



Cloch Housing Association

Registration & Funding Criteria for Registered Tenant Organisations

Policy Name	Registration & Funding Criteria for Registered Tenant Organisations
Policy Category	Housing
Policy Number	021
Approved by	Housing & Property Services Sub-Committee
Responsibility of	Director of Customer Services & Communities/Senior Housing Officer
Date Adopted	01 February 2015
Last Review	15 September 2020
This Review	13 February 2024 (Board Meeting)
Next Review	January 2027
Equalities Impact Assessment Required	Yes
Link to other policies	Customer Involvement Strategy
Consultation	Internal – No RTO's to consult with at time of review
Need for Procedure	No

1 POLICY AVAILABILITY

This policy is available on the Association's website. Copies are also available on request and free of charge from the Association. This policy can also be provided in large print, braille, audio or other non-written format and in a variety of languages, on request.

2 INTRODUCTION AND AIMS

- 2.1 This Policy should be read in conjunction with the Association's Customer Involvement Strategy (Policy No. 010) which sets out the framework for how the Association will work with its customers to ensure they can influence decisions about their homes and the neighbourhoods they live in.
- 2.2 This policy details the criteria and process for registering a tenants group as a Registered Tenants Organisation and sets out the application process for RTO's to apply for grant funding from the Association. As such, this policy is also for use as an operational document and therefore contains elements of a procedural nature.

3 LEGAL AND REGULATORY REQUIREMENTS

- 3.1 The Association is committed to ensuring that we comply with the legal requirements set out by the Housing (Scotland) Act 2001 and meet our obligations to consult with our customers, produce a customer engagement strategy and to hold a register of tenant organisations

4 CRITERIA FOR REGISTRATION OF TENANTS ORGANISATIONS

- 4.1 To be recognised by the Association as a Registered Tenant Organisation (RTO) and be eligible for direct funding RTO's must fulfil the criteria as detailed below.
- 4.2 To become registered with the Association a tenant's group must have:
 - A name;
 - A written constitution;
 - A clear description of the geographic area covered.

4.3 The group must hold a publicly advertised inaugural general meeting (IGM) to appoint office bearers (chairperson, secretary and treasurer) and to agree the constitution. The Association can provide a template for a constitution which has been used successfully by other groups. A copy of the agreed constitution should be submitted to the Association and be made available for public inspection. It should contain the following information:

- The name of the group;
- The group's objectives that are non-political, non-sectarian and observe and promote equal opportunities in practice;
- Its area of operation, including either a **list of streets** or a **map** of the area covered by the RTO;
- How people can become members;
- Rules of membership;
- The way committee will operate;
- Office bearer positions held (usually a Chair, Treasurer and Secretary);
- How people can become committee members/office bearers;
- Arrangements for public meetings;
- An explanation of procedures at meetings and how decisions will be taken democratically;
- A commitment to holding regular, advertised and accessible meetings;
- A statement of how any funds will be managed and audited;
- Arrangements for the Annual General Meeting (AGM);
- The procedure for making changes to the constitution;
- A statement setting out arrangements for the dissolution of the group;
- Its commitment to the promotion of equal opportunities;
- The commitment to the promotion of the housing and housing related interests of tenants.

4.4 The organisation must have a committee that:

- (After the first year) is elected at an AGM;
- Has at least three members;
- Has a majority of tenants on the committee;
- Can co-opt others onto the committee during the course of the year;
- Has elected office bearers;
- Can demonstrate that decisions are reached democratically;
- Promotes equal opportunities.

4.5 The organisation must operate within:

- A defined area which includes housing stock owned and managed by the Association; or
- Membership of the organisation and participation in its activities must be open to all eligible tenants within its defined area of operation.

