

# Registered Tenants' Organisations

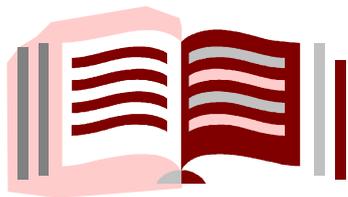
## Guidance Notes For Tenants Groups



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**AYRSHIRE**  
COUNCIL  
Comhairle Siorrachd Àir a Deas



# Registered Tenants' Organisations Guidance Notes for Tenants Groups



## Background Information

The idea of Registered Tenants Organisations, (RTOs), comes from the Housing (Scotland) Act 2001.

The aim is to give tenants associations, which meet certain criteria, a recognised role in the tenant participation process.

**The Register will be publicly available. Anyone will be able to view the register**

The register will be held within the Corporate Housing & Policy Team (Tenant Participation). It will be the responsibility of the Section to manage and maintain the register and keep records of all application materials.

Groups must fill out a registration form and send it back, along with any supporting information requested, to the Corporate Housing & Policy Team who will see that their application is processed.

The register is a public document and will be available for inspection during office hours at the Corporate Housing & Policy Team on arrangement with the Tenant Participation Team, and on the Council's Website.

As this is a public document there may be some sensitivities among tenant groups as to the information which is published, and as such the information available to the public will be: The name of the group, area of operation, main contact details for the organisation including telephone number, e-mail/website (where appropriate), address (a box number may be acceptable) and dates of regular meetings.

**As part of the registration process, tenants' groups should be aware that this information will be publicly available. Where committee members do not wish to identify their home or work address they may use a box number or other c/o address, such as that of the Council's Corporate Housing & Policy Team**

*Tenants groups who register with South Ayrshire Council will have the right to view the published information in advance of publication and will be given the opportunity to comment on the accuracy of the information contained in the register.*



In some situations a group may require assistance to meet the criteria for registration. It is the responsibility of the Corporate Housing & Policy Team, based at The Freemans Hall, 2-6 The Cross, Prestwick to advise and support any group who wishes to register.

There are quarterly registration dates, at which all groups who have applied in that quarter will be registered or refused. Groups who have applied will be advised of the outcome of their application at these times of year. Registration dates

- 1<sup>st</sup> March
- 1<sup>st</sup> June
- 1<sup>st</sup> September
- 1<sup>st</sup> December

RTOs must re-register every 3 years. Corporate Housing & Policy Team will inform each group 3 months before the expiry of their registration

Where a refusal is given the group will be informed by letter of the reason for refusal. Corporate Housing & Policy Team will work with groups who have been refused to reapply and meet registration criteria. If the group disagrees with the reason that they have been refused they will have the right to appeal.

**Corporate Housing & Policy Team  
(Tenant Participation)  
South Ayrshire Council  
The Freemans Hall  
2-6 The Cross  
Prestwick  
KA9 1AN**

**Email: [tp@south-ayrshire.gov.uk](mailto:tp@south-ayrshire.gov.uk)**

**Telephone: 01292 612968 or 01292  
473469**



# **Registered Tenants' Organisations**

## **Guidance Notes for Tenants Groups**

### **Criteria For Registration. Note 1.**

The organisation must have a publicly available written constitution that sets out:

**Its objectives and area of operation**

**How people can become members of the organisation**

**The way the committee will operate**

**How people can become committee members/office bearers**

**How the business of the organisation will be conducted**

**How decisions will be reached democratically**

**How funds will be managed**

**Arrangements for public meetings**

**Arrangements for an annual general meeting (AGM)**

**How changes can be made to the constitution**

**Its commitment to the promotion of equal opportunities**

**Its commitment to the promotion of the housing and housing related interests of tenants**

Organisations should have a structure that allows for election of office bearers, gives opportunities for members to express views and ensures that elected officers report to their members.

A simple constitution that spells out how the organisation will be accountable to members will suffice in many cases.

It is essential that a copy of a tenant association's constitution is received as part of the registration process. A model constitution can be supplied if required.

**Contact the Tenant Participation Team if your group requires assistance in meeting any of these criteria**



# **Registered Tenants' Organisations Guidance Notes for Tenants Groups**

## **Criteria For Registration. Note 2.**

The organisation must have a committee that:

**After the first year is elected at an AGM**

**Has at least three members**

**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**

Groups should demonstrate accountability by showing how decisions are reached democratically and how the organisation is run.

The constitution of the organisation, details of office bearers, details of co-optees and how they were appointed, meeting frequency, minutes etc, will be required to be viewed by the Council.

