to those who seek it.

How can you assess an applicants satisfaction with the service if they are not able to get what they want from the system, simply because it is not available – How can you meet expectations or indeed aspirations?

Getting good value from rents and service charges

Continuous improvement but at what cost? Each organisation must operate within a financial budget and while you might be able to operate an appointment system to carry out repairs will this have an impact on the budget by increasing admin costs.

Gypsies/Travellers and other customers

We accept that there are other customers or stakeholders but it is unclear; who they are in the Charter; what involvement we have with them, and how can we assess their satisfaction.

We know the Charter is really important; it will form the backbone of the new regulatory framework. But we're suggesting that perhaps we shouldn't expect too much from the Charter because it really aims to set out high level outcomes when we think what concerns the majority of tenants most is whether and how their landlord is actually achieving such outcomes.

The Charter should strike a balance between what customers expect and what landlords can effectively deliver to ensure that they provide good quality services and housing that customers need and deserve.

Over the next few months, the Charter Team will review the submissions and revise the Charter before submitting to the Scottish Parliament for approval. If approval is granted the first Charter is likely to come into effect in 1 April 2012 and should be in place for five years.

Evelyn Johnstone stated that based on the Charter requirements there will be cost implications to Weslo and discussed the financial costs to Weslo since becoming an RSL. There are reservations of the impact of costs to Weslo for self assessment and reporting mechanisms that will be put in place.

David McLaren invited any comments/agreement from tenants on the points made and tenants were generally in agreement with the tone and content of our response to the Charter.

6. Allocation Policy Review

This was presented to the Committee by David McLaren. He advised that Weslo were considering introducing a Transfer Waiting List for existing Weslo tenants which would in turn release a vacancy to West Lothian Council for allocation. David advised that the introduction of the Transfer List would assist Weslo with making good use of its existing stock and manage communities. Jessie McCue stated that this could also assist with the under occupancy/financial issues that may occur with the new Welfare Reforms and with anti social behaviour problems. Evelyn Johnstone also advised that it could assist with escalating fuel bills for tenants.

David advised that Weslo were consulting various parties on the issue and had written to West Lothian Council and Falkirk Council. The Regulator has already replied to confirm it is ultimately for Weslo to decide on its allocations process provided it complies with the law. There will be a consultation article in the December 2011 newspaper to tenants. All Weslo tenants currently on the West Lothian Common Housing Register (WLCHR) and Falkirk Councils list will also be written to for their opinions.

DMcL

Applicants currently on the WLCHR (9000) and Falkirk Councils list (8000) will also require to be consulted with 10% of these applicants being approached at random.

An article will also be placed on our website inviting comments.

The Committee agreed unanimously that this would be a good idea and that existing tenants should be able to transfer to any Weslo property rather than restrict it to only transferring within the estate that they live.

7. Void Procedural Review

Gillian McAllister provided the background to the review of our Void Procedure.

The review recommends that essential repairs to a void property be carried out within 5 working days and non essential repairs will be carried out within 10 working days when the tenant is occupying the house.

It also recommends that the issue of money for decoration allowances be replaced with new tenants receiving quantities of paint or materials to carry out any necessary work. The supplies can be delivered to their home if necessary. This would be more cost effective for Weslo and provide better value for money for the new tenant.

Weslo would also consider assisting vulnerable tenants by appointing a contractor to carry out the work.

The Committee agreed that this would be a sensible approach.

8. Improvement Plan

This was addressed by David McLaren under Item 4 - Matters Arising.

9. Scottish Housing Regulator Consultation

In order to ensure the TPC members received as much information about the above we invited the Scottish Housing Regulator to send along a representative to talk to the Committee about their proposals. Unfortunately the SHR were unable to provide a speaker for this meeting despite Weslo agreeing to bring forward the date of the meeting to accommodate the timescale for responding to the consultation document.

The Scottish Housing Regulator Consultation Document had been circulated in advance of the meeting and tenants' were asked to consider the questions raised in the document for feedback prior to Weslo's submission in order that the tenant views can be take into account.

David McLaren provided background for the new Independent Regulator and provided a presentation to the Committee using a power point presentation used by Lesley Kerr, Acting Head of Inspection, Scottish Housing Regulator. See Appendix 1.

