



Public Petitions Clerks
Room T3. 40
The Scottish Parliament
Edinburgh EH99 1SP

16 January 2015

FAO Ned Sharratt

Dear Mr Sharratt,

Consideration of Petition PE1539

I refer to your e-mail correspondence dated 10 December 2014 advising that the Scottish Parliament's Public Petitions Committee has included Milnbank HA as one of the organisations invited to comment on the above petition, which calls for all housing associations to be subject to the Freedom of Information Act (Scotland) 2002.

Milnbank Housing Association is a community based organisation, established in 1975, that operates within a defined geographical boundary within the east end of Glasgow. The Association owns and manages 2500 housing units and is governed by a Management Committee entirely made up of local residents who are Shareholders in the association. Consequently, this response is made from the perspective of a community controlled organisation.

In principle, extending Freedom of Information to organisation's such as Milnbank Housing Association is not an issue given that the ethos of community controlled housing associations is to be fully open and transparent. However, there are some issues raised by the Petitioners that are of concern and would, in our view, need to be considered by the Committee. For example, the Petitioners highlight that reporting against the Scottish Housing Charter is voluntary when there is actually a requirement to provide information to the Scottish Housing Regulator for the specific purpose of allowing the Regulator to publish information against each social landlord's performance against the Charter. The Petition also claims all housing associations are public bodies which we would fundamentally dispute. Although we are obliged to adhere to European Union Procurement Rules, constitutionally and operationally, community based housing associations are independent organisations and it would be a serious erosion of our status if we were to be regarded as a public body.

The Association would welcome the opportunity to discuss our comments either individually or through our representative organisation, the Glasgow & West of Scotland Forum of Housing Associations. In addition to what has been stated above, it would be important that any extension of FOI to small community controlled organisations would not have severe resource implications thereby leading to a detrimental impact on our tenants and other service users.

I trust this response is suitable for your needs.

Yours sincerely,

Alan Genson
Director.