



Office of the
Deputy Prime Minister

Creating sustainable communities

National
Framework for
Tenant
Participation
Compacts

housing



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Deputy Prime Minister

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National Framework for Tenant Participation Compacts

March 2005

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Foreword

Since the National Framework for Tenant Participation Compacts was published in 1999 council tenants and landlords have made a lot of progress. Compacts have raised the profile of tenant participation in many areas and helped to strengthen and improve relationships between tenants, officers and members. There is, however, still more that needs to be done if tenants' views are to influence decisions affecting their homes and communities.



In 2002 the ODPM commissioned an interim evaluation of tenant participation compacts to inform a review of the National Framework guidance. We are grateful to all those who took part in this project and in the series of tenant consultation events that followed this up. The revised National Framework in this document reflects the findings of the evaluation and subsequent consultation exercise.

Where compacts are working well they are living documents that place tenants at the heart of decision making and service delivery. However this is not happening everywhere. The revised framework therefore provides the opportunity for councils and tenants to review and improve their compact, and to incorporate updated guidance, for example, on how to deal with disputes and disagreements.

The review of the compact is also an opportunity to try and do things differently and to make sure that the compact fully meets the needs of current and future tenants. There is clear evidence that good quality tenant involvement delivers better, more effective and efficient services. At the estate and neighbourhood levels, local approaches to housing management in which tenants play a key role can help to sustain local communities and turn around deprived neighbourhoods. It is therefore crucial that tenants are at the heart of decisions about investment in their homes and drive improvements in the way their homes are managed.

If landlord services are to meet the needs of all tenants, as service users, tenant involvement must also go wider so that everyone has an opportunity to influence how their homes and estates are managed.

For tenants to be at the heart of service improvements, landlords must be fully committed to the principles of the compact at the corporate level. This will ensure that tenant involvement is properly integrated and resourced and the values of the compact are embedded throughout the organisation. Tenant involvement should be part of mainstream housing services, not a bolt-on, and responding to tenants' views should run through all landlord activities as part of the organisation's culture and the way it delivers those services.

The interim evaluation showed the need for strengthened external monitoring and assessment of compacts if they are to be taken seriously by all concerned. That is why I welcome the inclusion of Key Lines of Enquiry (KLOEs) on resident involvement in the Audit Commission's new inspection arrangements. The KLOEs will be used to guide the corporate assessment of social landlords from April 2005. These make it clear that

effective resident involvement is central to the inspection process, supported by well-established, effective and comprehensive compacts.

The revised National Framework encourages tenants and landlords to learn from the extensive good practice that is now available. It also reinforces the message that effective tenant involvement brings real benefits – to tenants, councils and local communities – and will bring about lasting changes in the relationship between council landlords and tenants.

A handwritten signature in black ink, appearing to read "Keith Hill". The signature is fluid and cursive, with a large initial "K" and "H".

Keith Hill, Minister for Housing

SECTION 1

Introduction

The revised national framework for tenant participation compacts (Compacts) provides a toolkit to help councils and tenants agree and implement effective arrangements for tenant involvement in their area. It updates the original national framework published in 1999.

Lord Falconer announced a review of the national framework in 2002. Aldbourne Associates and IRIS Consulting were subsequently commissioned to undertake an interim evaluation of compacts including an assessment of the use made of the national framework by local authorities. The research report and ODPM housing research summary were published at the end of October 2003. The Housing Research Summary number 200, 2003 and the full research report are available on the ODPM website.

Following the launch of the research ODPM commissioned TPAS to disseminate the findings at a series of regional tenant seminars and to conduct a tenant consultation exercise to inform the review of the National Framework.

The results of these exercises showed that, while the original national framework was a useful practical tool and policy statement, there was a need to update the contents and to provide supplementary guidance on a range of issues, such as how to use compacts to involve everyone.

The revised National Framework includes the supplementary guidance published by ODPM on using compacts to resolve disputes between council landlords and tenants and to meet the Decent Homes standard.

