

TENANT PARTICIPATION
THE INVOLVEMENT OF DISABLED
PEOPLE

A Scoping Study

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EXECUTIVE SUMMARY

This report presents the findings of a scoping study of the involvement of disabled people in the tenant participation process, which offers one example of opportunities for democratic participation and active citizenship. The research was carried out in Summer 2007 and the findings identify aspects of practice which may enable or constrain disabled people's involvement in public, civic and community life and in tenant participation. The study focuses on disabled people who fall within the definition of the Disability Discrimination Act, and is underpinned by the social model of disability.

Background and context

The need for the study reflects a growing concern with the decline in "representative democracy" and the weakening of "civil society", which has focused attention on enabling members of the community to make their voices heard in decision making and community activity. Within this, it has been recognised that the inclusion of disabled people is considered an essential element of effective participation and, in the context of this report, an essential element of tenant participation.

There is a statutory framework for tenant participation, through the Housing (Scotland) Act 2001, which placed an obligation on local authority and Registered Social Landlords (RSLs) to develop tenant participation strategies and to consult tenants on a range of housing and related issues affecting them. Local tenants' organisations work with their landlords to ensure that tenants' views are represented in decision making processes, and a range of national organisations provide advice and support. Communities Scotland also carry out inspections of Registered Social Landlords (RSLs) and the landlord and homelessness services of local authorities under the Housing (Scotland) Act 2001.

There have been a range of developments in a number of aspects of legislation, policy and practice at a national level which impact on opportunities for participation by disabled people. These include:

- Developments in disability equality and rights (such as the Disability Discrimination Acts 1995 and 2005; the Equality

- Act, 2006; changes to the structure for equalities work in Scotland; the development of the Disability Agenda; and the publication of other strategic reports).
- Developments in public participation in general and in participation by disabled people (such as the emphasis on community involvement through the regeneration and modernisation agenda; the Local Government in Scotland Act [2003] and the advent of community planning; a growing commitment to the inclusion and empowerment of disabled people and removing barriers to engagement; and the Disability Agenda and focus on independent living).
 - Developments in tenant participation (including the National Strategy “Partners in Participation”, 1999; The Housing [Scotland] Act 2001; developments to the structure and methods for tenant participation in Scotland; and the development of inspection and regulation).

Despite these developments, however, it is recognised that disabled people remain under-represented in public, civic and community participation, with an identified need to increase their involvement. It has been suggested that change is slow, and that there remains a lower level of participation by disabled people than other members of the community. There are a range of barriers which can impact both on whether or not disabled people participate in community organisations and whether or not they are involved in broader participation processes. It was considered important in this research to identify examples of good practice and to highlight these barriers in the examination of the tenant participation process.

The main findings

The study found that it is not possible to provide a definitive account of the level of involvement of disabled people in tenant participation and tenants’ organisations, as data is not being collected systematically, and assessment relies heavily on participants’ perceptions. Landlords’ views of this are varied, while most tenants’ organisations believe that disabled people are adequately represented, in a process that many consider to be “barrier-free”. Many disabled people, however, do not share this view, and some of the limited data available indicates that there may be under-representation of disabled people (and particular

groups of disabled people) in some aspects of the tenant participation process and some organisations, including at a decision-making level.

The study identified a number of aspects of good practice and constraints in the tenant participation process which may impact on participation.

In terms of the local **policy framework and operating context**, the research suggests that good practice requires:

- A commitment to disability equality and its implementation.
- Clear recognition of roles and responsibilities.
- Guidance, support and training.
- Resources and appropriate capacity in organisations.
- Targets, standards, data, monitoring and review.

Some positive examples of such practice were identified, and most organisations recognised the need to refer to the promotion of equality in their strategic documents. Most made a commitment to the inclusion of disabled people and recognised the positive benefits of this. Some developments to guidance, networking, information sharing, training and data collection were identified, as were examples of the flexible use of resources and capacity building.

There remain, however, many constraints to participation by disabled people, including concerns, in some cases, about: the translation of policy commitments into practice and the lack of a proactive approach to the involvement of disabled people; the level of priority given to participation by disabled people; the means of fulfilling the requirements of the Disability Discrimination Act (DDA) and the interpretation of landlords' duties under the Housing Scotland Act (2001); a lack of "mainstreaming" of disability equality; issues with the use of guidance, support and training; resource and capacity constraints; and limited information gathering and monitoring.

In terms of the **local engagement process**, the findings suggest that good practice requires:

- Action by all stakeholders to enable participation.
- Use of a range of appropriate methods.
- Timely, clear and accessible information.
- An appropriate timescale and timings.
- Addressing practical issues and publicising accessibility.
- Provision of feedback.
- Meaningful involvement of disabled people at all stages.
- Proactive work to involve disabled people.
- A welcoming ethos and appropriate attitudes.

Again, the research identified examples of positive developments, in these issues, which included, for example: the use of a range of methods; some provision of information in different formats; some good practice in timescales, timing and addressing physical and practical barriers; some advocacy work; some positive links with disability organisations; and some examples of organisations with a positive ethos and attitudes to disabled people.

The research, however, also found constraints to participation in the local engagement process, such as: a heavy reliance on traditional methods of involvement; some barriers in information, timescales and timing; variations in the recognition of practical barriers and actions taken; lack of feedback; under-representation of disabled people in some decision making structures and in “higher level” processes; limited proactive involvement of disabled people and few links to disability organisations; variations in the ethos of organisations; and some clear problems with attitudes to disabled people amongst some of those involved in tenant participation.

Recommendations

One of the key issues to emerge from the research is the need for all organisations to recognise and tackle the barriers to participation by disabled people and take proactive steps to promote the involvement of disabled people in public, civic and community life. There is a need for an appropriate and inclusive overall policy framework and operating context in Scotland, and for appropriate engagement at a local level. Recommendations are made relating to a range of issues, summarised below.

Recommendations relating to **policy and strategy** focus on the need for: all relevant organisations and partnerships to involve disabled people in their policy, strategy and practice; to adhere to existing legislation and guidance; and to reflect the need for the involvement of disabled people in tenant participation in strategic documents (such as Disability Equality Schemes; tenant participation strategies; and tenants' organisations' policies). This should be supported by targets, indicators, outcome measures and relevant actions, and the effectiveness of strategy, policy and practice should be reviewed regularly.

Recommendations relating to **implementation** focus on the need for: appropriate links between relevant local and national structures for participation; commitment to, and priority for participation from all levels in organisations; and proactive work to include disabled people in all aspects of tenant participation.

Recommendations relating to **guidance, support and training** focus on the need for: a "shared understanding" of the implications of disability equality for tenant participation; the continuing development of guidance and support, which is disseminated using a range of means; and the provision of appropriate disability equality training to those involved in tenant participation.

Recommendations relating to **resources and capacity** focus on the need for: sufficient resources to organisations in the tenant participation process and organisations of and for disabled people; promotion of awareness of funding; the use of appropriate funding criteria and conditions to encourage the inclusion of disabled people; and support, information and opportunities for individual disabled people to recognise and develop their own skills and expertise and develop their role in public, civic and community life.

Recommendations relating to **monitoring, evaluation and review** focus on the need for: all relevant organisations to monitor and review the involvement of disabled people in tenant participation, with appropriate standards, goals and targets, performance indicators and guidance. Appropriate data should be identified and gathered, and a range of methods used for monitoring, such as inspection, review of the Disability Equality Duty, monitoring of Registered Tenant Organisations (RTOs), equality impact assessment and other means.

Recommendations relating to **local engagement processes** focus on the need for: all organisations involved in enabling participation to identify and address barriers to participation by disabled people, to use a range of methods and to follow recognised good practice in their processes.

Recommendations relating to the **level and nature of involvement** focus on the need for: all organisations to take a range of proactive steps to enable participation by disabled people; to ensure that they have representation of disabled people at all levels; and to involve a range of disabled people from the outset, and throughout a well-planned, clear and transparent tenant participation process.

Recommendations relating to the **nature of organisations** focus on the need for: organisations to identify and address any barriers in their ethos and operation, and to make it clear that they welcome involvement from disabled people. There should also be national and local action to challenge and address inappropriate public attitudes and stereotypes relating to disabled people.

These recommendations should help to increase the level of involvement of disabled people in public, civic and community life in the future. It is important that these issues are reflected as priorities with the advent of the CEHR, in order to move towards the achievement of equal citizenship for disabled people, which is long overdue.

SECTION 1: INTRODUCTION

1.1 This report presents the findings of a study carried out by Reid-Howie Associates for the Disability Rights Commission (DRC) in summer 2007. The study examined aspects of democratic participation and active citizenship amongst disabled people, through a scoping study which focused on one aspect of this - the tenant participation process. The findings highlight aspects of practice which may enable disabled people's involvement in tenant participation, and those which may constrain this. The methodology is described in Annex 1.

THE NEED FOR THE STUDY

1.2 There has been a growing concern in recent years about the decline in "representative democracy" and the weakening of "civil society" (DRC, 2007a), which has led to a focus on alternative means of getting members of the public involved in decision making. Attention has focused on "democratic participation" and "active citizenship", with an increased emphasis upon community activity and on enabling members of the community to make their voices heard. As the Disability Debate paper "Time for Interaction" (DRC, undated) noted:

"There is considerable interest across the political spectrum in 'civil renewal', with the objective of engaging people in partnership with public authorities in the delivery of public policy ... and through doing so engaging individuals and communities with each other with the aim of fostering social cohesion."

1.3 There has been an increasing focus on the development of mechanisms to involve groups and individuals in the community in decision making on key issues, with a range of structures and mechanisms through which this takes place at a national and local level.

The need for the involvement of disabled people

1.4 It is clearly vital that disabled people have the opportunity to participate on an equal basis with other members of the community, and that they can make an active contribution to public, civic and community life and have an input to issues which affect them. The International Association for Public Participation (IAP2, 2003) in its Code of Ethics for Public Participation Practitioners highlighted the need for stakeholders to have:

“... fair and equal access to the public participation process and the opportunity to influence decisions”.

1.5 The importance of democratic participation and active citizenship by disabled people is central to the policy focus of the DRC in the Disability Agenda (DRC 2006c; 2007a) and of the disability rights movement. One of the six key priorities identified in the “Disability 2020” report (IPPR, 2007) was the need to “promote opportunities for social and civic participation by disabled people” with a concept of citizenship which takes account of the value of different forms of contribution to society. The need to increase such participation has also been recognised in a range of other recent reports (e.g. Scottish Parliament, 2006; Scottish Executive, 2006; DRC, 2007a; DRC, 2007b), with the report “Improving the Life Chances of Disabled People” (PMSU, 2005) stating that:

“It is time to end the culture of dependency and low expectations, and move towards a society in which we invest in disabled people, empowering and supporting them to participate and be included.”

1.6 There are also a range of benefits of the inclusion of disabled people in public, civic and community life, as well as the general benefits of public participation (such as better services, management, delivery and value for money; the development of skills; improved communication and relations between staff and service users; the development of understanding; and greater satisfaction). Specific benefits of the involvement of disabled people include: diversity of membership of local organisations; the development of public policy which reflects the views of a range of community members; positive relations between and within communities and society; increased independence, confidence and skills amongst participants; social opportunities; and a stepping stone to other forms of involvement. Generally, as the IPPR report (2007) noted:

“Social and civic participation is an important expression of citizenship for disabled people, and can also play a role in dismantling barriers.”

1.7 Conversely, a lack of involvement of disabled people in decision making and local democracy can compound other inequalities and can impact upon the relevance of services to addressing their needs. For all

of these reasons, there is a need to ensure that the inclusion of disabled people is considered an essential element of effective participation and, in the context of this report, an essential element of tenant participation.

Current barriers

1.8 Research has identified that there are currently a range of barriers to the inclusion of disabled people, with considerable evidence (discussed further in Section 2) to suggest that, despite their increasing involvement in some aspects of public, civic and community life, disabled people are under-represented in such participation (e.g. IPPR, 2007; DRC, 2007a; Scottish Executive, 2006; Scottish Parliament, 2006). The Scottish Executive (2002b) identified that:

“Although it is rare that an organisation makes a conscious decision to exclude a group ... this can happen for a range of reasons.”

1.9 The barriers to participation which have been identified include the overall structure and context for participation, and the engagement process and nature of organisations, all of which can impact upon the level of participation by disabled people. It is well-recognised that, in order to increase such participation, it is necessary to identify these barriers and to highlight positive examples to inform the way forward.

The use of tenant participation as an example of democratic participation and community activity

1.10 The tenant participation process in Scotland offers a clear example of the opportunity for democratic participation and active citizenship. Many reports have highlighted the importance of housing and other local issues to disabled people (e.g. Herd, 1999; Scottish Council Foundation, 2005; DRC, 2006c) and the PMSU report (2005) noted that:

“Most aspects of housing policy impact on the life chances of disabled people”.

1.11 Respondents to this research, and findings from other studies (DRC, 2007b), indicate that relevant housing issues include:

- A greater likelihood of disabled people renting their homes than non-disabled people, and different patterns of housing.

- A lack of choice and suitable housing, long waiting times and a lack of integration between housing and other services.
- Issues with the availability, quality, age and suitability of housing (including issues with internal features, heating etc.).
- Affordability of housing and the impact of the benefit system.
- Problems with equipment and adaptations.
- Lack of support and information.
- Access to other amenities.
- Lack of recognition of needs and inappropriate attitudes.

1.12 These issues can, in turn, impact on many other aspects of people's experiences, highlighting the importance of disabled people having a voice in housing issues. Tenant participation is an important mechanism for this, and, in Scotland, a National Strategy for Tenant Participation ("Partners in Participation", The Scottish Office, 1999) identified this as involving:

"... tenants taking part in decision making processes and influencing decisions about housing policies; housing conditions; and housing (and related) services".

In the "Guide to Successful Tenant Participation" (Communities Scotland, 2005b) it is noted, in describing tenant participation, that:

"The right to participate comes from a reasonable expectation on the part of tenants that housing services and policies should meet their needs and preferences, as far as possible within available resources".

1.13 Within this process, tenants' organisations¹ have a key role, and the Office of the Deputy Prime Minister (2003), noted that:

"Tenants' and residents' associations are amongst the most basic and common vehicles for involvement ..."

Some respondents to this study also noted the opportunity for these organisations to influence a number of key aspects of local provision.

The term "tenants' organisations" is used in this report to refer to organisations which bring local tenants together. It is recognised that these are often "tenants' and residents' organisations", but, as the focus of this report is on tenant participation, the term "tenants' organisations" is used. This includes Federations of Tenants' and Residents' Associations and individual Tenants' and Residents' Associations, whatever the local terminology used to describe these.

1.14 There is a statutory framework for tenant participation in Scotland, through the Housing (Scotland) Act 2001 which placed an obligation on local authority and Registered Social Landlords (RSLs) to develop tenant participation strategies and to consult tenants on a range of housing and related issues affecting them. There are many local grassroots tenants' and residents' associations, and a number of umbrella groups (often Federations of Tenants' and Residents' Associations) covering a larger geographical area. These tenants' organisations work to identify the views of members and raise issues, working with their landlords to ensure that tenants' views are represented in decision making processes. Local authority and Registered Social Landlords (RSLs) also engage with individual tenants².

1.15 There are, therefore, a number of levels at which disabled tenants can become involved, including: as an individual tenant; as a member of a local tenants' organisation; and as a representative from a tenants' organisation on other decision making bodies. For these reasons, the tenant participation process provides an ideal opportunity to examine the involvement of disabled people. The "Guide to Successful Tenant Participation" (Communities Scotland, 2005b) also identified that the general principles of good practice in tenant participation can apply to other forms of community involvement. As such, good practice and constraints can be highlighted which may apply to the involvement of disabled people in other aspects of public, civic and community life.

1.16 The examination of the involvement of disabled people in tenant participation also provides a useful means of highlighting the interaction between a specific policy area and the implementation of the Disability Equality Duty in relevant organisations. For example, under the Housing (Scotland) Act 2001, landlords are required to exercise their functions in a way that encourages equality, while public bodies in Scotland have a duty under the Disability Discrimination Act 2005 to promote disability equality. Both of these legislative requirements clearly suggest the need for the full involvement of disabled people in the tenant participation process, and the findings of this research can help to identify the extent to which these requirements are being recognised and addressed.

² References in the report to landlords, landlord organisations and housing providers cover local authority and RSLs.

The focus of the study

1.17 This study focused upon disabled people's involvement in tenant participation as one strand of local democracy and active citizenship, including their involvement in tenants' organisations and in the broader tenant participation process (as tenants' organisations cannot be seen in isolation from this)³. The study explored relevant policy and practice, including: general developments in disability equality and rights; developments in public participation; and developments in tenant participation. It examined the views of housing providers, tenants' organisations and disabled people, and identified examples of good practice⁴ in enabling participation in decision making and in tenants' organisations. It also identified barriers to the involvement of disabled people, and suggestions for overcoming these.

1.18 The study focused on disabled people who fall within the definition of the Disability Discrimination Act (i.e. people who have an impairment or long-term health condition such that they are likely to meet the definition, including people with sensory and visual impairments, learning disabilities, mental health problems and long term health conditions such as diabetes, HIV, multiple sclerosis and cancer).

