SUBMISSION FROM TENANT PARTICIPATION ADVISORY SERVICE

1. The TPAS response was collected from our members and recent briefing sessions on the Bill for tenants. We broadly agree with the proposals in the Bill and welcome the opportunity to work with tenants and tenants groups across Scotland to develop the Charter.

Right to buy
2. There is broad acceptance of the proposals but concerns over increasingly complicated rights. Many tenants are concerned over the new supply proposals which allow tenants to continue to accumulate time towards discounts if they then move into another “older” property and decide to exercise the right to buy, strong feeling that the right to buy should be lost completely if a tenant moves into a new supply property. Some tenants expressed the view that the right to buy should be restricted to once in any tenancy or joint tenancy – use it once then lose it. The need for clear guidance for tenants over individual rights is vital.

Pressurised status
3. Strong support for extension to include house type and broad agreement with the decision to be taken at a local authority level but with local views of tenants and others sought and taken into account.

Scottish Housing Regulator
4. Independent Regulation for local authorities and RSLs widely applauded.

5. Strong support for an independent housing regulator with tenant priorities at its heart and its main focus. Support for regulation to take into account homeless people, those who are not yet tenant and other housing service users. Tenants keen to be involved across within all aspects of the Regulator:
   - On the main board
   - Through the continuation of the Tenants Assessors
   - By determining the focus of regulation through the Charter

6. There is concern over self regulation, with fears of well performing landlords becoming complacent and allowing standards to slip and poorly performing landlords slipping through the net. Self regulation need to be robust with evidence to support submission.

7. If self assessment is to be the norm, tenants are keen to become involved with their landlords to have an active role in all aspects of self assessment.
8. It is understood that the regulator is reducing in size which calls into question their ability to fulfil their obligations and fuels fears of reduction in standards.

9. Tenants are keen to have a regulator with “teeth” who will take action over poorly performing landlords while continuing to monitor well performing landlords, unannounced spot checks were suggested by many.

10. There is support for tenants across Scotland to be involved with the Regulator, not just at Board level or through the Tenant Assessors, as the Regional networks are already well established and cover most of Scotland’s geography it would make sense for the Regulator to involve and inform the Regional Networks in its work. The Regulator must actively seek the views of groups who are often excluded and rarely involved in established groups or forum.

11. Although paying for Regulation was in the 2001 Act there is no support for this.

12. It is accepted that the Regulator should not become a complaints body, but clarity is requited – to be defined with tenants – on what specifies a significant failure – this should be flexible to recognise the type and variety of housing providers across Scotland.

The Scottish Social Housing Charter
13. There is support for the development of the Charter and tenant involvement in the development nationally and locally. Nationally the Charter must be flexible enough to envelop Scotland’s diverse range of providers whilst still being a measure of performance. Tenants are keen to develop the Charter locally and Nationally, but wish the Charter to change and develop over time to ensure it remains relevant with active measurable outcomes.

14. TPAS believe the Charter(s) should be clear and concise and should focus on measurable and unambiguous aspects of landlord service delivery. TPAS therefore recommend that the Charter defines standards for the key areas tenants are interested in. Recent research commissioned by the Scottish Government (Identifying Tenants Priorities of Social Landlords) shows that tenants are interested in various aspects of customer service, particularly in relation to repairs services and dealing professionally with issues such as nuisance neighbours. Other issues such as the quality of the housing product are already being addressed by the SHQS and the charters do not need to duplicate these areas.
15. TPAS recommend that the Charter should require all landlords to agree local service standards for customer service which can be monitored by tenants, landlords and the regulator itself.

16. Furthermore, TPAS recommend that the Charter should require landlords to state how they will work in partnership with other agencies and stakeholders for community gain. This also reflects the Government's vision of housing associations complementing the provision of housing with community support initiatives and social enterprise activities.

17. The Charter should also require landlords to consider their contribution to the 'green' agenda. Landlords should be required to set out their commitment to reducing CO2 emissions, upholding ethical trading standards and stating how they will aim to support local businesses through the procurement of materials and services where possible.

**Tenant involvement**

18. The proposals in the Bill provide many opportunities to involve tenants and in particular tenants who may not already be involved or on the periphery, it is vital we use this opportunity to reassure tenants that this is not a “done deal” that tenants can and will have opportunities to shape the future of housing and regulation in Scotland. In addition tenants who may be have particular needs must be involved in the process to ensure their needs and aspirations are met, this can be done by working with support organisations and housing providers who currently involve service users.

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