Any enquiries about this framework should be addressed to:

Tenant Services Branch
Office of the Deputy Prime Minister
Zone 1/H6
Eland House
Bressenden Place
London SW1E 5DU
Telephone: 0207 944 3488
Fax: 0207 944 3489

SECTION 2

Tenant Participation Compacts – tools for effective involvement

This section describes the aims and objectives of compacts, their relationship to delivering better services under best value and investment in decent homes, how compacts can be used to involve everyone and what they mean for tenants, council officers and elected members.

Aims and objectives of Compacts

Compacts are agreements between council landlords and tenants setting out how tenants will be involved in decisions affecting their homes and communities. Their aim is to help councils and tenants to develop a shared vision for their area, planning what they want to see changed or improved and agreeing how it will be done.

Compacts are part of the Government's agenda to improve local services, build civil renewal and strengthen and sustain local communities. They help tenants to decide how they wish to be involved in influencing and shaping the decisions taken by their council on housing issues in a way that meets their needs and priorities.

Compacts need to focus on what can be achieved with wider tenant involvement:

- improvement in services;
- the ability to make better quality investment decisions;
- widening participation to include 'hard to reach' groups;
- development of inclusive and sustainable communities.

Section 4 of this framework sets out the core standards that will be incorporated in Compacts. These detail the housing services on which Compacts will be based and should also ensure that:

- tenants have the corporate level support and information they need to participate effectively, including access to training, facilities and advice;
- tenants have the opportunity and encouragement to become involved, so that their views feed into local decisions;
- recognised tenants' groups are democratic and accountable and participate effectively as healthy, active organisations;

- performance on compacts is monitored and reviewed on a consistent and regular basis. The emphasis should be on outcomes rather than process.

What Compacts look like

Whilst ODPM does not wish to prescribe a model document, research shows that guidance is needed on what documents could make up the 'Compact package'. ODPM suggests therefore, that the Compact package could contain the following three separate documents:

- **The formal agreement** signed by the relevant parties. This would normally only be revised periodically following a cyclical review (at least every three years – see Section 5). It would set out the length of time the agreement would be in place and include: details of financial commitments devolved budgets and other resources (such as training), core standards and arrangements for dispute resolution. This would be made available on request.
- **An action plan** containing the targets and activities for a specified period. This is a working document that would be regularly reviewed and updated by tenants' representatives, officers and members, and underpin monitoring and evaluation arrangements.
- **A summary** that could be distributed to tenants in their welcome packs and handbooks. This summary could also promote and invite tenants to get involved, and provide straightforward information on involvement opportunities as well as contact details for local groups.

In addition the Compact package could include other promotional material such as posters, fact sheets, handouts, and information on websites to help ensure that tenant involvement is actively promoted.

Who is involved in Compacts?

Compacts are made between council landlords and council tenants and focus on housing services and improvements to tenants' homes. Tenants include secure tenants and council leaseholders and also cover tenants with introductory tenancies, tenants living in sheltered or supported housing, or tenants living in temporary housing. Tenants can still negotiate compacts even where housing services are being provided for the council by a private contractor.

Compacts and housing

Good quality tenant involvement is integral to improving housing services and delivering decent homes.

Tenants must be at the heart of decisions about their services and the future of their homes. If services are to improve, they must reflect tenants' needs and priorities and tenants' views should influence and shape the planning and delivery of those services.

The latest research by Aldbourne Associates/IRIS Consulting in their *Interim Evaluation of Tenant Participation Compacts* (ODPM, October 2003) shows that better-performing councils embed tenant involvement, based on the agreed Compact, throughout their organisation. Such organisations focus on delivering outcomes, linking tenant involvement activity to improved service delivery, while avoiding the tendency to get too weighed down with process. It is important to guard against the problem of making the process of implementing and reviewing compacts into an ‘industry’ in itself.

Compacts and Best Value

Compacts were introduced as part of Best Value in housing. Detailed guidance on how Best Value applies to housing services was published in the *Best Value in Housing (BVH) Framework*, ODPM January 2000, subsequently updated and replaced by the *Best Value in Housing and Homelessness Framework (BVHH)* (ODPM, October 2003).