1.19 The study is underpinned by the social model of disability, which identifies disability as being caused by the lack of an appropriate response by society to an individual's impairment, which prevents their full participation in aspects of economic, social, political and cultural life (rather than being caused by the impairment per se). The social model distinguishes disability from impairment or ill-health, and focuses instead on the disadvantage resulting from the barriers which people experience.

1.20 The remainder of the report presents the findings. Section 2 identifies the national policy context and perceptions of the current level

³ It did not, however, examine other forms of wider involvement of disabled people by the organisations concerned in any detail, with the main focus being upon tenant participation issues, as described by the relevant stakeholders.

⁴ It should be noted that examples of "good practice" and views of this have been identified from literature and from research respondents. Examples of initiatives and actions have not, however, been independently audited, and their inclusion should not be taken as an endorsement either by RHA or by the DRC. It should also be noted that it is impossible to cover every instance of good practice or barriers highlighted through the research, but the examples used provide an overall picture of key issues.

of involvement by disabled people in tenant participation. Sections 3 and 4 focus on identifying aspects of good practice and constraints in the tenant participation process and Section 5 presents the key conclusions and makes a number of recommendations for the future.

SECTION 2: THE NATIONAL CONTEXT

2.1 A number of legislative and policy areas are relevant to the involvement of disabled people in tenant participation, including: disability equality and rights; public participation; and tenant participation. Some of the most relevant developments are considered, before views of the current involvement of disabled people are explored.

DISABILITY EQUALITY AND RIGHTS

2.2 Recent years have seen developments to the legislation, policy and structure to promote disability equality and inclusion, with an increasing move to a rights-based approach (Gillinson et al, 2005).

Key legislation

2.3 The Disability Discrimination Act (DDA) 1995 made significant changes to the legislative framework for disability issues, and gave rights to disabled people in employment; education; access to goods, facilities and services; and buying or renting land or property. This was followed in April 2005 by a new DDA, which amended or extended the provisions of the 1995 Act, giving public bodies in Scotland a duty to actively promote disability equality. Under the Act, public bodies must have due regard, in every area of their work, to the need to: promote equality of opportunity for disabled people; eliminate unlawful discrimination against disabled people; eliminate harassment; promote positive attitudes; encourage participation by disabled people in public life; and take steps to meet disabled people's needs.

2.4 Listed public bodies (including all local authorities) also have a duty under The Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005, to publish a Disability Equality Scheme (which they were required to do by December 2006), with direct involvement of disabled people in drafting and reviewing this.

2.5 This legislation clearly has implications for tenant participation and, along with the equalities requirements of the Housing (Scotland) Act 2001 (discussed later), provides a clear framework for the involvement of disabled people in tenant participation. The DDA requires not only removing barriers to participation, but also taking positive steps to promote this. Additionally, the Duty and Disability Equality Schemes should have implications for how public bodies fund and regulate

housing associations and local tenants' organisations, and their expectations of these organisations in promoting equality⁵.

2.6 The Scotland Act (1998) established the Scottish Executive and Scottish Parliament, both of which have been involved in promoting equality since devolution. The Disability Rights Commission (DRC) also has a statutory remit to eliminate discrimination and to promote equality for disabled people. The Equality Act (2006) provided for the creation of a new body to draw together the different "strands" of equalities work, one of which is disability. The new "Commission for Equality and Human Rights" (CEHR) will subsume the work of the DRC from October 2007 and will be a crucial body in taking disability rights and equality forward. One of the Commissioners has a remit for Scotland, and a Scotland Committee will oversee issues in Scotland. A Disability Committee will carry out some of the functions of the Commission relating to disability.

Strategic and policy developments

2.7 There have also been a number of recent strategic reports which have focused on disability equality and rights. The DRC set out its agenda in 2005, and the "Disability Agenda" included recommendations on a number of priorities, with the overall aim (DRC, 2007a) of:

"A society where all disabled people can participate fully as equal citizens".

2.8 The report "Changing Britain for Good – Putting Disability at the Heart of Public Policy" (DRC, 2006e) identified a range of priorities, and "Putting Disability at the Heart of Public Policy in Scotland" identified these in a Scottish context (DRC, 2006c). The Agenda addresses the exclusion faced by disabled people, and recommends policies and actions to promote "equal citizenship" and achieve a range of goals by 2020. It highlights the need to give disabled people the support they require to participate in all aspects of life and to "enjoy full membership of society", whilst recognising that they will accept responsibilities to make a positive economic or social contribution.

2.9 At a UK level, a report "Improving the Life Chances of Disabled People" was published by the Prime Minister's Strategy Unit in 2005.

⁵ Shelter (2006), for example, suggested that one way of addressing the Duty would be to ensure representation of disabled people in tenants' associations or user groups.

This focused on the promotion of equality and choice for disabled people and promoted the need for independent living, proposing that:

“By 2025, disabled people in Britain should have full opportunities and choices to improve their quality of life and will be respected and included as equal members of society.”

The recommendations were accepted by the Government, and a UK Expert Panel on Independent Living and a national Office for Disability Issues established. In Scotland, the Equal Opportunities Committee of the Scottish Parliament carried out a “Disability Inquiry” which focused on access to work, further and higher education, leisure and the arts, and a report was published in 2006. The Scottish Executive established a Disability Working Group in 2004 which reported in 2006. Both reports made a number of recommendations to promote disability equality, many of which have been accepted.

PUBLIC PARTICIPATION AND INVOLVEMENT

2.10 There have also been developments in public participation, and the process of “community engagement” and involvement. As noted in Section 1, recent years have seen an increased focus on participation in public, civic and community life and decision making, and a growing commitment to the inclusion and empowerment of disabled people in this (Scottish Council Foundation, 2005; DRC, 2007b). The Office of the Deputy Prime Minister (2003) noted that “involvement” can mean local people taking part in public decision making, in general community activity and in community and voluntary organisations.

Key legislation

2.11 The provisions of the DDA, outlined above, are clearly relevant to the development of public participation. In addition, the Local Government in Scotland Act (2003) imposed duties on local authorities to develop community planning, and to involve local people in public service planning and delivery. This also had important implications for “community engagement” and involvement and the Scottish Executive (2004) noted that the engagement of communities is “at the heart of Community Planning”.

Strategic and policy developments

2.12 Public participation is a key element of the overall regeneration and modernisation agenda, and the “State of the Nation Report” (Scottish Council Foundation, 2005) noted a:

“... growing interest among policy makers in Scotland and the UK in gaining a deeper understanding of the public’s views, particularly on areas that affect their daily lives.”

The commitment to public service reform has led to an increased emphasis on choice and control by service users, with community members included in planning, developing and managing services, and in tackling issues in specific neighbourhoods. As the DRC (2007a) noted, this is likely to continue. The National Standards for Community Engagement (Communities Scotland, 2005a) noted that public bodies at all levels should work closely with community groups to develop their policy and practice, and remove barriers to engagement.

2.13 As noted, increasing democratic participation and active citizenship by disabled people is also one of the priorities of the Disability Agenda (DRC, 2007a). In “Putting Disability at the Heart of Public Policy in Scotland” (DRC, 2006c) it is suggested that one of the requirements for having reached the objective of “a society in which all disabled people can participate fully as active citizens” is when:

“We have reversed the pervasive notion of disabled people as ‘passive recipients’ of care or charity and have replaced it with public support for disabled people as ‘active citizens’.”

2.14 This is also central to “independent living” which has been a key strand of the DRC’s strategic focus in recent years and involves:

“all disabled people having the same choice, control and freedom as any citizen - at home, at work and as members of the community”. (DRC, 2002)

This requires enabling disabled people to participate fully across economic, social, political and cultural life in Scotland, and to have choice and control in all aspects of their lives. The opportunity to take part in community activities and engagement, and to have access to civic involvement are increasingly recognised as key components of this.

2.15 There are some mechanisms in place for the involvement of disabled people, and new developments emerging. A recent study (DRC, 2007b) highlighted work being undertaken in Scotland to identify mechanisms for longer term engagement with the disability sector. It also noted that a UK national forum (Equality 2025: the United Kingdom Advisory Network on Disability Equality) was being established, and the trend of increasing involvement is likely to continue with the ongoing implementation of the requirements of the DDA (2005).

TENANT PARTICIPATION

2.16 There have also been developments to tenant participation, and the Scottish Executive is committed to developing this, building upon work in the late 1990s when a National Strategy for Tenant Participation “Partners in Participation” (The Scottish Office, 1999) was developed. The Strategy set out principles for effective tenant participation and committed relevant stakeholders to a programme of action, including involving tenants in discussions about housing policy at a national level. It also included a commitment to the Scottish Executive exploring the need for a statutory right to participation.

Key legislation

2.17 The Housing (Scotland) Act 2001 created a statutory framework for tenant participation and introduced new rights for tenants and landlords. The provisions came into force in 2002 and, amongst a range of provisions, the Act required that every local authority and Registered Social Landlord must prepare a tenant participation strategy which must include: arrangements for obtaining and taking account of the views of Registered Tenant Organisations (RTOs)⁶ and tenants; arrangements for notifying organisations of relevant matters; and the information to be provided to RTOs and tenants about proposals and their likely effect. It also required every local authority and Registered Social Landlord to maintain a register of tenant organisations. The Act also enabled individual tenants and groups to be consulted on issues affecting them and required the landlord to have regard to any representations made by tenants or organisations within a reasonable period.

⁶ The concept of Registered Tenant Organisations (RTOs) was introduced in the Housing (Scotland) Act 2001. The registration criteria are set out in Scottish Statutory Instrument 2002 No. 416. An RTO is an independent organisation set up primarily to represent tenants’ housing and related interests. The aim is to give tenants’ associations which meet the criteria a recognised role in the tenant participation process.

2.18 The Act required landlords to exercise these functions in a way that encourages equality, stating that:

“(1) The Scottish Ministers and local authorities must exercise the functions conferred on them by this Act in a manner which encourages equal opportunities and in particular the observance of the equal opportunity requirements.

“(2) In providing housing accommodation and related services, registered social landlords must act in a manner which encourages equal opportunities and in particular the observance of the equal opportunity requirements.”

As with the DDA, this implies the need for landlords to ensure that the needs of equalities groups are considered, that barriers are addressed and that equality is encouraged. Again, this has implications for local authorities’ engagement with tenants’ organisations.

2.19 The provisions of the Housing (Scotland) Act 2001 are subject to regulation by Communities Scotland, which has the role of regulating and inspecting social landlords on behalf of the Scottish Ministers. This is done in line with the National Performance Standards, and, as Communities Scotland (2002) noted:

“Performance Standards require regulated bodies to embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of their work.”

Strategic and policy developments

2.20 These changes provided an opportunity for a strengthened role for tenants’ organisations in Scotland, and housing providers now engage with tenants in a range of ways (discussed later). There are local tenants’ organisations across Scotland, including individual organisations and Federations (umbrella groups). RTOs represent members’ interests on housing and related issues (and sometimes wider community issues), keep them informed of developments, and work in partnership with their landlord. Federations’ functions include providing help and guidance for local tenants’ organisations, co-ordinating and representing local groups, and having input to policy issues. Some also offer training to local tenants’ organisations.

2.21 Many, although not all local authority and Registered Social Landlords also now employ dedicated tenant participation staff to support and involve tenants and tenants' organisations, and to develop the process of tenant participation. A Communities Scotland Tenant Participation Development Team (TPDT) was established in 2002 which provides good practice advice and support (in a range of ways) to those working in tenant participation, and has developed a "Guide to Successful Tenant Participation" (Communities Scotland, 2005b). The team has recently been involved in establishing mechanisms for a national tenant engagement process. There is also an equalities team within Communities Scotland (although not dealing specifically with tenant participation issues).

2.22 A number of other organisations have also been established to develop good practice in tenant participation, including the national Tenants Information Service (TIS); Tenant Involvement in Islands, Grampian and Highland Rural Areas (TIGHRA); and the Tenant Participation Advisory Service (Scotland).

2.23 Housing providers and tenants' organisations have developed a range of methods for engaging with tenants in the community. Examples include: questionnaires and surveys; leaflets, letters and posters; newsletters; websites and internet based methods; comments and complaints cards; ballots; press and media; other written methods; discussion / focus groups; public meetings and events; tenants' panels and forums; roadshows; open days, conferences and seminars; social events; interviews; surgeries; working groups; and other techniques.

2.24 Developments to tenant participation have also included the recognition of the need for inclusion of disabled people, with a need for the views of all tenants which an organisation represents to be heard and taken into account, and groups to be open to all (e.g. TPAS, 2006). This is supported by the material cited earlier about the general need for disabled people's involvement in public, civic and community life.

THE CURRENT INVOLVEMENT OF DISABLED PEOPLE

2.25 These positive developments should enable the involvement of disabled people in public, civic and community life and in tenant participation. Respondents to this study suggested an increasing recognition overall of issues facing disabled people and, in some cases, increased opportunities for their involvement (e.g. DRC, undated). There

are also emerging examples of good practice in enabling this, and participants highlighted some essential components of this, which are detailed in Sections 3 and 4, and which can help to inform ways of promoting democratic participation and active citizenship in the future.

2.26 It has also been suggested, however, both by many respondents in this research and in other material that there remain gaps and barriers to disabled people's involvement in public, civic and community life, and in tenant participation, with change slow and the level of participation by disabled people relatively low (e.g. PMSU, 2005; DRC, 2007b). Although more disabled people are now in the workforce and in education, and there have been improvements to issues such as the built environment, transport, and the representation of disabled people in the media (DRC, 2007a), it is still the case that:

“Disabled people in Britain currently have very limited opportunities to exercise full and equal citizenship, despite the progress that has been made”. (IPPR, 2007)

2.27 Although there is limited evidence about patterns of social interaction and civic participation, a range of studies have identified more limited involvement by disabled people in various aspects of this than non-disabled people (e.g. Scottish Council Foundation, 2005; The Scottish Parliament, 2006; DRC, 2007a; DRC, 2007b; IPPR, 2007). A lack of representation of disabled people in positions of authority has also been highlighted (e.g. DRC, 2007b) and, in a 2006 report (DRC, 2006c) it was noted that:

“Disabled people are more likely to be targeted as objects of voluntary and community activity than supported to be active citizens themselves.”

The Scottish Executive (2006) also identified that:

“Disabled people can find they are denied the opportunity to exercise full citizenship, to make the most of their potential to contribute to society ... Too frequently their views are not sought on matters directly affecting them. It is not surprising that disabled people can feel devalued, disrespected and dismissed.”

2.28 Disabled people in the case studies in this research generally shared the view of a low level of involvement by disabled people in

community activity and in leadership positions within community organisations. One stakeholder noted that disabled people had raised concerns about their generally limited involvement in civic participation and a group of disabled people suggested that the lack of involvement:

“ ... goes right through all levels of participation to MSPs. There is a lack of disabled people being represented and they are not in positions of power”.

2.29 One group also noted that disabled people are seldom involved in *facilitating* participation, nor in leading and enabling discussions within mainstream participation structures. The DRC (2007a) noted that the limited involvement is:

“... a major missed opportunity and a waste of talent.”

It has also been identified as perpetuating inequality, prejudice and low expectations.

Involvement of disabled people in the tenant participation process

2.30 In relation specifically to the tenant participation process, TIS (2004) identified considerable variation across Scotland in the “level and quality” of this. It has also been suggested that:

“Some groups of tenants have traditionally been less involved than others. These include ... disabled people.”
(Department for Communities and Local Government, undated)

TIS (2004) also noted that:

“It is well known that particular groups are under-represented in mainstream participation structures”.

Disabled people are identified as being amongst “excluded groups” and, similarly, Communities Scotland (2005b) suggested a lack of participation by “tenants with support needs”.

2.31 In terms of tackling these issues, TPAS (2007) suggested that progress in landlords’ and tenants’ groups’ exploring ways to increase disabled people’s participation in decision making is slow, and:

“our members find meaningfully involving people with disabilities challenging”.

A study carried out by Communities Scotland (2002) also identified that some landlords required help to encourage some tenants (including disabled people) to participate.

2.32 In terms of evidence of the current level of involvement of disabled people in tenant participation and tenants' organisations, this study found that data about this is not being collected systematically, making any assessment of this dependent on respondents' views. While most respondents provided an indication of their views, some felt unable to comment because of the lack of information, and the lack of data makes it impossible to give a definitive account. This is compounded by the finding that there were very mixed views in the case studies and postal survey of the current level of involvement of disabled people, and there is likely to be variation between different organisations. As one stakeholder stated, for example:

“Some landlords will grasp this and some will skirt around it”.

2.33 The views which were expressed, however, although varied, do give some indication of the current situation. In terms of the tenant participation process overall, and disabled people's involvement with housing providers, views of housing providers were mixed, and some of those in the case studies indicated that there has been a lack of this. Most tenants' organisations believed that the views of disabled tenants are adequately represented, and that disabled people do participate (although some were less positive). Views of disability organisations were varied and while some were positive, this was sometimes qualified by suggesting that they were only consulted on issues perceived to be specifically relevant to disabled people, or about complaints from disabled people). Some disability organisations and many disabled people in the case studies regarded the level of involvement of disabled people as a “significant failure”.

2.34 Some examples were given in the case studies of the nature of disabled tenants' involvement with housing providers, although this was often largely anecdotal. One housing provider, for example, noted that:

“There's not a lot of visible representation of disabled people at meetings ... a few have walking sticks, but we don't take a

record. I have been to meetings and conferences and there have been some wheelchair users.”.

