

ROTHERHAM BOROUGH COUNCIL

1	Meeting:	Cabinet Member for Safe and Attractive Neighbourhoods
2	Date:	5th March 2012
3	Title:	Area Housing Panels
4	Directorate:	Neighbourhoods and Adult Services

5 Summary

Area Housing Panels are a key element of tenant involvement. Following the return of the ALMO to the council and in the context of developments in local democracy and changes in national housing policy, a review of the role of AHPs was considered timely with the aims of:

- ✓ redefining and strengthening their role in service improvement;
- ✓ giving tenants greater confidence that we are delivering what is important to them; and
- ✓ ensuring tenants have the opportunity to influence the local housing 'offer'.

The review was undertaken in autumn last year and incorporated extensive consultation over several weeks with AHPs, Area Assemblies, tenants and other groups.

The Area Assembly Chairs' meeting of 6th October requested that a paper setting out the outcomes and recommendations arising from the consultation exercise be presented to the Select Commission for Improving Places for discussion prior to it going to the Cabinet Member for Safe and Attractive Neighbourhoods.

The comments made at the Select Commission have been taken into consideration in this paper when presenting the proposals for Cabinet Member's approval.

6 Recommendations

It is recommended that the Cabinet Member approves the actions (a) to (n) as proposed on pages 2 and 3 of this report.

7 Proposals and Details

7.1 Background

Area Housing Panels are part of housing management's tenant involvement structure which also includes: a customer local offers monitoring group; several service improvement groups; a database of "key players" i.e. customers willing to be contacted on specified issues; and a communications and editorial group. Since the development of the Local Offers Monitoring Group (LOMG) many service improvement groups have been discontinued as that group examines performance closely and calls in managers to account where service delivery falls below expected standards. The LOMG is itself likely to be subject to change to reflect the unique insights that residents are able to bring in respect of service monitoring and improvement.

RotherFed is the federation of tenants and residents' associations (TaRAs), largely funded by the council. The vision of RotherFed is the creation of an active and empowered tenants' and residents' movement in Rotherham and its mission is "*to unite and represent tenants and residents in decisions about their homes and communities*". To this end Rotherfed supports over 30 Tenants and Residents Associations.

Within NAS', Neighbourhood Partnerships Teams support Area Assemblies and the AA Coordinating Groups, as well as a wide range of other resident engagement activities. Since services were reintegrated these teams also manage three resident engagement champions whose jobs are to interact with local people to encourage participation in the community which, where residents are also tenants, may lead to involvement in the structures described above.

At this moment in time the relationship between these various structures is underdeveloped, but it does present a significant opportunity to develop a network, which can play a fundamental role in driving up the quality of housing services. There is also considerable opportunity to revitalise the role of the AHP's as part of this network.

7.2 The Consultation Process

The consultation process was conducted in accordance with the Code of Practice on Consultation issued by the Better Regulation Executive in the Department for Business, Innovation and Skills in line with the seven consultation criteria, which are:

1. formal consultation should take place at a stage when there is scope to influence the policy outcome;
2. consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible;
3. consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals;
4. consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach;
5. keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained;
6. consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation; and

7. officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Throughout the consultation exercise the scope of influence was clearly set out as being within three overarching outcomes required by the council:

1. a strong governance framework which links to other local democratic activities;
2. robust accountability for the expenditure of HRA funding; and
3. wider involvement.

A table showing who was consulted is given in section 10 of this paper.

7.3 Proposals

This has been an open consultation process. Proposals in this paper were generated by those consulted who were able to develop ideas for consideration provided they contributed to at least one of the overarching outcomes above.

Almost 100 people attended the open meeting organised by RotherFed on 22 November 2011. Formal resolutions were presented at that meeting and one was adopted as formal RotherFed policy and notified to the council as such. It is reproduced in full below:

“We welcome the RMBC review of Area Housing Panels (AHPs); we believe:

“AHP Governance

“Tenant and residents are at the heart of the governance of AHPs, working together with RMBC officers making improvements within their local communities.

“The dedication and commitment of community volunteers is at the heart of the AHP decision making process and is something we should be proud of and determined to continue.

