

PORTFOLIO HOLDER DECISION RECORD SHEET

Name of decision maker:	Councillor Margaret Griffiths
Portfolio:	Housing
Date of Portfolio Holder Decision:	18 April 2012

Title of Decision: Tenant and Leaseholder Review and arrangements for wider tenant involvement and empowerment

Decision made and reasons:

To approve the Tenants and Leaseholders Committee review and the recommendations made to strengthen tenant involvement and empowerment at Dacorum Borough Council, including the introduction and development of a Tenants Scrutiny Panel.

Reports considered: (here reference can be made to specific documents)

Review of the Tenant and Leaseholder Committee reports to Housing and Communities Overview and Scrutiny Committee 25th January 2012 and 21st March 2012

Officers/Councillors/Ward Councillors/Stakeholders Consulted:

Members of the Housing and Communities Overview and Scrutiny Committee
 Elliott Brooks, Assistant Director Housing Landlord
 Carolyn Leech, Team Leader Policy and Participation
 Rose Kosmalski, Chair of the Tenants and Leaseholder Committee
 Members of the Tenant and Leaseholder Committee

Monitoring Officer comments: No comments to add to the report.

S151 Officer comments: The implications section below states it is anticipated the proposed changes should be cost neutral, therefore there should be no budgetary impact.

Implications: It is anticipated that any changes to involvement should be cost neutral; but give tenants and leaseholders more direct control over the money that is spent on delivering the service both locally, at neighbourhood level and borough wide.

The tenant involvement strategy will also seek to give tenants and leaseholders the ability to be involved at a level that is comfortable for them and that is centred on their priorities and gives value for money.

There will be a need to ensure that those tenants and leaseholders involved at the higher levels of involvement such as tenant scrutiny are fully trained and supported with this; it will therefore be necessary to ensure that part of the existing budget be assigned for this.

Risk: Developing and delivering a robust and focused tenant involvement structure and strategy, with real involvement at a grass roots level will build on the reputation and image of Dacorum Borough Council Housing Landlord Service, and will ultimately result in improvements in tenant and leaseholder's priority areas.

Failure to develop tenant scrutiny will result in us failing to comply with our regulatory requirements. This could be seen as a detrimental failing and could result in the Homes and Communities Agency bringing penalties against us.

Value for Money: It is anticipated that with tenant and leaseholder involvement in scrutiny,

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service reviews and developing or reviewing service level agreements, and helping to target expenditure against tenant and leaseholder priorities will enable us to deliver value for money for our tenants and leaseholders, as well as give higher levels of customer satisfaction

Options Considered and reasons for rejection:

None applicable

Portfolio Holders Signature:

Date:

Details of any interests declared and any dispensations given by the Standards Committee:

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Date Decision Record Sheet received from portfolio holder: 18/04/12

Date Decision Published: 18/04/12

Decision No: PH/020/12

Date of Expiry of Call-In Period: 25/04/12

Date any Call-In received or decision implemented:

BACKGROUND

The Tenant Services Authority was set up in December 2008 to replace the Housing Corporation following a shift towards empowering tenants to get involved in helping to manage their landlords services. A set of regulations were developed following a series of national conversation events that were based on tenant priorities across the Country.

Following the introduction of the Tenant Services Authority and its regulatory standards a broad brush review of Dacorum Borough Councils tenant and leaseholder involvement was undertaken.

As a result of this the Tenant and Leaseholder Committee was formed in January 2011, this seeks to support compliance with the Tenant Involvement and Empowerment Regulatory Standard.

A review process was built into the new framework for the Tenant and Leaseholder Committee to be undertaken at the six to nine month point. The review was built in to ensure that we are still complying with the regulatory standard and that valuable and empowered tenant and leaseholder involvement is being achieved within the Housing Landlord service.

From the review a list of recommendations was created that will enable the role and remit of the Tenant and Leaseholder Committee to be strengthened, giving the Committee a clear remit and confidence in their role and how this fits into the Council constitution.

In addition to the recommendations made as part of the TLC review, there are also some additional recommendations that are as a result of the consultations with the TLC; these include developing accountability mechanisms, as well as incorporating changes to regulations that require us to develop effective tenant scrutiny.

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2. The Tenant and Leaseholder Review

A review of the Tenant and Leaseholder Committee has been undertaken and this has resulted in the following recommendations:

Recommendation 1:

The Role of the Tenant and Leaseholder Committee become a strategic role

It is recommended that the TLC take on a strategic role; operational issues would be discussed by sub committees with areas of concern being escalated to the TLC for further investigation. Sub committees would be set up by the TLC and Council to reflect the service priorities. By doing this the TLC would be able to focus on driving forward improvements to services, utilise methods to scrutinise performance and ensure that tenants and leaseholders priorities are being considered and being used to help shape the Housing Service.

Recommendation 2:

The Tenant and Leaseholder Committee role be clarified to ensure clear areas of responsibility.

