

Register of Highland Council Tenant Groups

What is the Register?

The Highland Council keeps a register of Highland Council tenants groups as required under the Housing (Scotland) Act 2001. All Tenant Groups or Tenant and Resident Groups of Highland Council Tenants are invited to join the register. However the groups must meet certain set criteria as outlined by the Scottish Executive before they are accepted onto the register. Information on the registration criteria, as set out by the Scottish Executive, is given overleaf.

In some cases groups may not meet all the criteria needed to be registered. Do not worry if this applies to your group. Your local Tenant Participation Contact will give you advice and assistance to help you meet the criteria over time, and will work with you to achieve registration.

All registered groups will be requested to reregister in April each year. Any group that fails to respond or no longer meets the criteria will be removed from the register. However this will not be done without advising the group, and wherever possible the Council will work with the group with the aim of maintaining it on the register of groups.

How to Register

In order to register you need to provide certain information and certain documents to your Area Housing Team tenant participation contact. You should provide:

- The attached Tenant Group Registration Questionnaire, completed. This questionnaire asks for certain basic details about your group – e.g. the area in which you operate, contact details etc. You should be aware that all information on this form may be entered onto the register which is a public document.
- A copy of your constitution – this may be a simple document but it must meet certain standard. For example it must set out a structure by which office bearers are elected.
- Details of who is on your Committee
- Details of your accounts – e.g. as submitted to your last AGM
- Information on how you consult with the tenants in your area, so that you can represent their views.
- Information which shows that you are open to all eligible tenants in your area of operation

If you do not meet the registration criteria and you are not accepted onto the register we will tell you why. You can appeal against the decision by writing to the Director of Housing giving details of why you think the decision is wrong. He will consider your application and review the decision made. If the Director of Housing upholds the decision that your group will not be accepted onto the register and you are not satisfied with this, then you have a further right of appeal to the Regulation and Inspection Division of Communities Scotland who will consider your appeal on behalf of Scottish Ministers.

The criteria for registration are set out by the Scottish Executive. However to ensure the safe running of your group you may also need to consider things like whether or not your group needs to take out insurance, depending on your group's activities. If you need advice on this or any other matter please contact your Tenant Participation contact. This will not affect your registration.

CRITERIA FOR REGISTRATION

1. Constitution

The organisation applying must have a written constitution available for inspection by the public that sets out-

- its objects and its area of operation;
- its membership criteria and procedure for application for membership;
- the operation of its committee;
- its procedure for election of its committee and office bearers;
- how its business is conducted, including delegation of powers;
- how its decisions are reached;
- how its funds are managed;
- its procedures for meetings of members including the annual general meeting;
- its procedure for amending its constitution;
- its commitment to the promotion of equal opportunities; and
- its commitment to the promotion of the housing and housing related interests of the tenants of the registering landlord.

2. Committee

The organisation must:

- a) have a committee, the members of which are elected at an annual general meeting of the applicant and members of the committee must be required to stand down after a period specified in the applicant's constitution.
- b) have a committee which must consist of at least three members who may co-opt other members on to the committee during the course of a year; and
- c) have committee procedures set out in the constitution, which must require that the decisions of the committee are reached democratically.

3. Area of operation

The applicant must operate within a defined area, and in which there is housing stock owned or managed by any local authority or registered social landlord with whom it is seeking to register.

4. Membership policy

Membership of the applicant body must be open to all those tenants of the landlord to which application has been made who are tenants-

- a) under a Scottish secure tenancy or a short Scottish secure tenancy; and
- b) of a house situated within the applicant body's defined area of operation.

5. Accounting

The applicant must maintain proper accounting records showing income and expenditure and a statement of assets and liabilities. Its constitution must require that an annual financial statement, audited by the landlord or by a qualified accountant should be prepared for presentation at its annual general meeting.

6. Consultation and representation

The applicant must be able to demonstrate to the landlord its commitment to representing the interests of its members and its ability to represent the views of its members who are tenants of the landlord with whom it is seeking to register.