In another case study, however, disabled people were seen to be well-represented in meetings between tenants and landlords (and this was the main service user client group). Even in this case, however, some issues were raised about a lack of mechanisms for the systematic inclusion of tenants' views.

2.35 In terms of the level of involvement of disabled people in tenants' organisations, there were again mixed views. Around half of the landlord organisations considered that the views of disabled people are adequately represented in these, while others did not, and one stated for example, that:

“historically the local tenant organisations have not been diverse in their membership. Therefore they are not representative”.

2.36 Most, although not all tenants' organisations felt that there was sufficient participation by people who had “some level of disability” and some provided individual examples. It was also noted that many tenants' organisations comprised largely older people, some of whom had mobility difficulties. Three tenants' organisations in the postal survey, however, suggested that they had no contact with disabled people, while others reported that they “do not ask” or “do not differentiate”. In one example where a Federation had undertaken systematic examination of participation, this identified the under-representation of disabled people. Amongst the other stakeholders and disabled people many shared the view that there was not a high level of involvement by disabled people in tenants' organisations, and one disability group stated that:

“They carry on without us. There are many barriers.”

2.37 There were also mixed views of whether disabled people were adequately represented as office bearers or committee members. There was a view from some case study landlords and most tenants' organisations that disabled people were adequately represented in this way, and some organisations gave examples of disabled people who took part in committees and as office bearers. They were generally keen to stress (as was a recurrent theme) that they did not exclude anyone, and sought the views of all tenants who wished to participate. Some, however, reiterated that the actual number of disabled people was

impossible to identify. Some landlords and most disabled people did not share the view that disabled people are adequately represented, and a number of disabled people suggested a clear need to promote their further involvement in decision making. The postal responses also indicated that less than half of the tenants' organisations actually had representation of disabled people at office bearer / committee member level.

2.38 The importance of recognising the diversity of needs and priorities within excluded groups has also been stressed (e.g. TIS, 2004) and it has been suggested that there can be particular gaps in participation for some disabled people. It was suggested in two of the case study areas, for example, that there can be a lack of involvement of younger disabled people. One respondent also identified that adults with learning disabilities who, while tenants of a local authority have their housing and support needs met by another provider, may be overlooked by both in the process of tenant involvement. It has also been suggested that people with mental health problems, communication support needs and sensory impairments are less likely to be involved.

Implications of perceptions of current participation

2.39 While it is important to bear in mind that this was a qualitative, exploratory study, and did not comprise an audit of practice, nor a quantitative examination of the current situation, the above information suggests that there are mixed views of the current level of tenant participation by disabled people. While some forms of engagement with tenants may include disabled people, and tenants' organisations generally consider that there is adequate representation of their views, and few barriers to participation, many other respondents suggest that this is not the case. Disability organisations identified a wide range of barriers, one of which was a lack of recognition by tenants' organisations of some of the issues.

2.40 Whatever the actual level of current involvement of disabled people, one of the key purposes of this research was to highlight potential barriers, as a means of developing practice in the future. The following sections focus on the tenant participation process at a local level, in terms of how this may enable or constrain participation by disabled people. The overall local context within which organisations operate is examined in Section 3, and the local engagement process and the nature of organisations are explored in Section 4.

2.41 Some of the enabling factors and constraints identified in Sections 3 and 4 relate to specific experiences of tenant participation in an area, while others have been identified more generally. Many are applicable to the overall tenant participation process, to tenants' organisations and to other forms of community engagement. This underlines a point made by a number of participants in this research, that good practice in involving disabled people is an element of good practice in participation more generally, and is of benefit to everyone.

SECTION 3: THE LOCAL POLICY FRAMEWORK AND OPERATING CONTEXT

3.1 While national legislation and policy set the overall context for tenant participation, much of the activity takes place at a local level. The local policy framework and operating context can have an impact on whether, and how, disabled people are involved, and these issues are examined in this section.

THE LOCAL STRUCTURE

3.2 Although this report cannot provide a detailed account of all aspects of the tenant participation process, it is useful to outline the broad strands of local structures in the case studies. Although there were some local differences, the overall structures largely reflected the roles identified in Section 2. Housing providers were responsible for preparation and review of tenant participation strategies; providing support to tenants' organisations and tenants (generally via Tenant Participation Officers [TPOs] and / or, in some cases, local services staff); and maintaining a general oversight of tenants' organisations. Other housing staff were involved in consultation on policy or practice with tenants' organisations and with other tenants (although it was suggested that the extent of this varied).

3.3 There were Federations in three case studies, and these were local umbrella groups, representing the views of some local tenants' organisations, with involvement of these organisations on their committees (although the extent of involvement in Federations varied). The Federations were found to have a role in consultation, participation, negotiation and campaigning (and, in some cases, pursuing individual issues for tenants). Two Federations (and a housing provider) noted that their role extended beyond housing issues, to include a wider role in engaging with the local community. Individual tenants' associations existed in all of the case studies, and their role was seen to be to represent the views of local tenants and to raise issues affecting them.

3.4 It was noted, however, that not all tenants were involved in organisations, with some giving their views directly to landlords (again with some variation in the extent of this). In one case study, although some tenants had formed tenants' organisations, many were not part of formal groups (although there were some local mechanisms for them to come together).

POLICY AND STRATEGY

3.5 Within this local structure, the extent to which the need for equality and the involvement of disabled people are embedded in local policy and strategy can affect the means and extent of this involvement. At a local level, those policy issues considered particularly relevant to this are the overall framework for tenant participation (i.e. the local tenant participation strategy), the Disability Discrimination Act and the individual policies of local tenants' organisations.

Local tenant participation strategies

3.6 Local tenant participation strategies provide the basis of tenant participation with housing providers, and housing providers in this research identified the development and review of these as central to their role in the tenant participation process. Within these strategies, "equal opportunities" and inclusion have been identified as being important issues (Scottish Executive, 2002a; Communities Scotland, 2005b), and this study identified a recognition of this.

3.7 The landlords in the case studies recognised the need for a commitment to equal opportunities within their strategies and made some reference to this in these (supported in findings by TIS, undated). Most also recognised a wider commitment within their organisations (or at a national level) to equality, and a need for compliance with relevant national legislation. Similar findings were noted by Communities Scotland in 2002, which found that most RSLs had made high-level commitments to pursuing equality and had begun to include these in other policy areas, such as tenant consultation and participation.

3.8 Within the strategies examined in this research, and from the information provided in the postal survey, it was clear that there was some variation in the way in which this commitment was expressed. Most often, this took the form of a general commitment to equality, and/or to ensuring that tenants are not excluded from participating. In the case studies, two strategies included the principles from the National Strategy or from Communities Scotland, and one identified equal opportunities as an outcome which they wished to achieve. All made reference (in some way) to encouraging the involvement of all citizens in tenant participation and/or to removing barriers, and there were examples of other references to equality, which varied between case studies. These included, in some cases, a commitment to:

- Making tenants' groups barrier free or encouraging an inclusive approach.
- Using accessible methods of participation.
- Encouraging involvement of tenants who might not participate.
- Ensuring that RTOs operating in a discriminatory manner would not be supported.
- Using different communication formats and plain language.
- Ensuring that equal opportunities is one of the corporate issues on which consultation would take place.

3.9 One respondent also noted that, following publication of their strategy, a number of codes of practice had been prepared for staff, one of which related to inclusion of equalities groups. Another noted that the current review involved developing an "equality code" (although it was suggested that this was proving difficult to agree with some local RTOs). Some of the landlords also made some reference to their commitment to equality or disability issues within their website information about tenant participation.

3.10 One respondent noted, however, that references to equality tended to be at a general level, with limited specific reference to disabled people, or to the detailed implications of this. Similar findings were identified in some responses from housing providers in the postal survey. One provider in a case study noted that, within their strategy:

"there is an equalities bit, but it is pretty sketchy. It's a bit light on practical commitments to this, and getting people involved".

3.11 Although there has been little detailed research about the inclusion of equalities issues within tenant participation strategies, the Department for Communities and Local Government (undated) reported similar issues and, more generally, the PMSU report (2005) noted that:

"Policies and practice do not pay enough attention to enabling disabled people to be active citizens, or to supporting disabled people to help themselves ..."

3.12 It has also been identified that there can be problems with the definition of the issues (e.g. DRC, 2007b) and there were found to be some variations in this. In the case studies, one strategy identified in its aims that tenants should not be excluded from participating on the basis

of (amongst other factors) “limited mobility” and “visual or hearing impairment”. Elsewhere in the document, reference is made to “those with a learning or support need”. In another case study, a code of practice identified types of impairment in defining equalities groups, while others did not give a specific definition. It has been suggested that those covered by equalities statements should be identified clearly (as those involved in implementation may have limited specialist knowledge of equalities groups) and that it is important that any definition of disabled people should not exclude any groups.

3.13 Overall, however, it was clear that there was a recognition (to a varying extent) within tenant participation strategies of the need for a commitment to equality and barrier-free participation.

The Disability Discrimination Act and the Disability Equality Duty

3.14 As noted in Section 2, the DDA also has implications for the tenant participation process. All of the housing providers in the case studies recognised links between the tenant participation process and the DDA and Disability Equality Duty, and some made reference to the whole organisation being bound by this, or to the organisation having a Disability Equality Scheme. Most interviewees interpreted their responsibilities in relation to the Duty and their Schemes as relating to meeting disabled people’s needs in terms of ensuring physical access and using accessible venues for meetings. Some references were also made to ensuring appropriate timescales for involvement, providing information in appropriate formats and recognising the diversity of people’s needs.

3.15 There was little recognition, however, of the need for any further action (such as ensuring that they are aware of their client groups, or taking proactive steps to promote involvement by disabled people), although these issues were highlighted by other stakeholders as part of the implications of the Duty. Although it was clear from examination of some Disability Equality Schemes, and from other information, that there was a range of relevant equalities work being developed or undertaken in landlord organisations, there appeared to be limited recognition amongst interviewees of the detail of this and its implications for the tenant participation process⁷. One of the respondents suggested that

⁷ It should be noted, however, that these findings reflect the views expressed by the housing providers in this study of the impact of these issues specifically on the tenant participation process, rather than exploring their broader implementation

tenant participation strategies should make explicit links to the Disability Equality Duty or Schemes, although such links were not identified. The lack of proactive work to develop the involvement of disabled people in tenant participation is discussed further in Section 4.

Tenants' organisations' policies

3.16 Tenants' organisations' policies also form part of the local tenant participation framework, and underpin their operation. TPAS (2006) suggested that all registered groups should have an equal opportunities policy or statement, and all of the housing providers and most of the tenants' organisations in this research identified a need for tenants' organisations to have a written constitution and to make a commitment to equal opportunities as part of the criteria for registration. The inclusion of a commitment to equality within RTOs' constitutions was identified by landlords and many tenants' organisations in each of the case studies. No other equality policies for RTOs were identified in the case studies, although two Federations and a very small number of individual tenants' organisations in the postal survey (two of which represented only, or mainly disabled people) had these.

3.17 The statement in the constitution was generally a simple statement, interpreted by many housing providers and tenants' organisations as requiring to ensure that organisations are "open to everyone" and "have no barriers". This was largely viewed as ensuring that they do not refuse to let anyone join the organisation, that their meetings are accessible, and that any specific needs are addressed.

3.18 One of the case studies (where the housing provider also worked with tenants in more informal groups) noted that ensuring a commitment to equality was more problematic with organisations which are not registered, as no such commitment is required. It was also clear from the research (and will be discussed further later) that there were limited arrangements for ensuring compliance with such a commitment.

IMPLEMENTATION OF POLICY AND STRATEGY

3.19 It is not only the existence of policies and strategies which impact upon participation by disabled people, but also their implementation. As TPAS (2003) stated:

within their organisations or, for example, the views of those with corporate responsibility for equalities issues.

“... it is no good just saying this. You have to make sure you do it.”

This requires commitment, priority and understanding from all of those involved (Joseph Rowntree Foundation, 1997b; TIS, 2004; Communities Scotland, 2005a; TIS, undated).

Policy into practice

3.20 A number of respondents (particularly disabled people and some other stakeholders) identified that there may be problems with the ways in which policy commitments are currently translated into practice. This is consistent with findings from Communities Scotland (2002), where almost all of the organisations they studied needed to do more to translate policy commitments to equality into action. There were also concerns about limited mechanisms for identifying where there were implementation problems (and monitoring is discussed in detail later).

3.21 Many of the problems highlighted in this study related to a lack of proactive work to secure the involvement of disabled people in tenant participation. In the case studies, for example, many respondents suggested that the processes for the development or review of strategies had not specifically sought the views of disabled people. Similarly, only a small number of housing providers in the postal survey identified engaging specifically with disabled people or consulting named organisations of and for disabled people as part of the development of their strategy. Although the tenants' panels in one case study included a high proportion of disabled people, this was in part because of the nature of the tenant group. In two others, individual examples were given of disabled people who had been involved in the process, but they did not *represent* disabled people. Only one provider in the case studies identified a need to seek such views, noting that:

“If they [disabled people] hadn't been involved, we would have gone and looked for them, because there are disability issues”.

In another case, there had been discussion with equalities groups about the preparation of the code of practice to accompany the strategy.

3.22 There was also seen to be limited proactive work with disabled people in other aspects of tenants' involvement with housing providers,

although there were some clear exceptions to this, where there were links with a disability forum or other specialist organisations, and mechanisms for seeking their views⁸. (These often appeared to be developed by those providers who seemed to have the clearest understanding of disability equality issues.) One local authority also noted that:

“We have identified that some of our tenants are under represented and recently our Outreach Worker has engaged with tenants in our sheltered housing complexes and has been proactive in this area”.

3.23 Some existing umbrella disability groups, however, reported a perceived more general lack of consultation and involvement of disabled people with housing providers. Although the focus of this work was specifically on tenant participation issues, one disability organisation stated, for example, that:

“The council does not consult as much as it should do, and less than it used to.”

3.24 The perceived overall lack of proactive work to involve disabled people is consistent with the findings of other work (e.g. DRC, 2006a; 2007b; 2007c). In two group discussions, it was suggested that this raised questions about whether this meant that organisations did not comply with their DDA responsibilities. As one group stated, for example:

“There is a lack of consultation by housing providers on housing issues and it would help to identify issues for disabled people. There is no consultation with us about housing strategies and there should be – they don’t seem to be complying with the DDA in the way they’re doing it.”

The DRC (2007c) has also identified issues with the implementation of the DDA.

3.25 One Disabled Persons Housing Service (DPHS) noted that they had direct links with housing providers, but this organisation’s main role

⁸ It should also be noted that there are corporate arrangements in some organisations for seeking the views of disabled people or discussing disability issues. These may, in some instances, involve housing representatives, and may also identify some housing-related issues.

and remit related more to the identification of appropriate housing for disabled people than to representing tenants' general views to housing providers. One umbrella disability organisation also reported a recent approach by a housing provider to establish contact, and two disability organisations in the postal survey considered that their forums did feed into policy development processes. Another provider noted that they were working towards this. Some housing providers and disability organisations, however, recognised gaps in the level or frequency of contact, and in the information held by housing providers about disability organisations, and two providers, in the course of the research, recognised that the involvement of disabled people could be developed.

3.26 Few tenants' organisations (other than those working largely with disabled people), identified taking specific steps to include the views of disabled tenants. For example, one Federation stated that:

"People who are disabled who come to meetings represent their organisations, not disabled people - we don't do anything specific [to involve disabled people], but we don't stop them – we treat everyone the same."

One exception was a Federation within which a specific group considered issues facing "disabled and special needs tenants", but the general focus was on tenants' organisations "not discriminating" and ensuring that their part in the process had "no barriers", rather than taking steps to involve disabled people. The following view was expressed frequently:

"There are no barriers from this Federation's point of view. We welcome everyone. Where there are barriers they are the same as they are for everyone else".

3.27 There was also a general lack of contact between tenants' organisations and disability organisations (although one Federation had links to the DPHS and had tried to get people involved in this way, and a very small number of other examples were given of individual members of tenants' organisations who were involved with disability groups). Overall, however, the findings suggested, as one Federation noted, that:

"...few groups focus on encouraging disabled people, but they are welcome to participate".

Commitment to inclusion

3.28 The implementation of equality is also seen to require a commitment to involving disabled people, and all of the tenants' organisations in the case studies were keen to stress their commitment to this. Additionally, almost all of the respondents recognised benefits in including the views of disabled people, and, although these varied between respondents, examples included: having access to specific expertise; ensuring that disabled people have their voices heard (an issue raised particularly by disabled people); identifying and meeting needs in an appropriate way; considering the implications of housing issues for disabled people; and improving user satisfaction.

3.29 Many respondents stressed the need for disabled people to be involved on an equal basis with other tenants, at any level they wish, and two tenants' groups stated specifically that they would like to see more disabled people becoming involved. There was only one example of negative views of the involvement of disabled people, where it was suggested that there may be circumstances in which the inclusion of disabled people may hinder the operation of the organisation. It was suggested that disabled people may focus particularly on individual issues affecting them, rather than bringing a wider perspective, and that an individual's impairment may make running a meeting difficult, as:

"If you have to wait for half an hour for someone with a speech impediment, that will put people off. You can take it too far if people are not physically able for their role."

