

# The TMO Magazine

## ACTION PLANNED TO IMPROVE TMO GOVERNANCE



The last issue of this Magazine celebrated the achievements and success of TMOs around the country. There is much to be proud of. But scattered amongst the many good news stories we know that some TMOs do get into serious difficulties and a few end in well-publicised failure.

Reasons for a TMO folding can be complex but governance problems are often at least partly to blame. This may be, for example, that a TMO committee is not operating according to its own rules or that it is failing to manage TMO staff effectively. Any failure impacts on the tenants of that TMO and damages the reputation of community-controlled organisations everywhere.

The Federation plans to give priority to initiatives that will improve TMO Governance and reduce the number of failures resulting from poor governance. For example the NFTMO is meeting with representatives of the Local Authority Co-op Officers Group ( LACOG ) to discuss guidelines for positive action by Councils to offset problems and to intervene constructively if things do go wrong.

The Federation is also discussing with the Office of the Deputy Prime Minister how we might develop a training and 'trouble shooting' service for TMOs in the Council sector. The

NFTMO is also in contact with the Confederation of Co-operative Housing (see this page) about linking this to work proposed by CCH in the housing association sector. In recent months the Federation has responded to requests from one or two TMOs to provide temporary support during a crisis. The NFTMO's capacity to do this effectively depends on developing a wider pool of experienced and suitably skilled TMO members.

The Federation's TMO Benchmarking service is now up and running and includes the facility to benchmark most aspects of Governance. This will help TMOs to compare themselves with other groups and to identify weaknesses.

The new Modular Management Agreement (see centre pages) is also expected to include clearer procedures for dealing with problems and disputes.

NFTMO Chairperson Terry Edis puts the problem in perspective : "All types of organisations have governance issues. Councils and housing associations have their share of problems with their own committees and boards. So we need not be afraid to admit that things go wrong in TMOs. Instead we need to acknowledge our weaknesses where they exist and try to do something about it."

### Joint Work Planned with the Confederation of Co-operative Housing



A plan for the NFTMO to work on a series of joint projects with the Confederation of Co-operative Housing (CCH) has been agreed between the two organisations.

CCH and the NFTMO have similar objectives with community controlled housing at the heart. CCH has traditionally represented mainly ownership co-ops while the NFTMO members are all management organisations. But there is inevitable overlap with many TMOs being registered co-ops and the increasing trend of TMOs looking at community ownership as an investment option.

Initially the partnership will include :-

- A joint national conference in 2005. This will build on the success of the NFTMO and CCH conferences of the past but promises to be bigger and better than ever. Watch this magazine for details.
- Contributions from CCH to this magazine. The first 2005 TMO magazine will be a bumper issue incorporating 4 pages of news and views from CCH.
- A joint manifesto and campaign to bring community control higher up the political agenda in advance of the next election.
- Potential collaboration on action to improve the quality of governance amongst tenant controlled housing organisations in this country.

### INSIDE THIS ISSUE:

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# LOOK OUT FOR CONSULTATION ON ANTI-SOCIAL BEHAVIOUR



Over the next few months TMOs can expect to be consulted by their landlord about how anti-social behaviour is to be dealt with. This message from the Office of the Deputy Prime Minister (ODPM) explains.

A new duty has been placed on social landlords to prepare and publish Statements of their Policies and Procedures for tackling Anti-social behaviour. Each social landlord must publish their statements and a summary of them of by 30 December 2004.

The ODPM has issued guidance for local housing authorities and housing action trusts in England on how they should produce their policies and procedures for tackling anti-social behaviour (ASB).

You can find the guidance by visiting [www.odpm.gov.uk/antisocialbehaviour](http://www.odpm.gov.uk/antisocialbehaviour)

The guidance makes clear that local authority landlords should make sure that Tenant Management Organisations are fully involved in the preparation of their Policies and Procedures, a process that should be well underway by now.

Naturally a landlord's policies and procedures may have implications for TMO's housing management responsibilities and that's why its important TMO's are engaged in their development by way of working groups or other consultative fora. Guidance outlines the need to make sure that there are robust working arrangements in place between local authorities and management organisations, covering procedures for information sharing, handling and monitoring complaints and dealing with perpetrators of ASB.

