

Number: WG33417



Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation – summary of response

Consultation on the draft ‘Information for tenants’ document

Abolition of the Right to Buy and Associated Rights (Wales) Bill

November 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

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1. Background

Section 8 of the Abolition of the Right to Buy and Associated Rights (Wales) Bill places a duty on the Welsh Ministers to provide information for tenants and prospective tenants of the effect of the Bill on the Right to Buy, the Right to Acquire and the Preserved Right to Buy.

The Bill provides for an 'information for tenants' document to be issued to social landlords by the Welsh Government within a month of Royal Assent. The document is intended to provide social landlords with the information they need to convey to tenants. Providing information to tenants about abolition as soon as possible after Royal Assent gives tenants the maximum period to consider whether they wish to exercise their rights before abolition.

The Cabinet Secretary for Communities and Children made a commitment, during Stage 1 scrutiny of the Bill, to consult widely on the information document to ensure it provides clear information about what the legislation will mean to tenants if the Bill is passed.

The consultation was launched on 19 July 2017 with an eight week consultation period closing on 13 September 2017.

An eight week consultation was considered appropriate as the consultation was technical in nature and directly relevant to only a limited number of key stakeholders who should already be familiar with the issues. In addition, a series of tenant engagement events were hosted by TPAS Cymru during the period, the results of which have been fed back into the consultation summary report.

A copy of the consultation document is at Annex 1.

A copy of the draft 'Information for Tenants' document is at Annex 2.

2. Responses

Respondents could submit their views online, by email or by post.

In addition, to ensure tenants' views were captured, TPAS Cymru undertook a consultation exercise on behalf of the Welsh Government. This included an on-line survey through their 'Tenant Pulse survey community', engagement through social landlords and a series of five focus groups at venues around Wales during September 2017.

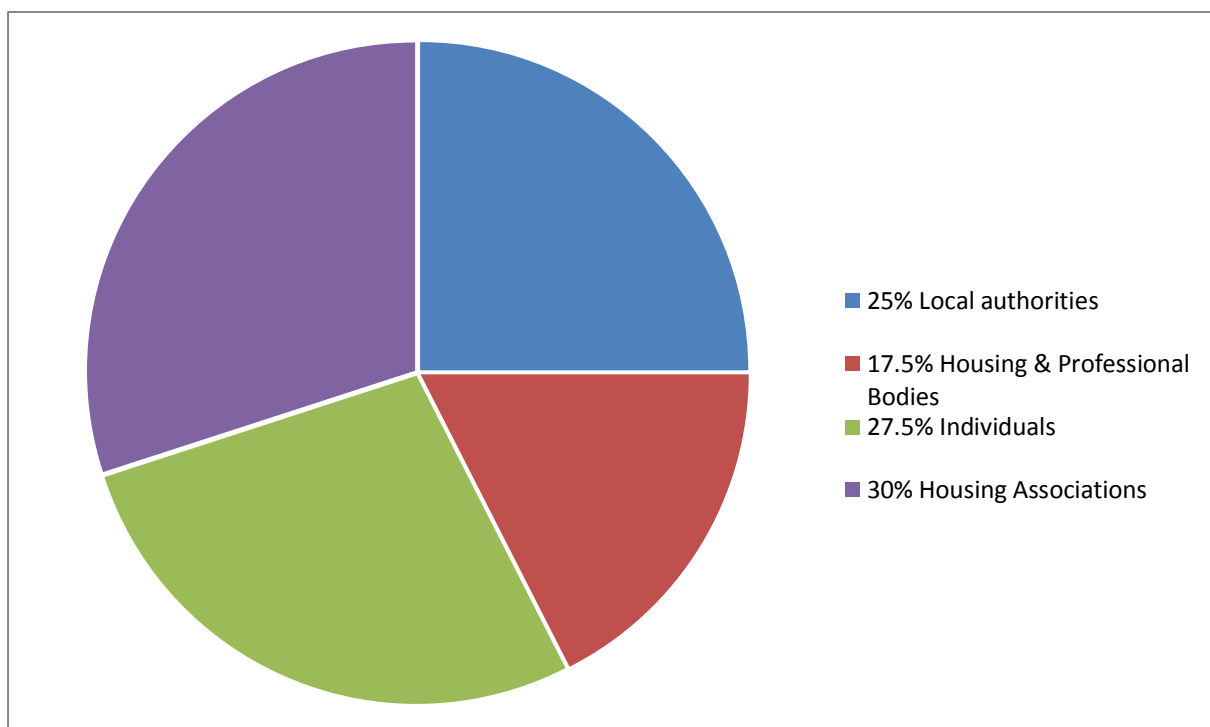
Number of responses received

In total, 40 responses were received relating to the Welsh Government conducted survey. Twenty-four were submitted via the online survey platform and 16 via e-mail to the dedicated mailbox.

Five further responses were recorded on the on-line survey, which are not reflected in the analysis due to being partial responses saved by respondents, but not formally submitted.

The total number of participants in the TPAS process was not recorded. Although take-up of the on-line survey was low, the numbers at the focus groups were significant. They also reflected a diverse audience, including tenants who were from the BME community, who were visually impaired or who had a range of other disabilities. Participation came from both housing association and local authority tenants, including from areas where the rights are suspended.

