



Consultation on the Information for Tenants Document

**Summary of feedback collected by
TPAS Cymru**

September 2017

Consultation on the Information for Tenants Document -

Summary of feedback collected by TPAS Cymru

TPAS Cymru was approached by the Welsh Government in July 2017 to gather the views of Welsh tenants on the Information for Tenants Document. TPAS Cymru has now completed this process and submits the following reports setting out the views of tenants in Wales on the Document. This report contains views from a diverse range of tenants from across Wales.

Methodology

The methodology chosen to collect tenants' views took into account a number of factors:

- The consultation period over the summer made it challenging as key staff and tenants were not available e.g. were on holiday or had other commitments e.g. child care
- No additional funding or resources were available to us to carry out any large-scale consultation or to cover tenant out of pocket expenses e.g. travel
- The nature of the consultation e.g. open questions and having to read through a document limits the number of tenants able to readily engage e.g. low levels of literacy.
- Unfortunately, there appeared to be reluctance from some landlords to promote engagement amongst their tenants in the consultation process. Some reasons given were: time of year; tenants were busy; other existing priorities.

To open the consultation out we created an online survey: this was promoted to tenants through our Tenant Pulse survey community and to social housing organisations to forward on to their own tenant contacts. Take up for the on-line survey was low: feedback from tenants indicated that on-line consultation can exclude many tenants and that the nature of this consultation lends itself more to face to face consultation. A further challenge we found during the consultation processes was that tenants had difficulty in accessing the document in other formats and languages. One tenant also identified some uncertainty about the data protection assurances if they replied directly using their name and home address i.e. lack of assurance that their name/address wouldn't be used in the future. These issues may have impacted on the numbers and diversity of tenants responding to the online survey or through written response.

In response, TPAS Cymru planned and delivered five regional focus groups across Wales to gather feedback from tenants on the draft documents.

Regional Focus Groups

TPAS cymru held five (5) regional focus groups across Wales in: Bangor, Cardiff, Flint, Newtown and Swansea during early September 2017. These were designed to be focus groups of a sample of tenants enabling attendees to have sufficient opportunity to discuss the document in detail.

The events were well attended by a diverse range of tenants, including tenants from the BME community, visually impaired tenants and tenants with a range of disabilities. Tenants of both housing associations and local authorities attended the sessions, and included tenants from areas where the right to buy has already been suspended. The tenants welcomed the opportunity to have their voice heard.

Given the difficulties in getting responses during the summer months TPAS Cymru provided tenants with a £10 shopping voucher as an incentive to attend and in lieu of any out of pocket expenses they incurred. We believe that this incentive did successfully increase the number of tenants that attended the events.

Question 1. Right to Buy and Right to Acquire - “Summary” and “The Basics” (see page 2 of the Information Document). Do these sections clearly summarise the Right to Buy and the Right to Acquire.

There was a mixed response from tenants as to the clarity of the “Summary” section of the Information Document. A number of tenants felt that the document was clear and concise, on the whole, and avoided the use of technical language and jargon. Other tenants disagreed with this, and felt that its clarity could be improved further.

Their ideas included:

1. Moving the second bullet point (This guide explains...) to the top.
2. In bullet point three, providing a plain language description of what the term “suspended” means. Tenants also noted that there was an opportunity to state here that more information could be found at the bottom of page 13.
3. Placing the terms Right to Buy and Right to Acquire in bold.
4. A glossary of terms in plain English
5. The Protected Right to Buy should also be included in the Basics title
6. Amending bullet point four to the following:

“This guide does not give legal advice about buying/acquiring your home. If you wish to buy/acquire your home you should get independent legal advice”

In addition to the above suggestions, tenants felt that the document could be improved if a telephone contact number was provided at the top of the document. This would allow tenants to know, how they could get further information, if they so desired, as they went through the document.

Furthermore, tenants from one housing association noted that anyone who wished to exercise the Right to Acquire/ Preserved Right to Buy from their landlord, would be faced with a “withdrawal fee”. They felt that there was a need for this fact to be included as a bullet point under the “Summary” heading.

Tenants felt that “The Basics” section of the document could be improved.