4.6 The organisation must have appropriate accounting records and present an audited financial statement to the AGM.

4.7 The RTO must appoint authorised signatories for the operation of its accounts.

4.8 The RTO must be able to demonstrate:

- Its commitment to representing the interest of its members and that, when consulted by the Association, it can represent the views of its members who are tenants;
- How it consults with its members on issues that affect them. In particular, the RTO must be able to give examples of the methods it uses to consult with its members, how it takes on board their comments and how it provides feedback to members.
- How it encourages everyone living in the area who is 16 years of age or older to become involved in the work of the RTO;
- That it has an awareness of the profile and particular needs of the members that it represents, for example, older people, young people, black and minority ethnic (BME) communities, people with disabilities, lone parent families.
- How it is proactively trying to engage with traditionally excluded groups (see above for examples) by removing any barriers that may be preventing their participation in the RTO.
- That it has held an Annual General meeting within the last 12 months and holds regular public meetings as detailed in the constitution.
- How Annual General Meetings and public meetings are advertised to members living in the area.
- How the RTO's annual accounts were presented and approved at the Annual General Meeting

4.9 Application for registration should be submitted to the Director of Customer Services & Communities with

- The written constitution;
- Names and contact details of committee members (identifying the office bearers); and
- A description of the area of operation.

5 PROCEDURE FOR REGISTRATION OF TENANT ORGANISATIONS

- 5.1 The Director of Customer Services & Communities will advise of any missing information within 14 days. A decision will be taken within 28 days of the complete application being received and the appropriate office bearer informed in writing.
- 5.2 If the application is to be refused, the Director of Customer Services & Communities will give full reasons for the decision and a right of appeal via the Association's Complaints Handling Procedure. There is also a right of appeal to Scottish Ministers if this is unsuccessful.

6 REMOVAL FROM THE REGISTER

- 6.1 The Housing (Scotland) Act 2001 states that an RTO can be removed from the register in any of the following circumstances:
- The tenants' organisation no longer meets the registration criteria; or
 - The tenants' organisation ceases to exist or does not operate; or
 - There is mutual agreement between the landlord and tenants' organisation.
 - The tenant organisation no longer wishes to be registered.
- 6.2 Removal from the Register will only take place after the RTO has been notified in writing and given reasonable opportunity to meet the criteria.
- 6.3 The Association will give a minimum period of 28 days' notice before removal. The Director of Customer Services & Communities will give full reasons for the decision and a right of appeal to the Chief Executive Officer via the Association's Complaints Handling procedure. There is also a right of appeal to Scottish Ministers if this is unsuccessful.
- 6.4 The Act obliges the landlord to keep a record of the RTOs that are removed from the register. Records will be kept for a period of three years.

7 APPEALS

- 7.1 An RTO may appeal against the Association's decision to:
- Not register the organisation; or
 - Remove the RTO from the Register; or
 - Not remove the RTO from the Register.

- 7.2 An RTO should appeal in writing to the Association in the first instance; this will be dealt with in accordance with the Association's Complaints Handling Procedures.
- 7.3 Thereafter, if the matter has not been resolved to the satisfaction of the RTO, an appeal may be made to the Scottish Ministers.

8 RESOURCES

- 8.1 The Association does not directly employ specialist staff to carry out customer engagement activities, but all staff have a remit to engage with customers. This is part of their day to day work as well as having scheduled activities which are carried out from time to time.
- 8.2 We will work with partners to build the capacity for engagement to assist with tenant engagement and scrutiny where this is appropriate.
- 8.3 We have a dedicated budget which is reviewed annually and set at a level to allow the delivery of the customer engagement strategy. This includes a budget to support Registered Tenants Organisations, costs of holding events; holding consultations and meetings; membership of relevant bodies; training costs; incentive payment costs (e.g. for participating in, for example, mystery shopping), cost of independent satisfaction survey, various satisfaction surveys prize draws and other administrative costs.
- 8.4 We support the setting up, development and continued operation of Registered Tenants Organisations by providing financial support to assist with the costs of setting up and running a group.
- 8.5 The resources allocated to the various aspects of participation are allocated on a discretionary basis. We need to assess the value to tenants in our communities when sponsoring the activities of RTOs, for example.
- 8.6 The Association will set an annual budget to promote tenant participation. It is anticipated that this funding will complement other funding sources including grants from other landlords. This will pay for:
- Annual administration grants to existing RTOs of £1.00 per registered member (one per tenancy) within the RTO boundary of operation up to a maximum of £250;
 - Discretionary grants to RTOs to support their activities;
 - Discretionary start up grants for new RTOs of up to £500;

- Costs associated with public meetings (for example venue hire, catering);
- Costs of tenants' conferences including travelling expenses and crèche facilities where appropriate;
- Printing and postage;
- Training for staff and RTO groups. RTO's will be expected to source funding for conferences themselves;
- Costs associated with removing barriers to participation such as translations, crèche facilities, alternative formats for Association events;
- Support for RTO or Association special events (for example gala days, stock visits).