3.30 Negative views have also been recognised in other work, and Communities Scotland (2005b) identified that some may consider that effective participation makes their job more difficult, with a major "culture change" required in some organisations. One discussion with disabled people also identified that organisations may be concerned about the issues that disabled people may raise, or the action they may have to take. These issues highlight the need for guidance, support and training, which are discussed further later.

3.31 It is also important that a commitment to participation should come from the top, and go beyond the requirements of the law, to become an integral part of the way an organisation operates (Communities Scotland, 2005b). Concerns were expressed, however, by some respondents that there could be difficulties in ensuring consideration of tenant participation and disability issues at a senior

level and that some organisations do the minimum required to comply with the law. Most of the tenants' organisations, however, (and individual respondents) stressed specifically that:

"We pride ourselves in being prepared to go that step further and to be open to all".

3.32 The difficulties appeared to relate to the lack of recognition of some of the more complex potential barriers to participation. A number of respondents recognised that there was often a willingness to address disability issues, but perhaps a lack of awareness of specific issues and their implications. As one disability organisation stated:

"Many organisations have a commitment but don't know what they need to do to get more disabled people involved and how to put it into practice".

Another suggested that organisations do not recognise issues unless they are raised specifically, and, even then, may not address them. One other stakeholder suggested that, while housing providers and tenants' organisations were increasingly thinking about issues for disabled people, progress towards addressing them had been slower.

Priority

3.33 It has also been suggested that the level of priority given to an issue is an important aspect of implementation of policy, and some (although not all) respondents suggested that tenant participation issues generally, and issues affecting disabled people may not be a high priority. One respondent, for example, in discussing the involvement of disabled people, suggested that:

"Most of the groups are new and more focussed on developing their organisation and improving services for all tenants."

3.34 A report considered by the Tenants' Regulation Advisory Group in May 2006 (TRAG, 2006) suggested that landlords did not always treat tenant participation as a high priority⁹ and the Joseph Rowntree

⁹Changes were subsequently agreed to the inspection process in 2006 to give the reporting of performance against the duties relating to tenant participation greater prominence.

Foundation (1997b) also identified this in relation to tenant participation in supported housing. One of the tenants' groups in a case study also suggested that this had been their experience in the past. Some respondents also suggested that there may be specific issues about the inclusion of particular groups, reflecting perceived gaps in involvement discussed in Section 2. One group of disabled tenants also believed that, in supported housing, providers were less likely to recognise the issues affecting those requiring lower levels of support. For example:

“Some people in supported housing are more independent than others, so they assume you don't need any support”.

3.35 A number of disabled people raised a general issue about the priority given to disability issues compared to other equalities strands. Some felt that organisations were more likely to be aware of the need to take account of issues affecting ethnic minority people than disabled people (although one housing provider had experienced difficulties with a local tenants' organisation in addressing race equality issues). In one case study, a group of disabled people stated that:

“We're the poor relation compared to other issues like ethnic minorities. Information is being provided routinely in community languages but not in large print. [A local ethnic minority organisation] has a much bigger income than we do, and more attention is being paid to them”.

The PMSU report (2005) also noted that, by comparison to gender and ethnicity, disability “lags behind” in the extent to which it is incorporated into the structures of society.

Mainstreaming and specialist staff

3.36 A further aspect of the implementation of policy is the identification of responsibility for this, and the need for “mainstreaming” of equality has been widely recognised by the Scottish Executive, the Scottish Parliament and the DRC. A mainstreaming approach requires all of those involved to be clear about their roles and to recognise the implications of a commitment to equality for their practice. It has also been suggested that tenant participation and the involvement of disabled people should be part of the responsibility of all of those within organisations, and this general view was consistent with the perceptions of respondents to this study. It was also suggested, however, that there can be some gaps in knowledge of disability issues and their

implications amongst some of those involved in tenant participation. For example:

“There can be a lack of awareness of the issues in organisations, and they don’t tend to know about disability issues – they don’t think about them.”

3.37 The use of specialist staff, and the identification of responsibility for taking issues forward (alongside a mainstreaming approach) can help to provide a particular focus on equalities issues and tenant participation. There were found to be specialist staff with responsibility for tenant participation in all of the case studies, although there were no specialist equalities staff identified amongst these teams. Although TIS (undated) noted that two Housing Associations in Scotland had jointly employed a housing equal opportunities manager, a lack of staff with specialist knowledge of, or focus on disability issues (unless the provider made particular provision to disabled people) was highlighted by some participants in this work. One of the tenants’ organisations stated that:

“There is no one working to promote tenant participation to disabled people or focus on these issues, and organisations themselves don’t ask about it at all. Nobody seems to be looking at this.”

3.38 It was suggested that specialist staff could increase participation by disabled people, and one group of disabled tenants noted that the employment of tenant participation staff had improved their involvement. It was also noted, however, that there was a danger that much of the tenant participation work (and, by extension, the promotion of equality) fell to designated officer(s), rather than to a range of housing staff. Although, in all of the case studies, general staff in housing providers consulted with tenants on specific policy areas (and in two there had been a specific attempt to involve local housing staff in the tenant participation process) a number of respondents suggested that there were variations in the extent to which other policy staff would engage with tenants. One respondent, for example, noted that:

“Some other staff can be involved, but it tends to get left to the specific staff and anything to do with tenant participation comes to them”.

3.39 It has also been identified (TIS, undated), that a lack of staff time can constrain the development of participation by excluded groups, and

one of the housing providers in a case study noted that the operational priorities of other staff could make it difficult to involve them. There can also be “participation fatigue” amongst staff (Joseph Rowntree Foundation, 1997a), and it was suggested in two case studies that the turnover of staff made it difficult to develop ongoing relationships. One group of disabled tenants also suggested that new frontline staff may not address participation in the same way as previous staff.

3.40 One tenants’ organisation suggested that it would be helpful to have a member of staff (either at a national, regional or local level) with specific responsibility for promoting the involvement of disabled people in tenant participation. It was also suggested that there is a need to continue to promote the responsibility for addressing disability issues amongst all of those involved.

GUIDANCE, SUPPORT AND TRAINING

3.41 A further aspect of enabling the involvement of disabled people in the tenant participation process is the development of appropriate understanding of disability issues amongst all of those involved (including landlord organisations, those involved in representing tenants and individual tenants). It was clear from the case studies, however, that there were wide variations in this, and while some respondents demonstrated a clear understanding of general equalities issues, this was not always the case, and one housing provider noted a poor understanding of this amongst local tenants’ organisations. There was also evidence of a lack of understanding (by some) of specific issues, including:

- The concept of positive action.
- Complex barriers to participation.
- The disability rights agenda and disability issues generally.
- Disability organisations and mechanisms for inclusion.

3.42 There was also evidence of some inappropriate attitudes to disabled people (discussed in Section 4), and the need to develop understanding (e.g. through guidance, support and training) was one of the most common suggestions from disabled people and other stakeholders.

Guidance and support

3.43 Communities Scotland places a strong emphasis on identifying good practice and there is a range of written material relating to this (e.g. Scottish Executive, 2002a; TIS, 2004; Communities Scotland, 2005b) and wider advice about community engagement (e.g. Communities Scotland, 2005a). Several organisations provide written, verbal and / or website advice and support to providers or RTOs (e.g. Communities Scotland; TIS; TPAS; TIGHRA; and the Chartered Institute of Housing) and the Scottish Executive has produced codes of practice about various aspects of tenant participation.

3.44 Some written material provides some specific advice on good practice in equalities issues (e.g. TIS, 2004; Communities Scotland, 2005b) and both TPAS (UK-wide) and TIS have given written guidance relating to equalities issues in tenant participation. There is material on the general inclusion of disabled people or equalities groups in community activity (e.g. Scottish Executive, 2002b; Communities Scotland, 2007 and a range of UK and international material) and the DRC provides information about involving disabled people (although not specifically in tenant participation). The material available varies in the depth of advice relating to disability issues, and sometimes in the interpretation of the implications of equalities requirements (particularly in terms of positive action), but it is clear that there is a range of relevant information.

3.45 At a local level, little additional written information for providers was identified (although, as noted, an equality code had been prepared in one case study area, covering some of the key barriers to participation and suggesting practical steps). There was, however, some local material in a few areas for RTOs, and one local authority noted that it provided:

“... start-up packs for groups advising on the creation of a constitution and promotion of equalities. However there is nothing specifically about disabled people.”

Another noted that there was a local guide providing basic information about why it may be difficult to get people involved, and suggesting some measures, and a code of practice offering information about how to operate in relation to equalities issues, with assistance from TPOs. In another area, the housing provider expected that RTOs would use the

written guidance from national organisations, while another stated that a future code of practice would provide information.

3.46 In terms of other support, as noted, some organisations also provide telephone and face to face support. One of the support organisations noted that they would consider and discuss, as part of their audit process, the ways in which providers involve excluded groups. A few providers made reference to other forms of equalities support, such as the TPO worker forums and other networking with colleagues, as providing ways of sharing common issues. There is also a Housing Best Value Network in Scotland (a consortium of local authority landlords working to improve performance, part of which involves considering equalities issues). It was also noted that issues are raised at events, workshops and conferences, and one session at a forthcoming conference intended to cover equalities issues, including disabled people. Another housing provider identified that an internal team in their organisation could provide equalities advice, if required.

3.47 For RTOs, one of the stakeholders noted that landlords should raise awareness of equality issues and some landlords reported that they would provide advice and assistance with registration and the development of constitutions. There was also ongoing contact from the TPOs, whose role included providing support, although it was generally suggested that this did not tend to focus on equality issues such as the involvement of disabled people.

3.48 In some of the case studies, Federations were also involved in providing advice and support to member groups, although only one suggested that they would provide specific help with equalities issues, and took a proactive approach to making it clear that the organisation had to abide by their constitution. One stated that it did not provide any advice, and another that it did not provide equalities guidance, for example:

“The Federation is there to support [local tenants’ organisations], not to tell them what to do, so there is nothing being provided to them about disabled people”.

One housing provider suggested that, in relation to their tenants, there was little need for such advice, as most of those involved were disabled people, with a clear understanding already.

3.49 Overall, only a small number of housing providers in the case studies identified having had guidance on equalities issues, and the general view was that the use of such information was limited (and only one respondent referred to using material from the DRC). Amongst tenants' organisations, similarly, only a small number stated that they had had any guidance on the promotion of equality or the involvement of disabled people. Additionally, as one provider noted:

“Staff and organisations may read a code of practice, but don't necessarily understand it or the implications of it.”

There was also little reference to the receipt of other advice about the promotion of equality by most RTOs (other than the recognition of the need to make a statement in their constitution). The need, therefore, for training for both housing providers' staff and for tenants was identified by housing providers and disabled people.

Training

3.50 The “Guide to Successful Tenant Participation” (Communities Scotland, 2005b) highlighted the importance of staff being trained to carry out their roles, and TIS (2004) and TPAS (2006) identified the specific need for equalities training. The TIS guide (undated) also suggested that staff providing support with other aspects of disabled people's lives should receive training relating to tenant participation.

3.51 In this research, all of the housing providers in the case studies noted that their staff had received equality or diversity training, although this tended to be organisation or service-wide and often covered all equalities strands, rather than focusing specifically upon disabled people or tenant participation. For example:

“housing staff have had equality and diversity training ... it covered legislation and good practice for all equalities groups, and although it did not have a direct link to tenant participation, it was food for thought”.

3.52 In one case study, however, staff had received diversity training which made specific reference to disability, and this had been followed up with refresher training. In the same organisation, it was suggested that equalities considerations formed part of most of the general training, and this was the housing provider in which the level of understanding of equality and the level of proactive work appeared to be the most

developed. In another organisation, training was being put in place to remind staff of the code of practice relating to equality.

3.53 It has been suggested, however (Scottish Executive, 2002b) that, although most organisations provide equality awareness training, some staff lack experience and understanding of the issues, which can impact on their practice. In the case studies, there was clear variation in the levels of understanding of, and commitment to these issues amongst the staff, and one of the disability organisations noted that:

“you can have had training and still have inappropriate attitudes and use inappropriate language”.

3.54 For RTOs, whilst landlords provided some training to them, it was suggested that this did not generally cover equalities issues, and one Federation in a case study stated that none of their committee had had equality training. There were other examples, however, where this had been provided, and some Federations noted that members had received this from TIS or other sources. It was also noted that some Federations themselves carried out training, and one noted that the local Council for Voluntary Service would provide additional training if required. The same organisation noted that equality training followed induction for their committee members.

3.55 In another case, the strategy identified that some tenants had received equalities training (where they had been involved in recruiting staff) and in another, one Federation member had received “a bit of diversity training”. Less than a third of tenants’ organisations in the postal survey, however, reported that members had received equality training (a finding consistent with material from the Joseph Rowntree Foundation, 2003, which identified a general lack of equalities training for tenants’ groups).

3.56 There were clear differences in the interpretation of equalities issues amongst respondents, and this perhaps highlights the need for a shared understanding amongst all of those providing equality training. The general need for all of those involved in tenant participation to have disability equality training was also highlighted in a number of discussions with disabled people, and others. For example, as one group stated:

“There is a need for training for tenants and all officers and staff, and it needs to keep with changes to advice”.

One specific aspect of this, raised by a disability organisation, was the need for organisations covered by the Disability Equality Duty to ensure that their staff and others (including elected members, where relevant) are aware of their obligations.

RESOURCES AND CAPACITY

3.57 A further element of good practice in developing participation and enabling involvement by disabled people was identified as the need for sufficient resources and capacity to support the process.

The tenant participation process

3.58 The need for resources for successful participation has been identified (e.g. TIS, undated; Communities Scotland, 2005b), to support activities such as staff and tenants' training, development support, governance training, consultation, information, group start-up, tenants' expenses, communication, and independent advice. TIS (2004) noted a:

“clear relationship between the amount of resources spent on tenant participation and its effectiveness”,

and the importance of resources was identified by some respondents in the case studies as an essential component of good practice.

3.59 Conversely, a lack of resources can be a significant constraint to organisations' operation, and this was raised by a number of organisations in the case studies. One stakeholder suggested generally that:

“Voluntary organisations are having expectations placed on them without being given the resources to enable them to do it. They are being squeezed without any account being taken of the implications of demands”.

One of the Federations also noted that:

“Tenants' groups are not generally equipped ... with the information and resources to deal with disability issues”.

Other studies (e.g. Scottish Consumer Council, 2002; Joseph Rowntree Foundation, 2003) have also identified that tenants' groups can lack resources.

3.60 One tenants' organisation in the postal survey made a clear link between a lack of funding and support, and a lack of representation of disabled people, while other respondents noted the costs of effective engagement with community members. One case study respondent also noted that:

“A lot of resources are closely tied to service provision and organisations sometimes lack resources to support other activities.”

One of the housing providers also identified that it is not always possible to provide resources to individual organisations to develop, for example, access improvements.

3.61 On a positive note, however, it was identified in one case study that the local authority took a sympathetic approach to housing organisations which exceeded their budget as a result of the costs of meeting the travel needs of disabled participants. One stakeholder also noted that Communities Scotland has a grant scheme through which RTOs can try innovative methods, and an example was given of an equalities initiative being supported. In one case study, the Federation had made a specific funding application to develop an accessible bus through which to undertake work in rural communities and with disabled people who were unable to attend meetings.

3.62 A number of housing providers and tenants' organisations stressed the continuing need for resources, and it was suggested that additional resources to tenants' organisations may be required to support developments to the involvement of disabled people. One tenants' organisation, for example, suggested that:

“We could do a better job of integrating disabled persons into the projects / participation issues if we had funding.”

It was also suggested in one case study that there should be additional resources specifically for addressing the involvement of disabled people.

Disability organisations and disabled people

3.63 Organisations of and for disabled people can be involved in supporting tenant participation, and can help to develop capacity amongst disabled people themselves. The IPPR report (2007) noted that:

“before disabled people can exercise the full rights and responsibilities of citizenship, they must get equipped to play a part”.

It has also been suggested, therefore, that there is a need for these organisations, and for disabled people themselves, to have the resources and capacity to be involved in tenant participation.

3.64 In the case studies, however, a number of disabled people identified that resources for disability-led organisations are not sufficient, or are being reduced, and that this constrains such a role. For example:

“Our local authority has a disability equality scheme that says they should promote equality and they don’t. We have to go and beg them for meetings. They give us some funding and they keep cutting it. They’re not allowing us to grow or develop”.

Other studies have also suggested that community groups do not have the time nor the resources to become involved with this type of work, or may be unfamiliar with the processes (DRC, 2007b; Scottish Executive 2002b).

3.65 It was identified frequently in the case studies that, at an individual level, some disabled people may also lack confidence, or experience isolation, and this may constrain their participation. One group noted, for example, that:

“It’s hard to go to things like that. It can be difficult to come along and express your views and it can be very scary”.

The PMSU report (2005) suggested that disabled people can have lower self-esteem and aspirations, and TPAS (2006) noted that people may be wary of becoming involved because of their past experiences. Issues raised in this research included that disabled people may feel that they lack the knowledge, experience and ability to pursue issues, or may feel

that they will not be listened to. One tenants' organisation suggested that disabled people may not "want to bother people" or may be reluctant to complain (or may fear the consequences of doing so).