The new Scottish Housing Regulator will become operational on 1 April 2012 and is accountable to the Scottish Parliament and tenants. Crucially, the new Regulator is independent of Government therefore they are not an arm of the Government implementing Government Policy. The opportunity for change is being driven by the Scottish Social Housing Charter where the Regulator recognises there has been too much emphasis on processes rather than outcomes. The regulation will be targeted and risk based so that no one size fits all.

The Regulators focus will be on good outcomes with their single regulatory objective being to safeguard and promote the interest of tenants and others. Their first line of sight is to tenants so that the sector provides decent homes and good services, be financially viable and well governed. Given the banking crisis and the relaxed regulatory framework that existed, it is essential that the sector is well regulated to maintain funder's confidence.

They want to build on their proven track record of involving tenants by involving stakeholders. This consultation exercise is important for tenants and others to ensure that their views are taken into account in developing the new regulatory framework. They want to have effective engagement with landlords; this includes 182 RSL's and 32 Local Authorities who collectively own 600,000 homes. The new Regulator will engage with other professional bodies such as the CIH, Social Care & Social Work Improvement Scotland, Social Work and Shelter plus other scrutiny bodies such as the Audit Commission and the Scottish Public Services Ombudsman.

The new Regulator intends to carry out a proportionate approach. Landlords will provide an annual Return on the Charter (ARC) which will replace the APSR. Their engagement with Landlords will be tailored which is welcomed and it will allow well informed tenants to hold their Landlord to account. This latter expression infers wrong doing and it would be better if it reflected that well informed tenants could seek explanations from their Landlord. The Regulator would also highlight good innovation and best practice which is again welcome. Assessing the risk will involve a level of engagement ranging from low, medium to high. The grades will disappear which a lot of Landlords focused on. For the first time tenants will now be able to contact the Regulator if they believe there are significant poor performance failures such as in the Charter, Annual Performance Reporting and Regulatory Standards on governance and financial accountability. Tenants will require to show significant performance failure with significant impact and have already raised it as an issue with the Landlord without resolution.

In the context of the Scottish Social Housing Charter, it is the Government who has set the Charter. Social Landlords will be responsible for meeting the Charter and the Regulator will monitor, assess and report. For Landlords this will require them to measure and assess their progress, provide the Regulator with key performance information and report outcomes of their assessment to tenants. The Regulator will use this, along with other financial information to assess their level of engagement with each landlord. They will also make information available on their website regarding each Landlord's achievement in meeting the Charter outcomes.

The Regulatory Standards will apply to all RSL's. They will also set Constitutional Standards and for the first time are recommending that RSL's can make payments to governing body members. Further changes suggested includes governing body members only being able to serve for two three year terms i.e. 6 continuous years before having to stand down – in exceptional cases this can be extended to nine years. This is believed to be a mistake when you consider that if this had already been implemented, Professor Peter Robson, our current Chairman, would have had to stand down thereby losing his expertise while other Board Members, such as John Spraggon, former Chief Executive of West Lothian District Council, would in due course require to stand down. Skills and experience of people of this calibre are hard enough to find and this is a detrimental step.

The Regulator will collate the information routinely collected from Social Landlords and have the right to make inquiries to seek reassurance and investigate matters of concern. Their intervention powers include intervening if a Landlord is not able or willing to tackle a problem.

After the presentation the following issues were discussed:

The Committee discussed the proposed new regime on non-executive governing body members receiving payment. The Committee was asked by David McLaren if they felt that this would motivate interest. Janette Wallace advised that not necessarily as it may attract the wrong people. It was however, considered a reasonable proposal as it is common practice in the business world.

A discussion took place about governing body members only being able to stand for a maximum of three consecutive three year terms which equates to a continuous nine years. It was agreed by the tenants' that we would want to retain this high standard of skills and experience that would provide continuity and stability.

It was suggested by Jim Porter that Weslo should look at introducing honorary members and look at how we can adapt to this change.

Evelyn Johnstone suggested that while Weslo currently has highly skilled Board members, this may not always be the case and having a time limit may be advantageous. This change may not impact on the current Board immediately; however, Weslo would wish to retain a high calibre of Board members.

