



Office of the
Deputy Prime Minister

Creating sustainable communities

information sheet

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Tenant Participation

TENANT PARTICIPATION

Introduction

TPAS has defined tenant participation as “a two way process that involves both tenants and their landlord in the sharing of ideas, where tenants are able to influence decisions and take part in what is happening.” The term ‘tenant participation’ covers a wide range of activities, from landlords providing tenants with information about housing services to tenants taking on the day-to-day management of some or all housing services. This Information Sheet provides a brief overview of the development of tenant participation and the various options available. More detailed information on the different options can be found in the publications listed at the end of this Information Sheet.

The development of tenant participation

A ‘legal’ right for council tenants to be ‘consulted’ on issues affecting the management of their homes was first introduced in the 1980 Housing Act and subsequent Tenants’ Charter. Following on from this, several laws and codes of practice affecting tenant consultation and participation were introduced, details of which are outlined below.

Housing Act (1985) – Required councils and housing associations in England and Wales to inform and consult secure tenants (individually rather than collectively) on specific matters relating to the management of their homes. In particular, Section 104 of the Act required landlords give all tenants a written explanation of their conditions of tenancy, statutory rights, the landlord's repairing obligations and the arrangements for consultation. Section 105 of the Act placed a duty on councils to consult tenants on any changes in housing management and Section 27 strengthened existing procedures for the establishment of tenant management co-operatives.

Inquiry into Housing - chaired by HRH Duke of Edinburgh (1985) - Recommended that tenants' associations be recognised and supported and that a Tenant Participation Advisory Service for England be set up, to do similar work to the one set up in Scotland in 1981.

Housing & Planning Act (1986) – Amended parts of the Housing Act 1985, allowing councils to delegate housing management to other organisations. Section 16 of the Act gave the Department of the Environments (now the Office of the Deputy Prime Minister) powers to provide grants to encourage tenant participation.

Housing Act and Tenants’ Choice (1988) - Gave local authority tenants a right to choose an alternative landlord (Tenants’ Choice) and set out procedures for a ballot of tenants affected by any transfer proposals.

Local Government & Housing Act (1989) - Introduced Performance Expectations (housing associations) and Performance Indicators (councils) which required landlords to demonstrate their accountability to tenants, as well as the Department of the Environment and the Housing Corporation.

Leasehold Reform, Housing and Urban Development Act (1993) - Introduced the Right to Manage, giving council tenants a ‘legal’ right to set up tenant management organisations and take over the management of some or all housing management functions. Introduced Compulsory Competitive Tendering (CCT) for housing management functions, with a requirement for councils to inform and consult tenants on CCT matters and provide information on CCT contracts.

Housing Act (1996) - Abolished Tenants’ Choice.

Best Value (1997) – Introduced as a concept by government in 1997, this became a statutory requirement in the Local Government Act 1999, replacing

Compulsory Competitive Tendering. Best Value requires local authorities and housing associations to review their service delivery, compare their performance with others and demonstrate that they have embraced the principles of fair competition in deciding who should deliver services. Consulting tenants is seen as essential to the Best Value process and there is a requirement that the views and expectations of local service users and residents are reflected in the outcome of service reviews. The Housing Inspectorate carries out regular inspections to ensure that landlords are meeting government requirements on Best Value.

[National Framework for Tenant Participation Compacts \(2005\)](#) – see below.

[Decent Homes Standard \(2003\)](#) – A target for social housing providers to meet set standards of fitness and design for their homes by 2010. ODPM guidance required councils to carry out a stock option appraisal, appointing an independent tenants' advisor to involve tenants in the process.

[Involvement Policy for the Housing Association Sector \(2004\)](#) – see below.

[Housing Key Lines of Enquiry – KLOEs \(2004\)](#) – see below.

Tenant participation compacts

In 1999 the government issued the National Framework for Tenant Participation Compacts, with the aim of encouraging tenants and councils to work together to improve housing services and tenant participation arrangements. The guidance required all councils to negotiate an agreement (compact) with their tenants, setting out the arrangements for tenant involvement based on 'core standards' contained within the Framework.

Interim evaluation of Compacts carried out in 2003 found that Compacts had raised

the profile of tenant participation in many authorities and there was evidence to show that, in many cases, they had created more equal partnerships between officers, members and tenants. Tenants' representatives felt that their hand had been 'strengthened' as a result of the introduction of compacts, although they, staff and members recognised that the vast majority of tenants had probably not heard of Compacts. However, overall, the evaluation did not show that Compacts had actively increased the involvement of tenants generally.

Although the Framework did not extend to tenants of housing associations, the Housing Corporation encouraged associations to use approaches contained within the Framework as good practice. Many housing associations have since developed their own compacts.

A revised National Framework for Tenant Participation Compacts was issued in March 2005.