3.66 Some respondents suggested that there could be benefits in developing the capacity of disabled people to participate in representative forums, or tenants' organisations. Some tenants' organisations suggested that this could, in part, involve identifying to disabled people the role that they could play. One group suggested that both disability groups and tenants' organisations could provide more encouragement and information to enable individuals to get involved.

3.67 It has also been identified (DRC, 2007b) that there are current gaps in information, advice and advocacy to disabled people, with variation across Scotland and a lack of an overall network of user-led organisations. The report "Time for Interaction" (DRC, undated) noted an absence of effective support to enable disabled people to take an active role in the community, which "entrenches low expectations". One of the groups of disabled tenants identified a lack of training and opportunities for disabled people to develop their participation skills.

3.68 It was noted, however, that there is a Civic Participation Network project being undertaken on behalf of the Communication Forum Scotland to promote the involvement of people with communication support needs in civic participation. As part of this, a capacity building programme is being undertaken. Disabled people in this research highlighted a general need for support and development to individuals who identify that they wish to get involved in community activity.

MONITORING, EVALUATION AND REVIEW

3.69 The arrangements for monitoring, evaluation and review can also impact upon tenant participation and the involvement of disabled people (Communities Scotland, 2005a; TIS, 2004; TIS, undated). The UK Manifesto for Tenant Participation states that:

"Rules and regulations have to be monitored and tenant participation needs to be considered as important as financial prudence or risk management."

This study, however, found a lack of systematic monitoring of the level of involvement by disabled people in tenant participation.

3.70 In terms of monitoring landlord organisations, Communities Scotland carries out inspections of Registered Social Landlords (RSLs) and the landlord and homelessness services of local authorities under the Housing (Scotland) Act 2001. Inspection reports comment on performance against statutory obligations relating to consultation and tenant participation, and the organisation also stresses the importance of assessing equality as part of their inspection and regulation work (Communities Scotland, 2002). Communities Scotland identified that:

“In general, on inspection we will look at how a landlord maximises opportunities for participation by all of its tenants, and how it works to overcome any barriers to participation particularly for harder-to-reach groups. We also look for a demonstration of a landlord's understanding of the needs of equalities groups on access to services and participation, and we look in detail at issues of physical access to the landlord's premises and the availability of information in other formats, including for people who have a hearing or sight impairment.”

3.71 An equalities team also gathers statistical information (although this does not detail the level of tenant participation by disabled people). The organisation also carried out a baseline study in 2002/3 to look at how landlord organisations were rolling out their tenant participation activities, and follow up research on this will contain some specific equalities questions. The DRC also monitors the implementation of the DDA and the Disability Equality Duty, although there is not a specific emphasis upon tenant participation.

3.72 Housing providers in this research were not aware of any demands upon them to monitor the involvement of disabled people in tenant participation, nor any mechanisms through which to do so. One suggested that they were often driven by inspection, rather than promoting improvements and one disability organisation suggested that:

“Greater activity is needed from external auditors ... to ‘force’ councils to meet their duties. Action needs to be taken against those that default.”

3.73 Housing providers in the case studies were found to lack information about the overall composition of their communities in terms of the number of disabled people, and the level of involvement of disabled tenants (which is consistent with findings from Communities

Scotland, 2002). One noted that they were beginning to gather data on tenants' impairments and in one case study, the DPHS had been asked to undertake some "community profiling" about housing need. In one case study, the housing provider recognised the need to gather information about the representation of a range of different groups and was intending to do this through a large-scale household survey, which would then enable them to consider the level of representation in tenants' organisations. A very small number of those in the postal survey noted that they monitored the participation of disabled people in tenants' organisations.

3.74 Tenants' organisations also lacked information about disabled tenants. Only a very small number had details of the number of houses in their operational area occupied by disabled tenants (and almost all of those who did were where *all* tenants were disabled people). Tenants' organisations in the case studies noted that they are not required to gather information about the involvement of disabled people, and only one tenants' organisation (a Federation) indicated that it had to do so under the terms of its service level agreement with the local authority. Another stated that, while it was not directed to keep information, it maintained its own records. This organisation stated that:

"We attempt to take disability rights seriously and review regularly."

A small number of respondents, however, suggested particular difficulties with gathering information, including that tenants' organisations have no access to "identities", there may be data protection issues, and the collection of data might imply that a group was "a failure" if it did not have the appropriate proportion of disabled people.

3.75 As with housing providers, however, there were a small number of other developments, and a local group in one area intended to carry out an assessment of needs in their community. One stakeholder also provided an example of a Federation which had received a grant from Communities Scotland to look at the representation of equalities groups and to map tenant involvement. The overall lack of information, however, is consistent with other findings (Communities Scotland, 2002; TIS, 2004), which suggest a lack of objectives, targets, evaluation and monitoring of progress in equalities issues / tenant participation.

3.76 As well as a lack of data, there was found to be a lack of monitoring of the implementation of equality. TIS (2004) identified that

landlords can work to ensure that RTOs comply with equal opportunities requirements, but there was little evidence in the case studies of this, and a number of housing providers identified that there are currently limited ways of assessing whether RTOs implement their policy commitments. Although constitutions are checked at registration, one tenants' organisation suggested that any ongoing check on equality was very informal and:

“they’re just asked if they have equal opportunities and if they abide by that”.

A small number of housing providers in the postal survey identified that they monitored this as part of the funding or annual review processes. TIS (2004), noted that one Housing Association had carried out a thematic study of “equalities in practice” which reported on the processes relating to statutory requirements and good practice guidance. One housing provider in the postal survey (a local authority) also identified that it had undertaken an equality impact assessment of its tenant participation strategy.

3.77 Several housing providers relied on the local knowledge of the TPOs to identify any issues relating to the promotion of equality. One case study respondent, for example, noted that they would report back on any issues arising, but identified that “it’s not a routine thing”. Most housing providers also identified that TPOs can advise groups, but some identified a limit to what can be expected from volunteers, for example:

“The involvement of disabled people and monitoring is a thorny one – if we try to push them too hard, we would lose them. As long as they are having open meetings, it is up to tenants to get involved and there is not much we can do if some groups are under-represented”.

One housing provider noted that they would discuss relevant issues at quarterly meetings with the Federation, but suggested that this tended to focus on “where and when they meet”.

3.78 Some housing providers also believed that there are limitations to the sanctions for failure to comply with equalities requirements, and:

“there is nothing in place to lay down the law if a problem arises”.

One, however, made a direct link to the funding process (an issue also recognised by one of the Federations), and a small number recognised the opportunity to de-register an organisation, although this had never arisen. One provider noted that they would, as part of re-registration, consider how they might ensure the promotion of equality by RTOs, as:

“it is very loose at the moment, and we want to know if they are meeting the terms of their constitutions and how”.

3.79 All of the providers in the case studies, however, suggested that they “would not recognise an RTO that discriminated” and one of the Federations identified that they would take action if they felt that any tenant organisation was creating barriers for disabled people (and, if necessary, members would eject them). Perceptions of what constituted this, however, tended to focus upon overt discrimination and, as noted above, the means of identifying non-compliance were limited. For this reason, many disabled people involved in the case studies (and some other respondents) identified the need for appropriate mechanisms for the enforcement of policy commitments.

3.80 These issues, along with the other findings in this section suggest that, while there are examples of developments to practice, there are also some remaining constraints to tenant participation, at least in some areas in the local policy framework and operating context. In identifying these, it is also important to consider the local engagement process and the nature of organisations, and this is the focus of Section 4.

SECTION 4: THE LOCAL ENGAGEMENT PROCESS AND THE NATURE OF ORGANISATIONS

4.1 A range of aspects of the local engagement process, and the nature of organisations can also have an impact upon participation by disabled people, and this section explores these issues.

LOCAL ENGAGEMENT PROCESSES AND METHODS

4.2 A range of local engagement processes and methods were found¹⁰. Tenants in all of the case studies were involved in the preparation and review of tenant participation strategies, and tenants' organisations in these and other areas were also involved in:

- Monitoring and review.
- Discussion and approval of particular policies and procedures.
- Joint development of events, materials, conferences etc.
- General feedback on housing issues and performance.

4.3 Tenants' involvement in strategies in the case study areas tended to be through a systematic process, with a programme of regular meetings, and input at different levels. There was detailed input from Federations in some areas, and involvement of other tenants' organisations and individuals in a range of ways. Many methods of consultation with, and involvement of tenants, on these and a range of other issues were used by housing providers, which included:

- Small working groups, tenants' panels and Forums, where tenants and housing providers discuss strategic / policy issues.
- Public meetings, conferences, roadshows and other events (often open to all tenants), both formal and informal.
- Meetings and surgeries between particular housing staff and tenants (particularly in one case study).
- Questionnaires (often to many, or all tenants) including satisfaction surveys, immediate response cards (in one of the case studies) and questionnaires on specific issues.
- Provision of information (often to all tenants) via newsletters, letters, specific documents (in one area, for example, all tenants received a summary strategy) and the internet.

¹⁰ This is not a detailed account of all methods of local tenant participation, but an overview of those identified by participants (which vary at a local level).

- Attendance by housing staff at meetings of local tenants' organisations.
- Other personal contact by staff.

4.4 Most housing providers involved tenants who were members of formal groups and those who were not, often with a regular pattern of meetings with tenants' organisations, supplemented by issue-related meetings as necessary. There are also some other local mechanisms for input to decision making, and one case study involved tenants in a structure of local management committees. In some cases, tenants are represented on the board of a housing provider.

4.5 Tenants' organisations were also found to use a range of methods to involve their own local tenants, including:

- Meetings bringing tenants together.
- Working groups convened to consider particular issues.
- Annual General Meetings.
- Seminars and discussions (with examples of Federations holding regular tenants' meetings to identify issues).
- Tenants' days.
- Tenants' conferences and AGMs.
- One-off surveys.
- Information provision via newsletters (with all of the Federations, and many local tenants' organisations providing these), minutes of meetings and other documentary material.

4.6 A number of respondents also stated that a staff member from the housing provider attended local groups' meetings (noted above) and, in some areas, providers and / or Federations maintained information about people with specific interests.

4.7 The importance of using a range of methods to enable people to participate has been noted (Department for Communities and Local Government, undated; Scottish Executive, 2002b; 2004) and it is clear from the above that, in all areas, a number of means of involving tenants were used, although the extent of engagement varied. Disabled people (and some other respondents) in this study stressed the need to continue to develop a range of approaches, and one housing provider summarised the need to:

“Recognise the need for different methods ... It’s not just about groups and committees”.

The nature of the methods used

4.8 It has also been noted that some of the methods for involving communities can enable disabled people to participate, while some can create barriers. The Scottish Executive (2002b) suggested that:

“The key issue for the promotion of equality in the process is whether each method may be appropriate for some groups ... but may exclude others.”

4.9 The tenant participation process, as described above, involves both written and face to face methods, and both can create problems for some disabled people. Written methods (such as questionnaires, newsletters, consultation documents etc.) are often used by landlords and RTOs to engage with larger numbers of individual tenants, and two housing providers in the postal survey noted that the process can be heavily reliant on printed (and often complex) documentation. Some problems with such methods include that: some people may have impairments which impact on reading, writing, concentration and memory; some people are not comfortable giving their views in this way; and people with visual impairments may be excluded.

4.10 There was limited evidence in the case studies of alternative methods being used where large scale written information was provided, although some examples were highlighted. The TIS guide identified a housing association using video to inform tenants about issues, and a local authority in the postal survey identified using methods such as a DVD and visual displays. One respondent organisation, instead of relying on newsletters, gave members the option of a regular telephone update. Another offered the option, in large scale consultations, of expanding on written information at meetings or briefings, if required.

4.11 In terms of face to face methods, a number of respondents in this study noted that much of the “higher level” input to policy and strategy, or to the direction of RTOs, was through meetings, and these, too, may exclude some disabled people. For example, requirements for regular attendance may exclude some people with mental health problems. Some disabled people find conferences, large events or formal meetings intimidating, and some may lack confidence to express their views in this setting (with one of the groups of disabled tenants identifying this). Some

may find methods such as role play difficult, and physical and other arrangements for meetings may also create barriers.

4.12 There were some examples of using alternative methods for seeking detailed views, and a number of tenants' organisations noted that they have developed websites. It has been suggested that the use of information technology and email can enable people to take part where they cannot attend meetings (although it was also noted that not all potential participants have internet access, nor the skills required). An example was also given of a housing association which had applied for a grant for IT equipment to enable people who could not attend meetings, to engage via a webcam. One housing provider also gave an example of consultation with an "armchair equalities group", which removed the need to travel, and, in one case study, the Federation was trying to get funding for an accessible bus to take work into rural communities, which would also benefit disabled people.

Provision of information

4.13 The ways in which organisations provide information can also impact upon participation by disabled people (Scottish Executive, 2002b). A number of respondents in the case studies recognised the need for the presentation of information in appropriate formats, and this has been widely noted (e.g. Communities Scotland, 2005a; 2005b; TIS, 2004). Some providers recognised this in their strategies and / or other information, and most Federations suggested that they would do this, if required (although there were fewer examples of the actual provision of this in practice).

4.14 There were, however, some examples given of this in practice, such as a newsletter available in Braille and audio, and information in large print. One tenants' organisation was working with a range of organisations to provide information in different formats and a housing provider was considering providing website information with "Browsealoud"¹¹. In one case study, there was not only a database of tenants' interests, but also people's preferred communication formats, so that staff would not require local knowledge to make appropriate provision. In the same case study, a group of tenants had been involved in meetings about a specific issue using a range of methods of information provision, including a tactile copier which enabled visually impaired people to consider housing plans.

¹¹ This reads web pages aloud for people who find it difficult to read online.

4.15 The importance of the clarity of information was also highlighted and, in one case study, it was suggested that tenants in supported housing found some information difficult to understand (a finding supported in work by the Joseph Rowntree Foundation, 1997b). Additionally, in the examination of tenant participation strategies for this study, it was clear that there was some variation in the extent to which they were “user friendly” and in plain language. The work of the Scottish Accessible Information Forum was identified as a way of helping organisations to make information more accessible to all potential users, and one disability group suggested that it would be useful if some information could be provided in summary format.

4.16 One discussion group of disabled people also noted that it may not always be clear that material is relevant to disabled people, or it may use terminology considered inappropriate. For example, the use of the term “the disabled” is widely recognised as being inappropriate, yet evidence was found of its use in some published material (including some current local authority material). It has also been noted that information should promote positive images of all groups, avoiding stereotypes (TPAS 2003; Communities Scotland, 2005a), and one of the housing providers noted that they were trying to do this, stating that:

“we’re doing our best to show diversity that people can see”.

4.17 The need to provide information in places which are accessible to disabled people has also been noted (e.g. Scottish Executive, 2002b; TPAS, 2003;) as has the need for timely information, and these issues were reiterated by disabled people in this study.

Timescales and timing

4.18 The need for an appropriate timescale for providing information and seeking views was also identified by respondents as an important element of effective involvement and has been identified elsewhere (e.g. The Scottish Office, 1999; TIS, 2004). This may be particularly important for equalities groups because of factors such as the need for translated materials and the need to convene meetings etc. A number of respondents in the case studies, however, suggested that the tenant participation process often does not allow sufficient time for involvement or wide consultation, and a group of disabled people suggested a lack of recognition of the time it takes to involve disabled people. Some respondents also identified that demands such as a landlord’s

requirements, a national timescale, or processes within organisations could impact on this, and one tenants' organisation stated that:

"We would like to slow down the speed at which things happen."

4.19 A further issue raised related to the time at which meetings take place, with disabled people suggesting that these need to be held at times which enable them to take part. For example, it was noted that early morning meetings will be inappropriate for some, in terms of personal care arrangements or other issues. Another respondent noted that timing issues can be compounded by inflexibility in support services (in this case in the evening), for example:

"Care agencies want to have you in your nightie at 6pm and then you can't go out. You have to fit in with their way of working and their needs".

4.20 There are also timing issues for disabled people who are working, and those with other commitments. Although the timing of meetings was not explored in detail, it was suggested in the case studies that these issues were not always taken into account. One respondent in the postal survey, however, noted that they alternated their meeting times to enable more people to take part, at least in every other meeting.

Addressing practical barriers and support needs

4.21 There can also be other practical barriers to participation, such as physical access, costs, transport, communication and support needs. The importance of overcoming such barriers was stressed frequently in this study, and there is evidence from some studies of RSLs taking some steps to remove barriers (e.g. Communities Scotland, 2002; TIS, 2004).

4.22 Physical access was the barrier recognised most commonly in this research, with most respondents aware of the need for this (although the level of recognition varied). Most of those in the case studies suggested that at least some physical barriers would be removed, and this was cited most frequently as an example of good practice. For example:

"we always meet in accessible locations",

was a common response. Many respondents identified providing physical access to premises and meetings, particularly for wheelchair users (although some recognised other access issues, such as parking, toilet facilities, layout, furniture, hearing loops etc.). Examples of other actions included one housing provider which maintained an “events folder” with details of accessible venues.