Tenants were concerned that the document, as currently set out, could lead to confusion between the Right to Buy, the Right to Acquire and the Preserved Right to Buy. Whilst tenants felt that the summary of the three terms was generally clear, they felt that it could be made clearer that the Right to Buy applied to local authority tenants whilst the Preserved Right to Buy and the Right to Acquire applied to housing association tenants. One idea was to set out what the Right to Buy, Right to Acquire and the Preserved Right to Buy are, in separate paragraphs, with separate sub-headings.

Some tenants also felt that the section used some technical terminology that would not be clear to non-involved tenants. Examples include “assured and secure tenants” as set out in paragraph two of this section. Tenants also recommended inserting the term “Council” in brackets after the use of Local Authority. It was noted that many tenants in areas where homes are still provided by the Local Authority continued to identify as Council tenants.

The participants also felt that the section did lack clarity on some occasions. For example, paragraph 2 closes by stating that “the Right to Acquire does not apply in certain rural areas”. Tenants who attended our events from rural areas felt that this could cause confusion and that it would be preferable if the document listed those areas in which the Right to Acquire does not apply. It was suggested that this could be done under the Summary section so that affected tenants would know whether the information contained in the document related to them or not. It was also argued that greater clarity could be achieved within this section of the document by inserting “your home” at the end of line 1 of the section, and by replacing “public sector landlord” with “social landlord” in paragraph 4.

Question 2. “The end of the Right to Buy and Right to Acquire”/ “Suspended Areas”/ Early Abolition on new homes” (see pages 2&3 of the Information document). Do these sections explain clearly when the Right to Buy and Right to Acquire will end, including the position in suspended areas and abolition on new homes?

Whilst a number of tenants felt that “The end of the Right to Buy and Right to Acquire” section was clear and well set out, others disagreed. Tenants noted a few areas that they felt could be improved.

The first suggestion made by the tenants was that the section’s first sentence should be set out in bold. This would make it clear to tenants what the key message of the document was.

Second, it was noted, that the title of the section should also refer to the Preserved Right to Buy to avoid any confusion.

Third, it was suggested that the last sentence of the section should be moved to the top, to the end of the first sentence, in order to reassure those tenants who did not wish to exercise the Right to Buy/ Right to Acquire/ Preserved Right to Buy, that the legal change would not have any other impact on them.

Fourth it was suggested that “*you are advised to*” should replace “*you may wish to*” where that wording appears within the document. It was felt that this wording made things clearer to tenants that they should undertake certain tasks.

Tenants were eager, however, to emphasize that they felt that social landlords should be bound to issue tenants with a receipt, when submitting a request in person (as discussed in paragraph 3). They were concerned that the wording of the Information Document, as presently set out could lead to landlords arguing that it was the responsibility of the tenant to ask for a receipt. They did not believe that this should be the case.

Tenants on the whole felt that the “Suspended Areas” paragraph was clearly set out, however, tenants from suspended areas did have some concerns as to how the original decision to suspend the Right to Buy had been communicated to tenants within their areas. Whilst not wishing to exercise the Right to Buy/ Acquire themselves, they did believe that some tenants might find it unfair that they would permanently lose the Right to Buy if they had initially thought that they would only lose the right on a temporary basis.

On the whole tenants felt that the section on “Early abolition on new homes only” was not clear and would cause confusion. There was a great deal of confusion within one group in particular as to how a tenant could have the right to buy if they lived in a property for less than five years. It would therefore seem useful if this section briefly set out that the Right to Buy/ Acquire can move with tenants, and that it is to these people that this section applies. One suggested wording was that the section could begin with “*If you are living in a new home...*”

Tenants also felt that this section should all appear on the same page, be that by moving the first sentence on page 14 to page 13, or by moving the whole section to page from page 13 to page 14.

Question 3. “Other Ways to Buy a Home” (see page 3 of the Information document). Is the link to the other home ownership options helpful.

Tenants were particularly critical of this section of the document. It was noted that the vast majority of tenants would receive this documentation in paper form and that, therefore, a link would be of limited value. It was felt that it would be easier if the document told tenants to visit a section of the Welsh Government website that had been given an easy title, such as, “Help with buying your home”.