Council housing management performance and service improvements have been stimulated by Best Value reviews and inspections. The housing inspection process emphasises the importance and value of tenant-focused services in delivering more effective, efficient services and, in assessing housing services, inspections look at Compacts and how well tenants’ views, as service users, have influenced these.

The ODPM commissioned Housing Quality Network Services, in association with the Northern Housing Consortium, to undertake a study of the factors that lead housing authorities to improve and sustain their services to tenants and residents. The results of this study will be published in summer 2005 in a report – *Best Value in Housing: What makes Local Authorities Improve and sustain their performance?*

In order to help tenants and councils to improve performance and involvement, the ODPM is publishing guidance in the form of self-assessment toolkits for councils and residents – *Toolkit for Tenants: Tenant Starguide* and *Toolkit for Social Landlords: Climbing to the Stars* – to accompany the research report and summary. The toolkits have been endorsed by the Housing Corporation and so may also be useful to tenants and landlords in the housing association sector.

Compacts and Tenant Management

In many parts of the country, tenants have taken the opportunity to take over the management of their homes and estates by setting up a Tenant Management Organisation (TMO) under the statutory Right to Manage. These tenant-controlled organisations provide a range of management and maintenance services to tenants. The council still owns the homes and the TMO becomes a partner with the council in providing services to the local community.

Research by Oxford Brookes University, set out in *Tenants Managing – Evaluation of Tenant Management Organisations in England* (ODPM 2002) shows that most TMOs provide an effective housing management service and deliver wider community benefits which can also enhance the effectiveness of the council’s own business. How well TMOs manage tenants’ homes also feeds into the council’s own Best Value review and the inspection process. Good practice guidance, (*Best Value: How to make it work for Tenant Management Organisations*) published by the National Federation of

TMOs, aims to help TMOs further improve services to tenants and to work on Best Value in ways which best meet tenants' needs.

It is important that councils' arrangements for developing, monitoring and sustaining TMOs are properly resourced and these arrangements are reflected in the Compact. Where tenants are involved in a TMO, Councils and TMOs should consider how best to ensure that TMO views feed into the review of the Compact. Practical suggestions include:

- ensuring that any Compact Review group includes a TMO committee member;
- ensuring that the support the council can provide for developing TMOs and existing TMOs is considered when agreeing the longer term of borough wide compacts. Support should include funding and staff support;
- where there are local or neighbourhood compacts, these may cover areas managed by TMOs. Where this is the case, the TMO committee should be consulted at an early stage as well as the tenants who are not directly involved in the TMO committee but who live in homes managed by the TMO.
- groups set up to monitor borough-wide or local compacts should include tenants of TMOs, where appropriate.

It is also important that TMOs continue to focus on and be responsive to the needs of tenants in the homes they manage. The management agreement between the TMO and the council will set out any agreed arrangements for statutory and non-statutory tenant consultation by the TMO on behalf of the council. But TMOs may also want to consider developing a compact with tenants for the homes they manage. Guidance on how TMOs can communicate with, consult and involve tenants, including compacts, is available from the National Federation of Tenant Management Organisations.

Compacts and decent homes

The Government has set a target to ensure that all social housing will meet the decent homes standard by 2010. Councils have four options to bring their housing up to the decent homes standard:

- keep homes in council ownership and use existing levels of resources to bring housing up to the decent homes standard;
- housing transfer – the management and ownership of council homes transfers to a housing association;
- setting up an Arms Length Management Organisation (ALMO). ALMOs are companies set up to deliver housing management services and decent homes improvements. The council still owns the homes and tenants remain secure tenants with their rights and status unchanged.
- Private Finance Initiative (PFI) is a way in which central government can provide financial support for partnerships between the public and private sectors. The council enters into a PFI agreement with a contractor to refurbish council homes, and provide housing management services.

