



TENANT & LEASEHOLDER  
SCRUTINY GROUP

# TERMS OF REFERENCE

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**21 SEPTEMBER 2024**

# **Tenant and Leaseholder Scrutiny Group**

## **Terms of Reference 2024**

### **1. Name of Group**

1.1 The Tenant and Leaseholder Scrutiny Group.

### **2. Background**

2.1 Scrutiny a process for carrying out resident-led reviews of all housing services. It is stated in housing regulation and forms a large part of an organisational approach to welcoming in-depth examination.”

2.2 Under the regulatory framework for social housing, resident-led scrutiny is a key requirement for social housing landlords regarding the delivery of housing services.

2.3 Tenant scrutiny aims to give tenants more power in holding their landlord to account for their decisions, performance, and conduct.

### **3. Purpose of the Group**

3.1 To work in partnership with SMBC Housing to ensure that policies, procedures, and services meet all regulatory requirements.

3.2 To be the official link to SMBC political structures via the Safer Neighbourhoods and Active Communities Scrutiny Board

3.3 To ensure all influence and scrutiny engagement is outcome focused. It is designed to improve services and communities as well as provide value for money and transparency.

3.4 There is clarity about the role of tenant influence and scrutiny within the organisation amongst members of the governing body and senior management team.

## 4. Role of the Group

- 4.1 To ensure SMBC and partners gather and use residents' views, priorities and aspirations effectively when developing, delivering and reviewing housing related services.
- 4.2 Ensure residents are engaged in the housing service and good quality effective tenant led scrutiny is delivered across Sandwell.
- 4.3 Commission active projects and processes to consult residents on the housing service.
- 4.4 To ensure SMBC housing has relevant, challenging and effective local performance indicators and monitor performance against these indicators.
- 4.5 Monitor SMBC's performance against regulatory standards, particularly the consumer standards set out by the Regulator of Social Housing
- 4.6 To challenge stigma and to celebrate the positive contribution of tenants and residents within the housing service and the wider community.
- 4.7 To ensure an effective communication strategy is in place to inform tenants of the outcomes of scrutiny and encourage wider involvement.
- 4.8 To nominate a representative to the Safer Neighbourhoods and Active Communities Scrutiny Board
- 4.9 The Group can make recommendation for changes to Housing Policy to the Cabinet Member for Homes, and/or Service Delivery to the Director of Housing & Assets.
- 4.10 To act in the best interest of the wider tenant and leaseholder population
- 4.11 To where required offer advice and guidance to SMBC to ensure that information provided to tenants and leaseholders including any publications is easy to understand.

- 4.12 To contribute to the production of the Annual Report to Tenants ensuring it is published and widely available.

## **5. How will TLSG fulfil this Role**

- 5.1 Will work in partnership with TAG to agree a work programme for the year.
- 5.2 TLSG will review performance reports, benchmarking data, tenant feedback and reports.
- 5.3 TLSG will agree and make recommendations for service improvement priorities and will monitor progress on actions.
- 5.4 Confidential information may where appropriate be shared with TLSG with the exception of confidential customer data.
- 5.5 TLSG can request to meet with senior officers to enable them to make judgements.
- 5.6 TLSG will agree key elements of good service including any published service standards.
- 5.7 TLSG will normally be the first point of contact for any new initiative, policy and procedure reviews. In considering any item they can direct wider tenant/leaseholder or customer consultation.
- 5.8 TLSG will receive reports from TAG.
- 5.9 TLSG will regularly monitor the delivery of any agreed actions coming from TLSG and TAG reports.
- 5.10 TLSG will share reports with SNAC as appropriate.
- 5.11 TLSG will provide regular updates to TAG and to SNAC on progress in the implementation of agreed recommendations.

## **6. Support for the Group**

- 6.1 The Group will be supported by a designated officer who will be responsible for ensuring that the Group have all the information they need. This officer will also be responsible for ensuring services and staff work effectively with the Group to support the scrutiny process.
- 6.2 The designated officer will facilitate virtual meetings as required.
- 6.3 Ensuring that TLSG and TAG have the opportunity to meet quarterly either in person or virtually.
- 6.4 Ensuring that the TLSG and TAG work programme is aligned.
- 6.5 Ensuring TLSG & TAG members are able to be kept updated on the progress of any agreed actions based on the recommendations of their reports including access to information online.
- 6.6 Group members will be provided with a training and development plan to ensure they have the confidence and skills to deliver their role.
- 6.7 All reasonable out of pocket expenses will be provided to Group members.

## **7. Membership and Recruitment**

- 7.1 The Group will have a membership of ten. Eight members will be tenants and two will be leaseholders.
- 7.2 One third of the Group must stand down each year using an agreed format that is fair and transparent.
- 7.3 Members of the Group can stand for re-election; however, they will be considered alongside new nominations, which will be encouraged.
- 7.4 The Group may co-opt additional members with no voting rights to the Group if they feel they add a particular skill or

expertise that is not catered for on the existing Group. In addition, this could include any previous members should there be a skills gap within the Group.