Profile of the respondents



List of respondents

9 Local Authorities (and 1 subsidiary):

Anglesey Council

Caerphilly County Borough Council and Caerphilly CBC Tenant Information Exchange

City and County of Cardiff

City and County of Swansea

Denbighshire County Council

Flintshire County Council

Newport City Council

Powys County Council

Wrexham County Borough Council

11 Housing Associations:

Cartrefi Cymunedol Gwynedd

Monmouthshire Housing association

Newydd Housing Association (x2 separate responses)

Tai Gwalia/Pobl group

Tai Tarion

Trivallis Housing Association

4 Housing Associations requested anonymity

TPAS Cymru

Shelter Cymru

Tai Pawb

Cardiff Third Sector Council

Housing Law Practitioners Association

Land Registry

UK Finance

12 Individuals

3. Summary of Key Issues Raised

The consultation outcome resulted in a fairly even spread in the profile of respondents, as indicated by the chart on page 2. The responses did not identify whether those received from individuals were social housing tenants. No weighting has been attributed to any particular profile and all views treated equally.

Responses to questions were positively supportive in all cases, although in one case (Q6 on the flow chart) this was by a small margin.

A consistent issue raised was the accessibility of the document. Many respondents raised equality issues, specifically whether an 'Easy Read' format would be available, in view of the numbers of vulnerable people among social housing tenants.

Responses to questions also tended to be quite polarised, with contradictory views in response to many of the questions.

Nearly two thirds of respondents agreed that the summary section clearly conveyed the key information. The level of detail contained, and whether it was sufficiently clear and comprehensive, featured heavily in consideration of the content. The majority view was that, with refinement, the document was fit for purpose. In terms of the extent of information and the level of detail, there were diametrically opposed suggestions for changes. Some wished to see considerably more detail, while others preferred a shorter, simpler document providing links to supplementary information. The calls for additional detail included the acknowledgement of the acceptability of applications and clarification on the eligibility rules of the respective rights.

Three out of every five responses considered the explanation of the changes to rights to be satisfactory.

In relation to local authority areas where suspension is in place, there was a call to ensure this information was clear at the outset, to provide transparency of the changes for tenants. It was suggested that the appropriate information about the consequences for tenants in suspended areas be separated and highlighted to improve clarity for tenants.

Tenants, in particular, felt there should be less information relating to the application process and a greater focus on explaining the effects of ending the rights. The coverage of the essential outline of the schemes was felt to be important but the priority should be focused on clearly informing tenants of the implications of ending the rights.

Greater use of examples to demonstrate the changes was suggested by several respondents and was viewed as providing greater clarity than simply trying to explain the changes.

Again, three out of every five respondents considered the section on alternative home ownership routes satisfactory and helpful. The method of conveying the information to tenants was a common thread throughout the responses. The lack of internet access or a PC was raised as an issue for vulnerable tenants in being able to access and understand the implications of the legislative changes. A further concern was whether the information should be more fully covered in the document rather than just being accessed through links.

The joint highest positive response was received for the financial and legal advice section, with over two thirds expressing satisfaction. The emphasis on the financial commitments of owning a home were supported by the majority, though some felt the importance of good financial and legal advice could be further strengthened in the wording. Providing sufficient information on the additional obligations and specialist advice required when buying a flat or becoming a leaseholder was seen as important.

There was general agreement on the benefit of receiving independent advice, with a few recommendations that other alternative providers and avenues for legal and financial advice should be referenced, in addition to Citizens Advice. It was suggested that information on approaches by unscrupulous individuals could be strengthened and made more explicit.

The section on further information to consider when buying a property was generally seen as being helpful. Accessibility issues again featured here, and the position of tenants with literacy difficulties was highlighted. It was noted that alternative arrangements need to be available to ensure these tenants receive information in the most appropriate way. Associated with this was the matter of making the document available in alternative formats, e.g. Braille, audio, large print, community languages.

Only just over half of respondents considered the flow chart to be helpful. This element received the most critical comments, although, once again, responses reflected markedly polarised views. Some respondents found the flow chart easy to follow and others found it difficult and confusing. Some felt it was not designed or presented in a suitable format for the tenants it is aimed at. Furthermore, the flow chart was not seen as providing full guidance for all the options, which resulted in a need to look elsewhere for the answers.

Respondents felt the flow chart needs to enable tenants to determine whether they are eligible or not. The balance of views suggests that it does little to clarify and, more likely, causes confusion.

The responses to each of the ten consultation questions are set out below.

4. Summary of responses to individual questions

Q1. Right to Buy and Right to Acquire – “Summary” and “The Basics”. Do these sections clearly summarise the Right to Buy and the Right to Acquire?

Positive Response/Agreement	26 (65%)
Negative Response	6 (15%)
Unsure	3 (7.5%)
Not answered	5 (12.5%)

Analysis of comments

Generally responses to this question were positive although, responses from tenants were mixed including those responses from the TPAS exercise, regarding the clarity of the ‘Summary’ section.

The use of short, precise paragraphs, making for easy reading, was commended on. This was seen to be important, to maintaining readers’ interest.

It was noted that there are a significant number of vulnerable people among social housing tenants, many of whom may have literacy issues or learning difficulties. This may result in them not reading beyond the summary. It was suggested, therefore, that all key information should feature in this section. Tenants, in particular, also commented that the spacing and font size could be adjusted to make it clearer for older individuals to read.