“AHP Involvement

“AHPs should become an exemplar of tenant involvement linking into the council’s decision making processes wherever possible

“AHPs become a means of engaging the widest range of tenants and residents in a variety of different ways, reaching out to communities who are not usually involved.

“AHP Accountability

“Decisions of AHPs should be open and available for all. Improvements should be made to AHP reporting mechanisms both to the Borough Council and to Rotherham tenants and residents as a whole.

“Greater consistency between AHPs would be enhanced by having a dedicated RMBC officer overseeing their operation.”

Given the range and roles of people consulted it was not surprising that distinct perspectives emerged regarding the future role of area housing panels. That said, there was sufficient common ground to generate a number of proposals (listed below) which address one or more of the three overarching outcomes.

1. a strong governance framework for area housing panels which links to other local democratic activities

- a. Area Assemblies to liaise with AHPs when appropriate and to consider co-opting a member of the AHP should a community vacancy arise on the co-ordinating group
- b. the same RMBC officer to service the AA, co-ordinating group and AHP in an area
- c. AHPs to send invitation and agenda to all ward councillors for each meeting
- d. at least one member of the AHP should attend the Area Assembly meeting and feed back to the panel on local initiatives and issues discussed
- e. each AHP continues to nominate a member to serve on the board of RotherFed

2. demonstrate robust accountability for HRA expenditure

- f. minutes of AHP meetings to be sent to the Area Assembly for information and inclusion in the record posted on the council's website
- g. minutes to include a clear record of decision to award HRA funding to a project
- h. HRA funded projects to be monitored and evaluated and findings minuted

3. involve Area Housing Panels in a wider range of activities supporting the co-regulation required of social housing providers

- i. Resident Engagement Champions to work with Area Housing Co-ordinators and AHP Chairs to identify potential members for each panel to reflect its catchment area
- j. one representative from each AHP to serve on the LOMG in addition to its current membership
- k. AHP can play a more active role in assessing the quality of housing services and making recommendations for service improvement.
- l. all AHP members to participate in service improvement task and finish groups as required
- m. tenants and residents involved with AHPs receive training appropriate to their roles
- n. consideration is given to AHPs being asked to form the local tenant panel (from April 2013)

Appendix 1 gives background to and rationale for each of the proposals above under the most pertinent overarching outcome and a cross-reference to the list above.

7.4 Next Steps

Informing and shaping service improvement is the main purpose of tenant involvement. If the proposals in this paper are approved their implementation will in effect provide a revised framework for tenant involvement, strengthening linkages between and clarifying roles of the main parties as shown in the diagram on the following page.

Implementation of the proposals will be the responsibility of the Housing and Communities Manager in conjunction with the Performance and Quality Manager regarding the local offers monitoring group:

- Neighbourhood Partnership teams will undertake the support functions of the AHPs, arranging meetings, ensuring full and proper records are maintained and effective links are made with the corresponding Area Assembly and its co-ordinating group; and
- Performance and Quality will support the local offers monitoring group (LOMG), providing information and support to guide and shape the service improvement agenda. That work will be led by the LOMG (which will include formal representation of each AHP) and involve members of the area housing panels and local tenants' and residents' associations in testing and assessing quality of service delivery, identifying areas falling short of agreed standards and working with P&Q to drive service improvement.

