

London Tenants Federation

11.09.07

LTF Response to Tenant Empowerment consultation paper

1. Introduction – information on the London Tenants Federation

- 1.1 The London Tenants Federation (LTF) is an umbrella organisation bringing together borough wide council tenant federations and organisations across London. The organisations that come under the LTF's umbrella represent collectively around 340,000 London local authority households. The London Leaseholders Network is an associate member of the LTF.
- 1.2 The LTF is an independent organisation; build on the basis of consensus. It respects the diversity of its membership; does not aim to supersede any of its member organisations but rather to strengthen them though sharing and exchanging information; responding collectively and individually to national and regional government consultation.
- 1.3 During its 5 years existence, with a small grant from London Councils which provides funding for a part time support worker, it has grown in strength and influence. It has representation at the regional level on the Mayors Housing Forum and two of its sub-groups. It was the only London tenants' organisation and one of only a few voluntary and community sector organisations to be invited to take part in the Examination in Public of the Early and Further Alterations to the London Plan.
- 1.4 The LTF has made positive links with other voluntary and community sector organisations in London and with other tenants' organisations, regionally, nationally and through its membership of Habitat International Coalition, internationally.
- 1.5 Through its representation at the regional level, it has campaigned for the involvement of housing association tenants in regional decision making. It played an active role in the Community Engagement Taskforce which came about as a result of a paper presented to the then Housing Forum for London and which oversaw the production of the Helen Cope report 'Consulting and engaging tenants, residents and hard to reach groups in the regional agenda'. This report, which sets out recommendations relating to the establishment of structures to facilitate representation of tenants of all tenures in the regional agenda, was agreed by the Mayor Housing Forum in January this year.
- 1.6 The LTF has made links with existing London and borough wide housing association tenants organisations in London.

- 1.7 The LTF operates in a democratic and accountable fashion built on formal local authority tenant structures.

2. General Comments on the Tenant Empowerment consultation and the Cave Review

In this section and in others of this response, the LTF has taken the opportunity to also comment on the Cave Review, as the tenant empowerment consultation paper in part, comes directly from the Review's recommendations and because it sets out government's general direction.

- 2.1 The LTF is concerned that the Cave Review equates tenant empowerment with consumer choice.
- 2.2 We are tenants and object to the constant reference to us as consumers. We strongly object to suggestions that our rights may be enshrined in consumer legislation and proposals that a national tenants' voice may be linked to the National Consumer Council.
- 2.3 The promotion of 'choice' and proper 'market' incentives, we feel demonstrates a complete misunderstanding of the needs and concerns of both council and housing association tenants in relation to their housing. This is evidenced by the fact that so few local authority tenants have any real desire to change landlords or management of their homes. And where this has occurred, it is often as a result of financial incentives being proffered rather than genuine choice.
- 2.4 Whilst a greater diversity of management structures may follow from tenant initiatives such as community land trusts, the LTF feels strongly that rather than 'greater competitiveness' in the social housing sector, what is actually required is a greater degree of democratic accountability to those who live in social housing and is concerned that a greater role for the market, will necessarily result in less democratic and accountable structures and the erosion of tenants' rights.
- 2.5 The LTF believes that governments' general focus on increasing home ownership has increased the levels stigmatisation of and prejudice directed at social housing tenants. Creaming off more who will have the potential to part buy will necessarily leave an increasingly economically deprived section of community living in social housing. This works contrary to the notion of creating stable and sustainable communities.

The LTF believes that housing is a right for all and not a commodity. Central to housing provision should remain the provision of a stable home base for family life and not become open season for those who see it as a source of profit or who would reduce it to mere collateral against which to increase personal debt.

Whilst home ownership is presented as a choice that a majority desire, the fact is that gaining access to low cost rented housing has become increasingly marginalised, so that those who are working have little option

but to buy or part buy; despite the economic difficulties this presents for them. Constantly rising house prices and high level of repossessions can only increase demands for low cost rented housing. We must have the Right to Rent.

- 2.6 The Tenant Empowerment consultation paper then misses a genuine opportunity to address some of these issues which impact directly on tenants' disempowerment; and instead focuses for the most part on just one element relating to tenant management and ownership of their homes which actually impacts only on a minority.
- 2.7 LTF members feel the reduction in democracy at the local level has also had detrimental impact on local authority tenant empowerment. Particularly of note is the council cabinet structure, where decisions are made in a more enclosed and exclusive environment with little opportunity for the community to be involved. Also of concern is the increase in the number of quangos or partnerships which have been developed. This has resulted in much reduced levels of democratic accountability and an increase in apathy amongst tenants.
- 2.8 Cave's proposal for a national tenants voice, dismisses the element most important to tenants, the necessity for a 'level of legitimacy' and established local and regional structures. It fails to address needs for tenants to have their voices heard and to influence, from the local to the national level. There are enormous gaps in the representation of tenants at every level from the local to the national and this must be addressed (over a period of time and with sufficient resources). We set out more detail on this in relation to London in section 4 of this response and also make short term and long term proposals for a 'national voice' in section 5.
- 2.9 The LTF notes with some concern that CAVE omits to mention groups of social housing tenants that may at times have separate issues from other tenants – such as leaseholders and shared owners.
- 2.10 **The LTF sets out specific proposals; highlighted in bold in sections 4 and 5 (namely sections 4.10, 4.11, 4.12, 5.3, 5.8, 5.9 and 5.10).**