A number of responses commented on the section being clear and concise. The most positive response felt this summary section covered the issues ‘meticulously’. One Housing Association also reported that its tenants were satisfied with the appropriateness of the summary, whilst other tenants felt the summary was repetitive and contained too much information. Detailed suggested amendments were received from tenants who participated in the TPAS Cymru events.

For clarity, it was recommended the term ‘housing associations’ be used throughout, with a single explanatory reference included along the lines that these are “registered social landlords designated by the Welsh Government for different areas of Wales”. Similarly the use of “council’ instead of “local authority” would be more familiar terminology for tenants.

On formatting, it was suggested it would be clearer if headings were used to describe “the Basics” and confusion avoided if the rights were attributed to their respective landlords, e.g. council homes (RTB) / RSL (RTA) / Stock transfer (PRTB).

In terms of detail, it was suggested this section should make it particularly clear that the Right to Buy for tenants of “new homes” (although concern was expressed about this phrase, see Q2) ends earlier than for other tenants of social landlords. Several respondents expressed a need for clarification regarding the respective eligibility criteria, and felt that the inclusion of the respective eligibility rules for the rights would be an improvement.

The use of examples to provide further clarification was suggested, including referencing 1997 as the effective date for the Right to Acquire applications or a reference to housing association ‘secure tenants’ (tenancies started before 15 January 1989). It was felt the eligibility criteria should also be clearly set out in a way that enables tenants to see immediately whether they qualify or not. The document was felt to create the impression that all housing association tenants are eligible, rather than just those living in qualifying accommodation. It was suggested greater clarity on the respective rights would result by providing examples. This was seen as important for particular circumstances, such as tenants living in an age-related property such as “over 55s only”.

Such requests for greater detail contrasted with a concern from some tenants that the ‘The Basics’ section used terminology that was too technical, such as the specific tenancy type (i.e. ‘assured tenants’ and ‘secure tenants’) that would not necessarily be understood.

It was suggested that it should be clarified that the ending of the Rights applied only to Wales. Some tenants suggested the document should state the areas where the various rights apply, as this would show tenants at the outset whether they were affected. A case in point was the reference to the Right to Acquire not applying in ‘certain rural areas’.

Whilst covering the ‘Basics’ of the schemes was felt to be important, some suggested the document should prioritise clarity and “directly inform” tenants of the changes and ending of these rights. It was suggested this should precede the general information around eligibility. Several respondents highlighted that the summary does not make reference to the abolition of the Preserved Right to Buy.

Some respondents raised the need to update the number of areas where suspension was in place. One respondent suggested the section relating to those authorities where the Right to Buy/ Right to Acquire has been suspended is moved to the beginning of the document. Concerns were raised regarding the situation for exemptions, such as the suspended areas, as it was felt these were not explained fully enough and greater clarity was needed to ensure tenants are fully aware of what is going to happen.

A preference was expressed that, rather than referring to the links in the ‘further information’, the information itself should be included as part of this section, making it easier to access for all. It was suggested that any guidance should make clear that social landlords should include contact details for an information officer and a telephone number.

Q2. “The end of the Right to Buy and Right to Acquire” / “Suspended Areas” / “Early Abolition on new homes”. 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?

Positive Response/Agreement	24 (60%)
Negative Response	7 (17.5%)
Unsure	3 (7.5%)
Not answered	6 (15%)

The majority of respondents to the Welsh Government consultation considered this section made for easy reading and covered the relevant information succinctly. Countering this was a suggestion that some of the information was repetitive and some sentences (not specified) were unclear. Some tenants felt there should be less information relating to the application process, and a greater focus on explaining the ending of the Rights.

In terms of detail, it was suggested the first paragraph needs to make clear that the Right to Buy, Right to Acquire and Preserved Right to Buy end earlier for tenants of “new homes”. The phrase “new homes” was questioned with a view expressed that it is a misnomer, implying it is the building that is new rather than the tenancy.

One respondent felt there are instances where the language could be more direct and less informal, and thereby shortened. For example, paragraph 4 of ‘The end of the Right to Buy and Right to Acquire’ may read more suitably as ‘Please ensure the details you provide on your application form are correct’.

One respondent felt the definition of “a new home” does not accurately reflect the content of the Bill. Further detailed suggested amendments were submitted via TPAS from tenants.

The absence of appropriate dates was referred to, as tenants, in particular, felt greater clarification was needed for the timescales and limitations for applications to be made. These will be included in the final version. The need to update the document to reflect the latest position on suspension areas was also raised.

One local authority questioned whether 'hard to let' properties, empty for six months prior to the date two months following Royal Assent, would not be classed as 'new homes'. It was also pointed out that, for cases where the court has issued the tenant with a Possession Order, the landlord can refuse an application. Therefore, this should be included in the relevant paragraph. Also, the reasons for refusing an application for arrears of rent should be made clearer, e.g. breach of court order.

It was pointed out that RSLs would not be aware of council tax arrears and that this should be made clearer.

To maintain consistency and reduce ambiguity, the use of "Right to Buy, Right to Acquire and Preserved Right to Buy" be used in all references, as in several paragraphs the "Preserved Right to Buy" has been omitted.

There was a call for more clarity regarding the Right to Acquire not applying to all RSL properties. Alternatively, it was suggested the document could be directed as appropriate to only qualifying and relevant households.