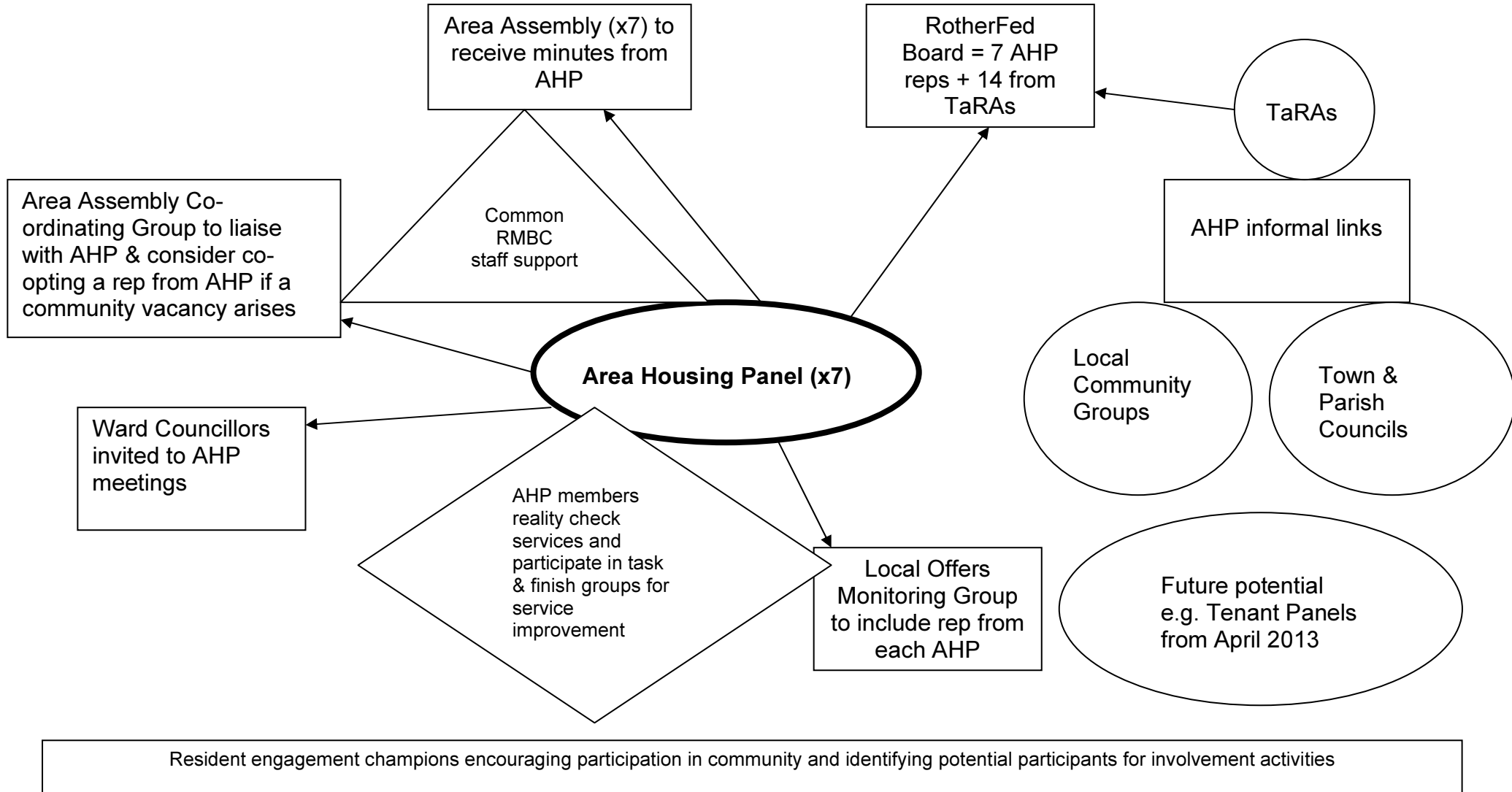
The focus of this paper has been the review of the role of area housing panels; that work was undertaken in parallel with similar work regarding the local offer monitoring group which reflects the proposals in this paper. Appendix 2 sets out the proposed revisions to the working practices of the LOMG to strengthen its role and focus on holding the council to account.

The next stage will be to look at the roles of tenants' and residents' associations and RotherFed to ensure the framework for engagement is robust, relevant and effective especially with regard to the new requirements of the Localism Act as they are enacted over the next two years.

8 **Finance**

The recommendations in this paper can be accommodated within existing budgets.

Area Housing Panels at the heart of Tenant Involvement



9 Risks and Uncertainties

Tenant involvement is critical to co-regulation, a TSA/HCA requirement of social housing providers, including local authorities. Not having a clear, substantial role for area housing panels may lead to the perception that tenant empowerment is being denuded. Given recent feedback from tenants, it is particularly important that does not happen following reintegration with the council. The proposals in this paper strengthen the role of area housing panels.

Presently, the main focus of most of the 7 area housing panels is allocating the devolved HRA budget for local projects. Formalising links with other groups and involving partnership and other staff in supporting AHPs will improve linkages with other activities in the area, ensuring the budget is spent to best effect. Increasing the role of AHPs in performance monitoring and scrutiny activities will ensure a clear role for them even if that budget should no longer be available.