The preparation and publishing of policies and procedures should provide an opportunity for landlords and Tenant Management Organisations to explore new approaches, and review old ones. It will provide an opportunity to demonstrate to tenants how landlords, management organisations and their partners are working to tackle anti-social behaviour. Critically it will clarify to tenants who may be experiencing ASB what can be done to help them and how any complaint they may make will be dealt with. It will also enable tenants to see clearly what standards of behaviour are expected of them and what sanctions they may be subject to if they make life a misery for others.

# INDEPENDENT HELP FOR TMOs WITH SHELTERED HOUSING

Why is it that so many of the issues we face start small but end up enormously complicated? Sometimes we leave things longer than we should and the problem escalates. Maybe we don't have the answer and don't know where to go for help. Perhaps the problem looked so large and complicated we ignored it in the hope that it would go away.

There is no doubt that any issue relating to the home is incredibly important. Shelter is a basic human need. The home is also a very private, personal space. Unwanted changes or threats are naturally very upsetting, disruptive and stressful. Small wonder that from time to time molehills become mountains.

Age Concern England's AIMS service offers an impartial, independent advice, information and mediation for residents and managers of sheltered and private retirement housing. AIMS will help with any housing related issue, no matter how large or small.

Common issues AIMS can help with include:

- service charges and rents
- role of the scheme manager
- rights to repairs and improvements
- consultation rights and tenant participation
- noise and neighbour disputes

AIMS is not just a service for managers. For all sorts of reasons individual residents will not always feel comfortable going to their management organisation if they have a problem. You may not even become aware of an issue until it has grown to a point where it is almost unmanageable. An AIMS poster or leaflet on the communal notice board is an ideal way to provide residents with access to an independent, impartial information and advice.

For more information contact AIMS between 9.30 and 4.30 Monday to Friday on 0845 600 2001, send an email to [AIMS@ace.org.uk](mailto:AIMS@ace.org.uk), read their website at [www.ageconcern.org.uk/aims](http://www.ageconcern.org.uk/aims) or write to them at AIMS, Age Concern England, 1268 London Road, London SW16 4ER.



# COMMUNITY CONTROL MAY BE PASSED ITS SELL-BY DATE SAYS HOUSING CHIEF

Delegates at the recent ATIC conference heard an articulate and thoughtful challenge to community control in housing. Chris Wood, the Director of Housing in Newham, told the audience that in his view most tenants were no longer interested in community action. He argued that the onset of individual consumerism and the new opportunities presented by E Mail and the Internet mean that the days of active tenants groups are numbered. He concluded that time and money invested in tenant participation was often wasted.



Conference delegates acknowledged that like minded organisations must join together to argue the merits of community empowerment in the face of growing criticism from some housing and regeneration professionals. A joint manifesto for action is to be drafted based on the ideas generated at the conference. If you would like to be included in the E Mail network for this discussion please send a message to Paul Lusk at [secretary@atic.org.uk](mailto:secretary@atic.org.uk).

ATIC (The Association for Tenant Involvement and Control) includes community organisations, agencies and like minded individuals.

Gordon Perry, the Chief Executive of Kensington and Chelsea TMO, argued for more tenant controlled ALMOs while many delegates put the case for more effective tenant involvement and control rather than less.

## NFTMO PUBLICATIONS



The following publications are available from the NFTMO:-

Best Value – How to make it work for TMOs

Stock Options – Guidance and Good Practice for TMOs

Benchmarking – A Guide for TMOs

Back Issues of the TMO Magazine

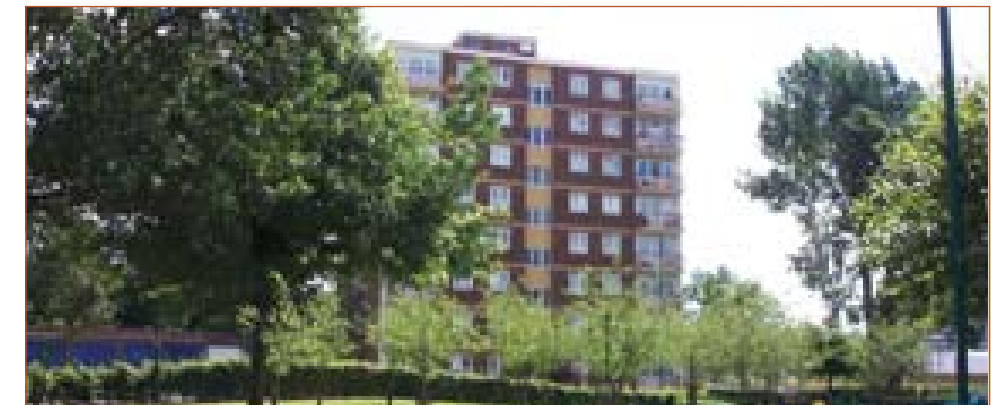
Publications are free to NFTMO members. Non-members will be asked to pay postage and packing and a small handling charge.