The term "...forced to move..." was questioned as to its meaning/definition. The use of an example was suggested.

It was also suggested that the appropriate information regarding the consequences of the Act for tenants in suspended areas be separated out to improve clarity and understanding. Such tenants will want a detailed explanation as to why they do not have a window of opportunity to exercise the right. One associated suggestion was that this information should feature at the start/summary of the document rather than in this section.

There were further calls for additional detail including: the acknowledgement of the acceptability of applications i.e. whether the application is valid (before timescale) or invalid (received too late or because it has not been correctly completed) and on eligibility, for example whether just the lead tenant or can it include a partner/other household member living in the property.

The section should make clear that there are further restrictions (other than rent arrears mentioned at paragraph 5) on the Right to Buy, Right to Acquire and Preserved Right to Buy, for example if the property is a home suitable for the elderly or if a possession order has been made.

There was a suggestion from tenants for the inclusion of information on how to ask for help, and how to successfully complete an application.

Concerns were raised that issuing this document to all tenants would result in a greater number of requests to purchase by raising awareness of the abolition of the Right to Buy, Right to Acquire and Preserved Right to Buy, resulting in further reduction of the social housing stock.

Q3. “Other Ways to Buy a Home”. Is the link to other home ownership options helpful?

Positive Response/Agreement	24 (60%)
Negative Response	4 (10%)
Unsure	6 (15%)
Not answered	6 (15%)

A general view was that this section provides helpful information. Several responses, particularly via the TPAS focus groups, were critical of its format. This was because, where the receipt of information is in paper form, the links within the document would be of limited value. It was felt it could be improved by having the options set out instead of just relying on links. However, there was also a concern this would make the document overly long. Other detailed suggested improvements were submitted by tenants.

It was felt the terminology needs to be in ‘plain English’ and does not use terms more familiar to officers than members of the public/tenants.

In respect of the suggestion that tenants should speak to their landlord for other information on how to buy their home, it was incumbent on landlords to have the staff with the correct level of knowledge to be able to advise people on house purchase options. A suggestion the wording could be changed to ‘speak with your landlord to ask if they operate any of these schemes’. There was widespread agreement that a statement directing tenants to their landlord for help and advice was a prerequisite.

Q4. “Financial and Legal Advice”. 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?

Positive Response/Agreement	27 (67.5%)
Negative Response	3 (7.5%)
Unsure	3 (7.5%)
Not answered	7 (17.5%)

Once more responses tended to be polarised, though the majority considered the section to be clear and relevant. Some felt the section was “instructive” and a useful section to outline the commitments of home ownership, with the level of information sufficient for purpose.

It was questioned whether the section should include wording around the need to consult your landlord for financial and legal advice. This was cross-referenced with the response to question 3 regarding landlords being equipped to provide advice outside their core landlord activities i.e. legal, financial advice. The separation of

financial and legal advice into discrete sections was a suggestion from TPAS focus groups.

A view quite widely shared was that there is a need to have more emphasis on the financial commitment/obligations in owning your own home beyond mortgage costs, such as ongoing maintenance and improvement costs. It was suggested that the first paragraph should remind tenants that if they do buy their own home, it may be repossessed if they do not keep up their mortgage repayments.

It was suggested that the first sentence in the second paragraph be reworded to “If you are thinking of buying a home it is important that you seek good, independent financial advice”. One response considered the purpose and benefits of accessing legal advice should be more fully explained, to include at what stage this would be necessary, i.e. should a tenant seek legal advice prior to applying. A number of detailed drafting suggestions were received.

Three respondents suggested information could be included regarding the additional obligations/specialist advice required when buying a flat or becoming a leaseholder. This could include the liability for service charges and payment towards any identified works in the first five year term after purchase.

A view was expressed that the section raising awareness of ‘hawkers’ should be more explicit and strengthened regarding the risk of contact with such people. There was general agreement of the benefit of advising people to speak to Citizens Advice, especially as vulnerable people might be approached to apply and then hand over the property to a third party at a later date.

A few commented that the document should reference other avenues for legal and financial advice. The Money Advice Service, an independent body with responsibility for improving money management skills, was cited as its website provided a range of information tenants would find useful when making a decision to exercise the RTB/RTA/PRTB. The provision of hyperlinks to organisation websites would help those accessing information electronically. An expectation expressed by tenants was that prospective buyers should speak with their bank or a mortgage advisor. The use of a case study was a suggestion from the TPAS focus groups, although there was a counter-argument that this would result in the document being too long.

Q5. “Further Information”. Does this section provide enough detail and links to access further information?

Positive Response/Agreement	27 (67.5%)
Negative Response	4 (10%)
Unsure	3 (7.5%)
Not answered	6 (15%)

The majority of views submitted to the Welsh Government considered this section to be informative and providing sufficient access to further information to consider when buying a property. However, the accessibility of information for those tenants who do not have access to a computer or the internet was raised as an issue. It was suggested that the links to the guidance booklets on Right to Buy and Right to Acquire be located in this section, to provide immediate accessibility for those with internet access.

The position of tenants with literacy difficulties was highlighted, who may find reading and understanding such information difficult. Several responses indicated that alternative arrangements should be available to ensure these tenants receive information in the most appropriate way.