4.23 Without conducting a full audit of organisations involved, it is difficult to assess fully the extent of progress, but it was also clear that there remain some physical access issues. One local authority which carried out an equality impact assessment identified a range of these, some of which related to tenants’ organisations’ lack of awareness of disabled people’s needs and a lack of action to address these. Many disabled people (and some other respondents) also noted that some of the “less obvious” barriers would not be addressed, with many examples given. One group noted that:

“Maybe something like just getting a coffee, people can’t always get one for themselves, so it’s very difficult if you don’t know anyone – you don’t know if anyone will take care of you and you won’t ask. It’s very difficult.”

Another identified that:

“You never seem to get drinks at lunch in mugs which you could handle easily. Buffet arrangements are no use and there is often nowhere to sit and no catering for special diets.”

4.24 Other examples included: uncomfortable furniture causing pain; meeting papers on a high shelf where a wheelchair user cannot access them; and other issues. One group noted that barriers in the wider environment impact on access to venues and one respondent summarised that:

“Just because it’s flat and you can get in, doesn’t mean that your needs are met”.

4.25 In one case study, it was noted that not all housing developments with disabled tenants had meeting space, causing some difficulties in bringing groups of disabled people together. There were also examples of RTOs whose premises were inaccessible, and although these organisations often took steps to meet elsewhere, this clearly does not

address the fact that disabled people cannot access the main premises. Additionally, in some cases, the approach to addressing access was only partial, with, for example, “most” meetings being accessible. In one area where a group met in inaccessible premises it had been agreed that they would have members’ meetings in a church hall, and only committee meetings in the other premises.

4.26 A number of respondents identified that people with sensory impairments, communication support needs, learning disabilities and mental health problems were amongst those least likely to have their needs met. One disability group, for example, stated that:

“Any sensory impairments are much less likely to be addressed - with physical disabilities, they might, but with vision and hearing it’s not likely. There’s definitely different awareness of different issues”.

4.27 One group of disabled people stressed the importance of not taking a “one size fits all” approach to provision. A number of respondents stressed the importance of organisations continuing to identify and take account of barriers, and develop their understanding of needs, as the potential impact of these on participation was identified by one group of disabled people as follows:

“You get to the point where you’re not going back – you just get fed up”.

4.28 In terms of other practical barriers, it has been noted that there should be no financial barriers to participation (Communities Scotland, 2005a) and that groups should recognise the costs of participation for tenants (Department for Communities and Local Government, undated). Within this, it is important to recognise and reimburse the particular costs for disabled people and, as with physical access, this issue appeared to be widely recognised in this study, and one strategy actually specified a commitment to participation without cost (although some resource constraints were noted in Section 3).

4.29 A further issue identified fairly widely as a potential barrier was a lack of transport, with a range of transport constraints highlighted in other work (e.g. Scottish Executive, 2002b; TPAS, 2003; Inclusion Scotland, 2005; Communities Scotland, 2005b; DRC, 2007b). Again, without conducting an audit, it is not possible to identify the extent to which transport problems are being addressed, but housing providers

and Federations generally noted that they would ensure free transport to meetings, if required (generally either by arranging this or providing a voucher) and many identified this as an element of good practice.

4.30 One group of disabled tenants, however, identified that the need to plan transport well in advance made it difficult to attend meetings at short notice, stating that:

“Getting to and from things is a huge one. If three quarters of the tenants here wanted to go to a meeting, getting there in one go is very complicated. You have to book in advance and you have to plan well in advance, and it puts a damper on it”.

The same group noted that getting disabled tenants together from different locations can be difficult because of transport constraints. There also remain wider transport issues which will impact upon community participation by disabled people.

4.31 The need to address communication support needs and to ensure that a range of communication methods is available has also been increasingly recognised (e.g. TIS, undated; TPAS, 2003; Scottish Executive, 2006). Although this was not explored specifically in these case studies, there was little mention of the provision of this. A number of disabled people with communication support needs did, however, attend one of the group discussions without support, and this certainly constrained their participation. On a more positive note, as part of the Civic Participation Network project mentioned earlier, a toolkit to enable best practice is being developed. One of the housing providers in the postal survey also noted that they had a Communications Working Group, with one strand of its work relating to communication with disabled people.

4.32 There may also be circumstances in which it is appropriate to use independent advocates, or for disabled people to be enabled to bring a support person or a carer with them (Scottish Executive, 2002b). Some of the disabled people in this research suggested that organisations in the tenant participation process should encourage, for example:

“An advocate to come to a meeting and put the questions across and enable people to give their views and give them support to make their point”.

Some of the tenants' organisations identified that they would enable this, if required. TIS (2004) also noted that a number of landlords had encouraged tenants to bring others with them to meetings and other events. The Communities Scotland Guide (2005b) suggested offering carer allowances as a means of removing barriers, and one housing provider noted that they could make these available, if necessary.

4.33 One case study provided an example of the benefits of advocacy, where disabled tenants taking part in a consultation had asked an advocacy group to help them to give their views. The group introduced red and green cards to help people to identify if the meeting was going too fast, or they needed more explanation, and the tenants believed that this had been very helpful in enabling their input. Another housing provider was also carrying out work to develop self-advocacy for tenants with learning disabilities. The Joseph Rowntree Foundation (1997b) also found that tenants in supported accommodation were more confident in participating when they were offered independent support.

4.34 In relation to all of these issues, disabled people (and one housing provider) identified that a lack of knowledge of accessibility, a lack of provision of promised access arrangements, or inaccurate information could compound barriers to participation by disabled people. The importance of publicising accessibility and support has been noted (e.g. TPAS, 2003; The Scottish Parliament, 2006), and was identified by a number of participants in this research as being required.

Feedback

4.35 The provision of feedback may impact upon whether or not people will continue to be involved in participation processes (Communities Scotland, 2005b) and the need for appropriate feedback has been stressed (e.g. Scottish Executive, 2002a; 2002b; Communities Scotland, 2005a; Audit Commission, undated).

4.36 The main means of feedback from housing providers to Federations was identified in case studies as through ongoing involvement, continuing dialogue and meetings. It was also noted that written feedback can be provided more widely in newsletters and other documents (with one housing provider providing joint updates with a tenants' organisation). The main means of feedback identified from RTOs to tenants was through written information (particularly newsletters) and tenants' organisation meetings. In one case study, one page of the housing provider's newsletter was given to the Federation to

provide reports and feedback. In some cases, those involved in Federations provided direct feedback to local organisations which could then provide feedback to their members.

4.37 All of the housing providers in the case studies, however, (and some tenants' organisations) identified the provision of feedback, particularly by housing providers to tenants, as a weakness in tenant participation. It was suggested, for example, that participants may not hear the outcome of views which they have expressed, or there may be a lack of mechanisms and processes to inform people. One of the tenants' organisations also noted that, where they did receive feedback, it may be some time after views were provided, and this issue was raised specifically in one case study, where a group of tenants had been consulted, but had not yet been told of the outcome.

4.38 One tenants' organisation noted that there could be variation in the feedback provided by different staff, and one housing provider was addressing this through training. In one case study, it was noted specifically that feedback from Federation representatives to local organisations had not been taking place. As one of the groups noted:

“If they are not going to do anything with your views and they don't get back to you, then what is the point?”

Such concerns are supported in other material (e.g. Scottish Executive, 2002b; Playforth, 2004) and can discourage participation by traditionally excluded groups (Communities Scotland, 2005b).

THE LEVEL AND NATURE OF INVOLVEMENT

4.39 As well as the methods of engagement, the level and nature of community involvement can also impact on participation.

The level and stage of community input

4.40 There is considerable material relating to different levels of involvement which can be promoted through tenant participation, and this can also impact on involvement by disabled people. The Joseph Rowntree Foundation (1994) in a “Guide to Effective Participation” identified a “ladder” of participation, with 5 rungs comprising:

- Information (telling people what is planned).
- Consultation (offering options and receiving feedback).

- Deciding together (encouraging new ideas and providing opportunities for joint decisions).
- Acting together (taking joint decisions forward in partnership).
- Supporting independent community interests (providing advice, funds or support to organisations to develop their own agendas within guidelines).

4.41 Other authors describe a similar approach (e.g. Hashagen, 2002; IAP2, 2003; TIS, 2004) although the terminology may differ. The Joseph Rowntree Foundation (1994) suggested that different methods are appropriate at different times and for different issues, and that effective participation involves people at the level at which they are satisfied. The IAP2 (2003) also noted that different levels can be legitimate, depending on the decision which is to be made.

4.42 Although a range of methods is used in the tenant participation process, one stakeholder in this study suggested that the current tenant participation process is largely at the level of information sharing and traditional consultation, and amongst the “less involving” forms of inclusion. This seems particularly applicable to the methods used with individual tenants.

4.43 It was also suggested that mechanisms for individual tenants to raise issues at an appropriate level were not always clear (although some stressed that any issues could be identified and pursued). In one case study, it was suggested specifically that some older tenants may be unclear about the distinction between a local authority and different agencies involved in housing. In another, a group identified that they had a number of ideas about developments to their housing organisation, but no obvious way of making these views known. One group of disabled tenants noted that the process still felt like “top down” with limited tenant involvement in strategic decision making. In another case, although it was noted that there was an opportunity for tenants to raise issues via the newsletter, it was suggested that this was a one-way flow of information to tenants about developments.

4.44 The case study material suggested that, where there were Federations, the most in-depth involvement (for example in strategic and policy discussions with housing providers), took place through these Federations, particularly with committee members. One of the housing providers noted, for example, that:

“We tend to take the easy way out by going to the Federation, although we should be making an effort to reach everyone”.

Some strategies also indicated the importance of this, and one identified that the structure enabled local tenants’ organisations to raise issues through the Federation. Another indicated that the review of the strategy had involved a working group of tenants nominated by the Federation.

4.45 Although not the only means of expressing tenants’ views, the ways in which these organisations represent the views of their members are clearly crucial, and there were some variations in this. In one case study, for example, the Federation had a number of ways of ensuring input from others, and stated that it did not take decisions until members had been consulted (through, for example, open meetings, surveys of members, discussions with members etc.). In another, however, a concern was raised by the housing provider that, although policy issues were discussed at the Federation, they were not always then discussed with the RTOs, nor were RTOs’ views sought.

4.46 There were, however, other examples of involvement of RTOs (although they perhaps had less direct and systematic involvement in strategic / policy issues than was the case for Federations) and one of the housing providers in the postal survey noted that:

“Registered Tenants’ Organisations (RTOs) and [the local Tenants’ Federation] are the main vehicles for consultation and participation activity on housing/landlord related issues.”

4.47 There were also some examples of involvement beyond the formal organisations, and, as noted earlier, there were some mechanisms for involving other tenants. Additionally, in one case study where there were fewer structured organisations, there was an example of a specific informal group of tenants coming together to discuss a new development. In three case studies, the strategy review was highlighted as an example of involving a much wider group of tenants and, in one case study, the housing provider identified specifically that they were trying to engage proactively with those who were not part of the Federation and other RTOs.

4.48 Generally, however, in terms of the inclusion of disabled people in the “ladder of participation” the findings highlight the importance of their involvement in Federations and other RTOs (and, where there is an

opportunity for further progression, in other decision-making structures). One of the housing providers in one of the case studies identified that the different levels of involvement were:

“almost like a career development, where tenants go to the RTOs then to the Federation, then to the District Management Committee. Then they get the confidence to take part in the Board”.

4.49 Although it appears from Section 2 that there is some involvement by disabled people in tenants’ organisations, the actual level is unknown, and it is likely that there may be under-representation at least in some aspects of the tenant participation process, and in some organisations at a decision-making level. In this context, one of the disability groups suggested a need for proportionality in organisations and their management, and for this to be specified in their constitutions.

The stage of involvement

4.50 A closely linked issue is the need for participants to be involved from the start (Communities Scotland, 2005a), and for an ongoing commitment to involvement by disabled people. Where tenants are not engaged from the start (i.e. in setting the agenda), it has been suggested that the process is more likely to be seen as a “paper exercise” (Scottish Executive, 2002a).

4.51 Some case study respondents highlighted the review of tenant participation strategies as examples of involving tenants at all stages, from agenda-setting, through identifying priorities to completing the document. In one case study, the process took around a year, beginning with an area-wide event and a discussion of what respondents would like to see as objectives, followed by meetings to consider different aspects of the strategy, before the housing provider began to pull the findings together. At the time of the research, a further area-wide event was planned, to be followed by further consultation with all tenants.

4.52 In one case study, it was suggested that quarterly meetings with the housing provider enabled tenants to set the agenda, with the balance of these meetings having changed from being provider-led to tenant-led in recent months. Again, however, the tenants involved in these meetings tended to be those involved in the Federation, suggesting that any under-representation of disabled people at this level will impact upon their ability to have this type of input. Additionally, not all

tenants' organisations were positive about the stage of their involvement.

4.53 One group of disabled people also suggested that, even where disability issues were raised, they were not always recognised on the agenda (and one respondent suggested that they had experience of a local tenants' organisation dismissing disability issues). It was suggested that there is a need to:

“tap into the issues that matter to the people who are being consulted – strike a chord and reflect the priorities of disabled people”.

4.54 Although Federations were keen to stress that they would pursue issues raised by disabled people, the focus of this sometimes appeared to be on individual issues, rather than recognising a disability perspective on wider strategic issues. This was raised in one Federation discussion with the suggestion that RTOs may assume that a disabled tenant wants to work on disability issues rather than general issues.

4.55 A further common concern amongst disabled people was that their involvement was often a tokenistic, “tick box” approach, to enable organisations to say that they had addressed disability issues. It was suggested that, where disabled people were involved, they were often patronised and their views were not listened to. In the context of these concerns, a number of respondents identified the importance of “making a difference” and being listened to in encouraging participation. One group of disabled tenants noted that:

“Sometimes you never get anywhere with issues and you can't get past blockages, if there is not a positive approach to making things happen.”

4.56 A number of respondents (particularly disabled people) also noted that it tends to be the same people and organisations who participate in everything. Even in the case study where all of the participants in some meetings were disabled people, it was suggested that it tended to be the same individuals who attended. One group of disabled people also noted that there can be significant demands on those who do become involved in community activity. One housing provider suggested that it was sometimes difficult “not to select people who will be able to participate more fully” and, in one discussion, it was suggested that some organisations would not welcome participants who

they felt would not be able to play a full part in a meeting, or would constrain this.

4.57 The need for well-planned, transparent processes with the involvement of a range of disabled people from the start and throughout, and their inclusion in key decision making was stressed by a number of case study participants. This links closely to the need for the proactive involvement of disabled people, discussed below.

The proactive involvement of disabled people

4.58 It was evident in Section 3 that housing providers and tenants' organisations adopted an approach to tenant participation that focused on being "open to all", rather than taking a proactive approach to involving disabled people and seeking their views, with little evidence of positive action (as was also found by the Joseph Rowntree Foundation, 2003). As noted in Section 2, however, the DDA requires public bodies to actively promote disability equality, and the need to actively seek the involvement of people who experience barriers to participation has been recognised in other material (Scottish Executive, 2002b; TIS, 2004; Communities Scotland, 2005a; 2005b).

4.59 There are a number of ways which have been identified in which organisations could take action to seek the views of disabled people. These include, for example, through: meetings and forums; links with existing disability organisations; and work with individual disabled people. This focus is consistent with a general need for "mainstreaming", which does not preclude positive action to overcome existing barriers.

4.60 In this study, a small number of instances were found of specific meetings of disabled people being held to discuss issues for tenants, and one postal respondent identified a group of carers and support workers brought together by a Federation. There was also an example of a housing provider represented on a local authority disability group, and one housing association which had a forum for "sheltered and amenity tenants". Such groups tended, however, to be where a housing provider made specialist provision to disabled people, and the development of groups of disabled people to discuss tenant issues was identified as one means of developing work in the future.

4.61 There were a small number of examples in this study of ways in which disability-related organisations had been involved in developing policy and practice relating to issues for tenants and, as noted, links had

developed in one case study with the DPHS (with examples in other material, such as TIS, 2004; TPAS, 2003). The need for such links had recently been recognised in another case study, and may develop there in the future, but a number of disabled people, and others identified scope for the improvement of such links (supported in work by Communities Scotland, 2002). A number of tenants' organisations and disabled people suggested a two way process of awareness raising and information sharing, which might encourage greater participation, and some tenants identified that they would value information about disability groups, for example:

"We don't have disability contacts and we don't know how to take things forward if they are brought up. We want to help but we don't know how to go about it or who to contact".

4.62 A number of disabled people also noted that they would value information about tenant participation, and it was suggested that disability organisations could provide advice and support to those involved in tenant participation. The paper "Time for Interaction" (DRC, undated) also suggested that disability-led organisations could identify ways of forming closer links with other interest groups.

4.63 Landlords and tenants' organisations in the case studies did not generally carry out proactive work to encourage participation by individual disabled tenants, and one housing provider suggested that:

"RTOs are perhaps not particularly targeting or considering disabled people when canvassing for members."

One group of disabled people, however, gave an example of a local authority which had personally invited disabled people to a meeting, by going round groups and issuing invitations (although this did not relate specifically to tenant participation). In one case study, Tenant Participation Officers had tried to generate interest amongst disabled tenants through writing, visiting and raising awareness of the process, and a number of tenants identified that this had increased the likelihood of their giving their views. One tenants' organisation which was planning a civic day also identified that they had sought involvement from disabled people by "knocking on doors". A small number of respondents reported that disabled people may be consulted by post or telephone, or home visits.