The role of the Federation of Tenants' and Residents' Associations is distinct from that of area housing panels; continuing the formal nomination of one person from each AHP to serve on RotherFed's board will ensure they complement and support each other's activities and avoid duplication.

As the provisions of the Localism Act are applied over time, the context of some recommendations may change, for example the requirement for local tenants' panels may be dropped prior to their planned introduction from April 2013. It is unlikely any changes cannot be accommodated.

10 Background Papers and Consultation

Formal consultation began on 12th September and ended on 15th December 2011. It was conducted according to the Code of Practice on Consultation issued by the Better Regulation Executive in the Department for Business, Innovation and Skills. Feedback will be provided to those who participated in the consultation.

The table below lists who was consulted.

Consultations held with:	Date:
Cabinet Member	13 July
AHP Chairs	16 August
RotherFed Board	12 September
Area Assembly Chairs	06 October
Rother Valley West AA Coordinating Group	24 October
Local Offers Monitoring Group (tenants/leaseholders)	01 November
Rother Valley West AHP	02 November
Wentworth Valley AA Coordinating Group	08 November
Wentworth Valley AHP	09 November
Rotherham North AHP	09 November
Rotherham South AHP	14 November
Rother Valley South AA Coordinating Group	21 November
RotherFed open meeting of tenants and residents	22 November
RMBC Partnership team staff meeting	23 November
Wentworth North AHP	24 November
Rother Valley South AHP	25 November
Housing managers	06 December
Wentworth South AHP	07 December
RMBC/Town & Parish Councils' joint working group	15 December

Following consultation discussions have been held with relevant managers to ensure the proposals in this paper are achievable.

Background papers:

Area Housing Panels: Terms of Reference (revised 2008)

Area Housing Panels: Environmental Projects (June 2009)

Area Housing Panels Review Proposal (August 2011)

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Background to and rationale for proposals

1. *A strong governance framework which links to other local democratic activities*

At the outset of the consultation it was the perception of Area Assemblies that area housing panels were operating in a vacuum, not linking to other activities and initiatives in the locality. On discussing that challenge with AHPs it became apparent that there were a number of informal networks but, as is so often the case, there was insufficient formal communication between the panels and Area Assemblies.

Whilst AHPs were keen not to become stifled with bureaucracy, it was generally accepted that some degree of formality was required to ensure appropriate links were made, particularly with the Area Assembly. Perhaps the most effective single action (a) to address that issue would be for Area Assemblies to co-opt a member of the area housing panel to sit on the co-ordinating group. That would inform the AHP and AA of other initiatives under development which may link with or duplicate proposals to the HRA budget. This would be particularly helpful when the AA co-ordinating groups are looking to form local panels to consider applications to the Communities First funding available in 11 of Rotherham's wards. If the same RMBC officer were to service the AA, co-ordinating group and AHP in an area, those links would be further strengthened (b).

Councillors on Area Assembly co-ordinating groups were not generally aware of when and where their local area housing panel met and, whilst they did not want formal membership of the panel, would welcome an invitation to meetings. (c) AHPs to send invitation and agenda to all ward councillors.

Similarly, AHPs generally agreed that at least one of their members should attend the Area Assembly meeting and feed back to the panel to raise awareness of other initiatives and issues in the locality (d).

There is a longstanding link with RotherFed in that each AHP nominates a member to serve on its board which meets monthly and it is proposed that this should continue (e).

2. *Robust accountability for the expenditure of HRA funding*

Area Assembly members were generally concerned regarding accountability for the expenditure of public funding. Whilst some wanted the Assembly to be the decision making body as to how the HRA budget for the AHP should be allocated, most felt that clear, accessible records would provide a sufficiently robust audit trail.

It is recommended that minutes of AHP meetings should be sent to the relevant Area Assembly meeting (f) which would put them in the public domain and enable any questions to be raised at AA meetings. AHP minutes should clearly record proposals considered for HRA funding, the decision taken and main reasons for approval or rejection (g).

Progress of approved projects should be reported to AHP meetings and recorded in the minutes. An evaluation should be undertaken of each project (h) following completion (immediately or after a suitable interval depending upon its nature) to determine whether it had achieved its intended objectives, identify any unexpected

effects (positive or negative) and was within budget. Again, a statement for each project should be minuted.