Consideration should be given to whether the document should be available in alternative formats e.g. Braille, audio, large print, community languages etc. A suggestion was made that hard copies of the linked information should be available at the offices of the RSL. Information such as a telephone number to request a hard copy should be included within the document. It was suggested that a link to the landlord’s website would be useful within this section.

Q6. Flow chart. Is the flow chart helpful in explaining who has the Right to Buy, Preserved Right to Buy and Right to Acquire?

Positive Response/Agreement	21 (52.5%)
Negative Response	9 (22.5%)
Unsure	4 (10%)
Not answered	6 (15%)

This element received the least support although, once again, the range of responses reflected markedly polarised views. Some found it easy to follow and informative while others felt it was not particularly helpful. It was commented that, unless the tenant knows the eligibility criteria, then they will not be able to progress through the flow chart. Tenants were reported as giving a mixed response, some finding it easy to follow, others difficult and confusing. Some felt it was not designed or presented in a suitable format for tenants.

The positioning of the flow chart in the context of the other information and sections in the document was also seen as unclear. Tenants felt this was not helpful and created confusion. Tenants' views from the TPAS focus groups indicated that flow charts are not considered an effective way of communicating in general. One respondent felt the wording in the chart indicates there is a clearly defined set of eligibility criteria within the consultation paper, although it was questioned whether that is the case. Regarding eligibility, it was suggested that the need for tenants to contact their landlord, if they are unsure, be included.

In terms of detail, quite a large number felt that it was unclear where the flow chart starts and pointed out the need for it to be placed above the relevant box. Several felt 'Start here' does not appear to be the starting point of the document. Essentially, it was suggested there needs to be a clear start and end to the flow chart. A top down layout and flow would be more appropriate.

The colours used were not clearly serving any purpose. The use of 'or, if not' within one of the blue boxes creates further confusion. The use of the three identical red boxes again was seen as creating confusion and unnecessary complication.

Full guidance was not seen as being provided for all options of the flow chart. On some options it is felt there is a need to look elsewhere for the answer. It was suggested that abbreviations not be used, but if they are it was suggested an asterisk is used to indicate that the full meaning is listed elsewhere. In similar vein, two responses felt that an explanation of acronyms would be helpful.

The reference made to suspension or suspended areas was also seen as potentially creating further confusion following abolition.

One recommendation was that the two questions in the box starting "Is the property you want to buy existing social housing..." be separated into two separate boxes. Some respondents expressed the opinion that, if revisited and revised to ensure it offers a clear understanding of where individuals are in the process, it could be a useful addition to the document. Ultimately the chart, if used, needs to enable tenants to determine whether they are eligible or not.

In terms of the chart's accessibility, it was pointed out that it is difficult to read the black type against the blue background. It was also felt that the background to boxes should not have colours. A number of tenants felt the colour and font size were not easy to read and suggested using guidance or approval from the RNIB to develop this further.

Q7. Do you have any suggestions on how landlords can communicate the information in the most appropriate and accessible ways to meet the varying needs of tenants?

A general view was that as much as possible should be done to ensure that tenants are advised of this change. To ensure that the information is received by each tenant, hard copy posting was recommended as the optimal means, particularly as it was again reiterated that not all tenants have internet access or are IT literate. It was pointed out that most social landlords will have undertaken some form of tenant profiling and should be aware of the communication preferences of their tenants. Tenants groups recognised that social landlords have already developed a relationship with their tenants and receipt of information from the landlord was more likely to engender engagement.

The obligations under the Equality Act 2010 were raised, and a recommendation that the information is made available in a variety of formats (such as in Braille, easy read and other formats and in an audio booklet) as well as in a variety of languages.

There was, however, strong support for the information being uploaded to landlord websites and communicated on Facebook pages. Social media was keenly favoured by quite a number of respondents as was use of the internet and via text messages.

The standard communication channel of conveying information through tenants and residents associations also received support. It was felt that organisations could also stage drop-in sessions for those people wanting further information.

Further communication suggestions included: tenant groups; scheduled tenant newsletters and mailings and magazines; face-to-face meetings and home visits (particularly for those with known cognitive difficulties); posters at offices, libraries and public places; newspaper articles; use of local radio stations; and a telephone/Freephone number which tenants can contact to seek further information, in addition to material on the Welsh Government website. It was recommended that stock retaining local authorities should work together with housing associations operating in their area to arrange suitable events.

The provision to tenants of examples of the discounts they could expect was a further suggestion, although qualified by the difficulties arising from the variance in property valuations across housing stock. Alternatively, it was suggested that signposting tenants to external and independent online sources of property valuations might assist decision making. The potential for Citizens Advice and other third sector organisations, such as Tai Pawb, and Shelter Cymru, to host information on their websites was raised.

For people with poor literacy skills it was suggested that the production of an audio tape or video, accessible via websites, be considered. Reference to such resources could then be made in the information leaflet. Detailed comments were also received on the duties and information requirements of landlords.

Q8. Do you have any other comments? Is the document too long / short? What information should be added / removed? Is the document easy to understand? Is it written in plain English?

Again, although the majority of responses were positive, opinions were often polarised. Views ranged from the document being concise, clear and imparting the key information with a distinct lack of jargon to it being ambiguous, not imparting the information intended and the flow chart being meaningless.

The succinctness of the document was felt to be important, with it needing to convey the essential information and communicate the options to tenants in a simple way. A small proportion of responses indicated it may be too long. One view was that it would be better if it just signposted tenants to where to find out further information if they want to buy their home.

