

AGENDA ITEM: 11

SUMMARY

Report for:	Housing and Community Overview & Scrutiny
Date of meeting:	25th January 2012
PART:	1
If Part II, reason:	

Title of report:	Review of Tenant and Leaseholder Committee and the Wider tenant involvement arrangements
Contact:	Elliott Brookes, Assistant Director, Housing Landlord Carolyn Leech, Team Leader, Policy and Participation
Purpose of report:	The purpose of this report is to update the Housing Landlord Management team, Portfolio Holder for Housing, Tenant and Leaseholder Committee and Housing and Communities Overview and Scrutiny Committee on the current situation with the review of the Tenant and Leaseholder Committee and the wider arrangements for tenant and leaseholder involvement going forward.
Recommendations	<ol style="list-style-type: none"> 1. That the Overview and Scrutiny Committee supports the development of the proposed new arrangements for tenant involvement following the regulatory changes 2. That the Overview and Scrutiny Committee monitors the development of the new arrangements on a quarterly basis
Corporate objectives:	<p>Effective and empowered tenant involvement supports the Council's corporate objectives and contributes to:</p> <ul style="list-style-type: none"> • Our Community capacity • Economic development and regeneration • Resources and value for money • Affordable Housing • Enhancing our profile and reputation
Implications:	<p><u>Financial</u></p> <p>It is anticipated that any changes to involvement should be cost neutral; but give tenants and leaseholders more direct control over the money that is spent on delivering the service both locally, at neighbourhood level and borough wide.</p> <p>The involvement structure will also be designed to give tenants and leaseholders the ability to be involved at a level that is comfortable for them and that is centred on their priorities and gives value for money.</p> <p>There will be a need to ensure that those tenants and leaseholders involved at the higher levels of involvement are</p>

Value For Money Implications'	<p>fully trained and supported with this; it will therefore be necessary to ensure that part of the budget be assigned for this.</p> <p><u>Value for Money</u> It is anticipated that tenant involvement will be involved in scrutiny, service reviews and developing or reviewing service level agreements. Targeting our expenditure against tenant and leaseholder priorities will enable us to deliver value for money for our tenants and leaseholders, as well as higher levels of customer satisfaction.</p>
Risk Implications	<p>Developing and delivering a robust and focused tenant involvement structure, with real involvement at a grass roots level will build on the reputation and image of Dacorum Borough Council Housing Landlord Service, and will ultimately result in improvements in tenant and leaseholder's priority areas.</p>
Equalities Implications	<p>Tenant Involvement deals with the whole tenant and leaseholder community, including young people.</p>
Health And Safety Implications	<p>There are no health and safety implications identified.</p>
Consultees:	<p>The Chair of the Tenants and Leaseholder Committee together with members of the Governance Sub Committee have been working jointly with members of the Policy and Participation Team, Group Manager for Tenant and Leaseholder Services and the Assistant Director for Housing Landlord to undertake a review of the TLC on behalf of the Council. The Governance Sub Committee have consulted with members of the TLC and gathered their feedback on what is working well and what is not working so well with the current arrangements. Prior to the members of the TLC receiving this report there had been some concerns that a review may result in the dilution of the TLC responsibilities, however this is not the case; the review seeks to support, strengthen and enhance the role of the TLC in a move towards co-regulation.</p>
Background papers:	<p>Suggested reading to support this report includes:</p> <p>Tenant Scrutiny: now and in the future http://www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/Tenant%20Scrutiny%20-%208-Nov-2011-lowres.pdf</p> <p>TSA Consultation paper on regulatory reform http://www.tenantservicesauthority.org/server/show/conWebDoc.21636</p>

Background

The Tenant Services Authority was set up in December 2008 to replace the Housing Corporation following a shift towards empowering tenants to get involved in helping to manage their landlord's services. A set of regulations were developed following a series of national conversation events that were based on tenant priorities across the Country.