# WATMOS Celebrates Tenant Satisfaction Success

WATMOS Housing Co-operative, the new tenant management-based housing association in Walsall, is celebrating the results of a recent tenant satisfaction survey. A postal questionnaire was sent to all tenants during May and June and there was a whopping 67% response rate, which is a major achievement in itself.

Across a range of indicators including customer service, repairs, communication and involvement, satisfaction ratings are now standing at between 80% and 90% with only around 8% or less expressing a degree of dissatisfaction. Despite the fact that satisfaction with the Walsall TMOs was already high, this represents a significant improvement on the results of a survey conducted in 2002 before the homes transferred from the local council.

The new landlord was also given the thumbs up for the way it communicates with tenants and involves them in decision-making.



The Chair of WATMOS, Terry Edis said: "This is a real boost for us at the end of a very challenging first year. I don't think the exceptionally high response rate is just down to luck, it demonstrates how engaged tenants are in a TMO-led organisation. I hope this will encourage tenants elsewhere to look seriously at community-controlled housing options like WATMOS."

The tenant satisfaction results come on top of a

very positive first year report from the Housing Corporation who said: "WATMOS has made good progress in establishing itself as an independent landlord with a strong executive management team and board...staff were enthusiastic and motivated, and residents were enthusiastic about the benefits of transfer."

It looks like WATMOS and the TMOs are going from strength to strength!

## JOIN THE TMO BENCHMARKING NETWORK !

The NFTMO Benchmarking network is now up and running after a series of successful regional workshops in the spring. The Benchmarking network, developed with the support of HouseMark and an Innovation into Action grant, will enable TMOs to compare performance and learn from each other. The Benchmarking involves some TMO self- assessment and covers housing management, finance and governance ( committee/participation ) aspects of performance. Details are available at [www.tmonatfed.com](http://www.tmonatfed.com) or by ringing 01704 227053.

# INTRODUCING THE NEW MODULAR MANAGEMENT AGREEMENT FOR TMOs



The Office of the Deputy Prime Minister (ODPM) has almost completed the new Modular Management Agreement (Agreement) and will be sending out preview copies to TMOs, Councils, section 16 agencies, and stakeholder organisations over the next few weeks.

This will be an opportunity for you to read the Agreement in detail and plan ahead for when it is finally published at the end of the year. You will also be able to check that nothing important has been overlooked in the revised Agreement.

## What's been happening so far?

In 2002 the ODPM consulted on revisions to update and improve the current Agreement and guidance, based on a review by a team of TMO members, council officers and section 16 agencies.

Consultees overwhelmingly supported these proposals. Work has continued since then to make sure the new Agreement is clear and accurate.

The new Agreement and guidance should bring benefits to all those involved in the Right to Manage in terms of improving the process, the effectiveness of the Agreement and operation of individual management agreements between Councils and TMOs.

## What will the new Agreement look like?

It will be much shorter and clearer with detailed procedures moved into appendices (now called schedules).

Statutory guidance on the contents of the schedules will be in separate guidance ("Guidance on Schedules") which will accompany the new Modular Management Agreement. Councils and TMOs are expected to negotiate locally and agree their schedules in accordance with the statutory guidance and incorporate them in their own agreements.

## What are the main improvements to the Agreement?

### (1) Better TMO support, monitoring and development

TMOs and Councils can use regular monitoring and development meetings to improve their communication and provide better support for the TMO in carrying out its management responsibilities. Monitoring extends to finance and management, with an emphasis on on-going TMO training and development. Councils have a role by providing access to in-house training and a training report must be presented at the TMO's AGM.

### (2) Re-introducing secondment of council staff

TMOs and Councils can agree arrangements for council staff to work for the TMO for a fixed period as a way to build positive relationships and help TMOs through transition when they first take over management. A guidance note will explain how to introduce and manage this arrangement, based on good practice.