The simplicity of the message was also seen as important and there were several calls for an easy read version. Similarly, the use of examples of types of tenant and types of properties was suggested as a useful way to explain matters clearly and simply.

One suggested improvement, as previously suggested should also be the emphasised in the summary section, was the need to highlight that for tenants of “new homes” the rights are ending earlier than for other tenants of social landlords.

It was stressed the design of the document needed to be engaging and, in terms of detailed observations, the white writing on the front cover of the leaflet appeared to be of a smaller font size than the remainder of the document. It was stated that, for accessibility purposes, the minimum font size should be size12, according to RNIB guidelines.

There was concern among some of the social landlord responses that the information could generate increased applications. One response elaborated on this by stating they had already seen an increase in enquiries about the RTB and anticipate a surge in applications following Royal Assent.

Q9. Welsh Language Impact. While this consultation paper is being made available in Welsh, please can you suggest how the proposed ‘Information for Tenants of Social Landlords’ document could be formulated or changed so as to have i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Caution was expressed in ensuring the English and Welsh text is not mixed, in order to avoid confusion and ensure the document is clear to follow.

It was pointed out that, in translating the document, there may be some differences in some of the language or individual words used between people living in North and South Wales. Ensuring the translation is not a literal translation of the English and written with the reader in mind needed to be considered. Literal translation was seen as often off-putting for the Welsh reader. It was commented that some housing associations may not know the language preference of their tenants.

One social landlord referred to the low level of Welsh speakers in their area/among their tenants. Associated with this was a suggestion from another respondent that the document be tailored and targeted, with greater emphasis on providing information in Welsh where it is known there are high levels of Welsh speakers.

The potential need for other languages and formats was raised in respect those whose first language is neither Welsh nor English. A similar point was made regarding those with communication impairments and language skills issues.

Q10. If you have any related issues which we have not specifically addressed, please use this space to report them

Social landlords were criticised for not clearly understanding the rules. A few respondents felt it very important that each social landlord needed to appoint at least one person fully knowledgeable of the rules, regulations, procedures, and dates, in order that tenants can make an informed choice.

The swift delivery of the document following the granting of Royal Assent was seen as important in maximising the time tenants have to consider exercising their rights.

One respondent advised that although the consultation was of tangential interest to them, they considered it encouraging that government is giving early consideration to ensuring early tenant awareness of the pending changes. In reviewing the draft document they consider it sufficient for the intended purpose.

One social landlord questioned whether the information needed to be sent to joint tenants or just the lead tenant. Due to the cost of writing to each tenant individually, and the higher level of applications likely to be received from individual contact, one social landlord suggested it would be sufficient to publicise the abolition of the RTB/RTA/PRTB via newsletters as a proportionate notification. In light of complaints received about notification in connection with suspensions, it was suggested it would be useful to include a complaints procedure.

One response recommended that the Welsh Government should ensure there is a common understanding amongst social landlords regarding whether they should focus the information on tenants retaining the rights or to circulate information to all tenants. There was divided opinion amongst the tenant focus groups on this issue; essentially, if the eligibility for the respective rights is clearly set out then circulation to all would avoid confusion or distress.

It was suggested that the Welsh Government should prepare briefing notes or guidance for social housing landlord's customer service teams to ensure they are adequately briefed, as these staff are likely to field most enquiries from tenants.

5. Next Steps

Officials will consider the responses to the consultation in order to refine the document prior to its use, subject to the Bill receiving Royal Assent.

ANNEX 1

Number: WG32510



Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Consultation on the Information for Tenants Document

Subtitle – Consultation on the ‘Information for Tenants of Social
Landlords’ document

Date of issue: 19 July 2017

Action required: Responses by 13 September 2017

Overview This consultation is to gather views on the draft ‘Information for Tenants of Social Landlords’ document, which social landlords will issue to all relevant tenants if the Abolition of the Right to Buy and Associated Rights (Wales) Bill is passed by the National Assembly for Wales.

How to respond Please respond online at

<https://consultations.gov.wales/node/11175/respond-online>

or complete the response form at

<https://consultations.gov.wales/file/11797/download>

and email to

BillDiddymurHawliBrynu.AbolitionofRighttoBuyBill@wales.gsi.gov.uk

Hard copies can be sent to

Bill Team - Abolition of the Right to Buy and Associated Rights
(Wales) Bill

Housing Policy

Welsh Government

Rhydycar Business Park

Merthyr Tydfil

CF48 1UZ

Further information **Large print, Braille and alternative language versions of this document are available on request.**

and related documents

More details about the Bill can be found on the Welsh Government website:

<http://gov.wales/topics/housing-and-regeneration/legislation/abolition-of-right-to-buy-and-associated-rights/?lang=en>

Information on the progress of the Bill can be found on the National Assembly’s website:

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?Ild=17260>

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Introduction

The Abolition of the Right to Buy and Associated Rights (Wales) Bill will end the Right to Buy, Preserved Right to Buy and Right to Acquire for tenants of local authorities and registered social landlords if the Bill is passed by the National Assembly for Wales.

Social housing in Wales is a valuable resource, but it is under considerable pressure. The size of social housing stock has declined significantly since 1980 when the Right to Buy was introduced. The number of homes lost through the Right to Buy is equivalent to 45% of the social housing stock in 1981. This has resulted in longer waiting times for people in housing need, many of whom are vulnerable, to access a home they can afford.