- 7.5 The co-opted member will serve a maximum of a 3-year term.
- 7.6 Members of the Group must be current tenants and leaseholders of the Council. Membership is open to anyone over the age of 18, however, there are several exceptions where tenants will be excluded from membership and although cases will be considered individually, they include:-
- tenants who are in serious breach of the conditions set out in their tenancy agreement; the seriousness of the breach will be the decision of the Housing Service Manager
  - tenants who have previously breached confidentiality requirements through the involvement processes of the Council.
  - where a tenant ceases to be a tenant of Sandwell Metropolitan Borough Council.
  - any employee of Sandwell Metropolitan Borough Council.

All the above apply throughout the term of the office and not just at election.

- 7.7 Any resulting casual vacancy shall be filled as soon as possible in accordance with the recruitment process.
- 7.8 The Group will elect a Chair and Vice Chair for the group.

## **8. Meetings**

- 8.1 The programme of meetings will be agreed annually by the Group, with the opportunity for virtual meetings as necessary.
- 8.2 Meetings will normally be held in a location that is accessible and acceptable to all members.
- 8.3 The meeting shall commence at the time and place stated in the notice of the meeting, subject to a quorum being present.
- 8.4 The quorum for meetings of the Group shall be 4 members.

- 8.5 In the event of a quorum not being obtained at the commencement of or at any point during the meeting, the meeting may continue for the purposes of debating an item, but no formal decisions may be made.
- 8.6 Any member of the group can request items to be included on the agenda.
- 8.7 Meetings will be held at least four times per year.
- 8.8 Training and additional special meetings may be arranged dependent on the need.
- 8.9 The designated officer, in consultation with the Chair, will determine the content of any agenda
- 8.10 The designated officer will be responsible for the distribution of the agenda and any supporting papers for each meeting of the Group at least ten working days before the meeting.

## **9. Conduct at Meetings**

- 9.1 Group members will be required to adhere to an agreed code of conduct.
- 9.2 Group members to allow up to 15 minutes at the start of the meeting for a quorum to be present.
- 9.3 Any members of the Group must declare a conflict of interest as soon as it arises.
- 9.4 The Group will reach decisions by consensus. If this is not possible members will vote on an issue by a show of hands; a majority of one will be required to agree a decision. In the event of a tie, the motion will not be carried, and the Chair will have a casting vote.
- 9.5 Members shall have regard where appropriate to the confidential or commercially sensitive nature of information presented at meetings of the Group and shall undertake not to disclose such information to third parties, unless required to do so by law.

## **10. Non-attendance at meetings**

- 10.1 If a TLSG member does not attend 4 consecutive meeting without sending apologies during that time, the Chair will send a letter to that member officially removing them from the group.
- 10.2 There will be a proactive approach taken after the 2<sup>nd</sup> non-attendance meeting requesting for the member to contact the Chair for a conversation to see if there is any support required.

## **11. Equalities and Diversity**

- 11.1 The Group will recognise the existence and importance of the different ages, races, genders, abilities, and lifestyles within the resident profile and will strive to ensure that no group or individual will be disadvantaged because of its activities. The Group will be committed to promoting equality of opportunity to all persons in every respect of activities carried out by it.



## **TLSG – Terms of Reference 2024 – Appendix 1**

### **Role of the Chair and Vice Chair: –**

- A.1. The role of the Chairperson is to provide Leadership to the group, ensure that each meeting is planned effectively, is conducted according to the constitution, to ensure proper information is provided, that matters are dealt with in an orderly, efficient manner, to listen and act accordingly, that the group is focused on its tasks and responsibilities., and to represent the group in a variety of arenas/ settings.
- A.2. Meet with Senior Officers to set the agenda for quarterly meetings
- A.3. The Chair will represent the group at the Safer Neighborhood & Active Communities council committee. (SNAC)
- A.4. The Vice – Chair has the responsibility to carry out the above roles in absence of the Chairperson.

## **TLSG Terms of Reference 2024 – Appendix 2**

### **Format, timescales, meeting procedures: –**

- B.1. Papers for TLSG meetings will be circulated to members, at least two weeks (10 working days) before meeting. This will enable the group to read and digest and consider any questions they may have beforehand. Allowances can be made, if, at the agenda setting/ and other meetings, it is agreed to work to a different timescale.
- B.2. Request for information from Sandwell Council will be expected in a timely manner so that there is sufficient time to digest, interpret and take appropriate action required adhering to deadlines.
- B.3. All written documents sent to the group should be in the style of Arial 14 font.
- B.4. Officers must be prepared to provide information in other formats when requested to ensure equality of access to all.

B.5. All information provided by SMBC should be in plain English with the use of acronyms and jargon to a minimum, and, if used, a key provided explaining the meanings should be provided.