

REPORT TO: HOUSING COMMITTEE – 21 APRIL 2014

REPORT BY: DIRECTOR OF HOUSING

REPORT ON: SETTING UP A TENANTS SCRUTINY PANEL AND SCRUTINY FRAMEWORK

REPORT NO: 196-2014

1. **PURPOSE OF REPORT**

The purpose of this report is to present a structure for tenant and service user scrutiny of housing services as required by the Scottish Social Housing Charter and Scottish Housing Regulator.

2. **RECOMMENDATIONS**

2.1. It is recommended that the Housing Committee:

- Agrees the proposed Scrutiny Panel and structure for Scrutiny by tenants and other service users;
- Instructs the Director of Housing to recruit membership of the Scrutiny panel and implement the structure for delivery.

3. **FINANCIAL IMPLICATIONS**

None.

4. **MAIN TEXT**

The Housing (Scotland) Act 2010 requires Scottish Ministers to set standards and outcomes which social landlords should aim to achieve, and to publish these in a Scottish Social Housing Charter. It is the responsibility of each landlord to meet these outcomes and standards.

The Scottish Housing Regulator's (SHR) approach to monitoring landlords' achievement of the Charter Outcomes emphasises the importance of tenants being involved in the scrutiny of landlords' performance. This is firmly rooted in the principle that a landlord should: understand its tenants' priorities and needs; involve them in setting policies, objectives and standards; involve them in the implementation of decisions; and then support them to hold the landlord to account.

Where tenants fundamentally disagree with their landlord's assessment of its performance, or where they consider that their landlord has not involved them as agreed, they can use the arrangements put in place by the SHR to enable tenants to tell them about significant performance failures by their landlord.

To meet the requirements of the SHR Landlords must demonstrate that:

- have agreed their approach with tenants;
- ensure that it is effective and meaningful – that the chosen approach gives tenants a real and demonstrable say in the assessment of performance;

- publicise the approach to tenants; and
- landlords must have regard to a range of other service users who are not tenants. including:
 - homeless people;
 - owners; and
 - Gypsies/Travellers who use sites provided and managed by councils and RSLs.

For each year ending on 31 March, social landlords must report their performance in achieving or progressing towards the Charter outcomes and standards to their tenants and other service users who use their services. They should do this as soon after the end of the reporting year as is practicable and reasonable, but no later than by October of each year.

To meet the requirements of the SHR that we are required to involve tenants and other service users in the scrutiny of housing services we have consulted widely and engaged service users in formulating a structure for scrutiny.

Between June and November 2013 we consulted on what service users considered the most important services were, how they would like us to report performance information and how they would prefer to be involved in scrutiny.

To follow up the consultation we held a further consultation event on 30th January 2014. At this event workshops discussed the outcomes of the consultation and options for scrutiny. There was a broad agreement for some sort of scrutiny panel together with a range of other scrutiny activity. It was agreed to set up a steering group of tenants and other service users to develop a model for scrutiny in Dundee. During February and March 2014 a Steering Group consisting of 13 Tenants and other service users met to draft a scrutiny framework.

Scrutiny Panel

The Scrutiny Steering Group has recommended that the scrutiny framework should centre on a Scrutiny Panel which oversees and directs other scrutiny activity such as Tenant Led inspections and Mystery Shopping. It is recommended that the panel consists of 16 members consisting of:

- DFTA 3 places
- Non affiliated RTO's 2 places
- DACHO 1 Place
- Minority Groups (who are tenants or service users) 4
- Open nominations 6 places– anyone who:
 - Is a tenant (but not DFTA Committee or an RTO who is already represented) or
 - An applicant on the housing list (including Common Housing Register) or
 - Is a factored owner (and not a member of DACHO)

The Scrutiny Panel would retain the right to co-opt additional members as and when deemed necessary.

The main functions of the Scrutiny Panel will be to agree a programme of scrutiny activity over the year and to recommend areas for improvement for the Housing Department to implement.

Scrutiny Activities

Tenants have expressed an interest in a wide range of methods to scrutinise services. These include Tenant Led Inspections, (which the Housing Department have been using for three years now) and Mystery Shopping (which we have not yet implemented). The Scrutiny Steering Group has also suggested Area Panels to consider the services delivered by each of the District Housing Offices.

A pictorial structure for Scrutiny can be seen at Appendix 1 and a detailed description of the role of each part can be seen at Appendix 1a.