To encourage the development of new housing stock, the Right to Buy and Right to Acquire will end for new homes two months after Royal Assent.

For existing housing stock, final abolition will take place at least one year after the Bill receives Royal Assent.

Information for Tenants of Social Landlords document

To ensure tenants are aware that the Right to Buy is ending, the Bill requires the Welsh Government to publish information, which will assist tenants and prospective tenants to understand the effect of the legislation.

The information must include the date on which the Right to Buy and the Right to Acquire will end in respect of both newly-let properties and all other social housing.

The information may also include any other information which the Welsh Government considers would assist tenants and prospective tenants to understand the changes.

Every qualifying landlord must provide all affected tenants with a copy of the information provided by the Welsh Government, or with any of the information they consider to be relevant to their tenants.

Consultation

A sample document has been produced to illustrate the type of information which could be published by the Welsh Government and may be issued to tenants by their social landlord if the Bill to abolish the Right to Buy and Right to Acquire is passed by the National Assembly for Wales. We would welcome your views on the draft information document. [Annex 1]

Consultation Response Form

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

The 'Information for Tenants of Social Landlords' Document

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?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Please include any further comments – such as should more or less information be included – is the language used clear etc

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?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

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

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

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?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

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

to access further information?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

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?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unsure	<input type="checkbox"/>
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Any further comments:

Question 7. Do you have any suggestions on how landlords can communicate the information in the most appropriate and accessible ways to meet the varying needs of tenants?

Suggestions

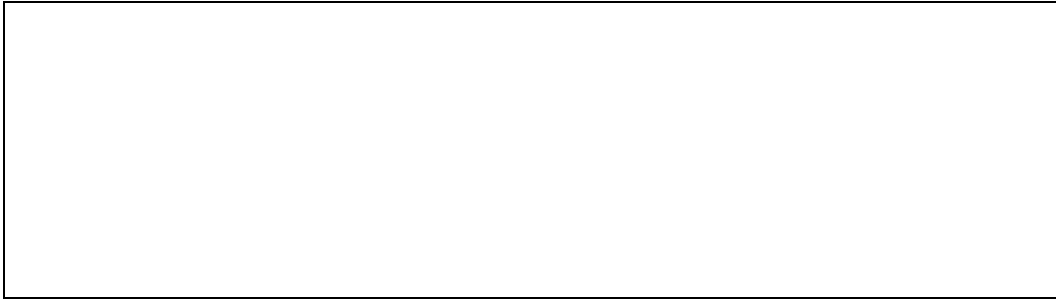
Question 8. Do you have any other comments? Is the document too long / short? What information should be added / removed? Is the document easy to understand? Is it written in plain English?

Please add any further comments

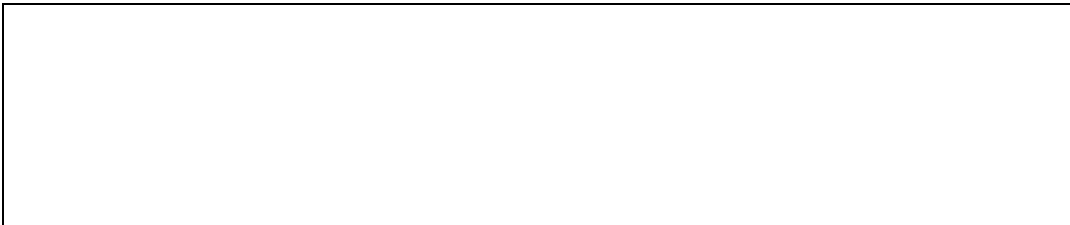
Question 9. Welsh Language Impact. While this consultation paper is being made available in Welsh, please can you suggest how the proposed 'Information for Tenants of Social Landlords' document could be formulated or changed so as to have

i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and

ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.



Question 10. If you have any related issues which we have not specifically addressed, please use this space to report them:



INFORMATION ABOUT THE END OF THE RIGHT TO BUY AND RIGHT TO ACQUIRE

Information for Tenants of Social Landlords

Note

This document is being sent to you for information only.

It explains that the Right to Buy and Right to Acquire is ending for all tenants of social landlords on
[insert date of abolition]

You do not have to take any action in response to this document.

Note: This sample has been produced simply to illustrate the type of information which could be issued to tenants by their social landlord if the Bill to abolish the Right to Buy and Right to Acquire is passed by the National Assembly for Wales. It has been produced to inform stakeholders on how such a change would be communicated to tenants. The production of this draft guide does not in any way presume the outcome of the Bill's passage through the Assembly.

SUMMARY

- The Right to Buy and Right to Acquire will end for all tenants of social landlords on [**insert date of abolition**]
- This guide explains what you need to know about the end of the Right to Buy and Right to Acquire and what you should do if you are thinking about buying your local authority (council) or housing association home.
- If you live in an area in which the Right to Buy and Right to Acquire has been suspended, you will not be able to buy your home under these schemes.
- This guide does not give legal advice, which you should seek separately if you want to buy your home.

Right to Buy and Right to Acquire - The Basics

If your landlord is a local authority, you may have the **Right to Buy**. The Right to Buy allows eligible secure tenants of local authorities to buy their home at a discount to the market value. The maximum discount available is £8,000.