3. Housing control – management and ownership

- 3.1 The LTF's view on management and ownership homes is that, where tenants choose, it is essential that they be involved throughout housing strategy, management and control of their homes.
- 3.2 However, the right to good quality management must be afforded to all tenants, regardless of their decisions relating to the management of their homes (something unfortunately not covered in this consultation). Reflecting this, funding must be the same
- 3.3 The LTF feel that resources should be available for capacity building, training and support at all levels in which tenants wish to be involved in

decisions about their homes (not exclusively for those wishing to manage them).

- 3.4 Regarding specific questions set out in the consultation paper around the right to manage, the LTF feels that there are problems in that the process of setting up a TMO, in that it can take up to 4 years to develop. However it feels that the second ballot should not be removed. Often residents don't actually begin to engage until after the first ballot.
- 3.5 Huge numbers of tenants are sceptical about the roles of section 16 agents. The issue about the agents is who they are working for – tenants or landlords. If the landlord selects the agent then it is incorrect to describe them as 'tenant's friends'. In most cases the agent sees the local authority as the client. And whilst they may be funded by central government, that funding is administered by local authorities.
- 3.6 Many tenants don't want to go down the TMO route because of the levels of responsibility involved. And whilst some TMOs are very effective, others are genuinely struggling to address issues other than management – because of the time effort and energy demanded of them in terms of management responsibilities.
- 3.7 The LTF feels that many tenants are though very interested in taking on management of community facilities and infrastructure (not always covered by housing). The LTF feels if this was covered by legislation, it would have much wider appeal to much larger numbers of tenants.
- 3.8 LTF members generally feel that rights afforded to local authority tenants should also be extended to housing association tenants.

4. Importance of Tenant Involvement and Empowerment and existing gaps in representation

- 4.1 Effective delivery of housing services is dependent on the involvement of tenants at all levels of decision making, including the monitoring and regulation of social housing services.
- 4.2 At the national level there are three independent tenant structures – TAROE, The National Federation of TMOs and the Confederation of Co-operative Housing. There are though quite large gaps in representation of tenants in some parts of the country within these three organisations.
- 4.3 At the regional level, since the publication of the government's 'Communities Plan' and the development of regional housing boards, there has been a demand for tenant representation at that regional level and government has supported the development of regional tenants' structures. Again though there are gaps (only 7 out of 9 regions so far have regional tenants' organisations), some are not resourced to represent tenants of all tenures and the majority are operating on inadequate resources.
- 4.4 The LTF is one such regional independent tenant structure, built on existing local authority / ALMO tenant structures, bringing together borough wide

council tenant federations and organisations. It was established prior to the development of regional housing boards. It has been in existence for 5 years with a small grant (for a part time support worker) from London Councils. There are though gaps in terms of its representation and the organisation is greatly under resourced.

- 4.5 Since gaining representation at the Housing Forum for London, (now the Mayors Housing Forum) the LTF has also argued for similar representation for RSL tenants, through the organic development of accountable RSL tenant structures. The presentation of an LTF paper to the Housing Forum for London in September '05 kick started debate and resulted in the establishment of the Community Engagement Taskforce, (now a sub group of the Mayors Housing Forum) – dealing with issues of community engagement in the regional housing agenda.
- 4.6 A report with specific recommendations enabling the representation of tenants of all tenures at the regional level was set out in the 'Helen Cope' report, which was agreed at the Mayor's Housing Forum in January this year. However it is difficult to see how RSL tenants will be properly engaged without resources to fund an organisation that may run alongside (with strong links to) the LTF. The most important thing about the report is that it supports the notion that structures must be developed in a bottom up and organic fashion.
- 4.7 Local authority / ALMO tenant structures in London are far more well-developed and sophisticated than those in the RSL sector – enabling engagement not exclusively on housing issues, but those of the wider community at the estate, neighbourhood and borough wide level. (This may be different in other regions where the majority of RSL stock is ex local authority and previous local authority tenant structure have been adopted by new landlords)
- 4.8 The majority of tenants and residents involved in formal local authority tenant structures are extremely suspicious of focus groups, shopping incentives, sounding boards and other gimmicks that undermine genuine accountable debate and participation in decision making. They find them patronising and unaccountable solutions to problems relating to tenant engagement. They fear that they are used to cherry pick those who will provide the desired responses. They are extremely worried about the increasing uses of such structures within the local authority sector.
- 4.9 There is a level of transparency relating to formal local authority tenant structures that simply does not exist within the RSL sector where informal consultation structures are the norm and few RSLs in London engage with their tenants in a meaningful way outside day to day management issues. Whilst the LTF is aware of the positive role that informal engagement may have, particularly in terms of bringing hard to reach groups into the formal structures, LTF members are keen to see its more formal and transparent structures retained in the local authority sector and extended into the RSL

sector. Clearly this would provide the levels of democracy and accountability that enables the 'levels of legitimacy' mentioned by Cave.

