



Tenant Participation Advisory Service



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Criteria for Recognising Tenants' and Residents' Associations



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Any group of people living in the same area and concerned about similar problems can set up a tenants' and/or residents' association. By themselves they can choose who their members will be, how they will be represented and what they want to achieve. But, if a group wants to make sure that its views are listened to by other organisations, especially over a sustained period of time, or wants to apply for funds to help achieve their aims, they must expect to have to show that they are accountable, democratic and as far as possible representing the views of their members. For tenants' and residents' groups in areas of housing mainly owned by either their local council or a housing association this usually means becoming a Recognised Tenants' and Residents' Association (RTRA).

Councils and housing associations are expected, by the Office of the Deputy Prime Minister (ODPM) and the Housing Corporation respectively, to provide opportunities for tenants' and residents' groups to participate in a wide range of issues. They are expected to provide resources and support to enable groups to do so effectively. However, they also need to make sure that these resources really are helping to make participation work.

So, a system is needed that can show what the arrangements for support and representation are between tenants' and residents' groups and the council or housing

association. The system is called Criteria for Recognising Tenants' and Residents' Associations.

A Recognised Tenants' & Residents' Association is:

- Usually based on a specific residential area, e.g. an estate, but it could be a type of property, for example several blocks of flats owned by the same landlord but not necessarily adjacent to one another
- Not excluding anyone who lives in the area
- Able to show it has the support of the people it aims to represent
- Striving to encourage as many people as possible, of all types and backgrounds to get involved
- An organisation with an active Equal Opportunities policy
- Organised around a constitution and a committee which is not only acceptable to its members but also to the council or housing association which "Recognises" it
- Run by a committee elected each year at an Annual General Meeting
- Able to show that it:
 - keeps its members regularly informed
 - listens to and acts on what they have to say
 - continues to do the job it set out to do
- Able to show it is responsible in the way it is run, e.g. keeping regular account of any money it has

- Actively representing the views of its members whenever and where ever it can.

Any group which can show that it tries to do all of the above should be able to apply to become a RTRA.

In return, a Recognised Tenants' & Residents' Association should get:

- A sum of money and possibly other benefits each year to help with its running costs
- Regular opportunities to get involved in discussions with their landlord and possibly other organisations
- Advice, information and training to help them run the group and to be effective in discussions with their landlord
- Opportunities to network with other similar organisations locally and nationally.

How the system of Recognition works

Each year a Recognised Tenants' and Residents' Association will have to show how it is working. This is usually either:

- a) An annual written application to the landlord; or
- b) Continuous monitoring by the landlord throughout the year; or
- c) Monitoring through the local tenants' federation

Whatever method is used the purpose is to check that the group is meeting all the criteria needed in order to become a RTRA.

The landlord or tenants' federation should also give advice and assistance to the group throughout the year to ensure that it meets the criteria.

The information will then be checked to make sure the group meets the criteria and should be done within an agreed and specified time limit. For council tenants, this should be set down in the Tenants' Compact. Housing associations should also publish a standard for how long it will take to deal with an application for recognition.

When the criteria have been met then the group should be informed in writing and they should also receive a grant to cover the next 12 months.

The group then uses the grant for the purposes specified. Usually this is to help with its running costs over the year including:

- Keeping records of its business
- Communicating with its members
- Communicating with other organisations
- Finding other sources of advice, information and support

Depending on the arrangements, it might also be used for training and to help with any of the other activities a group might choose to run.

It might also mean that the group has access to other funds, for example, for estate improvements.

The landlord should also demonstrate its support for RTRAs by:

- Offering places on relevant estate and area committees
- Working on shared concerns and projects
- Encouraging and supporting groups to develop further
- Offering opportunities for training and other support
- Providing regular opportunities for exchanging information and ideas
- Facilitating opportunities for mutual exchange of information and support between all its RTRAs

After about 10 months both the RTRA and the landlord should prepare to go through the whole process again.

What about new groups?

A new group needs time to get sufficient support from the people it aims to represent. Then it has to get itself organised with the right constitution and an elected committee. So it may be some months before it can apply to be recognised. In the meantime a new group can expect to get advice and training from the landlord or tenants' federation on what it needs to do so that it can make a successful application. A new group may also be able to get a small Start Up Grant from their landlord to help it along until it is ready to apply to become a RTRA.

ODPM Guidance and Housing Corporation Guidance

It is important to note that there are no legally binding standards that tenants and residents have to meet. However, the "National Framework for Tenant Participation

Compacts" by the ODPM has laid out a set of standards for groups who want to have a major role in formal consultation and decision making processes.

The ODPM believes that tenants' groups involved in decision making should have the following:

- A written constitution
- Regular elections
- Open financial records (with annual accounts if necessary)
- Regular meetings, including a minuted, quorate annual general meeting
- Membership clearly open to all tenants
- A level of membership determined by the council and tenants
- An equal opportunities policy that is complied with
- Ways to make sure all tenants know about the group and are encouraged to become more active
- Regular newsletters or other written communications with members
- Means of showing how they have met their objectives and still have the skills to work effectively

For councils and their tenants, these should be agreed locally through the arrangements set out in their Tenants' Compact.

