

**PE1539/L**

Scottish Tenants Organisation Email of 11 February 2015

Dear Sir/Madam,

In support of Petition [PE1539](#)

In Scotland 277,000 homes are rented from housing associations; they also factor properties for owner occupiers, and rent commercial property. (Source: Shelter) Housing associations in Scotland (and throughout the UK) are Public Bodies and as such should be brought under the Freedom of Information (Scotland) Act.

This country of Scotland and the UK state claim to be adherents to the United Nations Charter, to Human rights globally and in Europe specifically.

People have a right that should be more than simply aspirational to live in homes that are decent and kept in a good state of repair and maintenance and that serves their well-being. But, 20 per cent of children in Scotland live in poverty with this projected to increase over the next five years; so good housing is an important factor in helping to off set in some small but very significant way some of the effects of poverty, especially cash/ income poverty.

Thus the people of Scotland should be able to seek remedy if they feel this not to be the case. Tenants are not free to affect agendas and policies as the current situation does not comply with the original democratic ideas of 'Tenant Participation' as we discussed with the then Scottish Executive and later Scottish Government. Tenants are not adequately free to challenge their landlords in the absence of information that is unknown to them or held back by landlords and factors who are in this case housing associations (Registered Social Landlords ((RSLs) ). If there is a dispute or simply a lack of clarity tenants are at an inbuilt and unfair disadvantage.

There are a variety of groups who may want to access information from housing association; community groups who actually live in the areas affected by decisions made by people who often live elsewhere, advocates and activists, tenants, tenants groups/associations, owner occupiers, campaign groups, members of the press/media, inquisitive citizenry, academics, trade unionists, independent researchers.

To give a 'neutral-negative' response the need for FOI to be applied to all housing associations is tantamount to saying that the film 'American Sniper' is only a soldier's story that should not be impinged upon by any other questions of context, governance, policy, cultural or socio-economic perspectives.

Truth is about knowing the facts, thus freedom of speech without the ability to question based on the revealed facts is freedom denied.

You don't just achieve democracy by wishing for it, we have to strive for it *incrementally*. It is time that housing associations, all housing associations (i.e. all RSLs) joined the democratic process.

Some housing associations and local authorities seem to have been evangelised by monetarism and neoliberalism while continually lobbying the state for funding. It remains the case that housing associations receive a large amount of public funding. In some cases it looks as if they are in a competition with their local authority to become a 'company town' using their unquestionable power to influence 'community development' unfettered. Even a benevolent organisation can lack democratic attributes, but without these democratic qualities there is no guarantee that a kindly nature and noblesse oblige would continue.

“From 1<sup>st</sup> April 2013 RSL's will be required to collect and provide information on their performance against service standards and the outcomes set out in the Social Housing Charter.” \*

This process\* of self-assessment however useful continues to be controversial. The dangers of self-assessment have been periodically exposed in relation to the NHS and 'care in the community' with the advance of small scale private and public and 'voluntary' sector organisations.

An attempt to impose a 'philosophical veneer' onto a property management sector which while variable in size and at the margins providing particular services additional to or as part of a housing package, does not justify their claim to exceptionalism from Freedom Of Information (FOI) on the basis of ; excessive or inappropriate use of commercial confidentiality, smallness, uniqueness, specialisation, saying “it's unnecessary” or “it could be awkward” or just 'cuteness', - Slick PR is not a substitute for information. All such characteristics are but roadblocks to the development of democracy.

Despite their claim(s) to be highly regulated they (HA's) lack transparency and accountability to their dis-empowered tenants and residents and the wider society beyond their immediate geographical footprint. Due to feeling vulnerable or insecure tenants and whistle-blowers may feel the need to remain anonymous and seek the assistance of a third party such as an independent person not under the sphere of influence of their landlord; such as journalist, or a campaigner or simply someone who is believed to be viewed as independent and who may search for information to prove/ disprove particular cases or establish general truths.

These comments should in no way detract from the good service provided by many housing association staffs across Scotland and their kind invitations to be 'included'. Good housing associations should welcome dialogue, increased openness and participation rather than retaining mystification.

Yours sincerely,

Iain MacInnes  
Convener