Tenants also felt that the section would be of very limited use to any tenant who did not have access to the internet. They felt that the section needed to make it clearer to those people who would not be able to

access the information online that their landlord could assist them. It was felt that landlords should be able to provide advice over the phone, and that tenants should be able to request a hard copy of the extra material, available online, from their landlord.

There was some disagreement between the tenants as to whether providing a brief summary of some of the other schemes available would be valuable. Whilst some tenants felt that this would provide a useful indication of some of the other options that were available, others felt that this could lead to the document becoming too long winded.

A further comment made by some tenants was that this section would be better situated if it appeared at the end of Information Document, as the issues referred to in this document were not directly relevant to exercising the Right to Buy/ Acquire/ Preserved Right to Buy. This led to some tenants questioning whether this section was needed at all given that they felt that tenants could undertake this research independently.

Question 4. “Financial and Legal Advice” (see page 4). Does this section explain clearly the financial and legal advice you should consider obtaining before deciding whether to exercise the Right to Buy or Right to Acquire?

On the whole, tenants felt that the information contained within this section of the Information Document was clear and relevant. It was argued, however, that it could better differentiate between legal issues and financial cost. An idea proposed by two groups was to provide a separate Financial and Legal Advice heading for both paragraphs. Tenants also felt that the document could better reflect the differences between initial, transaction costs, and longer term, maintenance and upkeep costs. Further feedback included the fact that the two paragraphs, were too long. It was argued that these should be shortened, or divided into more paragraphs. There were disagreements between tenants as to how this section could be improved beyond this.

Some tenants felt that the section would be better if it provided a short case study, setting out the cost of stamp duty, etc. when a property was sold for the Welsh average. This would allow tenants to have a better understanding of the costs involved when buying a house. Other tenants, however, favoured conciseness and argued that any additional example would risk making the document too long.

A similar disagreement could be found when considering legal advice. Some tenants felt that the document could better signpost where independent advice was available. This would ensure that tenants had access to good quality, independent. Other argued, however, that this information should not be included at all and that if any tenant wanted to press ahead with the right to buy, it was their duty to undertake their own research.

Question 5. “Further Information” (see page 4). Does this section provide enough detail and links to access further information.

Tenants were very critical of this section of the document. As previously noted, tenants felt that given that the majority of tenants would receive this information in paper form, then providing information by way of internet links was not helpful. It was argued that it would be more appropriate for the document to refer tenants to a specific section of the website.

In addition to this, tenants felt that the focus on the internet and on providing further information online was not appropriate. One tenant felt that the document was “insulting” given how little consideration there was for non-digital ways of accessing further information. Tenants noted the fact that a number of tenants do not have access to the internet, be that as a result of their age, disability or the fact that their home was in an area with poor internet access.

Suggested amendments that were made by the tenants included providing an address that tenants could contact to get this further information delivered through the post, and a telephone number that tenants could contact if they wished to receive further information verbally. Tenants felt that these details should appear before the online links.

Visually impaired tenants also strongly argued that there was a need for the Welsh Government to ensure that any additional documentation was made accessible to them. Tenants noted that their experiences of dealing with the Welsh Government previously had not always been positive, with documents not always being made available in braille format, etc. even after many requests.

Question 6. Flow Chart (see page 5). Is the flow chart helpful in explaining who has the Right to Buy, Preserved Right to Buy and Right to Acquire?

Our participants were unanimous in their view that the flow chart was not useful in explaining who has the Right to Buy, Preserved Right to Buy and Right to Acquire. Amongst the words used to describe it were "confusing" and "worthless". They were unanimous in their view that it was not needed.

The tenants argued that they did not believe that flow charts were an effective way of communicating in general, but were particularly critical of the colour scheme adopted. It was said to be nearly impossible to read if an individual was visually impaired. Some tenants suggested that Welsh Government should consult with RNIB (Royal National Institute for the Blind) to seek advice on font size and colour combinations suitable for visually impaired.

The tenants acknowledged that images could help those with literacy problems understand, but felt that preparing a separate, easy read document was a more appropriate way of dealing with this, than inserting a confusing and complicated flow chart.

