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Revised by	Heather Jeffrie Tenant Participation and Communications Coordinator
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## 1. **Viewpoint's Values**

1.1 Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words
- Say 'yes I can and I will'
- Celebrate age, experience and wisdom
- Do according to our customers' wishes and ambitions
- Treat people (everyone is a VIP) as we would a 'loved one'
- Work hard, have fun and laugh
- Stay courageous, creative and ahead of the game
- Work with those that share our values

1.2 These promises shape us. They are a commitment to our residents, staff and suppliers.

1.3 Ensuring that we have appropriate policies in place will support us to deliver our services in accordance with our vision and values.

## 2. **Policy Statement**

2.1 The Association recognises the importance of active tenants and residents and the positive influence this can have on services delivered by the Association.

## 3. **Aims**

3.1 This policy will detail how we register and support tenant organisations and will outline

- Criteria for registering a Tenants' Organisation
- Register of Registered Tenants' Organisation
- Removal from the register
- Process for appeals
- Groups that do not want to register
- Complaints

## 4. **Legislation and Related Policies**

### 4.1 **Housing (Scotland) Act 2001**

Every Local Authority and Registered Social Landlord must have a tenant participation strategy for 'promoting participation of tenants.....in relation to management of housing and related services'.

Tenants' organisations could now formally register with their landlord and would have a right to be consulted on issues that affect tenants.

- 4.2 The Scottish Government, through the Scottish Housing Regulator, sets the outcomes it expects social landlords to achieve for its residents.

In terms of involving tenants in recruitment and selection, the relevant **Social Housing Charter Standard** is:

**Outcome 3 Participation**

*'Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.'*

- 4.3 Our **Tenant Participation Strategy 2018-2021** states *We will support tenants to establish RTOs when they can show support from tenants and meet the basic requirements of registering. .*

**5. Scope**

- 5.1 This policy will apply to any tenants organisation that wish to register with Viewpoint.
- 5.2 It also outlines the position for groups that do not wish to register with Viewpoint.

**6. Background**

- 6.1 Registered tenants' organisations (RTOs) are independent groups, set up mainly to represent tenants' interests in relation to housing and related services.
- 6.2 Registration will give tenants groups' rights to be properly recognised by Viewpoint. It ensure that Viewpoint asks for and pays attention to the views of tenants' groups, especially in relation to housing policies, housing conditions and housing related services.

Groups do not have to register, but it is beneficial to do so.

Registration also gives tenants' groups the opportunity to show that they are open, democratic and accountable.

**7. Benefits of Registration**

- 7.1 Landlords must:
- Ask RTOs what issues they want to be consulted on
  - Make arrangement for obtaining and considering the views of RTOs
  - Notify RTOs of intent to make proposals or changes in relation to housing management, housing policy, housing conditions and related services
  - Give RTOs information about proposals under consideration
  - Allow RTOs time to consider draft proposals and put forward their views

**8. Registration Frequency**

**8.1** Registration lasts three years from the point of registration.

**9. Publicising Register of Tenant Organisations**

**9.1** The Register of Tenants Organisations is a public document that will be on display in the public area of our main office and on our notice boards around our complexes where appropriate. The information will also be published on our website.

**10. Criteria for Registration**

**10.1** In order to achieve registration a tenants group should meet all of the following criteria through a publicly available written constitution that sets out:

- Its objectives and area of operation
- How people can become members of the organisation
- The way the committee will operate
- How the business of the organisation will be conducted
- How decisions will be reached democratically (a statement should be provided setting out how the organisation plans to engage with its members and how it will represent their views)
- How funds will be managed
- Arrangements for member meetings (minimum of 2 open meetings per year, one of which can be an Annual General Meeting (AGM))
- Arrangements for an AGM
- How changes can be made to the constitution
- Its commitments to equal opportunities
- How the group can be dissolved
- It's commitment to the promotion of the housing and housing related interests of the tenants of the Association
- The tenants group must have a committee that:  
(after the first year) is elected at an AGM
- Has at least 3 members
- Can co-opt others onto the committee during the course of the year
- Has elected office bearers
- Holds meetings that are open to any member of the Tenants Group
- Can demonstrate that decisions are reached democratically
- Promotes equal opportunities

**10.2** The tenants group must operate within an area, which includes housing stock owned and managed by the Association. However if the group is a mixed tenants and residents group then clarity will be requested on how the group plan to consult on issues that pertain only to tenants e.g. rent increase.

## **11. Removal from the Register**

**11.1** The Housing (Scotland) Act 2001 states that an RTO can be removed from the register in any of the following circumstances:

- The Tenants' Organisation no longer meets the registration criteria; or
- The Tenants' Organisation ceases to exist or does not operate: or
- The Tenant' Organisation no longer wishes to be registered

**11.2** The Act obliges the landlord to keep a record of RTOs that are removed from the register. Records will be kept for a period of three years.

