



Guidance on applying to become a Registered Tenant Organisation (RTO)



INVESTOR IN PEOPLE

Introduction

Hjaltland Housing Association's mission is to 'provide high quality affordable homes and services in communities where people are proud to live and work.' The Association recognises the vital role tenants play in achieving this, and therefore aims to provide opportunities for all tenants to have a say in the management of their homes and the delivery of services.

The Association's Tenant Participation Strategy makes it clear there is a commitment to providing tenants with a platform to provide feedback and will do so in a way that is flexible enough to cater for all.

The Scottish Social Housing Charter sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities, and Outcome 3 is particularly important in relation to this Strategy:

"Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with."

In addition to the consultations completed with tenants on an individual basis, The Association engages quarterly with a Tenant Focus Group. All tenants are welcome to attend this, and can dip in and out as they wish, depending on whether or not they have any interest in the content being discussed. This is an informal group, and although consultation in this way is considered best practice, there would be no statutory requirement to consult with the Tenant Focus Group specifically.

This guidance has been developed using The Scottish Government's 'Guide to successful Tenant Participation'.

What is a Registered Tenant Organisation?

A group of tenants and residents (owners or tenants of other landlords) can consider the creation of a more formal tenant body, known as a Registered Tenant Organisation. Hjaltland Housing Association will consider an application for a group to become a registered organisation, and, if successful, the Association would have a legal duty to consult with them on any change affecting tenants. Hjaltland would work in close partnership with any RTO to review the Tenant Participation Strategy and identify policies and practices that they feel should be revised.

First Steps

There may be a clear agenda or reason why a group may be needed, but it is worthwhile gathering the views of all members of the local community. A good first step would be to consider the following approach;

- Door-knocking
- Asking neighbours in places like shops, pubs, clubs, community centres, or other services they use
- Asking people in local churches, mosques or temples
- Asking people at local schools, playgroups, youth clubs, pensioners clubs or other groups
- Using social media to gauge interest

If there is sufficient interest, a public meeting would be the next natural stage. In planning for this, the group may wish to consider the following;

- Use the contacts you have already made
- Put adverts in your local shop, school, and library showing the date, time, place and the reason for the meeting. Do not forget to include contact details so people can find out more information
- Ask Hjaltland to help promote this through a newsletter or via our website
- Use the local press and radio
- An accessible venue – Hjaltland would be happy for a meeting room to be used

What is involved in setting up a Registered Tenant Organisation?

There are several significant commitments to consider, namely;

Forming a committee

An RTO will need an official committee that;

- Is elected annually, with a requirement that members must be required to stand down after a certain period (this period should be included in the constitution)
- Consists of at least three members, who can co-opt other members (Chairperson, Secretary & Treasurer)
- Reaches decisions democratically (the decision-making process should be included in the constitution)
- Has proper accounting records showing income and expenditure, assets and liabilities. The constitution must require an annual audited financial statement to be presented at the Annual General Meeting.

- Must be able to demonstrate how it plans to represent the views of its members and how it will keep them informed

Creating a constitution

The group must have a written constitution that is publicly available and includes;

- The group's objectives
- The area in which it operates
- The membership process
- How the committee operates and is elected
- How business is conducted
- How funds are managed
- When meetings are held, including Annual General Meetings
- How the constitution can be amended
- The group's commitment to equal opportunities
- How the group intends to promote housing and housing related matter

Hjaltland Housing Association will require the following information prior to approving an application to be registered as an official RTO;

- A copy of the constitution (see Appendix One for a template constitution)
- A list of office bearers and committee members
- A contact address for correspondence which can be made public
- A description of the area the group operates in
- Details of other landlords they are registered with or applying to become registered with

Maintaining a register of tenant organisations

Hjaltland will maintain a public facing document that will detail all Registered Tenant Organisations. The following information will be readily available;

- RTO Name
- Area covered
- Contact details for the group
- Membership criteria
- When the group has its committee and annual general meeting
- Any website/social media information
- Date of first registration

How to apply for registration with Hjaltland Housing Association

An organisation can make an application to be registered as an RTO with the Association. Where the terms and conditions, as set out by the Scottish Government have been met, registration will be approved and will last for 3 years.

The following criteria must be met in order to have an application approved to achieve registration;

- Your group must have written constitution that is available to the public
- Your group must have a committee
- Your group must operate within a defined geographical area, which includes housing we own, and manage.
- Membership of the group and involvement in its activities must be open to all tenants and residents within your defined area;
- Your group must keep appropriate accounting records and present an audited annual financial statement at an annual general meeting;
- Your group must show that;
 - It is committed to representing the interests of its members (tenants and residents in your area of operation); and
 - It can represent the views of its members who are tenants of Hjaltland Housing Association
- If your group is made up of a mix of tenants and residents, a process must be in place that will allow us to get the views of our tenants;
There will be occasions when we may want to get the views of our tenants and not the views of owner-occupiers or other residents. We need to agree a way for us to be able to do this – for example a tenant subgroup or tenant survey.

Registration forms can be submitted to;

Head of Housing & Customer Services
Hjaltland Housing Association
6 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ
Telephone number; 01595 69 4986
Email; mail@hjaltland.org

We will write to you within four weeks of receiving your application and let you know if we have accepted you for registration. If we do not accept you, we will explain why.

What happens if there are any changes to a group?

If your group's constitution, members, or area of operation changes, you must tell us. We may ask you to register again. You should send your application to register again no later than four weeks from the date the change takes place.

We will tell you if we have accepted you onto the register within four weeks of receiving your application.

Can a group be removed from the register?

We can remove a group from the register, with one month's notice, if any of the following circumstances apply.