Following the introduction of the Tenant Services Authority and its regulatory standards a broad brush review of Dacorum Borough Councils tenant and leaseholder involvement was undertaken.

As a result of this the Tenant and Leaseholder Committee was formed in January 2011, this seeks to support compliance with the Tenant Involvement and Empowerment Regulatory Standard.

A review process was built into the new framework for the Tenant and Leaseholder Committee to be undertaken at the six to nine month point. The review was built in to ensure that we are still complying with the regulatory standard and that valuable and empowered tenant and leaseholder involvement is being achieved within the Housing Landlord Service.

Regulatory Changes

Following the spending review in early 2011 various "quangos" including the Audit Commission and the Tenant Services Authority are to be abolished. This leaves a gap in the monitoring of landlords and their compliance against regulation.

As a result the Tenant Services Authority is currently undertaking a consultation for a proposed revised regulatory framework which is due to end on 10th February 2012. The main changes relate to closer economic regulation of private landlords but there are potential changes that would affect local authorities.

The principle changes for us are in the Tenant Involvement and Empowerment Standard and the Tenancy Standard. The first being around co-regulation which aims for providers to support tenants to both shape and scrutinise service delivery, and undertake the role of regulation against the standards and therefore compliance against the regulatory framework. The regulator, Tenant Services Authority, will no longer undertake this function for local authorities; this role will be undertaken by tenant boards or panels, Councillors and/or MP's.

It will therefore be essential to develop effective tenant scrutiny and move towards our top line of tenant and leaseholder involvement i.e. the Tenant and Leaseholder Committee becoming more a board of management as opposed to purely a monitoring and consultative body.

The review therefore co-incides with the proposed changes to the regulatory framework which means that we are very well placed to re-act to these changes and enhance our involvement structure to support this.

Present position of the review

A working group for the review of the Tenant and Leaseholder Committee and the wider involvement arrangements has been established and is made up of staff, including the Group Manager for Tenant and Leaseholder Services, Team Leader

Policy and Participation and Lead Officer Tenant Involvement, members of the Governance Sub Committee and the Chair of the Tenant and Leaseholder Committee.

Members of the Governance Sub Committee have been gathering feedback from members of the committee on what they feel works well with the current group and where improvements can be made.

It is accepted that there are still some gaps in our involvement structure, specifically the lack of young people and leaseholders involved in the service, as well as alternative methods of involvement.

The Tenant and Leaseholder Committee have undertaken a valuable function but there is still confusion with the role and what its purpose is, not only in 'monitoring' the Housing Landlord Service but also in representing the wider body of tenants and leaseholders.

This understanding together with comments from the Governance Sub Committee and the Chair of the Tenant and Leasehold Committee and incorporating best practice guidelines and the changing regulatory landscape has been used as a baseline to create our ideal model of tenant and leaseholder involvement. This includes shifting the role of the Tenant and Leaseholder Committee towards a higher board of management level.

Role of the Tenant and Leaseholder Committee

It is widely agreed by the Chair of the Tenant and Leaseholder Committee and members of the Governance Sub Committee that the role of the Committee should evolve to support the changing regulatory landscape and become a more strategic function taking responsibility for:

- Performance of the landlord service
- Implementation and monitoring of the local offers
- Budget challenge and financial viability of the service
- Implementation of improvements from audit recommendations

It is anticipated that this review will see the Tenant and Leaseholder Committee move towards higher level "board of management" that can hold the service to account on performance and help to highlight areas for improvement and development.

At its current size the committee is too large to facilitate good challenge on topics by its members, therefore it is suggested that the membership of the committee be reduced to a more manageable number of 12 members; it is anticipated that membership of the Tenant and Leaseholder Committee would be made up predominately by members of the Local Area Panels, this would then ensure a link between grass roots involvement and the higher level's.

The Tenant and Leaseholder Committee, together with the Housing Landlord Service should also establish operational sub committees or panels to undertake lower level monitoring and performance challenge.