Next Steps

Through the process of consultation the Housing Department have identified a number of tenants and other service users who have expressed an interest in being involved in scrutiny. We have already started to raise awareness of a Scrutiny Panel. Subject to approval of this report we will recruit a Scrutiny Panel as described above.

The first issue for the Scrutiny Panel to consider will be the Annual Return on the Charter (ARC) which must be published prior to October 2014. To achieve this, the Scrutiny panel will require support and training – this will be provided by the Tenant Participation Team together with opportunities provided by the Scottish Housing Best Value Network, Chartered Institute of Housing and the Tenants Information Service (TIS).

5. **POLICY IMPLICATIONS**

This report has been screened for any implications in respect of Sustainability, Strategic Environment Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

An Equality Impact Assessment has been carried out and is attached to this report.

6. **CONSULTATION**

The Chief Executive, Director of Corporate Services, Head of Democratic and Legal Services and all other Chief Officers have been consulted in the preparation of this report. No concerns were expressed.

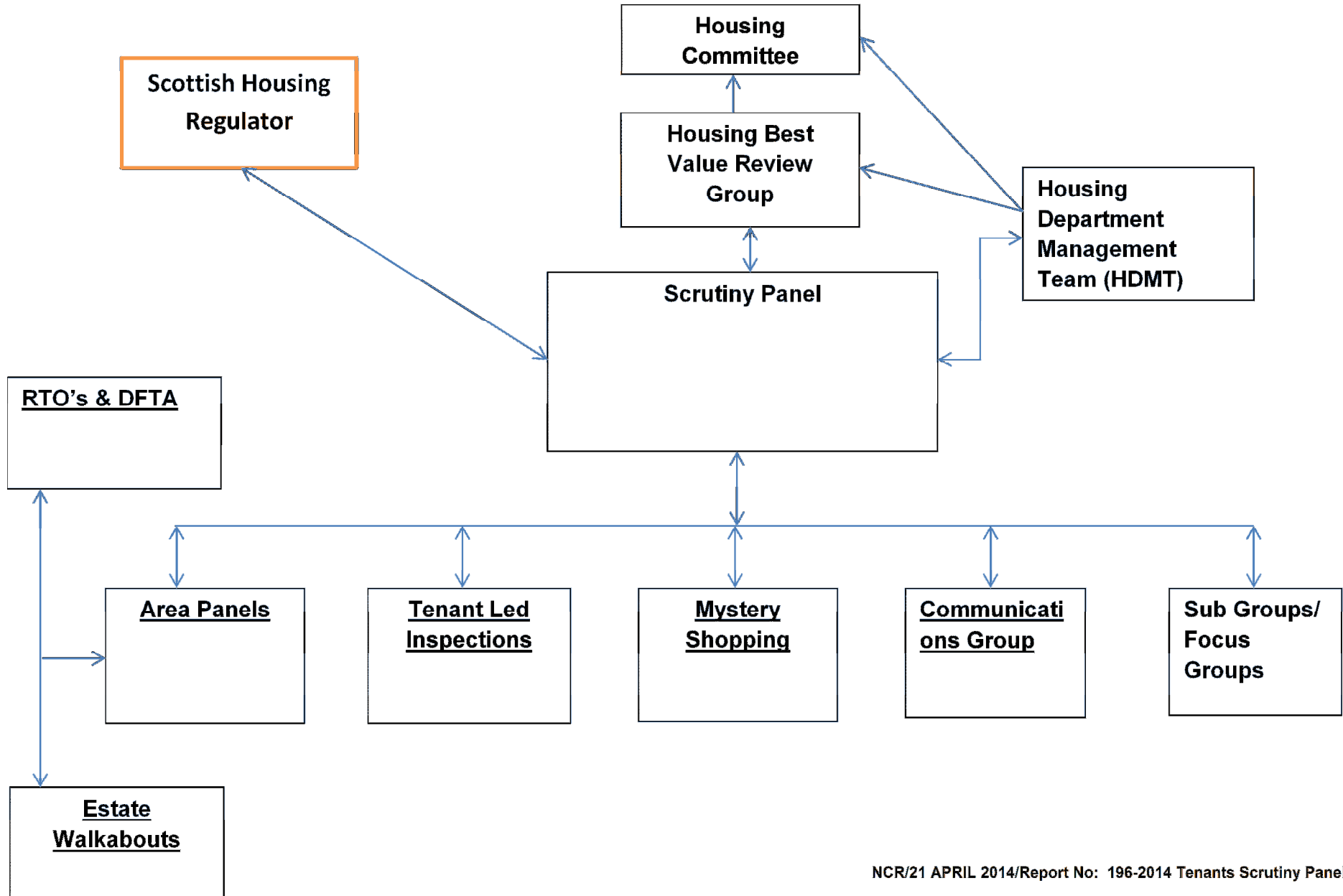
7. **BACKGROUND PAPERS**

None.