It is recommended that the TLC have specific areas of responsibility and these should be:

- Influencing the future direction of the Housing Landlord Service
- Representing tenants and leaseholders from across the borough ensuring that their priorities are met
- Monitoring the performance of the landlord service against its business critical performance indicators
- Ensuring that local offers are implemented and monitored within agreed timescales
- Challenging budgets, ensuring the financial viability of the service
- Making sure that improvements highlighted following audits are implemented where appropriate

This clarification will give the members of the TLC confidence in their role within the Council's constitution and will ensure that decision making reports within the Committees remit are presented to the committee before decisions are reached; ensuring an effective process of challenge and influence by tenants and leaseholders.

Recommendation 3:

The size of the Committee is to reduce.

It is recommended that the size of the committee reduce from its current size of 21 to 15 members, but should fall no lower than 13 members. Members of the TLC will still have the opportunity to sit on operational sub committee's, excluding the Scrutiny Panel.

By reducing the size of the TLC effective challenge and discussion can take place when needed, this is more effective in smaller groups. By having members of the TLC sitting on other committees natural links will be formed between the committees.

The timeline for recommendations 1, 2 and 3 is to work with the TLC over the next few weeks to agree the scope and remit plus terms of reference for the group and for the TLC to evolve as a natural process into the "new" strategic TLC. It is anticipated that this work will be completed by the end of April 2012.

3. Additional recommendations

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As a result of the review of the TLC there are also some additional recommendations that have been made and supported by the TLC and they are as follows:

Recommendation 4:

To introduce a Tenant Scrutiny Panel as per the regulatory requirements

As a result of the upcoming changes to the way that housing services are regulated we are required to have effective methods of Tenant Scrutiny in place. This role was previously undertaken by the Tenant Services Authority but will cease as of April 2012 when the authority is abolished as a result of the spending cuts.

Tenant Scrutiny is a clear way forward in the move towards co-regulation; it will also be effective in ensuring value for money for tenants and leaseholders in the services that they want delivered.

Scrutiny by tenants should not be confused with the Council's scrutiny process but would be more a "deep dive" process of scrutiny to investigate failing services or poor/below target performance as required. The work of the panel would be directed by the TLC as a result of their own challenges against service performance, improvement and development.

Work would need to begin with the TLC during the first two quarters of 2012/13 to determine the scope and remit of the committee, as well as the recruitment and selection process, training etc. Once the recommendation has been approved this work will be included in the TLC work plan for the upcoming year.

It is anticipated that the Tenant Scrutiny framework and recruitment process could be launched at the Tenant and Leaseholder Conference in September 2012.

Recommendation 5:

That an Executive Panel made up of tenants and leaseholders, Members and Senior Council Officers be established to build in a formal agreement between the TLC and the Council.

This recommendation is something that tenants and leaseholders feel there is a need for at the present time, and this recommendation has been developed from their feedback to create a forum for issues that can not be resolved at TLC meetings to be discussed and debated in more depth.

The Executive Panel would be a "floating" panel and would meet as required; it would not have a work-plan, but would seek to resolve issues or clear blockages when needed.

It is suggested that the panel be created to include:

- 2 tenant/leaseholder members
- 2 Senior Council Officers
- 2 Councillors, one to be the Portfolio holder for housing

There is still work to be done with the TLC surrounding this recommendation to determine the role and scope of this panel and this would form part of their work plan going forward. However it is anticipated that once the TLC has completed its initial work moving towards a Strategic body that this would be the next matter in hand.

Recommendation 6:

To remove the need for a Governance Sub Committee

Currently the Governance Sub Committee, (made up of tenants), assists the Committees with the regulation of meetings, investigates breaches of the Code of Conduct and undertakes disciplinary action as needed.

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It is recommended that the need for a separate committee to assist with the regulation of meetings be removed, and meetings be regulated by the Chair and Vice Chair for the relevant committee. Breaches would be investigated by the Executive Panel following referral of the perceived breach through any of the reporting channels. The Executive Panel would act in its capacity as an impartial and representative group ensuring a robust approach to any breaches in the Code of Conduct, Confidentiality or the terms of reference.

The TLC are supportive that Governance should be of the housing service against its regulatory requirements and service plan, which they will have a strong involvement in.

Once the Executive Panel has been set up this would remove the need for the Governance Sub Committee and as such would come to a natural conclusion.

Recommendation 7:

A Tenant Involvement Strategy is developed covering the next three years, 2012-2015 in partnership with the TLC.

Developing the Tenant Involvement Strategy together with the TLC will ensure a shared vision of the housing service going forward. It will seek to give involvement to a wider base of tenants, in a way they want to be involved, devolving decision making to a more local level, to tackle tenant's priorities for their local area.

A Tenant Involvement Strategy is essential to involving our tenants and leaseholders in their service and we will be working with the TLC to develop the strategy over the first quarter of 2012/13; it is anticipated that this will be ready for publication by the end of June 2012.