Developing local area panels would mean that there could be a focus on the individual needs of the diverse area's of the borough and thus building a strong

relationship between the tenant on the street, the Tenant and Leaseholder Committee and the wider Council.

By doing this we will really focus on building active and empowered involvement at a local level which will bring us more in line with our peers.

There should also be a formal recognition of tenant and leaseholder involvement into any formal reports from Housing that go to Cabinet and Housing and Communities Overview and Scrutiny Committee.

Over the coming months as part of the development work that will be needed following the consultation on proposed regulatory reform we will be looking to develop a formal arrangement between the Tenant and Leaseholder Committee and Members. This will aim to recognise the Executive of Cabinet and Portfolio Holder as well as including members of the Tenant body and Overview and Scrutiny to act in an advisory capacity in addressing areas of concern and improvements for Housing Landlord Service.

Wider Involvement Opportunities

With the introduction of co-regulation and more focus on local level service delivery it is acknowledged by those in the working group that we will need to align our tenant and leaseholder involvement opportunities to give us a fit for purpose structure that gives true involvement, see appendix one. This structure is based on a model developed by TPAS, see appendix two.

By creating local area panels which can focus on the needs and wants of those that live in that geographical area we will be able to tailor services accordingly, and deliver what is truly required by our tenants and leaseholders in those areas. This will enable us to deliver local offers that are meaningful to all.

The changes to the regulatory framework will see tenant scrutiny become a key part of co-regulation and this is an area of development for us. It is suggested that the Tenant Scrutiny Panel be a standalone panel that is completely impartial from any other involvement activity, therefore if you are a member of the tenant scrutiny panel you will be unable to sit on any other group or panel. This approach is supported by Housemark, TPAS and TAROE.

The Tenant Scrutiny Panel should have direct links to both the Tenant and Leaseholder Committee and the Council scrutiny process to enable them to undertake “deep dive” reviews of services and performance where instructed. They will be required to report to the Tenant and Leaseholder Committee on a quarterly basis.

It is also suggested that a team of tenant auditors or “inspectors” work with us to look at individual service areas and highlight improvements that can be made, being used as a service improvement and continuous improvement tool; this will then enable us to enhance the customer experience and have a robust process of continuous improvement in place.

This will support the current arrangements for the BSi accreditation as well as our own quality framework that is in place.

A recruitment framework will be established and put in place to ensure that there is transparent recruitment to the new Tenant and Leaseholder Involvement Structure,

see appendix three, this will show all tenants and leaseholders how they can get involved with the Housing Landlord Service at all levels of involvement.

Following any changes to the involvement structure it may also be necessary to align our staffing structure within the Policy and Participation Team to support the new framework.

A Tenant and Leaseholder Involvement Strategy will be created for a three year period clearly setting out the objectives for the Housing Landlord Service for tenant and leaseholder involvement. This will show the mechanisms for getting involved, from grass roots level, right the way through to the Tenant and Leaseholder Committee.

The Strategy will have an annual review built into it to enable us to check that our involvement structures are working and are still fit for purpose, as the regulation and horizon for housing are ever changing and we need to ensure that we are adapting accordingly.

Implications

1 Long term consequences

The review of the Tenant and Leaseholder Committee and wider involvement structure aims to respond to the changing regulatory agenda and underpin tenants and leaseholders priorities at a local level, improving service delivery and giving added value for money.

2 Service delivery

The review will help improve the service delivery given to our tenants and leaseholders, and will build on the reputation and image of Dacorum Borough Council Housing Landlord Service.

3 Diversity and community impact

Tenant involvement deals with the whole tenant and leaseholder community, including young people.

4 Financial

It is anticipated that any changes to involvement should be cost neutral; but give tenants and leaseholders more direct control over the money that is spent on delivering the service both locally, at neighbourhood level and borough wide.