- You no longer meet the registration conditions
- Your group no longer exists or does not operate
- There is mutual agreement between you and us to take you off the register

Can a group appeal against our decision?

You may appeal against our decision:

- not to register your group
- to remove your group from the register; or
- not to remove your group from the register

If you want to appeal against our decision not to register your group or to remove your group from the register, you must write to the Chief Executive Officer. Any decision relating to your appeal will be returned, in writing, within four weeks.

If you are not happy with our decision you have the right to appeal further to:

The Scottish Housing Regulator
Highlander House
58 Waterloo Street
GLASGOW G2 7DA
Telephone: 0141 271 3810

APPENDIX 1 - Sample tenant group constitution

1. NAME

The name of the Association shall be

2. OBJECTIVES

To improve the living conditions, community facilities and services for tenants and residents living in the area covered by the attached map and marked.
The Association will at all times operate on an equal opportunities basis.

3. MEMBERSHIP

- A. Membership shall be open to all members of the community.
- B. All members shall have an equal vote.
- C. All members should actively seek to represent the various needs of the area and must not discriminate on the grounds of nationality, political opinion, race, religious opinion, gender, sexuality or disability.
- D. Members shall at all times conduct themselves in a reasonable manner when attending meetings or any other function in connection with the group.

4. COMMITTEE

- A. A Committee shall be elected at the Annual General Meeting of the Association and shall serve for 12 months.
- B. The Committee shall consist of at least three members, who shall have the power to co-opt other members on to the Committee, during the course of the year. All members will have voting rights.
- C. The Committee shall elect from within their number a Chairperson, Secretary and Treasurer. No committee member shall fill more than one position.
- D. The Committee shall make and carry out decisions in accordance with the objectives of the Association.
- E. Meetings of the Committee shall be open to any member of the Association who wishes to attend.
- F. There must be at least two-thirds of the Committee members present for decisions to be made at a Committee meeting.
- G. Non-voting members may be co-opted onto the Committee from landlords, staff, Councillors etc.
- H. Voting members may be co-opted amongst other tenants to fill casual vacancies throughout the year.
- I. Committee members can be voted off if: they have not attended number of meetings or

have terminated their tenancy.

J. Committee members must declare any interest they may have in the topic under discussion and the Committee will decide if they need to forfeit their right to vote on this occasion.

5. CONDUCT OF BUSINESS OR STANDING ORDERS

A. Members may speak only through the chair.

B. Decisions will be made by a simple majority, voted in through a show of hands or a secret ballot.

C. Meetings will end at a time agreed by the Committee.

D. Any offensive behaviour, including racist, ageist, sexist or inflammatory remarks will not be permitted.

E. Any member who consistently brings the group into disrepute or refuses to comply with the constitution shall be expelled on a two-thirds majority vote of the full Committee.

F. Any such member will have the right to appeal within 28 days of the expulsion. The appeal shall be heard by the membership at a Special General Meeting called for that purpose.

G. The secretary shall deal with all correspondence.

H. Agendas will be distributed to the membership at least seven days before a meeting. Items should be forwarded to the Secretary and Chair 14 days before the meeting.

I. Minutes will be distributed to the membership at least seven days after a meeting.

6. FINANCES

A. The Association may raise funds by obtaining grants from other bodies or by fundraising schemes.

B. All funds shall be kept in a bank account, which shall be opened in the name of the Association.

C. The Secretary, Treasurer and the Chairperson shall be the signatories on the account and all cheques shall require two of these signatures.

D. Accounts shall be kept by the Treasurer, and brought to every Committee meeting where they may be inspected. Failure to bring the books to a meeting on three consecutive occasions will mean the Treasurer will be asked to resign.

E. All expenditure shall be agreed and controlled by the Committee.

F. All payments over Fifteen pounds shall be made by cheque, not cash. Any exception to this rule shall be discussed and agreed by the Committee.

G. No officer shall sign a blank cheque – all cheques to be filled in before signatures are added.

H. Once a year, the accounts will be audited and presented to the Annual General Meeting of

the Association. The Auditors will be either: – An Officer or Councillor, Committee member, Landlord or: – The Committee of another local community organisation.

I. All correspondence of the organisation, including the bank statement, shall be addressed to the Secretary.

7. PUBLIC MEETINGS

A. Public meetings of the members shall be regularly held to discuss matters of importance and to keep the members fully informed of the Association's activities.

B. Members shall be given 14 days notice of a public meeting.

C. All votes shall be decided by a simple majority of the members present. This applies to all meetings of the Association.

D. Any member, having the written support of 10 other members, may request the Committee to call a special Public Meeting of the Association. The Committee shall call the meeting within 21 days of this written request.

8. ANNUAL GENERAL MEETING

A. An Annual General Meeting shall be held every year to discuss the activities of the Residents' group, to receive the audited accounts and to elect the Committee.

B. The Annual General Meeting shall be held at a suitable venue to accommodate as many members as possible.

C. Quorum shall be _____% of members.

D. _____ days notice needs to be given to members of the Annual General Meeting.

9. CHANGES TO CONSTITUTION

A. This constitution shall only be changed at a Special Public Meeting of the Association, or at an Annual General Meeting.

B. For decisions to be taken there must be a quorum of at least 10 people. The voting shall be by a simple majority of those present.

C. All members shall be given 14 days notice of the meeting and proposed changes.

10. DISSOLUTION OF THE ASSOCIATION

A. If the Committee or any member wishes to dissolve the Association, a special Public Meeting shall be called.

B. If two-thirds of voting members present at the Special Public Meeting agree to dissolve the Association, any remaining funds shall be donated to a relevant charity, after returning unused grants to the Landlord.

This constitution was adopted on ()

Signature	Name	Address	Position