### (3) Strengthening TMOs as organisations

TMOs can adapt and use a new model Code of Governance to help them operate as effective, democratic and accountable organisations. TMOs are expected to publish their own Code of Governance, based on the model, together with a new Code of Confidentiality.

### (4) Clarifying Leaseholder management responsibilities

A new chapter deals separately with activities involving leaseholder service charges. This should remove present confusion by separating out leaseholder and tenant issues and so simplify negotiations.

### (5) Dealing with problems and disputes

Good monitoring should deal with most problems at an early stage. However, where poor performance is identified, the TMO, with the Council's support, will now implement an improvement plan before a problem becomes a more serious breach of the agreement.

Only if the TMO refuses to take action or performance does not improve should the



Council pursue breach action. The breach clause is designed to deal with minor breaches which don't justify ending the whole agreement.

Where there is a serious breach and this is not remedied by the TMO, the current Agreement enables the Council to end the agreement. However, the ODPM is looking at a new option to enable the Council temporarily to intervene in order to work with the TMO to remedy serious problems rather than simply end the agreement. The ODPM is discussing with the NFTMO and the Local Authority Co-op Officers Group (LACOG) how best to take this forward.

This would only be done exceptionally, to deal with serious failings in a TMO's financial performance, management or governance, which can't be remedied under other parts of the agreement. It would also link to a new clause which enables the Council to carry out an out-of-cycle special review where it has reason to believe a serious situation exists but first needs to establish the facts.

The arbitration procedure under the dispute clause has been updated and simplified. It will also be open to either party to request the other to explore alternative dispute resolution such as mediation.

### (6) Changes in legislation

The main change affects allocations and lettings, reflecting Councils' duties under section 167 of the Housing Act 1996. This requires accommodation to be allocated only in accordance with the Council's published allocation scheme as set out in section 167. The scheme must give reasonable preference to certain categories of applicants.

This means that lettings within the TMO area must come within the LA borough-wide allocation scheme and the Council must ensure that allocations to all its properties come with section 167.

This raises issues for TMOs who already have a role in housing allocations which need to be resolved by the ODPM before the new Agreement can be issued.

## What other guidance will be available?

- Guidance on Schedules - deals with schedules to the new Agreement
- Calculating TMO Allowances - simplifies how allowances will be calculated based on current practice. A checklist and notes provide a practical tool to help with the calculation. The main change is the introduction of a flat rate TMO Committee Allowance of £5,000 per TMO, plus £10 per property

- Getting Started - strengthens current guidance on TMO start-up costs
- Guidance on Secondment for TMOs
- Model Code of Governance and guidance on a Code of Confidentiality

## How will the new Agreement be introduced?

Councils and TMOs starting out and going through the Right to Manage will be able to move to the new Agreement when it is published and they, with their section 16 agencies, should start planning ahead for this, based on the documents going out shortly.

Councils and TMOs with existing agreements will find that the new Agreement is more flexible and better meets their current needs. They should consider whether and when it is feasible to change over to this after it is published. This will depend on local circumstances, for example, where timing could be linked to a ballot requirement under their existing agreement.

If both parties agree, the Right to Manage Regulations should enable them to move to the new agreement, using the 'voluntary route' without having to go through the Right to Manage.

# SMART WORK IN CARLISLE!



SMART work in Carlisle (Clockwise from top left) the recreation field close to the TMO office, new bin installed in 'Keep St.Martins Tidy' campaign, SMART TMO caretaker cutting the communal grassed area, re-roofing the garages - working in partnership with CHA.

SMART by name and smart by nature. So it seems from this progress report submitted to the magazine by the St Martins TMO (SMART) in Carlisle.

The original St Martins Association of Residents and Tenants (SMART) group was formed in 1991 by a resident who with the aid of tenants from the St Martin's Estate, wanted to improve the estate and help local residents to get the repairs done. The aim was also to assist housing officers from Carlisle City Council to deal with anti-social behaviour on the estate.

In 2003, about 6 months after the Council housing was transferred to the Riverside Group, St Martins residents voted for the estate to be managed by a Tenant Management Organisation. On 2 June 2003, SMART TMO Ltd. was launched by the Chairman of Carlisle Housing Association Management Board.

SMART TMO Ltd manages 131 tenanted and 61 privately owned properties including 8 leaseholders on the St Martins estate. It manages day-to-day repairs, general grounds maintenance and the allocation of properties on behalf of the Carlisle Housing Association. The TMO office is in the heart of the estate.

