



CABINET REPORT

Report Title	Response to O & S 2 Recommendations following the Call-In of New Tenants Participation Structure Decision made by Cabinet on 14 October 2009
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	19 th May 2010
Key Decision:	YES
Listed on Forward Plan:	YES
Within Policy:	YES
Policy Document:	NO
Directorate:	HOUSING
Accountable Cabinet Member:	CLLR SALLY BEARDSWORTH
Ward(s)	ALL

1. Purpose

- 1.1 This report sets out the response of the Director of Housing to Cabinet in respect of the recommendations made by Overview and Scrutiny Committee 2 following the call-in of "New Tenant Participation Structure" to the decision made by Cabinet on Wednesday 14th October and proposes an interim position to begin a review of service standards.

2. Recommendations

- 2.1 That Cabinet notes the Director of Housing's response to the Overview and Scrutiny Call in.
- 2.2 That Cabinet approves the proposed Housing Area Meetings, to begin work on the review and development of service standards.

3. Issues and Choices

3.1 Report Background

3.1.1 At its meeting of Wednesday 28th October 2009 Overview and Scrutiny 2 Housing and Environment considered the Call In of the Cabinet agenda of 14th October, item 11 - New Tenant Participation Structure. The reasons for the Call in were; inadequate consultation and failure of the council to ensure further pre-scrutiny of the process as noted by Cabinet at its meeting of 18th March 2009.

3.1.2 The Committee resolved;

(1) That on the grounds that inadequate consultation took place with tenants, the Committee accepted reason 1 for the Call-In, specifically:

- The leaflet used within the consultation was not fit for purpose
- No end date was specified on the leaflet
- No Equalities Impact Assessment was carried out
- Those surveyed by telephone were 'self-selected'
- The Council's Customer Engagement Toolkit was not adhered to appropriately.
- Further consideration should be made to the script for the telephone canvassers
- The options for tenants were amended part way through the consultation process.

The Housing department accepts that there were some elements of the Customer Engagement Toolkit that were not followed

(2) That on the grounds that Cabinet failed to ensure further pre-decision Scrutiny of the process as noted by Cabinet at its meeting of March 18th 2009, the Committee accepted reason 2 for Call-In.

This is accepted.

(3) That Cabinet is recommended to carry out the consultation exercise again using a multi faceted communications approach, issued in appropriate language. The consultation exercise should be evidence based to show that it has been correctly carried out.

After careful consideration of the objections and concerns raised, and review of the changes proposed by the TSA, The Director of Housing:

- Sensitive to the issues of Overview and Scrutiny, and is currently exploring the possible costs and methodology for conducting another exercise e.g. in conjunction with the status survey.
- Advises that interim arrangements are required to ensure that the tenants and the authority move towards the new co-regulation requirements of the Tenant Services Authority.

It is proposed as an interim arrangement to facilitate further tenant participation to hold meetings in the four areas, open to the tenants that live in the respective areas to begin to discuss their views of the housing services within their estates and discuss service standards.

In the context of the February 2009 report, Cabinet considered an area based approach to involvement: how the Boards are populated is the focus of the Overview and Scrutiny recommendations.

3.2 Issues

- 3.2.1 Tenants within England do not have any statutory collective rights relating to tenant participation and so the authority can use its own discretion on how to involve/appoint tenants.
- 3.2.2 During the last couple of years tenant involvement and participation has been a central part of national Government policy. The Tenant Services Authority (TSA) has set the scene for a new world of social housing regulation where tenants are expected to be at the very heart of decisions about the provision and delivery of services provided by the landlord, this is co regulation.
- 3.2.3 Following extensive national consultation, six new national standards will form the basis on how the TSA will regulate social housing in England. These are
- Tenant involvement and empowerment
 - Home, includes repairs and maintenance
 - Tenancy, includes allocations
 - Neighbourhood/community, includes anti social behaviour
 - Value for money
 - Governance/financial viability; this does not apply to Local Authority homes
- 3.2.4 The national standards are designed to reflect the experience of and outcomes for tenants. They are intended to facilitate customer engagement, safeguard customer choice and help protect tenants in relation to their housing and housing-related services enabling them to influence, shape and monitor services.
- 3.2.4 In addition, housing providers are required to develop a range of local standards. These will drive the delivery of services tailored to local needs and aspirations. We have a set of standards for the housing service that were developed with tenants and residents.
- 3.2.5 By October 2010 the authority has to show tenants how well we are achieving each of these and consulted with residents on how performance might be improved.
- 3.2.6 In an effort to encourage more residents to become involved we need to develop more options/methods to enable people to scrutinise and monitor the services they would like and receive.

- 3.2.7 It is clear that in the new co regulation regime simply having a small number of tenants on a Board is not enough. Landlords are required to ensure a significant proportion (not defined) of residents are actively participating. The authority has a wide range of involvement opportunities; these are attached at Appendix A. The proposed Area Housing Partnership Meetings are another opportunity to do this. These meetings will begin with the review of the service standards.
- 3.2.8 A key quality for anyone wishing to become more involved in the co regulation regime is the ability to work effectively in partnership with the Directorate to deliver improvements to the service. The focus will be on influencing, shaping and monitoring services from a wider perspective.

3.3 Choices (Options)

- 3.3.1 Do Nothing. This is not advised.
- 3.3.2 Proceed with recommendations from Overview & Scrutiny 2 (Housing & Environment) of 28th October. This is not advised as
- The resultant delay would hinder the department's preparation for an inspection in 2010.
 - May delay our transition to co-regulation
- 3.3.3 Proceed with area meetings to begin work on the development of the service standards, whilst the department reconsiders the proposals with the results of the TSA consultation on their proposals for the new regulatory framework.

4. Implications (including financial implications)

4.1 Policy

None

4.2 Resources and Risk

4.2.1 Funding and resource support for the development of the Area Partnership Boards during this financial year is contained within the Customer Engagement Budget.

4.3 Legal

4.3.1 Under the choices options it is apparent that options 3.3.1 & 3.3.2 will have an adverse impact as stated.

Choice 3.3.3 appears to be a fair and equitable way to proceed as it allows inclusion for all and not to the detriment of any one class of people(s) until a formal framework is agreed.

4.4 Equality

- 4.4.1 This report does not deal specifically with equality and diversity issues although the new proposals are intended to result in wider inclusion of tenants that has not previously been experienced through previous structures.
- 4.4.2 The continued development of informal mechanisms through a wide involvement menu is intended to ensure that all groups identified through the customer profile have the opportunity to influence, shape and monitor services.

4.5 Consultees (Internal and External)

Housing, Legal

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 The proposals are consistent with the following corporate priorities as outlined in the Councils' Corporate Plan
- **Improve Housing Health and Well-being**
Improved participation and access to cultural opportunities
Vibrant neighbourhoods and engaged communities
 - **Partnerships and Community Engagement**
Effective working with voluntary and community sectors
Increased customer consultation
 - **A well managed organisation that puts customers at the heart of what we do**
Services with a local focus
Improved customer insight
- 4.6.2 The formation and development of the Area Partnership Boards is a key objective (5:2) of the Housing Service Improvement Plan 2008-10 which is the directorate driver for the achievement of a "2 star with excellent prospects for improvement" Audit commission rating by 2010.

4.7 Other Implications

None

5. Background Papers

Appendix A - Menu of tenant involvement options

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