9 FUNDING TENANT GROUPS

- 9.1 As RTOs and Tenants Groups that may remain unregistered develop, they will need funding to allow them to achieve their aims and to meet the requirements of registration.
- 9.2 Our properties are often in areas of mixed tenure and so we will pay grants proportionate to the number of tenancies we have in the area that a group covers.
- 9.3 RTOs will be invited to apply for funding on an annual basis if approved; these will be paid into the bank account of the group within one month of a claim being submitted providing the group remains registered and continues to satisfy the registration criteria (as detailed in Section 3 above) and the funding criteria (Appendix I).
- 9.4 If funding is approved, it will last for one year and will be paid by bank transfer. RTO's will have to apply each year for grant funding and again satisfy the registration and funding criteria.
- 9.5 At the time of applying for funding, consideration will be given to the money balances held by the RTO, it's running costs and its plans for expenditure.
- 9.6 Tenants groups that choose not to register may still apply for funding and will have to specify how much money they need, what it will be used for, and how it will be protected for the use of the group. Such applications will be considered by the Housing Services Manager who will make a recommendation to the Board whether the grant should be paid and any conditions that should be applied.

9.7 Where a Registered Tenants Organisation or tenants group operates a system of open membership and its activities are widely publicised through posters, newsletters etc., membership will be regarded as the total number of Association tenancies covered. However, consideration will be given to the objectives and representativeness of the group prior to consideration for any grant funding. For example, grant funding may only be considered where a large proportion of members/meeting attendees are Association tenants.

9.8 Changes to the Constitution/Area of Operation

If any RTO changes its constitution, membership or geographical area, it would be obliged to re-apply for registration.

9.9 Failure to meet the Criteria

If an RTO does not meet the criteria, their application for registration and funding will be rejected. The reason for rejection will be explained fully in writing, and where appropriate, will include recommendations to enable the RTO to meet the requirements of the criteria.

10 TRAINING

10.1 We recognise the need to provide training for both staff and tenants involved in tenant participation. Resources will be provided for staff, individual tenants and tenant groups who wish to further their knowledge and to encourage participation by offering training through the Association or other organisations. We will also consider sponsoring the attendance of representatives of RTOs at appropriate conferences although the costs of this may be met from any grant aid provided directly to an RTO.

11 EQUALITIES COMMITMENT

11.1 Cloch Housing Association Ltd is committed to tackling discrimination in line with the Equality Act 2010. The Act identifies nine protected characteristics which are disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

11.2 Cloch seeks to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.

12 REVIEW

- 12.1 This policy will be reviewed every *three* years or as required to assess its effectiveness and to consider any changes required in the light of experience, new guidance, good practice, and legislation.

Appendix I

1 RTO Funding Conditions

1.1 The Association has standard conditions for the award of funds. If you want to be considered for a RTO grant, you must be willing to accept the following standard conditions. The following conditions must be met before grant funding will be paid.

2 General

2.1 In order to make an application for funding the following must be provided to the Association:

- A written request for funding detailing the amount requested and the purpose of the monies requested;
- Confirmation of current committee members and office bearers;
- A copy of the last AGM minutes of the RTO, which must have been held within the last 12 months;
- A copy of the last audited accounts, which must be dated within the last 12 months;
- A copy of the RTO's constitution, membership list and confirmation of how often the RTO meets
- Notification of any other funding requests made to assist the group e.g. Big Lottery Fund, local groups funding from Inverclyde Council etc.

2.2 In addition, the RTO must provide confirmation that the organisation is properly constituted and will be asked to provide a copy of the constitution to the Association.

2.3 The RTO must only use the Association's funds for the purpose stated in your funding request.

3 Sound Financial Practice

3.1 The RTO must have in place a bank account solely in the name of the RTO.

3.2 The Chairperson, Secretary and Treasurer must all be signatories on this account. Where the RTO has elected a Vice-Chairperson for the group, this person can also become a signatory on the account. There must be a minimum of two signatures on all cheques before withdrawals from the bank account can be made.