ELAINE ZWIRLEIN
DIRECTOR OF HOUSING

11 APRIL 2014

Appendix 1. Scrutiny Framework



Appendix 1a

Scrutiny Activity	Membership and role	Information Considered
Housing Best Value Review Group	Councillors, Senior Council Officials, Shelter, Trades Unions, Tenants representatives. <ul style="list-style-type: none"> • Oversees Improvement plan from Regulation and Inspection by the Scottish Housing Regulator. • Considers Performance of the Repairs Partnership. • Considers Housing Policy Reviews 	Receives Reports From: <ul style="list-style-type: none"> • Repairs Performance Reports • Improvement Plan updates • Policy Reports Sends Reports/Recommendations to: <ul style="list-style-type: none"> • Housing Committee • Housing Department
Housing Department Management Team	Director and Senior Management Team of the Housing Department <ul style="list-style-type: none"> • Sets and monitors strategic direction for the Housing Department • Pre agrees Committee Reports, performance Reports etc. • Agrees operational procedures 	Receives Reports from <ul style="list-style-type: none"> • the Scrutiny Panel • Complaints • Performance Sends Reports/Recommendations to: <ul style="list-style-type: none"> • HBVRG • Committee
Scrutiny Panel	Tenants, owners, service users Members must be independent and not involved in any of the scrutiny activities as they may be biased. Relationship – Must be a 2 way process. Communication with HDMT is key. Remit <ul style="list-style-type: none"> • Monitoring and Reviewing performance information and ARC • Monitors the TP Strategy • Instructs and make recommendations to HDMT • Decide what scrutiny activities take place and when • Instruct scrutiny activities to take place as and when required • Scrutiny Panel is there to examine and question 	Receives Reports From <ul style="list-style-type: none"> • Area Panels • RTO's and DFTA • Tenant Led inspections • Mystery Shopping • Complaints • Customer Satisfaction Surveys • Annual report on the charter (ARC) Sends Reports/Recommendations to: <ul style="list-style-type: none"> • HDMT • HBVRG • SHR (if there is a serious failure)

Area Panels	<ul style="list-style-type: none"> • Review and monitor RTO minutes; Walkabout reports to consider any trends and areas for improvement • Make recommendations to the Scrutiny Panel on what services should be considered for scrutiny 	<ul style="list-style-type: none"> • RTO Minutes • Estate walkabout reports • Customer Satisfaction Surveys
RTO's & DFTA	To send minutes of meetings. Forward suggestions for which services should be scrutinised.	
Estate Walkabouts	Estate reports to Area Panel for information.	
Area Panel	To consider trends and areas for improvement.	
Tenant Led Inspections	Will send reports to Scrutiny Panel for information and approval. Scrutiny Panel will then report findings to HDMT.	
Communications Group	Sub group <ul style="list-style-type: none"> • All decisions of Scrutiny Panel to be reported back to tenants • Newsletters/ web info/ minutes 	
Mystery Shopping	Carries out mystery shopping as per instruction from Scrutiny Panel. Would send reports to Scrutiny Panel for information	