***Contact the Policy and Strategy Team if your group requires assistance in meeting any of these criteria***



# ***Registered Tenants' Organisations Guidance Notes for Tenants Groups***

## **Criteria For Registration. Note 3.**

**The organisation must operate within:**

**A defined area which includes housing stock owned and managed by South Ayrshire Council.**

This is to allow for clarity in the setting up of groups and to recognise natural areas of operation, allowing the registration process to be used to facilitate more effective working.

**In addition:**

**Membership of the organisation and participation in its activities must be open to all eligible tenants within its defined area of operation**

It must be clear that all tenants in an area are free to participate in the group.

The issue of promoting diversity is one to which all registered groups should be committed.



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### **Criteria For Registration. Note 4.**

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

This applies where tenant groups raise or secure funding, particularly from the Council. The audit will be dependent on the sums of money involved. The key issue is that, where a group has funds, that these are properly reported and accounted for, both to funders and the group as a whole.

### **Criteria For Registration. Note 5.**

**The organisation must demonstrate that it is committed to representing the interests of its members and that, when consulted by the Council, it can represent the views of Council tenants in its defined area of operation.**

This is to ensure that registered tenant groups are engaging with tenants in their area of operation and arises from a need for tenant groups to be accountable in what they do. Groups can demonstrate this by producing a simple statement of how they will reach out to, and involve, tenants.

Some key indicators that could be included are; how meetings are publicised; if the group has a newsletter, and what methods they use to obtain tenants views. For example the statement could say the group will hold four public meetings a year, publish two newsletters and particularly promote its AGM.

*This material could be used in an appeals process, should the group be deregistered in future.*

**South Ayrshire Council will work with groups to help them meet registration criteria. Contact the Tenant Participation Team if your group requires assistance.**



# **Registered Tenants' Organisations**

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### **Registration Material**

Application material to be submitted by the tenants organisations to South Ayrshire Council:

**The written constitution**

**Names and contact addresses of committee members identifying the office bearers and any co-optees**

**A description of the geographical area of operation**

**A statement of how it will represent tenants in the area of its operation**

Where committee members do not wish to identify their home or work address it will be sufficient to rely on a box number or other c/o address, such as that of the Council's Community Care and Housing Section.

**Contact the Tenant Participation Team if your group requires assistance with registration material.**

*There is a right of appeal to Scottish Ministers, on the basis of whether a landlord has declined to register a tenants organisation, or removed a tenants organisation from the register. Ministers will look at such appeals in relation to the criteria set out.*



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### **Removal From The Register**

A Registered Tenants Organisation can be removed from the Register in any of the following circumstances:

**The tenants organisation no longer meets the registration criteria (as outlined in these guidance notes)**

**The tenants organisation ceases to exist or does not operate**

**There is a mutual agreement between South Ayrshire Council and the tenants organisation**

*Removal from the Register will take place only after an agreed period of notice.*

### **Appeals**

Tenants organisations may appeal against a decision by South Ayrshire Council to

- not register the organisation; or
- remove the organisation from the register; or
- not remove the organisation from the register

The appeals process is considered by the Regulation & Inspection Division of Communities Scotland, on behalf of Scottish Ministers. ***An appeal should be presented to Communities Scotland only after South Ayrshire Council's internal appeals procedures have been exhausted.***

#### **South Ayrshire Council Appeals Procedure for RTOs.**

If the group disagrees with any of the above decisions they should contact the Tenant Participation Team in writing outlining the nature of the appeal and stating the reasons they feel the decision is wrong. The Tenant Participation Team will investigate the appeal further and if necessary take advice from other officers and senior members of staff on the matter. They may contact the group for more information or to meet to discuss the appeal in more depth.

The group will be informed of the decision on their appeal within 1 month of their letter.

*Where a group is refused onto the Register due to not being able to meet the registration criteria it is recommended they contact the Tenant Participation Team in the first instance to discuss the reason and to get assistance to Re-apply and meet the registration criteria.*



7.	<b>Dates &amp; Meeting place of regular meetings:</b> <hr/> <hr/>
8.	<b>Declaration:</b> By applying to South Ayrshire Council's Register Of Tenants Organisations we agree to the information provided in this registration form being publicly available.  <b>Signed on behalf of</b> _____  _____ <b>Chairperson</b>  _____ <b>Committee Member</b>  <b>Date:</b> _____
9.	<b style="color: red;">Additional Information.</b> <b>Please enclose:</b> <ul style="list-style-type: none"> <li>▪ Copy of up-to-date, signed copy of the groups constitution</li> <li>▪ Copy of your latest audited financial statement</li> </ul>

Please use the following space if you require more room:

**Return To:**

Tenant Participation Team, South Ayrshire Council, Freemans Hall, 2-6 The Cross, Prestwick, KA9 1AN  
 Telephone: 01292 612968 / 01292 473469 or e-mail [tp@south-ayrshire.gov.uk](mailto:tp@south-ayrshire.gov.uk)