- 3.3 No two signatories can be from the same family or the same household.
- 3.4 A Treasurer's report must be a standing agenda item for the RTO. The Treasurer must provide a report for all RTO members at each RTO meeting including the AGM.
- 3.5 Once a year, in preparation for the RTO's Annual General Meeting the Treasurer will arrange for a recognised independent person to audit the RTO's accounts. A copy of the recognised independent person's report will be discussed at each Annual General Meeting. A copy of the audited accounts and the Annual General Meeting Minute will be sent to the Association as soon as possible after the meeting and a copy returned each financial year, with your funding application.
- 3.6 The RTO may be asked to submit records and receipts to demonstrate that the Association's funds were used as indicated within the funding agreement

4 Use of Grant Funding

- 4.1 All funding provided by the Association will be used solely for the following purposes, where the group agree the costs are reasonable and are approved in advance:
- Hire of venues for meetings
 - Refreshments for meetings
 - Travel costs to attend RTO meetings or related meetings e.g. Local Neighbourhood Forum meetings/ training sessions/ local and national seminars and conferences (public transport will be the expected mode of transport at all times unless it is not feasibly possible)
 - Subsistence allowance for national conferences/ seminars/ training sessions
 - Cost of overnight accommodation for attendance at conferences/ seminars
 - Childcare/ adult care costs to enable tenants to attend meetings/ training sessions etc.
 - Provision of crèche facilities at meetings/ training sessions, where applicable
 - Membership of national tenant organisations – e.g. Tenant Participation Advisory Service (TPAS); or Tenant Information Service (TIS)
 - Stationery
 - Postage
 - Printing of minutes and agendas for RTO meetings
 -

- The use of IT facilities (only where there is no free provision locally or the group is unable to use the Association's facilities)
- Advertising for the Tenant's Core Group's and all local RTO general and Annual General Meetings
- Articles in the local press promoting the work of the RTO
- Production of leaflets advertising the RTO
- Production of RTO newsletter(s)
- Auditing of the Registered Tenant Organisation accounts

4.2 The RTO may use grant funding for other purposes with the prior written agreement of the Director and Customer Services & Communities. The Treasurer should contact the Association where the RTO needs funding for any other expenses or activities. Both parties will discuss the possibility of seeking funding from the Tenant Participation budget, or any other suitable alternative source of funding e.g. local charitable funding, prior to the expenditure being incurred.

4.3 The grant funding provided by the Association must be used solely for the use of the RTO and not by any other organisation within the RTO's catchment area. No donations from the grant funding may be given by the RTO to any other party unless prior written agreement has been given by the Association.

5 Repeat Funding

5.1 Repeat funding will be provided on an annual basis subject to an application being received timeously and there being remaining funds in the budget.

5.2 Repeat funding will be denied where:

- The RTO has failed to send a copy of the recognised independent person's report and AGM minute to the Director of Customer Services & Communities or;
- The recognised independent person's report shows that the RTO still has sufficient funds.

6 Returning Grant Funding

6.1 The Association will reclaim any unspent grant funding from RTO bank accounts where:

- the Association dissolves a RTO because, in its opinion, the RTO has failed to meet its Aim and Objectives within its constitution; or
- the tenant organisation allows its Registration to lapse for example by failing to hold an Annual General Meeting; or,
- the RTO ceases to function for any other reason, e.g. lack of support

- 6.2 Where the Association requires unspent grant funding to be returned, the Director of Customer Services & Communities will inform the Treasurer in writing. All unspent funds received from the Association must be returned within 14 days of the date of this letter. All other sources of funding, e.g. from the National Lottery, funding from local charities, RTO fundraising etc. will be dispersed in accordance to the RTO's constitution.

7 Publicity

- 7.1 If the RTO produce any publicity or promotional information about the RTO (including information of events or exhibitions, recruitment information, or annual reports), this material must indicate the Association's support.
- 7.2 During the period of funding, any press release which relates to the relationship between the RTO and the Association must be agreed by both parties before being issued.

8 New Conditions of Grants

- 8.1 The Association reserves the right to introduce new conditions of grant as necessary.