

Tenants' Regulation Advisory Group

30 January 2009

Minute of meeting

Highlander House, Glasgow

Present:

James Bennett
Jeanette Boyd
Charles French
Robert Lewis
Rena Smith

Jamie Ballantine TPAS
William Fleming Scottish Government
Pamela Kellock-Shetty Scottish Housing Regulator
Iain Muirhead Scottish Housing Regulator
Andy Robinson Scottish Housing Regulator

1. Welcome

Jamie Ballantine welcomed everyone to the meeting and introduced Andy Robinson and Pamela Kellock-Shetty from the Scottish Housing Regulator. Everyone present introduced themselves to the meeting.

2. Apologies;

Apologies were received from:

Heather Anderson
Therese Mullen
Tina Beattie
Nigel Slater
David Tares
Rose Bowie

3. Minute of the previous meeting (13 October 2008)

Robert proposed that the minute of the previous meeting be adopted as an accurate record Jeanette supported the motion.

4. Matters arising

James requested if the organisational chart showing "who's who" in the SHR could be made available. Andy said he hoped that this would be available soon, and would distribute to members once obtained.

James also raised concerns about the lack of notice given for today's meeting. James had only received notification two days previously, whilst others had received notification two weeks previously. Andy clarified that 2 letters should have been sent out, one giving two weeks notice of the meeting, the other containing the paper work was sent at the beginning of the week. Andy apologised for the mix up, and said they would endeavour to send invitations and paper work for meetings with more advance notice.

5. Guidelines for the Tenants Regulation Advisory Group

Iain introduced this item with some background details about the role of the Policy and Corporate Services team. Iain explained that Andy Robinson and Pamela Kellock-Shetty would serve as the key points of contact with the group from now on.

Andy introduced the guidelines for membership of TRAG. Jamie reminded members that guidelines had been requested last year when Communities Scotland were planning to expand the membership of the group. Andy explained that the Scottish Housing Regulator was still keen to get more tenants involved in the Tenant Regulator Advisory Group, which would only be open to tenants from RSLs and Local Authorities across Scotland.

The guidelines were discussed and agreed with the following amendments:

- Membership section (point 4.0 in the document) should be amended to emphasise that members should attend regularly.
- The statement dealing with time served on the group should be re worded to say something like: "SHR value continuity and membership will be reviewed every 3 years".
- Remove the requirement for people to sign the code of conduct.

Andy also said that membership of the group should continue to be monitored for equalities purposes. Jamie to email Andy equalities form previously developed for the group.

The group commented on the draft letter to be sent to regional networks regarding TRAG membership. The letter was agreed with one amendment i.e. that networks send 'a new participant' rather than a 'representative'.

6. Social Housing (Scotland) Bill 2009

William Fleming from the Scottish Government provided an overview of the draft Social Housing (Scotland) Bill 2009, with a focus on the aspects of the Bill that would have most impact on regulation. William reminded the meeting that the Bill was developed following 'Firm Foundations', which focused on ways to increase housing supply, improve choice and create sustainable communities.

William explained: The Bill is expected to introduce new standards for social housing in Scotland. Effectively the Bill will allow for Ministers to set new standards which will become enshrined in law. Landlords will then have a duty to achieve the standards and the role of the Scottish Housing Regulator will be to ensure standards are met and to drive landlords to improve performance and achieve better value for money.

The draft Bill will include new standards for:

- stock condition;
- condition of neighbourhoods;
- governance and fairness;
- tenant participation;
- standards of service (customer focus), and;
- meeting tenants expectations.

The Bill will also include new Government policy on homelessness and allocations. The Bill will also end the Right to Buy for new build housing. In relation to the regulation of social housing, the Bill will set out the functions of the modernised Scottish Housing Regulator. These will include looking closely at those areas of service delivery that matter to tenants, such as:

- better governance standards (to include reference to training and understanding of risk awareness);
- better estate management,
- contribution to the community, and;
- accessibility of offices.

William confirmed the anticipated timetable for the development of the Bill into an Act. Consultation on the Bill would take place in the spring of 2009, the Bill would be introduced to Parliament in January 2010, being likely to receive royal assent in September 2010.

James asked if these proposed changes amounted to a dilution of power for the regulator. William answered that the proposals were intended to make the regulator more effective by having greater independence.

Robert commented that perhaps more needs to be done regarding energy efficiency. Robert explained that tenants are still waiting for improvements in home energy efficiency following legislation already introduced.

Charles asked about how RSLs are funding their capital programmes. Iain confirmed that the SHR had issued a survey to all RSLs the previous day to look at financial sustainability and establish how RSLs are currently funding their projects. A discussion then followed about the likelihood of RSLs to obtain finance. William stated that funders still considered lending to RSLs to be relatively safe, with the availability of money being the main reason that RSLs are having to pay higher rates for finance. The SHR are in regular contact with major lenders and they are happy with how RSLs are regulated.

James commented that for the regulator to be more effective, the regulator needs to understand what is good as well as what is mal-practice. James also recommended that there should be a means for the complaints from tenants to gain the attention of the regulator.

Jeannette asked about the timescale for consultation on the draft Bill. William confirmed that the consultation period would be 12 weeks.

Iain suggested that it would be useful to get views from TRAG on how the regulator responds to tenant dissatisfaction. Iain stated that this was important to maintain confidence in the regulator.

7. Scottish Housing Regulator update

Andy and Iain provided an update from the Scottish Housing Regulator. The Regulation Board is now in place and was overseeing the development of key strategic objectives. In particular the Scottish Housing Regulator has developed a business plan and, developed a high level performance monitoring framework.

Andy tabled an inspection summary report detailing a summary of current inspections of Local Authorities and Registered Social Landlords. Andy explained that Local Authority inspections taking place in the next year will have an emphasis on meeting the Scottish Housing Quality Standard, Asset management and meeting the 2012 homelessness elimination target.

James asked if the SHR would update TRAG on upcoming inspections. Andy explained that this information is available. Andy suggested it may be useful for TRAG to consider the big themes emerging from the inspections and any associated implications. In particular, are the themes emerging from inspections consistent with the interests of those that are known to tenant representatives. Rena suggested focusing on tenant participation may be useful.

Jeanette asked about any potential cross over between TRAG and Tenant Assessors. It was agreed that both have clearly defined roles and should remain separate for now.

8. AOCB

Future meetings should be planned to best take account of Regulation Board meetings.

The SHR's intervention strategy has been revised and the SHR plan to arrange a special TRAG meeting in the next 6 weeks to gather the group's views. Dates that avoid the CIH conference were suggested.

A programme of future meetings will be drawn up for comment. Andy Robinson to take forward.