The involvement structure will also be designed to give tenants and leaseholders the ability to be involved at a level that is comfortable for them and that is centred on their priorities and gives value for money.

There will be a need to ensure that those tenants and leaseholders involved at the higher levels of involvement are fully trained and supported with this; it will therefore be necessary to ensure that part of the budget be assigned for this.

5 Value for Money

It is anticipated that tenant involvement will be involved in scrutiny, service reviews and developing or reviewing service level agreements. Targeting our expenditure

against tenant and leaseholder priorities will enable us to deliver value for money for our tenants and leaseholders, as well as higher levels of customer satisfaction.

6 Legal -No legal implications

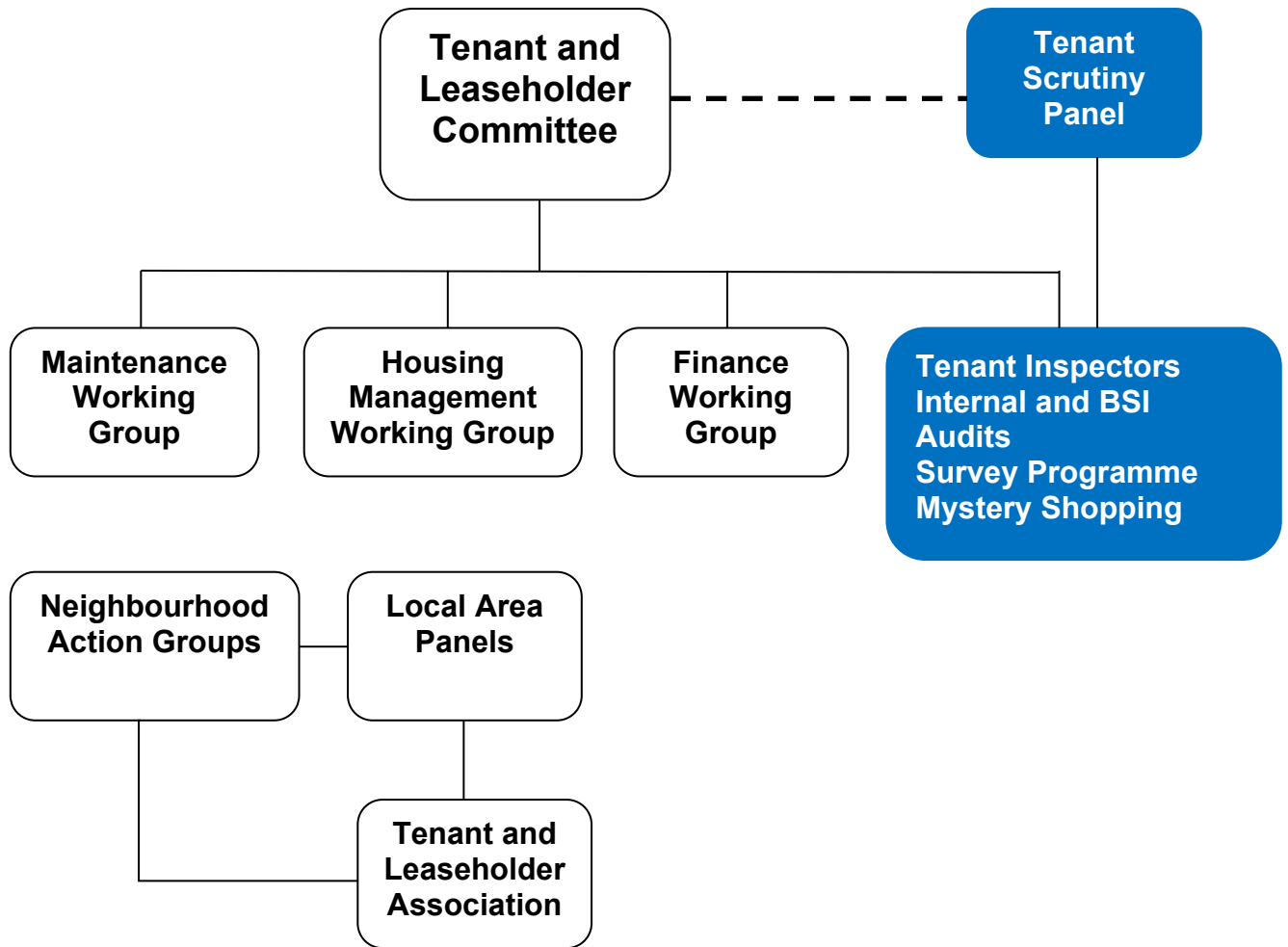
7 Human resources and employee interests