If your landlord is a Registered Social Landlord, referred to in this guide as a “housing association”, you may have the **Right to Acquire**. The Right to Acquire enables eligible assured and secure tenants of housing associations the right to buy their home at a discount to market value. The maximum discount available is £8,000. The Right to Acquire does not apply in certain designated rural areas.

If your home used to be owned by the local authority but was transferred to another landlord, such as a housing association, while you were living in it, you may have the **Preserved Right to Buy**. This is very similar to the Right to Buy and the maximum discount available is also £8,000.

Before you start thinking about buying your home, you need to find out whether you are eligible to do so. In order to qualify for any of the above discounts you must have rented your home from a public sector landlord for example. a local authority, a housing association, NHS Trust) for 5 years. But it doesn't have to be 5 years in a row.

Further information on the eligibility requirements is available in the links at the end of this document, or from your landlord.

The end of the Right to Buy and Right to Acquire

The Right to Buy, Right to Acquire and Preserved Right to Buy are ending for all tenants in Wales on **[insert date of abolition]**. This is part of the Abolition of the Right to Buy and Associated Rights (Wales) Act 20[XX].

If you are able to exercise a right to buy your home, you can submit your application up to **[insert date of abolition]** and it will be considered in the usual way. Any application made after this date will not be accepted.

If you are applying close to **[insert date of abolition]**, you may wish to send your application to your landlord by recorded delivery to ensure the date it is received is noted or deliver it personally to your landlord's office to ensure it arrives by the deadline date. If you deliver it in person, you may wish to request a receipt to show the date it was received by your landlord.

You must take care to make sure that all the details on your application form are correct. If not, then your application may be turned down. With this in mind, it is better not to leave your application too late. You will want to allow as much time as possible to resolve any issues that may arise.

If you have arrears of rent or council tax when you apply to buy your home, your landlord can refuse to sell it to you. You should check that all your payments are up to date in case this causes a problem.

If there is anything you don't understand about the application form, or you are not sure what information you have to provide, your landlord will be able to help.

The end of the Right to Buy and Right to Acquire will not affect your tenancy in any other way.

Suspended Areas

In Anglesey, Carmarthen, Denbighshire, Flintshire and Swansea, the Right to Buy and Right to Acquire have been suspended. If you live in one of these areas you will not be able to buy your home under these schemes. Your landlord will be able to give you more information if you live in one of these areas.

Early abolition on new homes only

The Right to Buy, Right to Acquire and Preserved Right to Buy will end for "new homes" only on **[insert date 2 months after Royal Assent]**. A "new home" is one which has not been let as social housing for the six months before **[insert date 2 months after Royal Assent]**, for example a new build property, or a home that has been recently acquired by the landlord.

There are certain exceptions if you are forced to move into a "new home". Ask your landlord for further information if you are in this situation.

Other Ways to Buy a Home

Other means of assistance to help you buy a home may be available. Talk to your landlord or visit the Welsh Government's website <http://gov.wales/topics/housing-and-regeneration/housing-supply/buying-and-selling/help-for-buying/?lang=en> for further information.

Financial and Legal Advice

Buying a home is a big commitment. Home ownership has costs as well as benefits. The costs include: the price of the home (after the appropriate discount), legal costs, survey fees, and possibly some taxes, for example Stamp Duty/Land Transactions Tax. After buying, there will be monthly payments for council tax and a mortgage (if you have one) as well as other on-going costs, which are currently included in your rent, for example repairs, maintenance and buildings insurance. As the homeowner, you will have to pay for these. Remember, too, mortgage interest rates could increase at some point.

It is important to get professional advice, for example, on financial matters. You should also consider taking legal advice. Organisations such as your local Citizens Advice Bureau may be able to explain how best to go about it. This is particularly important if you have been approached by someone offering to help you buy your home (perhaps in exchange for handing over ownership of the home to that person at a later date) or offering advice in return for a fee.

Further information

The guidance booklet 'Your Right to Buy Your Home - a guide for tenants of social landlords in Wales' is published by the Welsh Government. It gives general information on the Right to Buy rules and how to apply. It can be found here:

<http://gov.wales/docs/desh/publications/150801-your-right-to-buy-your-home-en.pdf>

The Welsh Government's guidance booklet on the Right to Acquire can be found here:

<http://gov.wales/docs/desh/publications/170203-the-right-to-acquire-en.pdf>

If you want general information about the Right to Buy, Right to Acquire or Preserved Right to Buy you can contact the Welsh Government by email at righttobuy@wales.gsi.gov.uk or you can telephone on **[insert phone number]**.

If you want more specific information about buying your own home, you should contact your landlord.

Your landlord will be able to give you a Right to Buy application form, or you can download it here:

<http://gov.wales/docs/desh/publications/150122-notice-claiming-right-to-buy-en.pdf>

If you would like hard copies of any of these documents, please contact the Welsh Government at **[righttobuy@wales.gsi.gov.uk and insert office address]** or call **[insert phone number]**.

DRAFT

Are you a tenant with the Right to Buy, Preserved Right to Buy or Right to Acquire your home?

The chart below gives an overview for tenants on the availability of the Right to Buy (RTB), Preserved Right to Buy (PRTB), or Right to Acquire (RTA) if the “Abolition of the Right to Buy and Associated Rights (Wales) Bill” is passed by the National Assembly for Wales.

Start here