4.64 Direct contact with disabled people was identified as another means by which engagement with disabled people could be promoted in the future (with one Federation specifically mentioning young disabled tenants). Some suggested mechanisms such as: a disabled tenants' conference; other events; engaging with carers and encouraging them to attend meetings; and a week of action to highlight issues, supported by a lobby of landlords and Communities Scotland for additional resources. A few respondents, however, suggested that there may be difficulties with targeting individuals, including that: this might "intrude on people" who would "have to reveal" a disability; organisations would not know who and where disabled people were in their local areas; and there may be data protection issues.

4.65 It was also suggested that, at the start of any consultation process, specific consideration should be given to how to involve disabled people, and this should be reflected at a national level (e.g. in new developments by Communities Scotland). These findings suggest scope to continue to promote a more proactive approach to involving disabled people in the future, and it was encouraging to note that there was some evidence, in the course of this research, of organisations beginning to consider whether they might need to be more proactive. One housing provider, for example, stated that:

"A bit of guidance might be useful here – we have been active in enabling, but not proactive in getting people to take part. We address barriers, but we are not going beyond that".

4.66 The need to provide specific information about opportunities for participation was also identified. One group of disabled people noted the lack of this, and another stated that many disabled people would not attend a meeting which did not indicate that they would be able to do so. In one case study, it was also noted that tenants' organisations might be seen to deal only with housing issues and issues for tenants, when, in practice, they often had a much broader remit. It was suggested that, in these cases, this should be made clear.

4.67 A number of disabled people (and one tenants' organisation) suggested that existing participation should be recognised and promoted, with a need to:

“Increase the visibility of disabled people doing these things. Once you have some people involved, this will encourage more to become involved”.

Two disability organisations also suggested that housing service providers should be more proactive in promoting employment, management and volunteering opportunities to disabled people.

THE NATURE OF ORGANISATIONS

4.68 Finally, the nature of organisations themselves was also highlighted as having an impact on participation by disabled people.

Ethos and relationships

4.69 The need for participants to “behave towards one another in a positive, respectful and non-discriminatory manner” (Communities Scotland, 2005a) and for a “culture of mutual trust, respect and partnership” (Scottish Office, 1999) have been identified. Disabled people in the case studies also highlighted the need for an approach which recognises their contribution within an environment where they feel comfortable to express their views. Several other respondents stressed the need for (and their commitment to), a welcoming approach, and identified this as a key element of good practice in enabling participation by disabled people.

4.70 Some disabled tenants also suggested that the formality of an organisation, its operational structures and surroundings can also create barriers to participation by disabled people. The current process, however, as described, is based largely upon a formal structure, and it was suggested that there may be scope for some more informal, tenant-led structures, suited to the needs of participants.

4.71 One tenants’ group also suggested that, although tenants complain about housing providers’ jargon, local groups may also use this, making it difficult for new participants to understand their organisations and processes. It was noted that this can have a particular impact on disabled people, who may already feel that the process is “not for them”. One identified specifically that they avoid jargon, “in-jokes” and unexplained procedures for this reason.

Attitudes

4.72 Finally, the importance of appropriate attitudes to disabled people amongst those involved in organisations was identified repeatedly in this research (particularly by disabled people themselves) as impacting on participation. One disability organisation stated, for example, that:

“The main barrier to participation of disabled people is often negative attitudes.”

4.73 The tenant participation process inevitably reflects the wider community, within which there are both positive and negative attitudes to disabled people (TPAS, 2003; PMSU, 2005; Scottish Council Foundation, 2005), and examples of differences in attitudes were identified in the case studies. Although some case study respondents demonstrated positive attitudes and understanding of disability issues, examples of negative attitudes which were expressed included: inappropriate assumptions and stereotypes (e.g. defining disabled people in terms of their impairments, or seeing them as generally less capable), patronising attitudes, and, in some cases, a general lack of understanding. One housing provider, for example, identified that “small mindedness” was a barrier, and a tenants’ organisation noted a:

“Lack of understanding of disabled people and their abilities”.

4.74 One case study respondent noted that they had been at a meeting of a tenants’ organisation where participants complained about disabled people and the facilities made available to them, noting that:

“The comments that were coming were terrible. This is supposed to be for tenants. Because they’re not disabled they’re not interested. There are lots of people that think what are you doing here?”

4.75 Such attitudes can clearly impact upon ways in which organisations view the involvement of disabled people, and how they interact, and may be reflected in an overall approach to disabled people which is inappropriate. As one participant in a discussion with disabled people noted:

“They want to treat you like a child. If people see you as a child they are not going to let you be the Chairperson”.

4.76 The need to address attitudes to disabled people was suggested frequently, and the importance of training was identified in the previous section. It was also suggested that there is a need for: widespread public awareness raising about disability issues; a lack of tolerance of inappropriate behaviour and attitudes; robust procedures to deal with these; and access to support for any participants who experience problems with the attitudes or behaviour of others. One of the housing providers suggested specifically that all members of tenants' organisations should be given an "easy-read good practice card with do's and don'ts to remember", as they may be the first point of contact for a potential participant.

4.77 Some respondents also suggested that attitudes amongst disabled people can pose barriers to participation, with limited interest in the tenant participation process (and a small number suggested that "apathy of tenants" generally is a barrier). This was not, however, borne out in these findings, where the clear message from disabled people (supported in other findings such as from the Joseph Rowntree Foundation, 1997b) was that disabled people do want to have a say in the services they receive and do want to be involved in public, civic and community life. What is perceived to be an attitude of "apathy" therefore, may actually link to barriers to engagement, some of which have been highlighted in this report.

Overall issues

4.78 All of the issues which have been identified in this section (and in Section 3) give an indication of some of the ways in which participation by disabled people in public, civic and community life can be enabled or constrained. There have also been many suggestions about ways in which some of the remaining barriers can be addressed.

4.79 A number of disabled people in the case studies and some postal survey respondents made some overall suggestions, including noting that good practice would involve addressing all of the barriers which have been identified in this report as a matter of course, without disabled people having to ask. As one group noted, for example:

"It should be standard practice, not good practice – what disabled people are asking for is ordinary, normal things. Good practice is where these considerations are included."

Several also noted the importance of seeking disabled people's expertise in identifying barriers (as has been the case in this research) and using this to inform organisations about the way forward.

4.80 Two group discussions suggested that local disability organisations themselves provided examples of positive involvement of disabled people at grassroots level, because they recognised and addressed the issues affecting disabled people. It was suggested that organisations involved in tenant participation could learn from them in terms of enabling involvement by disabled people.

4.81 These suggestions, along with the good practice examples and barriers highlighted earlier, help to identify some lessons for the future, which provide the basis of the recommendations of this report and the focus of the final section.

SECTION 5: CONCLUSIONS AND RECOMMENDATIONS

5.1 There are a number of conclusions and recommendations which can be drawn from this research, and these are summarised below.

CONCLUSIONS

5.2 The study has identified a number of aspects of current practice in the tenant participation process, and perceptions of good practice and barriers. These illustrate some of the issues relating to the involvement of disabled people in public, civic and community life and suggest some developments for the future. Many of these are relevant not only to tenant participation, but also to other aspects of the involvement of disabled people. Some are also relevant across other equalities strands.

Overall findings

5.3 There is considerable material to suggest that disabled people are under-represented in public, civic and community life, and many reports have identified the need for their increased participation. There have been a number of national legislative, policy and practice developments in areas such as disability equality and rights; public participation; and tenant participation which should impact on opportunities for this. There remain, however, many barriers to participation by disabled people.

5.4 It is difficult to provide any definitive information about the actual level of involvement of disabled people in tenant participation, as there is little data available. There are, however, mixed views of whether the views of disabled people are sufficiently represented in the overall tenant participation process and in tenants' organisations. The research found differences in views amongst landlords. Most tenants' organisations believed that the views of disabled people were adequately represented, often drawing upon anecdotal evidence and asserting that the process (and their organisations) were "barrier free". Conversely, many disabled people suggested problems with disabled people's representation in the tenant participation process and in tenants' organisations.

5.5 Whilst it is impossible to measure this, some of the limited data available indicates that there may be under-representation of disabled people at least in some aspects of the tenant participation process and in some organisations, including at a decision-making level. There may also be under-representation of particular groups, such as people with

learning disabilities, people with communication support needs, people with sensory impairments and people with mental health problems.

5.6 It is also clear from the study that there are a number of factors which can impact upon the level of participation by disabled people, some of which relate to the local policy framework and operating context, and some of which relate to the engagement process and the nature of organisations.

The policy framework and operating context

5.7 The research suggests that good practice in relation to the local policy framework and operating context requires a clear and well-understood commitment to disability equality, along with the implementation of this in practice and a clear recognition of the roles and responsibilities of all of those involved in this process. There is a need for written guidance and well-informed support, along with disability equality training, to enable those involved in tenant participation to fulfil their roles.

5.8 There is also a need to recognise and address the resource implications of enabling involvement by disabled people and to ensure that housing providers, tenants' organisations, disability organisations and individual disabled people have the capacity to ensure participation by disabled people. Targets and standards need to be established, and data collected to identify needs, assess and monitor progress and highlight further actions which are needed.

5.9 Some positive examples of practice were identified in these areas. For example, the research identified that most organisations in the tenant participation process now recognise the need to include reference to the promotion of equality in their strategic documents. It is also encouraging that there is a recognition of positive benefits to the inclusion of disabled people and a commitment to this amongst the organisations involved. There have also been some developments to the provision of guidance, networking and information sharing (particularly amongst housing providers), as well as to training for some staff and Federation members.

5.10 Some other examples of good practice have also been identified, such as the flexible use of resources, or examples of capacity building. A small number of organisations are also beginning to collect data about the number of disabled people in their area and their involvement in

tenant participation. Other individual examples of positive developments have also been highlighted in the report.

5.11 There remain, however, many constraints, in the policy framework and operating context, to participation by disabled people. There are some problems with the translation of policy commitments into practice, particularly in the adoption of an approach which focuses on removing barriers (which can be relatively narrowly conceived) rather than recognising the wider need to promote the involvement of disabled people in tenant participation. Promoting disability equality is often seen largely in terms of organisations and processes being “open to all”, removing physical and practical barriers and “not discriminating”, all of which are important and positive aspects of equality, but are not, in themselves, sufficient. Some concerns have also been raised with the level of priority given to participation by disabled people.

5.12 Such findings raise concerns, in some cases, about the means of fulfilling the requirements of the DDA in terms of encouraging the involvement of disabled people in public life, as well as about the interpretation of landlords’ duties under the Housing (Scotland) Act (2001) in terms of the range of barriers considered, the means of proactive involvement of excluded groups and the means of ensuring that RTOs promote equality.

5.13 There can also be a lack of “mainstreaming” of disability equality, with few specialist staff with expertise in disability issues, and constraints to the involvement of other staff. Some issues have also been identified with the use of the guidance and support available, as well as with the level of disability equality training. Consequently, there are variations in understanding of these issues.

5.14 Some organisations also consider that there remain resource and capacity constraints to enabling participation by disabled people. There is also currently limited information gathering and monitoring, not only of the level of involvement of disabled people in tenant participation, but also of developments and progress. There are also some concerns about the identification and enforcement of non-compliance with policy.

The local engagement process and the nature of organisations

5.15 In terms of the local engagement process and the nature of organisations, the findings suggest that good practice requires all stakeholders to ensure that their actions are consistent with enabling

participation, and that they understand their own roles in promoting participation by disabled people.

5.16 There is a need for recognition of the ways in which particular methods can impact on participation, and the use of a range of methods (including innovative means) which are appropriate to a diverse range of participants. Information must be clear, timely and accessible, and there needs to be an appropriate timescale for involvement. The timing of meetings must also recognise issues for disabled people, and there is a need to address other practical issues such as: the provision of physical access and appropriate equipment; financial support; transport; communication support; advocacy or other personal support; and support to address any other requirements. It is also important that the provision of access is publicised, and that feedback is provided.

5.17 There is a need to ensure that the input by disabled people is at an appropriate level and meaningful, and that they are involved from the start, and throughout the tenant participation process. It is important that participants “make a difference” and are listened to, in a well-planned, clear and transparent process. Organisations need to take proactive steps to involve disabled people in a range of ways and to ensure that they are genuinely “representative” of the communities which they serve. It is also important that organisations have a positive and welcoming ethos, with relationships based upon trust and respect, and that all of those involved in the tenant participation process have positive attitudes towards disabled people.

5.18 Again, the research identified examples of positive developments in relation to these issues. It was clear that there was some recognition of the need to use a range of methods in tenant participation, with many organisations using a combination of approaches. There were some examples of innovative developments (such as the use of IT and “armchair” involvement) and a number of organisations recognised the need for information in different formats and the need for appropriate timescales and timing of meetings. There was also considerable recognition of the need to address physical, financial and transport barriers, and some specific examples of the use of advocacy work and other developments were identified.

5.19 It was found that many tenants’ organisations consider that disabled people are represented at all levels in the tenant participation process (and there were examples given in which it is likely that this was the case). The research also found some examples of positive links

between the tenant participation process and disability organisations, and of a small number of organisations targeting and involving disabled people (with some others beginning to recognise the need for this). There were also examples of some organisations developing an appropriate ethos and operation and positive attitudes to disabled people, as well as other individual examples of good practice.

5.20 As with the policy framework and operating context, however, there are remaining constraints to participation in the local engagement process and the nature of organisations. There is, for example, still a heavy reliance by many on traditional methods of involvement (particularly written methods and formal meetings). There remain some barriers in the provision of information, and this is also the case with some timescales for involvement (which can be short) and the timing of some meetings (which can exclude disabled people). There are also variations in the level of recognition of practical barriers to participation and the actions which are taken to address and publicise these. The lack of feedback has also been identified by many respondents as a current weakness in the tenant participation process.

5.21 It has also become clear that much of the “higher-level involvement” in tenant participation is via Federations (and, to some extent, other RTOs) and there is likely to be under-representation of disabled people in some decision making structures. In terms of the “ladder of participation” much of the involvement of disabled people (at least in some areas) is likely to be in terms of the receipt of information or traditional consultation. It has also been suggested that disabled people are not always involved in agenda-setting, and that their involvement can be seen as tokenistic. There are also some concerns that, where involvement does take place, it is often the same people who participate each time. There are limited examples of the proactive involvement and targeting of disabled people, and the links identified between organisations involved in tenant participation and disability organisations were relatively uncommon.

5.22 The findings also suggest variations in ethos and relationships within organisations, and some clear issues with attitudes to disabled people amongst some of those involved in tenant participation. As with the local policy framework and operating context therefore, the research identified some examples of good practice alongside some remaining barriers and constraints in the local engagement process and the nature of organisations.

Identifying the way forward

5.23 Many suggestions for the way forward are implied by these findings, and have been identified in the preceding sections. One of the key issues which emerges from this research is the need for all organisations to recognise and tackle the issues impacting on participation by disabled people as, in the words of one group:

“This is 2007. Why is this still an issue? Why shouldn’t disabled people be involved by right?”

5.24 The need for a range of actions to tackle the barriers which have been identified, and to promote the types of good practice which have been highlighted is clear. There is also a need for this to involve more than simply removing physical barriers and, as the DRC (undated) noted in the guidance on the Disability Equality Duty:

“ending discrimination is not just about making buildings accessible putting in ramps or producing documents in alternative formats. It is about systematically finding and then removing barriers.”

5.25 This report has highlighted some of these barriers. It is now important to identify ways of addressing them. It seems, as noted in the “State of the Nation” report (Scottish Council Foundation, 2005) that:

“Equal Citizenship is unlikely to be achieved unless the rights and needs of disabled people are recognised and appropriate responses put in place. This does not mean simply treating disabled people the same as everyone else, but providing ways – ways that are appropriate and as personalised as possible – to take account of their different needs, experiences and impairments, to ensure disabled people attain equal access and outcomes.”

5.26 The recommendations below focus upon some of the ways in which the tenant participation process (and, by extension, other forms of active citizenship) can work towards this.

RECOMMENDATIONS

5.27 There are a number of areas in which further action could be taken to promote the involvement of disabled people in public, civic and

community life. Although these recommendations have a specific focus upon tenant participation, they have a general relevance to other aspects of democratic participation, active citizenship and community engagement, in terms of the involvement of disabled people. Some also have wider relevance for the inclusion of other equalities groups.

5.28 It should also be noted that there is a need for wider structural changes, which will impact upon the overall circumstances and opportunities for participation by disabled people. Although these will not be discussed in detail here, the implementation of many of the recommendations in other documents which have been cited in this report will help to develop an overall structure in Scotland which will enable full participation, on an equal basis, by disabled people. Examples include the reports by: the PMSU (2005); the Disability Working Group (Scottish Executive, 2006); the Scottish Parliament (2006) and the Disability Rights Commission (DRC, 2006c; 2007b).

5.29 Similarly, the implementation of the recommendations below relating to democratic participation and active citizenship will impact upon the development of equality in other policy areas. Recommendations are made both in relation to the local policy framework and operating context, and to the local engagement process and nature of organisations.