As a result of any changes to the tenant involvement structure it may be necessary to align the staffing establishment of the Policy and Participation team to support this. It is anticipated that this will be done by re-distributing resources to ensure the best use of the staff team and time.

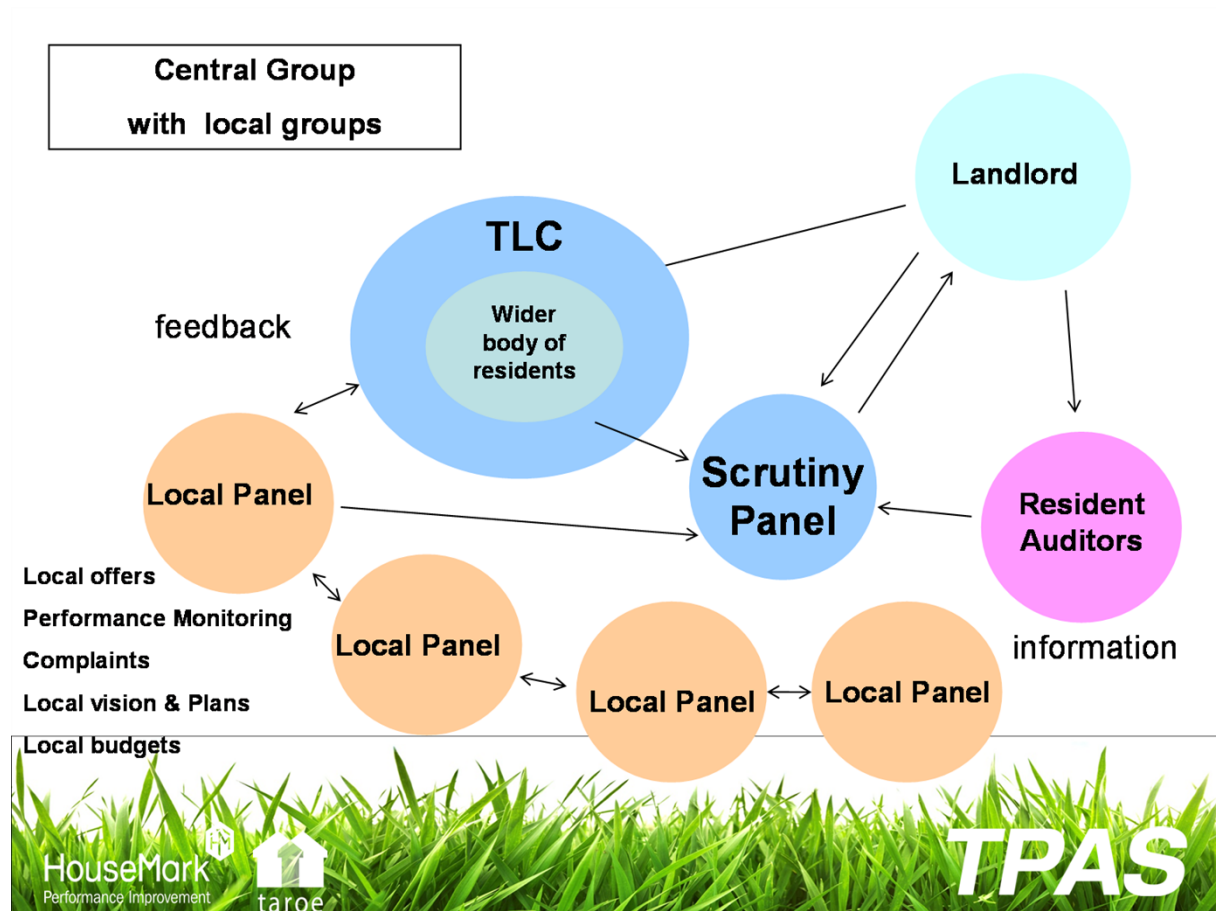
8 Risk - maintenance of reputation

Developing and delivering a robust and focused tenant involvement structure, with real involvement at a grass roots level will build on the reputation and image of Dacorum Borough Council Housing Landlord Service, and will ultimately result in improvements in tenant and leaseholder's priority areas.

Appendix One – Proposed Tenant and Leaseholder Involvement Structure



Appendix Two – TPAS Tenant Involvement Model



Appendix Three Framework for recruiting tenants within the Tenant and Leaseholder Involvement Structure

Framework for recruiting tenants within the Tenant and Leaseholder Involvement Structure

This framework will outline how tenants will access the new tenant involvement structure.

Low level involvement

Low level involvement could include (list is not exhaustive):

- Tenant Conference
- Local Area Walkabouts
- Focus Group
- Consultation

To be involved at this level requires no formal route; tenants can opt in and out at their choice.

Local Area Panels

This is a new involvement opportunity. Launch of the Local Area Panels (LAP) will be promoted via News and Views, on the website and other advertising methods. There will be four LAPs to cover the geographical area of Dacorum.

Tenants will be invited to attend an initial opening meeting where local priorities will be set. Once the priorities are set the attendees will be given the opportunity to elect a Panel to monitor the progress of the local priorities. Nominations for the LAP will be sent to the Tenant Involvement Officer. Voting shall then be conducted at the next arranged meeting. The Panel should not exceed 15 members.

Further election process will be in full details within the Terms of Reference (ToR) for the LAP.