People can pop into the office to report repairs, to obtain forms to make a housing application or just for a social call!

SMART TMO is working with the Carlisle Housing Association, trying to improve the standards of services continuously and is contributing to the improvement of the rural environment and to the sustainability of the Brampton community. On 2 June 2004, SMART TMO celebrated its first anniversary. The Managing Director and the Chairman of the Carlisle Housing Association were among those who have attended the celebration.

During the first 12 months, SMART has proved that a Tenants Management Organisation is workable. It is cost effective, it is efficient and it maintains a good working relationship with its landlord, Carlisle Housing Association. SMART feels it is important to get the message to other housing providers and users, especially in the social housing sector, that living in a "former" council house does not mean living in a run down estate. Tenants themselves can make a difference.

## GET TOGETHER FOR TMOs in the NORTH

The Federation is arranging an opportunity for TMOs on the North of England to share experiences and ideas.

Details of the date and venue are due to be confirmed and will be sent to all TMOs in the North along with booking details.

TMO members and staff are welcome to attend. The event will be free to Federation members and there will be a small charge for non-member TMOs.

## IS YOUR TMO A FEDERATION MEMBER?

Please check to make sure that your TMO is a fully paid up member of the Federation. The Membership fee this year is based on 20 pence per dwelling managed up to a maximum fee of £200. Copies of this magazine are currently sent free to non-member TMOs but to continue receiving all NFTMO publications free of charge your organisation will need to join up.

## BENCHMARKING TRAINING COURSE - NOVEMBER



The Federation is helping to run a new week-end PEP training course that will be of value to any TMO members who are interested in Benchmarking. The highly participative course is taking place at the Hilton Hotel in Bromsgrove over the week-end of November 5-7.

The course is called "Comparing success - How to measure and compare TMOs" and you can book by contacting PEP Ltd on 020 7281 3178

## IN THE DRIVING SEAT: Training for TMO's in London

A new training programme for TMO's called 'In the Driving Seat' has been developed by a London-based network. Staff and residents from CityWest Homes (Westminster's ALMO), the London Boroughs of Wandsworth and Southwark, Kensington & Chelsea TMO and the Confederation of Co-operative Housing have been working together to design and deliver the programme to local TMO's. 'In the Driving Seat' was designed to equip Board members with the essential knowledge and skills needed to manage a TMO.

The programme was held in Westminster over the summer and covered financial management, staffing, governance and a beginner's induction day. Business planning is scheduled for 25 September. Board members came along to refresh their knowledge of relevant legislation, pick up some new ideas, and network with people from over 30 TMO's.

Martina Gavan, Residents' Choice Officer at CityWest Homes, said

"We recognise that Board members are busy people and have to juggle TMO duties with other commitments. The network aims to make best use of their time by delivering high quality courses geared to their needs. We use the best trainers available and our events are practical, fun, and friendly. They are held at convenient



times and at central venues. Feedback has been excellent and we plan to repeat the programme in Winter 2004."

The network is now looking at ways to develop the programme so that more TMO's can benefit. New members are welcome to join. If you would like to get involved in helping us improve the programme, or if you would like more information about our courses, please contact Martina Gavan, CityWest Homes, on 020 7245 2340 or email mgavan@cwh.org.uk

## Training Diary : October to December 2004

Training is essential to the long term health of your TMO. Here is just a sample of training opportunities that are coming up soon. If you want to advertise events in future issues of the TMO Magazine then E Mail details to magazine@tmonatfed.com

COURSE / EVENT	DATE	VENUE	CONTACT
Reaching Out - A voice For All	8-10 October	Trafford Hall	PEP
Committee Skills	11-13 October	Chester	Trafford Hall
Tackling Anti-Social Behaviour	15-17 October	Swindon	PEP
Committee Skills	19 October	Taunton	TPAS
Resident Involvement in Estate Services	22-24 October	Warwick	PEP
Involving Black and Minority Ethnic Groups	29-31 October	Bromsgrove	PEP
Being a Leader in Your Community	4-5 November	Chester	Trafford Hall
Comparing Success - How to Measure and Compare TMOs. Delivered Jointly with NFTMO	5-7 November	Bromsgrove	PEP
Anti-Social Behaviour - Taking Community Action (Part 1)	8-9 November	Chester	Trafford Hall
Decent Homes Standard - Matching Residents' Aspirations with Property Needs	12-14 November	Nottingham	PEP
Fundraising Strategy	15-17 November	Chester	Trafford Hall
Fair's fair - Equal Opportunities	19-21 November	Trafford Hall	PEP
Major Repairs & Improvements	26-28 November	Swindon	PEP
Brand New Employers	15-17 November	Chester	Trafford Hall