EQUALITY IMPACT ASSESSMENT TOOL

Part 1: Description/Consultation

Is this a Rapid Equality Impact Assessment (RIAT)? Yes No	
Is this a Full Equality Impact Assessment (EQIA)? Yes No	
Date of Assessment: 2 nd April 2014.	Committee Report Number: 196-2014
Title of document being assessed: Setting up a Tenants Scrutiny Panel and Scrutiny Framework	
1. This is a new policy, procedure, strategy or practice being assessed Yes	This is an existing policy, procedure, strategy or practice being assessed? No
2. Please give a brief description of the policy, procedure, strategy or practice being assessed.	This is a strategy describing how tenants and other service users will be involved in scrutinising housing services in keeping with the expectations of the Scottish Housing Regulator and Scottish Social Housing Charter
3. What is the intended outcome of this policy, procedure, strategy or practice?	That tenants and other service users can hold their landlord to account on performance against Scottish Social Housing Charter Indicators and have an input to the review and implementation of policy and strategy.
4. Please list any existing documents which have been used to inform this Equality and Diversity Impact Assessment.	Scottish Social Housing Charter.
5. Has any consultation, involvement or research with protected characteristic communities informed this assessment? If yes please give details.	A wide ranging consultation has been taken over the Summer and Autumn of 2013. Responses were sought from local community groups, residents at the Gypsy Travellers site and a discussion was held with the Disabilities and Age Equalities Group meeting 18th December 2013.
6. Please give details of council officer involvement in this assessment. (e.g. names of officers consulted, dates of meetings etc)	John Wolstencroft. Nicola Mitchell, Charmaine Wanless: Disabilities and Age Equalities Group meeting 18 th December 2013.
7. Is there a need to collect further evidence or to involve or consult protected characteristics communities on the impact of the proposed policy? (Example: if the impact on a community is not known what will you do to gather the information needed and when will you do this?)	The Strategy aims to have involvement from minority groups on the Scrutiny Panel when this is set up.

Part 2: Protected Characteristics

Which protected characteristics communities will be positively or negatively affected by this policy, procedure or strategy?

NB Please place an X in the box which best describes the "overall" impact. It is possible for an assessment to identify that a positive policy can have some negative impacts and visa versa. When this is the case please identify both positive and negative impacts in Part 3 of this form.

If the impact on a protected characteristic communities are not known please state how you will gather evidence of any potential negative impacts in box Part 1 section 7 above.

	Positively	Negatively	No Impact	Not Known
Race / Ethnic Minorities	✓			
Gender			✓	
Gender Reassignment			✓	
Religion or Belief			✓	
People with a disability	✓			
Age			✓	
Lesbian, Gay and Bisexual			✓	
Socio-economic	✓			
Pregnancy & Maternity			✓	
Other (please state)				

Part 3: Impacts/Monitoring

<p>1. Have any positive impacts been identified?</p> <p>(We must ensure at this stage that we are not achieving equality for one strand of equality at the expense of another)</p>	<p>The Strategy aims to have involvement from a wide variety of service users and specifically aims to have an input from people with disabilities, ethnic minorities, gypsy travellers and people who have experienced homelessness</p>
<p>2. Have any negative impacts been identified?</p> <p>(Based on direct knowledge, published research, community involvement, customer feedback etc. If unsure seek advice from your departmental Equality Champion.)</p>	<p>None</p>
<p>3. What action is proposed to overcome any negative impacts?</p> <p>(e.g. involving community groups in the development or delivery of the policy or practice, providing information in community languages etc. See Good Practice on DCC equalities web page)</p>	<p>Not Applicable</p>
<p>4. Is there a justification for continuing with this policy even if it cannot be amended or changed to end or reduce inequality without compromising its intended outcome?</p> <p>(If the policy that shows actual or potential unlawful discrimination you must stop and seek legal advice)</p>	<p>Not applicable</p>
<p>5. Has a 'Full' Equality Impact Assessment been recommended?</p> <p>(If the policy is a major one or is likely to have a major impact on protected characteristics communities a Full Equality Impact Assessment may be required. Seek advice from your departmental Equality lead.)</p>	<p>No</p>
<p>6. How will the policy be monitored?</p> <p>(How will you know it is doing what it is intended to do? e.g. data collection, customer survey etc.)</p>	<p>The policy will be measured through the Scottish Social housing Charter and Annual Return on the Charter</p>

Part 4: Contact Information

Name of Department or Partnership	Housing
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Type of Document	
Human Resource Policy	
General Policy	
Strategy/Service	✓
Change Papers/Local Procedure	
Guidelines and Protocols	
Other	

Manager Responsible	Author Responsible
Name: Gordon Birrell	Name: John Wolstencroft
Designation: Strategy Manager	Designation: Housing Quality & Performance Manager
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Email: gordon.birrell@dundeecity.gov.uk	Email: John.wolstencroft@dundeecity.gov.uk

Signature of author of the policy:	John Wolstencroft	Date: 2/4/14
Signature of Director/Head of Service:	Elaine Zwirlein	Date: 2/4/14.
Name of Director/Head of Service:	Elaine Zwirlein	
Date of Next Policy Review:	April 2017	