3. Wider involvement in activities supporting the co-regulation required of social housing providers

This outcome has two elements: broader membership of AHPs and their involvement in a wider range of activities.

Numbers on AHPs vary across the borough. Some seek to ensure no estate dominates by limiting membership to two from any one district within its catchment area; others find it difficult to attract and retain active members. It is recommended that the Resident Engagement Champions work with Area Housing Co-ordinators and AHP Chairs to identify potential members for each panel to reflect its catchment area (i).

Many members of AHPs are active in other community groups, TARAs, Town or Parish Councils which provides informal networking and knowledge of local issues and initiatives. There is a formal link to the RotherFed board but not with local TaRAs. To require each AHP to establish formal links with every Town or Parish Council and TaRA in its area may be considered overly bureaucratic and time consuming; it would also deflect AHPs from their main purpose of involving tenants in improving service delivery.

Through the consultation it became apparent that many AHP members and others thought the only reason for their existence was to allocate HRA funding to local environmental projects. In the context of the Localism Act and the need for co-regulation, AHPs could provide informed tenant involvement in performance monitoring and service improvement activities

It is recommended (j) that one representative from each AHP serve on the Local Offers Monitoring Group in addition to its current membership which would ensure a geographical perspective is included in examining performance to ensure consistency of service delivery across the Borough. This proposal would also enable the LOMG members to present performance information to their AHP in a more informed way and to focus on local issues and potential service improvements.

To ensure a geographical spread of involvement, (k) other AHP members should make themselves available to undertake service testing activities and (l) participate in service improvement task and finish groups as required.

Existing members of the customer monitoring group have received training; it is recommended that (m) tenants and residents involved with AHPs receive training appropriate to their roles.

The Localism Act changes the way that complaints about social landlord will be handled; from 2013 there will be a single watchdog, the Independent Housing Ombudsman. Prior to cases being referred to the IHO, they should be referred through a local filter, i.e. a councillor, MP or tenants' panel. AHPs could be the basis for such a panel therefore it is proposed that, nearer the time, consideration is given to AHPs being asked to form the local tenant panel (n).

Local Offers Monitoring Group: Proposals

- Continue with the Local Offers Monitoring Group (LOMG) – new terms of reference, focus on scrutiny of our services against the local offers and holding us to account.
- Consider renaming to move away from simply monitoring - Tenant Scrutiny Group or Local Offers Scrutiny Group
- Review membership to consist of existing but include 1 person from each Area Housing Panel.
- Area Housing Panels are part of the local offers framework. Views from the panels are fed through to the LOMG, feeding up experience, results of any reality checks.
- Agree on 8 – 10 Local Offers which are the key issues for tenants including wider tenants based on the consultation we have done
- Local Offers are used as ‘can openers’ to a more in depth look at the service
- All Local Offers are physically measured by tenants and require minimum input from officers to get the real picture.
- Reality checks take place every month by tenants supported by officer
- Regular meetings (timescale to be agreed) continue focused on LOMG feeding back performance to the Council on their experiences over the past month and to discuss hot topics falling out of physical monitoring.
- The monitoring work that is undertaken by the LOMG is undertaken between meetings – it may be worthwhile to consider whether monthly meetings provide enough time for testing to be done and explore whether bi-monthly or quarterly meetings would provide better information on how we are really performing on the ground.
- The LOMG / Local Offers is supported by one officer from the Council to facilitate monitoring and organise meetings.
- The feedback report from LOMG is reported monthly on the internet for the wider tenant view.
- LOMG role is to firmly hold the Council to account on the local offers and to work with the Council on driving service improvement. Tenants are firmly at the heart of us striving to deliver excellent services.

New Start:

- This is about tenants holding the council to account.
- Tenants at the heart of service improvement
- Local Offers – measurable by Tenants.
- It is not about council providing stats, although we need to be as open and transparent about performance as possible.
- This is a real two way conversation on how good council housing services are.
- A chance to build the wider tenant groups into the process so that we get a better picture
- The council needs the real experience beyond the statistics
- It needs to be a can opener to focusing on the 1 in 10 or 1 in 20 who don't get a good service.