The local policy framework and operating context

5.30 There is a need for an appropriate and inclusive overall policy framework and operating context in Scotland, at a national and local level. In relation to **policy and strategy**, it is recommended that:

- All relevant organisations and partnerships in Scotland should reflect the need for the active involvement of disabled people in the development, implementation and review of their policies, strategies and practice, and should adhere to existing legislation and guidance.
- Disability Equality Schemes should identify the need for the involvement of disabled people in tenant participation; tenant participation strategies should make explicit reference to the involvement of disabled people in their aims and objectives; and tenants' organisations should develop equal opportunities policies.
- Housing providers and tenants' organisations should identify targets, indicators, outcome measures and relevant actions for

the involvement of disabled people, which should be integral to the documents and not confined to a separate statement.

- Strategic documents and policies (including tenant participation strategies) should be reviewed regularly, in conjunction with disabled people, in terms of their effectiveness in promoting disability equality and participation.

5.31 In relation to **implementation**, it is recommended that:

- There should be clear and transparent national and local structures for tenant participation, with community organisations and local processes linked to local and national policy makers, and clear links between organisations involved in tenant participation and organisations of and for disabled people.
- There should be a clear commitment and priority to the involvement of disabled people, with proactive work to include disabled people and seek their views in all aspects of tenant participation, including through their involvement in national and local groups considering strategic housing issues and in tenants' organisations, as well as in other forms of tenant participation, which should be developed.
- There should be priority and support, from the highest level and throughout all organisations, to the involvement of disabled people. This should be identified amongst the responsibilities of staff and members, and consideration should be given to the identification of specific staff (at a national or local level) to develop, champion and review this.

5.32 In relation to **guidance, support and training**, it is recommended that:

- A "shared understanding" of the implications of disability equality for tenant participation should be developed in conjunction with disability organisations.
- Support, advice and guidance should continue to be provided in a range of forms to enable organisations to encourage participation by disabled people, to enable networking, share good practice, and access the training and skills they require.
- Specific advice and guidance on addressing some of the issues in this report should be prepared and disseminated to relevant groups and organisations using a range of means (e.g. inclusion in the support processes of TIS, TIGHRA and TPAS;

provision of support by Federations and landlords to tenants' organisations to develop their policies, skills and practices; home study materials; website provision etc.).

- Equalities issues should be considered in the identification of training needs for all housing staff, tenant participation staff, and those in local tenants' organisations, and those with a role in promoting participation should receive appropriate disability equality training which should draw out the implications of disability equality for tenant participation.

5.33 In relation to **resources and capacity** it is recommended that:

- Sufficient resources should be provided by relevant funding bodies to enable participation and promotion of the involvement of disabled people in all aspects of public, civic and community life. This should include organisations in the tenant participation process (which should identify explicitly the resources needed to develop the involvement of disabled people) and other relevant organisations (such as organisations of and for disabled people, and new mechanisms for inclusion).
- Awareness of funding support should be promoted.
- It should be a condition of funding for organisations involved in tenant participation that they identify details of the level of inclusion of disabled people and the means of undertaking this. The development of capacity to encourage disabled people's participation should be a success criterion in capacity building funding.
- Support and information should be provided to enable individual disabled people to recognise and develop their own skills and expertise, to identify opportunities for community involvement and to develop their role in public, civic and community life, with opportunities, for example, for: mentoring and shadowing; development of appropriate courses; use of role models; employment, management and volunteering; and the recognition and reward of participation.

5.34 In relation to **monitoring, evaluation and review**, it is recommended that:

- Relevant organisations (such as the CEHR and Communities Scotland) and local organisations should monitor participation by disabled people in tenant participation and identify gaps. In

the case of the CEHR, this should include other forms of active citizenship and community participation.

- Standards, goals and targets, performance indicators and guidance should be developed, specified in tenant participation strategies, monitored and reviewed.
- Those involved in tenant participation should identify the data and mechanisms required to ensure meaningful measurement and ongoing monitoring of the involvement of disabled people. Relevant organisations (including landlords and tenants' organisations) should be required to gather this.
- Monitoring should be undertaken through: the use of the framework and inspection criteria for landlord organisations; the monitoring and review of the DDA and the Disability Equality Duty; monitoring of RTOs by landlord organisations; reviews of disability equality strategies; equality impact assessments of tenant participation strategies and processes; and any other relevant research exploring tenant participation issues.

The local engagement process and nature of organisations

5.35 Alongside the policy framework and operating context, there is also a need for appropriate engagement at a local level. In relation to **local engagement processes**, it is recommended that:

- All organisations involved in enabling participation should identify and address barriers to participation by disabled people, should use a range of methods to ensure opportunities for their involvement and should recognise the diversity of needs.
- Organisations should follow recognised good practice in the processes, in terms of issues such as: provision of information; timescales; timing; physical accessibility; costs; transport; addressing communication, advocacy and other support needs. Advice should be sought from disability organisations, as required, in addressing these needs
- Feedback should be provided to participants, and the steps which were taken to include disabled people in seeking tenants' views, and the level of their involvement, should always be identified.

5.36 In relation to **the level and nature of involvement**, it is recommended that:

- All organisations at a local and national level should take a range of proactive steps to enable participation by disabled people, and should specify these actions clearly, using specific methods integrated with mainstream work.
- Organisations should ensure that they have representation of disabled people at decision making level (including governance), as well as amongst their members, with issues of particular relevance to them included on appropriate agendas.
- A range of disabled people should be involved from the outset and throughout a well-planned, clear and transparent tenant participation process.

5.37 In relation to **the nature of organisations**, it is recommended that:

- Organisations should examine their own ethos and operation and ensure that they identify and address any barriers, and foster relationships and practices based on mutual respect and equality.
- The benefits of the inclusion of disabled people in tenant participation should be demonstrated and examples of existing participation publicised. Organisations should make it clear that they welcome involvement from disabled people.
- Action should be taken at a national and local level to challenge and address inappropriate public attitudes and stereotypes relating to disabled people. This should include awareness-raising work; the development of clear and robust mechanisms to ensure that inappropriate attitudes and behaviour towards disabled people will not be tolerated; and the provision of support to those who experience this.

5.38 All of the above recommendations will help to ensure that the level of involvement of disabled people in public, civic and community life increases in the future. With the impending changes to the structure of equalities work in Scotland, and the establishment of the CEHR, it is vital that key issues affecting disabled people, such as opportunities for democratic participation and active citizenship are raised at this stage. It is also vital that the issues which have been identified in this report are reflected as priorities within the new structure. All of these actions will assist in moving towards the achievement of equal citizenship for disabled people, which is long overdue.

ANNEXES

ANNEX 1: METHODOLOGY

Reid Howie Associates was commissioned by the Disability Rights Commission (DRC) in June 2007 to carry out a policy scoping study on disabled people and tenant participation in Scotland. The work took place between June and August 2007.

KEY QUESTIONS

The study set out to address a series of key questions, as follows:

- What is the overall legislative and policy context for democratic participation and active citizenship in relation to disabled people?
- What is the specific legislative policy and practice context for participation by disabled tenants?
- What examples can be identified of the extent of participation by disabled people, and their involvement in a “ladder of leadership” in relation to tenants’ associations?
- What aspects of policy and practice can be seen to inhibit or promote participation by disabled people in tenants’ associations?
- What strategies can be developed to promote further involvement of disabled people in tenants’ associations.
- What wider lessons can be learned for the development of strategies to involve disabled people in policy making and the planning and delivery of services?

AIM OF THE STUDY

The overall aim of the study was specified in the brief as follows:

“To identify and critically examine the evidence of positive and negative policies and practice which may impact on disabled people’s involvement with regard to tenant participation”.

The research also had a range of related objectives, including to:

- Address the key questions highlighted, and identify good and bad practice and strategies for involving disabled people in policy making and planning.
- Ensure that the views of disabled people are taken into account and reflected in all stages of the work.
- Make recommendations to inform further work.
- Prepare a report which can be used by the DRC to influence wider public policy debate; inform future research and provide a policy agenda on barriers to active citizenship to the CEHR.
- Enable the development of a shared awareness of methods to increase disabled people's democratic participation and active citizenship (which, in turn, will promote the further involvement of disabled people).

The study focused on disabled people who fall within the definition of the Disability Discrimination Act. It is underpinned by the social model of disability, which identifies disability as being caused by the lack of an appropriate response by society to an individual's impairment (rather than being caused by the impairment per se).

THE METHODS USED

The research involved a number of strands, as set out below.

Desk research

The first stage of the work involved the examination of some of the existing material relating to disability equality and rights, public participation and involvement, and tenant participation. Published material on the views of disabled people from other studies was also examined and included.

Relevant documents were identified through:

- Specific requests to key organisations.
- An internet search and examination of relevant websites.
- Provision or identification of materials by participants in the research.
- Literature searches.

The material from the examination of good practice was also used to inform the design of the case studies and the assessment of the findings (discussed below).

Case studies

Much of the detailed qualitative information for this research was gathered through the completion of four detailed case studies, and much of the focus of the presentation of the findings is upon the material gathered from these. Members of the Steering Group had identified four case studies in the brief as potentially offering appropriate examples, on the basis of their own expertise. It was agreed, however, at an early stage that, given the timescale for this work and the fact that it took place at the heart of the summer holiday period, there was a need for some flexibility in the choice of cases, at the discretion of the researchers. In fact, three of the four suggestions made by the Steering Group were included in the research, while one substitution was made.

The four case studies covered a good geographical spread and different types of housing provider. Although these have been presented anonymously within the text (as the purpose of the research was not to discuss individual areas, landlords or organisations, but to identify some of the issues which they face), they included:

- One large geographical area covering both urban and rural communities; one city area; one large rural area; and one landlord with a number of housing developments across Scotland.
- Two local authorities (one large and one medium); one Housing Partnership; and one Housing Association making provision to disabled people.

In each of these case studies, the research set out to identify and analyse:

- The nature of the tenant participation process, and perceptions of this.
- The approach taken to the involvement of disabled people.
- Perceptions of roles and responsibilities.
- Local mechanisms for involving disabled people.
- The availability and use of guidance.

- Perceptions of good practice and enabling factors impacting on disabled people's involvement in the tenant participation process, along with perceptions of barriers to this.

A range of information was gathered in each of the case studies, using a number of methods:

- **Examination of documentary and website materials** relating to tenant activities and participation. Material was available for all of the case studies, and some material was also provided by interviewees (e.g. tenant newsletters and other documents).
- **Interviews with representative(s) of the housing provider.** In the two local authority areas and the Housing Partnership, this involved senior staff with overall responsibility for the tenant participation process and supervision of the Tenant Participation Officers. In the case of the Housing Association, this was a joint discussion with the two Tenant Participation Officers.
- **Discussions with tenants' representatives.** This largely involved discussions with representatives of Tenants' Federations, as most of the individual tenants' associations did not meet during the summer period, making it impossible for the Federations to bring these together. The Federations, however, represent a large number of individual associations in each area. In one case study, 3 Federations represent a large number of tenants' organisations. Discussions were held with the worker, Chairperson and a Committee member of one of these, and the worker and four members of another. In another case study, there was one umbrella Federation which had representation from 8 tenants' organisations, and had 18 affiliated groups, and a discussion was held with the worker for that Federation (who was unable to bring individual representatives together¹²). There was one Federation in the Housing Partnership area (representing around 10 tenants' organisations) and a discussion was held with the Committee of this Federation. In the Housing Association, while there was no

¹² In this case, the worker stated that the views which were expressed, while based upon their experience of the Federation, could not be seen necessarily to represent the Federation's views. This was the only case, however, in which there was a lack of direct input from tenants themselves.

Federation, discussions were held with 13 individual tenants in two groups.

- **Discussions with local disabled people.** The ways in which these discussions were organised depended on whether or not there were existing umbrella groups of disabled people (e.g. a network, forum or coalition) at a local level. In one of the local authority areas, although there was no local umbrella group of disabled people, a group discussion was held with members of the local Access Panel. In another local authority area, a group discussion was held with members of an umbrella group and this was also the case in the area with the Housing Partnership. In the case of the Housing Association, two group discussions were held in different areas with disabled people who were tenants of the organisation. In one area, there was also a Disabled Persons Housing Service, and a discussion was held with disabled people and workers in this service. A total of 34 disabled people were involved in the group discussions across the four areas.

These case studies provided the main basis of the study, which was a qualitative, information-gathering, scoping piece of work¹³.

Surveys

It was recognised that this was a small-scale study during a short timescale, which was intended primarily to identify key issues and provide examples of practice in the involvement of disabled people in tenant participation. It was not an audit of current practice, which would have required a different approach, and it was not intended to provide representative, quantitative material.

It was considered, however, that the issues arising from the case studies could perhaps be supplemented by some additional examples from a

¹³ It is acknowledged that the findings presented rely on the identification of issues by those who were involved in the interviews and discussions, and that there may be others within organisations whose views or interpretation of processes differ, or who are aware of additional work being undertaken. The purpose of the report is not, however, to provide an audit of initiatives, nor to identify the processes in specific organisations, but to use the broad material from the research to identify those issues which can help to inform the way forward.

brief postal survey¹⁴ with different types of organisations. A short questionnaire was circulated to the following:

- Local authorities with a landlord function, a small number of other housing providers which were identified by Steering Group members as being particularly relevant to this work and a small random sample of other housing associations.
- Umbrella Federations of Tenants' and Residents' Associations in Scotland, and a sample of individual tenants' organisations.
- A small number of umbrella organisations of and for disabled people in Scotland.

It was not intended that these surveys would be used for an in-depth examination of the issues (as this was the purpose of the case studies), nor to provide material about the process in all areas of Scotland. The purpose of the surveys was both to inform respondents of the study taking place, and to provide them with the option of identifying any relevant materials or experiences which they may wish to contribute to the overall understanding of the issues. It was also possible to identify issues which may have wider general application, or which may be likely to impact on other organisations in Scotland.

It was not expected that a large number of organisations would wish to contribute in this way, but it was considered important that they were able to highlight any local examples or issues which they wished to identify. Although it is inappropriate to identify "response rates" for this material (as it was not intended to be qualitative) there was a good level of interest in providing views, and a total of 66 organisations provided additional views by this means. It is possible that this might have been higher still at another time of year (with a lot of tenants' organisations not operating at all during the holiday period). The survey also coincided with industrial action in the postal service.

It was also suggested informally that individual tenants' organisations in case study areas expected their views to be covered in their local Federations' face to face discussions. One Federation also noted that some tenants' organisations did not consider this to be relevant to them because there were "no problems" for them, as they were open to everyone (reflecting one of the issues highlighted in the report).

¹⁴ It had originally been intended that these would involve email surveys, but many of the organisations involved did not have email addresses, making this impossible.

The information which was provided, however, was considered to be a good response and helped to contribute to the overall picture. Material from this has been included wherever appropriate.

Interviews with key organisations

The final part of the fieldwork involved the completion of detailed interviews with members of the Steering Group from organisations with an interest and expertise in this area. These comprised:

- The Scottish Civic Forum.
- Communities Scotland.
- Capability Scotland.

These interviews explored their perceptions of the key issues (in terms of identifying good and bad practice and suggestions for developing participation) and the roles of their own organisations in enabling participation (and tenant participation) by disabled people. Input was also invited from the Tenants Information Service (TIS), Tenant Participation Advisory Service (TPAS) and Tenant Involvement in Islands, Grampian and Highland Rural Areas (TIGHRA).

Analysis of the data

The case studies generated a large amount of qualitative information, and the postal material provided some additional examples of good practice and constraints in the involvement of disabled people in the tenant participation process¹⁵.

The data gathered in each area were analysed qualitatively by issues arising under a number of common headings which were generated from the emerging information as the examination of documentary material and the case studies progressed. From this, it was possible to draw out the emerging themes and examples.

A report such as this, which was essentially intended to “scope” the issues which may be involved, based upon in-depth information gathering in a small number of areas, cannot provide a statistical

¹⁵ It has been noted, however, and should be restated, that this was not an audit of tenant participation practice, and the examples identified were drawn both from participants’ experiences of the tenant participation process and from their wider views of the involvement of disabled people.

account of responses. Instead, it provides an indication of the range and depth of views identified and reflects the key issues identified as far as possible. This helps to highlight issues which can inform the way forward for the future.

In terms of the presentation of the findings, although some indication can be given of issues on which there was broad agreement or disagreement (or which were common to different areas), it is also important to reflect issues which were raised in one area only, or by small numbers of participants. It is also important to recognise that it would clearly be impossible to mention all of the individual examples given, or points made. The systematic analysis of the data, however, ensures that the key issues have been highlighted.

OVERVIEW

Taken together, all of these strands helped to identify the key findings and recommendations to address the questions identified at the start.

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ANNEX 3: GLOSSARY OF ABBREVIATIONS

AGM	Annual General Meeting
CEHR	Commission for Equality and Human Rights
DRC	Disability Rights Commission
DDA	Disability Discrimination Act
DPHS	Disabled Persons Housing Service
IAP2	International Association for Public Participation
IPPR	Institute for Public Policy Research
IT	Information Technology
PMSU	Prime Minister's Strategy Unit
RTO	Registered Tenant Organisation
SAIF	Scottish Accessible Information Forum
TIGHRA	Tenant Involvement in Islands, Grampian and Highland Rural Areas
TIS	Tenants Information Service (TIS)
TPAS	Tenant Participation Advisory Service
TPDT	Tenant Participation Development Team
TPO	Tenant Participation Officer
TRAG	Tenants' Regulation Advisory Group