Involvement policy

During 2002 and 2003 the Housing Corporation carried out a review of its guidance on resident involvement for housing associations. The outcome of the review – the Involvement Policy – came into effect on 1st April 2004. The Policy built on existing resident participation guidance - "Communities in Control" and "Making Consumers Count" – incorporating them into a single regulatory statement. The new policy contained a list of expectations, including the following requirements:

- Resident involvement to be at the heart of housing associations' corporate strategy, decision-making and ethos.
- Every housing association to draw up a resident involvement statement in partnership with residents.

- The policy to be disseminated throughout the organisation and not left on the Chief Executive's desk and that the Board be fully committed to it.

The Housing Corporation is currently producing guidance on how it will assess housing associations' compliance with the policy and is working to build 'involvement reviews' into its regulatory and inspection procedures.

Key Lines of Enquiry (KLOEs)

A list of "key lines of enquiry", produced by the Housing Inspectorate, that detail what will be covered in housing inspections and the standard expected of 'excellent' and 'fair' housing services. The resident involvement KLOE covers the following areas:

- Access, customer care and service user focus.
- Diversity.
- Tenant and leaseholder participation compacts.
- Resources for Resident involvement.
- The impact of resident involvement
- Value for money.

Copies of all KLOEs can be downloaded from the Audit Commission Website - www.audit-commission.gov.uk

Participation structures

A variety of formal and informal structures for tenant participation have been developed since the basic requirement to consult tenants was introduced over 20 years ago. Some of the most common structures adopted by landlords and tenants include:

Tenants' & Residents' Association – A group of people living in an area, block or

street who have come together to take up issues of common concern in relation to their housing, community and general environment. This is the most widespread way in which tenants come together to improve their area and participate in the management of their homes.

Tenants' Federation – An umbrella organisation of tenants' and residents' associations. Federations provide advice and information, support the establishment of new groups, campaign on behalf of tenants and are usually consulted on major policy issues.

Area/Estate Committee – A formal committee that may have delegated powers and control of estate budgets.

Forum/Panel – An advisory body which may make recommendations to the landlord.

Estate Agreement – An annual agreement negotiated between the landlord and tenants, outlining the standard of service provided on an estate.

Tenant Management Organisation – A tenant-body set up to take on the management of some or all housing services.

The above list is not exhaustive and finding the right participation structure for a particular area or within a housing service may involve adopting some or all of the structures outlined above. New techniques for involving tenants are constantly being developed and, when developing tenant participation, landlords and tenants need to consider the options best suited to their local circumstances.

The benefits of tenant participation

The experiences of tenants and landlords who have developed tenant participation have shown that it benefits the housing service in many ways, including:

- Improvements in the way housing services are managed and delivered.
- Greater tenant satisfaction, because tenants will have been able to have a say in the service they receive.
- Improving housing management, because staff, councillors or committee members will be better informed.
- Giving tenants more choice or more power over their own homes and the environment in which they live.
- Helping councillors or committee members to do their job of representing others by opening up additional ways of communicating.
- Creating community activities that take on issues beyond housing and involve different groups of people.

More recent research by the Audit Commission ([Housing - Improving Services Through Resident Involvement, 2004](#)) has shown that the benefits of tenant participation can be considerable. Clear benefits to the landlord include an improved performance, with better services and enhanced accountability. Clear benefits for tenants were shown to be improved local community involvement and enhanced individual capacity building, for example, increasing individuals' confidence and employability.

Further reading

Active Community: innovative consultation and participation methods for housing

1999, £14.95

London Housing Unit, Bedford House, 125-133 Camden High Street, London NW1 7JR, Tel: 020 7428 4925

Active tenants handbook: a guide for housing association tenants

2000, £5.00

Community Development Foundation, 60 Highbury Grove, London N5 2AG, Tel: 020 7226 5375

Encouraging participation: a toolkit for tenants and social landlords

2004, £35.00

Chartered Institute of Housing, Octavia House, Westwood Way, Coventry CV4 8JP, Tel: 024 7685 1700

Housing – improving services through resident involvement (national report and management handbook)

2004, £25.00 each

Audit Commission Publications, PO Box 99, Wetherby, LS23 7JA Tel: 0800 502030 – Also free to download from the Audit Commission website - www.audit-commission.gov.uk.

Involvement Policy for the Housing Association Sector

2004, Free

Housing Corporation, 149 Tottenham Court Road, London W19 0BN, Tel: 020 7393 2000 – Also free to download from the Housing Corporation website – www.housingcorp.gov.uk.

National Framework for Tenant Participation Compacts

2005, Free

Office of the Deputy Prime Minister, Housing Support Unit, Zone 2/A4, Eland House, Bressenden Place, London SW1E 5DU, Tel: 020 7890 3257 – Also available to download from the ODPM website – www.housing.odpm.gov.uk.

Opening the Window – Revealing the Hidden History of Tenants'

Organisations (1996, £7.00/£3.50 to TPAS members) TPAS, 5th Floor, Trafford House, Chester Road, Manchester M32 0RS, Tel: 0161 868 3535

TPAS Information Sheets – TPAS produces Information Sheets on all aspects of tenant participation. Contact the Information Service on 0161 868 3535 for a full list or visit the TPAS Website – www.tpas.org.uk.

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