## **12. Appeals**

**12.1** The Housing (Scotland) Act 2001 states that a tenants organisation may appeal against a landlord's decision

- Not to register the organisation; or
- Remove the organisation from the register; or
- Not to remove the organisation from the register

**12.2** If the appeal is successful, the Association will register the group, remove the group, or reinstate the group to the register and inform the RTO in writing.

**12.3** The law provides for a right of appeal to Scottish Ministers. Such appeals should only be presented after the Association's own appeals procedures have been exhausted.

## **13. Groups that do not want to Register**

**13.1** There may be circumstance where a tenant group does not want to register with Viewpoint. Where this is the case, individual group members, as individual tenants of Viewpoint, will still have the right to be consulted.

**13.2** Viewpoint, whenever appropriate and as a matter of good practice, will consult with non-registered groups, particularly if this is an informal group, brought together over a specific issue in a certain area. Consultation with such a group would remain outwith the statutory provisions of the Act.

**13.3** We will ensure that all our tenants have opportunities to get involved in a way that suits them. We recognise that a range of options needs to be available to enable involvement and we will promote options where possible. We value all forms of tenant participation equally and will ensure that support is available to encourage tenants to get involved.

## **14. Complaints**

**14.1** Complaints about Viewpoint from RTOs will be dealt with through the Association's complaints handling procedure.

#### **14.2 Complaints about an RTO**

- Complaints should be made, in the first instance, to the committee of the RTO.
- If the complaint is not resolved satisfactorily, the complainant can request the assistance of an independent party who will assist in trying to resolve the matter.
- If a complaint is made about an RTOs failure to comply with the registration criteria, the Association will investigate this and respond within 20 working days unless there are exceptional circumstances that prevent this.

### **15. Further Information and Support**

**15.1** The Association will assist tenants groups that wish to become RTOs. The assistance may take the form of:

- Providing practical support, help with letters, leaflets and newsletter, and meeting arrangements
- Providing a start-up grant to enable Committee members to enhance their skills and enable effective participation
- Provide staff assistance in response to specific requests and on routine, constitutional and record keeping matters

**15.2** If the Association is providing financial support to any Tenant Organisation we will expect the organisation to have proper procedures to ensure that there is proper accountability for the control and use of funds e.g. annual audit, designated signatories etc.

**15.3** The Association will also work with any unregistered Tenants Groups and support them in their work. Similar support to that of an RTO will be offered, if proper financial accountability processes are in place.

### **16. Equality Impact Assessment (EIA)**

Viewpoint will treat all customers with fairness and respect in line with its Diversity Strategy. Viewpoint recognises that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

Where any group has difficulty in understanding this process staff will assist to ensure that the policy is available in other formats if required and that groups are supported through the registration process.

This policy is available in other formats, including large print, if required.

### **17. Privacy Impact Assessment (PIA)**

There is no additional information being requested or retained that would require a PIA

**18. Monitoring and Evaluation**

We will monitor the following information to ensure that this policy is being adhered to and is meeting the legislative requirements, the needs of the organisation and our Tenant Participation Strategy.

- Three yearly registration will take place for all RTOs to ensure that they continue to meet the criteria
- Record of unsuccessful groups obtaining RTO status and the support and assistance offered to help them achieve this
- Number of RTO applications and outcomes will be reported in the annual tenant participation report to the Board



## Procedure for the Registration of Tenant Organisations

### 1. Introduction

- 1.1 This document details the process for registration management of the Registered Tenant Organisation Register, including handling of complaints and management of the register.

### 2. Process for Registering

- 2.1 Groups wishing to become registered should complete an application form (see Appendix 2). Application forms are available on our website at [www.viewpoint.org.uk](http://www.viewpoint.org.uk) or from any member of staff.

- 2.2 When completed the form should be returned to the Tenant Participation and Communications Co-ordinator

- 2.3 Once the application and all the necessary supporting information has been received Viewpoint will respond to the application within 20 working days.

- 2.4 If registration is agreed the relevant details will be added to the register and displayed on our website and available to view in our office at 4 South Oswald Road, Edinburgh.

- 2.5 Groups must let Viewpoint know if any details change e.g., office bearers, boundary constitution or if the group becomes inactive during that three year period. The Tenant Participation and Communication Co-ordinator will check that the changes do not change their qualification to be an RTO and update the register as required.

### 3. Procedure for Removal from the Register

- 3.1 The Housing (Scotland) Act 2001 states that an RTO can be removed from the register in any of the following circumstances:

- The Tenants' Organisation no longer meets the registration criteria; or
- The Tenants' Organisation ceases to exist or does not operate:  
or
- Tenant' Organisation no longer wishes to be registered

If the Association wish to remove a group from the register, they will only do so after attempting to discuss the reasons for removal with representative from the group in question. Support will be offered where requested to try to assist the group to meet its registration criteria.

If a group wishes removed from the register then they must submit this in writing with the reasons any. The Association will advise the group whether removal has been agreed or not.