Whilst housing associations at present are not required by the Housing Corporation to have Tenants' Compacts they are expected to follow similar ways of working with and supporting tenants' and residents' groups. The Housing Corporation have produced a guide for housing association tenants "The Active Tenants' Handbook" which gives

guidance both on how groups should organise themselves and what support and opportunities to participate they can expect from their landlord.

GOOD PRACTICE

Membership of the Group

Boundaries

Membership should include anyone resident within a given geographical area and/or living in a type of accommodation and should be defined in the constitution.

Levels and types of membership

Many landlords simply ask that all groups are open to all local tenants and residents. However, RTRAs are recognised by landlords because they represent their tenants and/or leaseholders, so it may also be important to have minimum levels of representation which ensure that their views are always represented by:

- being in the majority on the committee
- excluding non-tenants from representing the group in certain discussions with the landlord e.g. on rent levels

The ODPM guidance recommends that councils and groups agree a certain level of membership. This will mean that the council and the group will have to agree on the total number of households available for membership and groups will have to show that they have one or more of the following specified:

- Number of paid up members
- Number of households signing to say they support the group
- Number of people attending each open meeting and possibly whether they are different people.

Subscriptions

Subscriptions can be useful because they can:

- Bring extra money into the group
- Determine who can vote at an Annual General Meeting (AGM)

The disadvantages are:

- Somebody has to collect the money and keep records
- It may take up valuable time and energy that the active members of the group could use to more effect elsewhere, especially as is likely the individual amounts are small, e.g. £1 a year
- Setting subscription levels can cause arguments and dissatisfaction amongst members, especially if they are different for certain members e.g. lower rate for people who are not working
- By defining voting membership by subscription, the group may be discouraging some people from taking an active part in the group.

Voting at General Meetings

This may be determined by subscriptions, but as the RTRA membership is open to all residents then other methods may be used:

- All residents over 18 in a household
- One resident per household
- Residents living within the area for at least the previous six months
- Only residents who have signed or shown their support within the previous 12 months

In practice, most committees are usually glad to receive any support they can get from the residents they aim to represent. However, having clear rules about voting will help to avoid any arguments at general meetings.

Meetings

Codes of conduct

Having an agreed Code of Conduct for meetings helps because:

- The process of agreement highlights the importance of and reasons for appropriate behaviour at meetings
- It helps individuals to recognise their own behaviour and that of others
- It helps the chairing of meetings

It should include how to:

- Respect the confidentiality of certain information discussed at meetings
- Avoid personal agendas
- Be courteous and constructive in meetings
- Deal with offensive behaviour including racist, sexist and other inflammatory remarks

The Code should be agreed at the same time as the Constitution and all new members,

especially on the Committee, should be made aware of these. It should be regularly reviewed. (See TPAS's "Codes of Conduct" Information Sheet).

General Meetings

Apart from the AGM, there should be other opportunities for the general membership to meet with the committee. These should be specified in the Constitution. Of course, general meetings can only take place where there is the space to hold them. So groups with limited meeting space should only be reasonably expected to meet the minimum agreed criteria and the landlord should consider whether extra resources are needed to help them with this.

Openness and accountability

Any group which always publishes its minutes, sends out regular newsletters and generally keeps its membership informed about what it is doing and how, is much more likely to have the support of its inactive members. Without this openness a committee may be seen to be unrepresentative by both its general membership as well as the landlord. Criteria for recognition can include:

- Specifying when and where minutes will be published or distributed
- A minimum number of newsletters a year
- Recording in the minutes, feedback from representatives attending other events or meetings.

Equal Opportunities

All constitutions should include an equal

opportunities clause. The wording may be specified by the landlord and should be backed up by:

- Training and advice on understanding and implementing the clause and dealing with discrimination
- Offering translation and interpretation services to groups.

Financial Competence

Criteria should include:

- Treasurer's reports at every committee meeting. This helps to emphasise the whole group's responsibility for any money it has and gives early warning of any potential problems
- A minimum of two named signatories for cheques and that they must all come from different households
- Having annual accounts which are checked or audited externally. How this is to be done should be specified and include advice and information on low cost or free auditing and accounting services

Landlords should encourage and support groups in training for Treasurers and might also consider requiring this as part of the Recognition Criteria.

Monitoring Systems

Whatever the system for recognition is, the organisation responsible needs to devise a method for monitoring how it works, with the groups involved. This could take one or more of the following forms:

- Annual written applications by the groups with supporting documents as proof
- The observations and recommendations of people who have regular contact and dealings with a group
- Health checks by support staff from the landlord or federation, working with groups to review their activities, achievements and targets over the previous year
- Monitoring attendance by a group's representatives at meetings and relevant events supported by the landlord or federation e.g. Area Forums, TPAS Annual Conference
- Recommendation of the tenants' and residents' federation

TPAS has examples of Recognition Criteria from various local authorities and housing associations. Contact us if you want any sending to you.

Useful Reading

Active Tenants Handbook, Housing Corporation, 2001

Codes of Conduct Information sheet, TPAS Ltd., 2001

National Framework for Tenant Participation Compacts, DETR (now the ODPM), 1999

Running Annual General Meetings factsheet, TPAS Ltd., 2000

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