- 4.10 The rights of local authority tenants in terms of consultation and engagement (via tenants' compacts) should be reaffirmed by government. The LTF recommends that government should reissue guidelines to local authorities.**
- 4.11 The LTF proposes that the rights of local authority tenants noted in 4.10, should be equally afforded to RSL tenants and that these should be enshrined in law.**
- 4.12 The LTF proposes government consider applying a legal obligation on local authorities, RSLs and regional housing boards to fund effective tenant engagement not just at the local level but also at the regional level, through regional tenants' organisations.**
- 4.13 There is an anomaly in the current tenant empowerment funding for the establishment of regional tenants organisations in that the money is apparently directed specifically at local authority tenants. In London the LTF is keen to support the engagement of RSL tenants in regional decision making but is unable to access funding from central government to support this.
- 4.14 The regulatory system generally must be much more accountable to residents.

5. A National Tenants' Voice

- 5.1 A national tenants' voice must have the legitimacy of a structure that enables input from the local to the national level and must be based on a bottom up ethos. Whilst as Cave suggests this may take time and resources to establish, there are possibilities of building on existing tenants structures to provide a short term solution to this, one that could identify gaps (including issues of resources) and that could result long term in the most desirable option for all tenants.
- 5.2 We support the call from the Nat Fed of TMOs, TAROE and the Confederation of Co-operative Housing for a National Tenants Voice to be centred on the existing tenant organisations. However, we feel this should not be limited to the three national structures. As already detailed in this response this would leave some quite large gaps across parts of England (including London).
- 5.3 The LTF proposes adding to the 'voices' proposed by the three organisations (listed in 5.2) by including the regional tenants organisations.**

This proposal would immediately cover as great a representation as is currently possible and immediately involve much closer working amongst the existing organisations – building on good practice and working on a basis of consensus.

- 5.4 In terms of 'legitimacy', all would be aware of remaining gaps. However a short feasibility study could analyse this in more detail (one already exists for London) and a timetable could be established around filling these gaps.
- 5.5 The LTF believes that there is no one voice for tenants – the tenant movement is diverse and a strategy to bring existing voices together by consensus, with no intention for the collective to supersede any of the member parts, would be an effective way of representing the diverse views of tenants across the country. Government already recognises the huge differences between regions, which is why it set out its 'Communities Plan'; it provides funding for TAROE and for some of the regional tenants organisations. It is imperative then that it facilitate all those voices being heard under a 'national' umbrella and that it operate by consensus, with no intention of the collective to supersede the voice of its member parts.
- 5.6 The LTF has operated successfully in such a fashion as proposed for 5 years. If there is no consensus at meetings, we simply agree that individual borough wide organisations make their own responses. In fact we encourage both collective and individual responses.
- 5.7 The LTF has grown carefully from a very diverse and at times divided tenant movement in London. Its success has been by working on issues where all members agree and leaving areas of difference to individual organisations to respond to, or campaign on individually. The LTF has a non-hierarchical structure. Chairing of meetings is shared amongst its members. It has recently elected a secretary and treasurer whose roles are confined principally to fund raising activities. LTF delegates at the regional level are mandated through agreed LTF policies and debate at LTF meetings on specific issues.
- 5.8 The LTF proposes a pilot to bring the Nat Fed of TMOs, TAROE, the Confederation of Co-operative Housing and the existing regional organisations together under an umbrella structure similar to that of the LTF.**
- 5.9 We propose that the remit for this national voice (voices) be to**
- **Immediately identify gaps in representation and develop an action plan to address these gaps**
 - **Work together through consensus.**
 - **Act in the interests of the diverse range of tenants across the country and to be accountable to them**
 - **To encourage and facilitate tenants involvement in consultation and decision making from the local to the national local**
 - **To facilitate the empowerment of tenants through the organic development of bottom up structure**
 - **To respond collectively or as a patchwork of voices in consultation with government and others at the national level**
 - **To promote strong independent tenant voices for tenants**

- **To promote democratic and transparent accountability within the tenant movement**
 - **To have enforcement powers relating to tenants rights to consultation and involvement in decision making especially in relation to tenant compacts**
 - **To develop positive working relationships with other national voluntary and community sector organisations.**
- 5.10 The LTF proposes that as a potential first step, the tenants organisations (as set out in 5.9) be brought together to assist government in analysing the responses to this consultation. This would immediately provide close working among the existing tenants' organisations and give legitimacy to the structures that emerge.**

Yours sincerely

Michael Beverley
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London Tenants Federation