Weslo will require to make a succession plan. This was not seen to be a problem as in the past Weslo has adapted to change and these changes have been embraced.

The Committee was requested to provide their feedback on the consultation document to Margaret Walker no later than Thursday 10 November 2011 to ensure their input is received on time for submission on 25 November 2011.

TPC

Timescales

Consultation	1 September to 25 November 2011
Review & Analysis of responses	December 2011
Charter considered by Parliament	December 2011 – January 2012
Publish consultation findings	January 2012
Publish Regulatory Framework	February 2012
Switch on new regulation & powers	April 2012

10. TPAS Conference Delegate feedback on Conference

Hugh, Janette and Colin provided feedback of the workshop sessions at the conference and confirmed that they enjoyed their attendance.

11. Tenant Participation Strategy

The Tenant Participation Strategy 2008 – 2011 requires a full review. Margaret Walker confirmed that the update will be completed by December 2011 and the revised document which has no fundamental changes will be issued to tenants.

MW

12. **Any other competent business**

Sybil Watt mentioned that residents within the Kinneil estate had approached her about the work that is to be carried out to the walls within the estate. Sybil was advised by David McLaren to inform these residents to contact Alison Barker direct.

Date of Next Meeting

Thursday 26 January 2012 at 7pm in the Weslo Boardroom

A new Regulator



- Accountable – to Scottish Parliament and tenants
- Independent of Government
- Opportunity for change – new approach, new thinking
- Intelligent and effective regulation
- Fair, evidence-based and transparent
- Targeted – assessing risk effectively
- Consistent in our approach



Focus on good outcomes



- Single regulatory objective: “*safeguard and promote the interest of tenants and others*”
- First line of sight is to tenants
- Decent homes and good services
- A successful and vibrant sector
- Financially-viable and well-governed landlords
- Maintain funders’ confidence



Involving stakeholders



- Build on track record of involving tenants
- Proposals:
 - dialogue with tenants during scrutiny
 - engage with RTOs on strategic issues
 - consider future role of tenant assessors
 - tenants and others input to regulatory policy



Involving stakeholders



- Effective engagement with landlords and other sector interests is critical
- Propose regular liaison
- Co-ordinated, collaborative approach with other scrutiny bodies



How we will regulate



- Proposed approach builds on risk-based, proportionate approach
- Focus on risk and key aspects of performance
- Tailored engagement for each landlord
- Effective self-assessment
- Well-informed tenants holding landlord to account
- Highlight good innovation and best practice



Assessing risk



- Review a range of information:
 - Charter (APSR in transition)
 - Annual financial information
 - Regulatory intelligence
- Categorise level of engagement (low, medium, high)



Tenant concerns

- Enable and assist tenants to tell us about significant performance failures:
 - Charter
 - annual performance reporting
 - Regulatory Standards on governance and financial accountability
- Tenants to show:
 - significant performance failure with significant impact
 - raised it with landlord without resolution



Scottish Social Housing Charter

- Scottish Government – sets Charter
- Social landlords – responsible for meeting
- Regulator – monitors, assesses and reports
- In summary, **landlords:**
 - measure and assess progress
 - provide Regulator key performance information
 - report outcome of assessment to tenants and others;
 - provide this report to Regulator



Scottish Social Housing Charter



- In summary, **Regulator:**
 - publishes accessible information on each landlord's achievement of Charter
 - uses information to inform regulatory assessment
- Self-assessment:
 - inclusive
 - comprehensive
 - evidence-based
 - owned by governing body
 - balanced: achievements and areas for improvement



Regulatory Standards



- Apply to all RSLs
- Constitutional Standards
- Payments & benefits
- Governing body membership
- Model code of conduct



Inquiries and Information



- To collect the information that we will get routinely from social landlords
- To obtain the additional information we need;
- To get more assurance and investigate matters of concern; and
- To inspect to hold to account.



Intervention powers



- Intervene if landlord not able or willing to tackle problems
- Consider seriousness of problem
- Use appropriate intervention for problem
- Expect co-operation



Timescales

- Consultation runs 1 Sept - 25 Nov 2011
- Analysis of responses
- Publish early 2012:
 - consultation findings
 - final guidance
- Switch on powers April 2012