Questions 7, 8, 9 & 10 Communication, the Welsh language and other comments.

Tenants believed that social landlords and not Welsh Government should be leading on communication efforts. The participants noted that tenants have already developed a relationship with their landlord and that they are likely to be more prepared to engage with any material that they receive from them as a result. As such, tenants felt it was important that social landlords should be able to put their own stamp on their communication strategy. One idea that was proposed was that social landlords should attach a covering letter with the document. It was argued that such an approach would allow landlords to communicate specific information with their tenants. For example, the landlord could send the same letter to all tenants living in a designated rural area. Through this, tenants would be able to pick out the exact information that was relevant for them within the document.

Whilst the tenants that attended our events were unanimous in their belief that tenants were more likely to engage with their landlord than with Welsh Government, a number of tenants thought that having someone from Welsh Government come and host sessions within individual communities would be a valuable exercise. This would provide tenants with a further opportunity to engage face to face, and would allow the Welsh Government to have a clearer understanding of the needs of tenants as the legislative change was taking effect. They also felt that social landlords themselves should be looking to organise similar events to ensure that relevant information reached as many tenants as possible. One tenant argued that this process should start earlier with tenants with greater needs as the process of applying for the right to buy might take them longer.

Another area of agreement was the need to ensure that the documentation was made available in a number of different formats. These formats included large print, easy read and braille, amongst others. A few tenants noted how their landlord recorded an audio version of their documents and sent these out to

tenants as DVDs. They felt that the Welsh Government should also consider providing the Information Document in this format.

It was also considered to be important that the Welsh Government considered how tenants within minority communities would be communicated with. It was felt important that the Welsh Government made every effort to ensure that tenants for whom English or Welsh was not their first language, were given the opportunity to understand what the legal change might mean for them.

Tenants also emphasised the need for the Welsh Government to ensure that the Welsh language version of the document was set out in plain language. Tenants suggested that this has not always been the case.

Whilst tenants agreed on a number of points there was some disagreement. In the first instance, tenants did not agree as to what would be the best time for their landlords to send out the information by post. Some felt that sending out the information with important documentation such as rent statements would increase the number of tenants that would look at the material. Others felt that this could create confusion and that it would be better to send out the material separately. All tenants were agreed, however, that it was vital that each tenant was contacted by post and that landlords did not rely on their websites to share information.

Tenants also disagreed as to whether those tenants who currently do not have the right to buy (for example for those living in Sheltered Accommodation Schemes) should receive the document. Some tenants felt that if they did not receive the documentation, they were liable to hear about the legislative change on the news or through word of mouth. This in turn could cause confusion and distress. On the other hand, tenants argued that sending the document to such tenants was likely to lead to confusion as tenants tried to grapple with whether the information applied to them or not.

A key message that was reiterated through this stage of the consultation sessions, however, was the need for Welsh Government and social landlords to use a number of communication methods as they discussed this legislative change with their tenants. Tenants were not against their landlords using online and digital means of communication. Indeed, a number of tenants argued that their landlords should be ensuring that they use their social media profiles to disseminate information, including through the use of videos. Others argued that their landlords should have a dedicated section on their website where relevant information could be found. Tenants reiterated their belief, however, that they felt that the Information Document, at present relied too heavily on online means of communication.

One tenant who has significant knowledge and interest in disability issues stated that the planned communication needed to be communicated in various formats/methods to take account of various needs of tenants across Wales.

Tenants argued that if the change was to be effectively communicated with tenants then Welsh Government needed to ensure that all documents were available in paper format. Furthermore, tenants felt that it was vital that the document contained relevant phone numbers, where tenants could dial up and ask advice from staff members that had been adequately trained. It was felt that without these changes, there was a risk that not all tenants in Wales would know and understand the significance of this important legal change.

Conclusion

The tenants who attended the events welcomed the opportunity to have their say in shaping the draft document. They were committed to providing feedback which aims to ensure that any future paperwork sent out regarding Right to Buy is in an accessible, informative and user-friendly format suitable for the diverse range of tenants living in social housing across Wales.