Removal from the register will take place 28 days following written notification to the group that explains:

- The reason for removal
- Timescale for removal
- Information on the appeal process

#### **4. Appeals Procedure**

##### **4.1** The process for appeals is:

- The RTO should write (or email) to the Association explaining their reason for appeal. Letters should be sent to the Association for the attention of the Housing Manager.
- On receipt, the Housing Manager will acknowledge the letter within three working days and then pass this onto the chair of the Board.
- Three members of the Board will consider and make a decision on the appeal within 20 working days and advise the outcome to the RTO.

**4.2** If the appeal is successful, the Association will reinstate the group to the register and inform the RTO in writing.

**4.3** The law provides for a right of appeal to Scottish Ministers. Such appeals should only be presented after the Association's own appeals procedures have been exhausted.

#### **5. Complaints Procedure**

##### **5.1** Complaints by an RTO about Viewpoint

Any complaints regarding Viewpoint from an RTO will be dealt with by the Association's complaints procedure. A copy of this can be obtained from our website or from any member of staff.

##### **5.2** Complaints about a Tenants Organisation

- Complaints should be made, in the first instance, to the committee. If the complaint is not resolved satisfactorily, the complainant can request the assistance of an independent party who will assist in trying to resolve the matter.
- If a complaint is made about an RTOs failure to comply with the registration criteria, the Association will investigate this.
- The RTO will be notified in writing that an investigation will be carried out. The investigation will take no longer than 20 working days (unless there are exceptional circumstance) and the findings will be shared with the Committee of the group.

#### **6. Re-Registration**

**6.1** Three months prior to the re-registration date the Tenant Participation and Communications Co-ordinator will notify the RTO in writing the

date they are due to register and send the application form to the group. (Appendix 2)

- 6.2** On receipt of the form it will be processed in the same way as a new application.

## Application to become a Registered Tenants' Organisation

*Please read the policy and guidance before filling in this form.*

### 1.Name of Group

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### 2.Contact Details of Group

You may ask to keep this confidential, as the Register is a publicly available document. You can also choose to register your group with the Viewpoint Office as a contact address.

<b>Contact Name</b>		<b>Position</b>	
<b>Contact Address</b>		<b>Telephone</b>	
		<b>Email</b>	
<b>Postcode</b>			

### 3.Do you have a written, publicly available constitution?

<b>Yes</b>		<b>No</b>	
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Please enclose a copy of your constitution with your application.  
We cannot register a group without a recognised constitution.  
We can assist you to develop and get a constitution agreed by your members if you wish.

### 4.Does your organisation have a committee of at least three members who have been elected at your annual general meeting?

<b>Yes</b>		<b>No</b>	
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Please provide a copy of the minutes of your last AGM with the application form.

**5. Please provide your office bearers contact details**

Name	Position	Address	Postcode

**6. Is your organisation committed to representing the views of Viewpoint tenants in your area?**

<b>Yes</b>		<b>No</b>	
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Please tell us briefly how you will represent your members' views, e.g. the number of public meetings you will hold, newsletters you produce and how you publicise your AGM

## 7.Data Protection

Under the terms of the Data Protection Act 2018, Viewpoint Housing Association needs to provide information about how people's personal data will be stored and describe what it will be used for. The Data Controller is Viewpoint Housing Association.

Viewpoint Housing Association will hold the personal data that you provide only for the purposes of managing the Register of Tenants' Organisations. The Scottish Government will occasionally ask Viewpoint Housing Association to pass on information, from our Register of Tenant Organisations to them.

If Viewpoint Housing Association wishes to use this data for any other reason in the future, we will contact you before we go ahead.

Under the Freedom of Information (Scotland) Act people have a right to ask for recorded information held by Viewpoint Housing Association. Some information may be covered by the exemptions listed in the Act. If you would like to request information please email [DPO@viewpoint.org.uk](mailto:DPO@viewpoint.org.uk) or write to us at our offices at 4 South Oswald Road, Edinburgh, EH9 2HG. If Viewpoint Housing Association does not provide you with the information you have requested, it has to give full reasons for not doing so and you have the right to appeal to the Scottish Information Commissioner who can be contacted at:

The Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife KY16 9DS, Email: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

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## 8.Confirming Information

Please complete the section below to confirm that you are the person who has completed this application form on behalf of the Group, and that all the information about your Group is correct.

<b>Contact Name</b>		<b>Position</b>	
<b>Contact Address</b>		<b>Telephone</b>	
		<b>Email</b>	
<b>Postcode</b>			

## 9. Check List

Please ensure that you have included the following with your application:

Application form with all sections completed	
A copy of your constitution	
A copy of the minutes from your last AGM	

### Please return the completed application and relevant document to:

Tenant Participation and Communications Coordinator  
Viewpoint Housing Association  
4 South Oswald Road  
Edinburgh  
EH9 2HG

Email: [tp@viewpoint.org.uk](mailto:tp@viewpoint.org.uk)

**If you require any assistance to complete the application form please use the contact details above or telephone 0131 668 4247 and ask to speak to the Tenant Participation and Communications Coordinator**