Contacts : PEP , Sandra Young 020 7281 3178 ; TPAS , Debbie Lucas, 0161 868 3500 ; Trafford Hall , Natalie Bradbury 01244 300246

# DELAYS FRUSTRATE TMO MEMBERS AT WORLDS END



A developing TMO in London is seeking arbitration after a Council failed to organise the development ballot in accordance with the Right to Manage regulations.

In December last year Worlds End Management Organisation ( WEMO ) was ready to go to ballot after their Section 16 Agency ( PPCR ) issued a report certifying their competence and recommending the proposed management agreement. But Kensington and Chelsea Borough Council challenged the conclusions of the report and refused to organise a ballot.

The Right to Manage Regulations say that in those circumstances the matter must be referred to independent arbitration within two months. In fact the Council has delayed referring the matter for a further 6 months.

Only as this Magazine was going to press did WEMO hear that the Council had at last agreed to refer the dispute to arbitration.

WEMO spokesperson Jules Montero said "Having been in development since April 2000 the delay this year has been incredibly frustrating. We have tried to address the Council's concerns and we are keen to have a positive relationship with the Council. We are now hoping that, at last, we can move things forward."

The Royal Borough of Kensington and Chelsea is unique in that it has a borough wide TMO that recently gained the status of an Arms Length Management Organisation.

## Do you want to be involved with the development of two new toolkits aimed at helping TMOs?

With support from Innovation into Action grant funding and in partnership with HouseMark and Acclaim Consulting, the NFTMO has launched a new project aimed at helping TMOs prepare community focused business plans.

### TMO Business Planning

Whilst we often don't think about TMOs as 'businesses' – the fact remains that TMOs operate in an environment where they are increasingly required to demonstrate the value they add over and above traditional housing management. Alongside this, Councils and housing associations are required to show how they will achieve Decent Homes standards by 2010 – and that includes TMO managed property.

The TMO Business Planning Toolkit will provide a business planning aid for TMOs, reflecting both the financial factors which underpin the business plan but also the community based nature of TMOs.

### IN Touch Toolkit

If any organisation is going to provide a service focused on the customer then we need to know

"Would you tell me which way I ought to go?" said Alice  
"That depends on where you want to go to." said the Cheshire Cat.  
"I dont know where," said Alice  
"Then it doesn't matter which way you go"  
said the cat.

From Alice's Adventures in Wonderland by Lewis Carroll



what the customer thinks and wants. Unlike most organisations TMOs are run by the "customers" through tenant-led management committees. Even so TMOs need to work to make sure that committee members are fully in touch with the views of their tenants and members.

It can be all too easy for TMO committees and staff to become 'too close' to things to have a perspective which includes the views of all the community?

The In-touch Toolkit will provide TMOs with good practice examples, and the tools and techniques to stay in-touch and help make sure that tenants continue to feel involved in and represented by the TMO.

We are looking for TMOs to come forward to volunteer for the pilot stage of this project and / or with examples of business planning and ways to survey and consult.

If your TMO may want to be involved then fill in the form that was sent out with this magazine or contact the NFTMO co-ordinator on 01704 227053 or at [trevor@tmonatfed.com](mailto:trevor@tmonatfed.com). Expressions of interest are needed by October 29th.

A representative sample of TMOs will be picked for the pilot group. These TMOs will be get free help in the preparation of an outline business plan and will be expected to give feedback about the toolkit and the process.

Something for the next issue of the TMO Magazine?

If you have a contribution to make to a future issue please contact [magazine@tmonatfed.com](mailto:magazine@tmonatfed.com) or ring 01704 227053.

The NFTMO works on behalf of EMBs, Tenant Management Co-ops and all forms of TMO

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THE TMO MAGAZINE IS DESIGNED BY RICHARD PEARSON / E-MAIL: [RICHARD@PENGUINBOY.NET](mailto:RICHARD@PENGUINBOY.NET)