Tenant and Leaseholder Committee.

The Tenant and Leaseholder Committee (TLC) shall be elected from the LAPs. The membership and size of the Committee will be 12 and will include a maximum of 2 resident leaseholders. The constituent representatives are as follows:

Core Tenant Representatives – Area

• Local Area Panel 1	2
• Local Area Panel 2	2
• Local Area Panel 3	2
• Local Area Panel 4	2
• 'Open to all' Tenant wide	2
• Resident Leaseholders	2
Total Committee Size	12

The Portfolio Holder for Housing and the Chair of Housing and Community Overview and Scrutiny Committee will have a standing invitation to attend meetings.

Elections to the TLC will agreed by the LAP. Terms for standing and length of service will be including within the TOR.

Scrutiny activities

Tenants Scrutiny Panel

This will be a newly created panel; posts will be advertised to all tenants and advertised via News and Views, the website and promoted via all Tenant and Leaseholder involvement activities. Applicants will go through the following application process:

- Application form
- Criteria selection
- Interview
- Training

Any successful member of the Tenant Scrutiny Panel will not be allowed to be involved in any other part of the involvement structure; this will allow complete impartiality of the group to effectively carry out their role.

Tenant Inspectors

This is a current activity and will remain open to all tenants and leaseholders. Yearly recruitments will be carried out should numbers dwindle. Current procedures will remain the same for additional recruitment with attendance at Training being the only requirement for involvement.

Mystery Shoppers

This is newly introduced involvement activity. Posts will be advertised to all tenants and advertised via News and Views, the website and promoted via all Tenant and Leaseholder involvement activities. The only criteria will be availability to attend training prior to undertaking any Mystery Shops. Yearly recruitment drives will be undertaken if necessary.