ODPM guidance *Delivering Decent Homes – Options Appraisals: Guidance for Local Authorities* (ODPM June 2003) put tenants firmly at the heart of the appraisal of housing investment options. Councils and their tenants have to agree strategies for tenant empowerment and communications. During the Option Appraisal process councils must demonstrate an inclusive approach that delivers empowerment and high quality training to tenants, gives tenants access to independent advice and takes place at a pace that is consistent with meaningful tenant involvement.

ODPM believes that involving tenants at the start and throughout the process, based on the principles set out in Compacts, has helped to deliver more sustainable and higher quality investment decisions. ODPM guidance on the housing transfer, ALMO and PFI options, included in the *Empowering Communities – Tenants Guide* package (ODPM November 2003), makes it clear that tenants should be involved and empowered through the detailed development and implementation of the chosen investment option.

A TPAS briefing note on Compacts and the Decent Homes standard is at **Appendix I**.

Compacts and housing transfer

Strong, effective tenant involvement is crucial to the housing transfer process. Councils are expected to build on the arrangements agreed in Compacts to strengthen tenant involvement in the process and in developing the transfer proposal.

Councils are also expected to ensure that there is effective tenant involvement at all levels of the new organisation, with greater opportunities for tenant involvement than those the council already has in place.

After transfer the new landlord will be expected to comply with the Housing Corporation's regulatory code and guidance *The Way Forward, Our Approach to Regulation* (Housing Corporation, January 2002) and the Corporation's Resident Involvement policy for the housing association sector *Involvement Policy for the Housing Association Sector* (Housing Corporation, 2004). This sets out how residents are to be involved in individual housing associations. All housing associations should be able to show how tenants are involved and have influenced their business and housing services. Housing associations are expected to respond to residents and make sure all residents have the opportunity to get involved in their association's work, at all levels, if they want.

Compacts and Arms Length Management Organisations (ALMOs)

Councils proposing to set up an ALMO will already have a compact in place and arrangements for involving tenants in developing the new body will be based on the arrangements agreed in the Compact.

The management agreement with the Council signed by the ALMO Board should set out clearly responsibilities under the Compact and include monitoring arrangements. Although the Compact still operates between tenants and the council as landlord, the ALMO, as a provider of housing services to tenants on behalf of the Council, should

operate the principles and arrangements agreed in the Compact in its relationships and dealings with tenants.

The precise nature of the relationship between the council and the ALMO will vary depending on local circumstances and in some cases the ALMO may take over direct responsibility for the Compact. However, even if an ALMO does take on this responsibility, we would expect arrangements to be broadly in line with those that would be in place for any other social housing provider or manager.

Tenant representatives may become ALMO board members and, where this happens, there needs to be clarity about the two distinctly different roles for the tenants involved and arrangements should be set up to ensure there is no conflict of interest, perhaps through a conflict of interest protocol.

Compacts and the Housing Private Finance Initiative (PFI)

Under the arrangements in their Compact, councils will provide the information, training and other support which tenants need to play an effective part in the process of developing a PFI proposal. ODPM guidance in *Housing Private Finance – A Tenant’s Guide* (ODPM November 2003 – to be updated) makes it clear that tenants should have opportunities to be involved in:

- consultation on the type of scheme proposed;
- identifying and commenting on proposed service standards and outputs;
- drawing up the specification;
- shortlisting contractors;
- evaluating final bids from different contractors;
- helping to select the contractor; and
- evaluating and monitoring the contractor’s performance.

It is also important for tenants and the contractors to have a good working relationship so that the contractor can respond to and work with the tenants’ needs and aspirations for their homes. These arrangements should be reflected in the Compact and monitored through the agreement with the contractor.

Housing Association tenants

The Housing Corporation’s Involvement Policy for the housing association sector sets out its expectation that all associations should have resident involvement at the heart of everything they do. Associations are expected to show how their services have been commented on and influenced by residents, and that responding to residents’ views runs through all of their activities as part of their culture and the way they deliver services.

It is for associations, working with residents, to decide the best ways of involving them depending on their circumstances. They will need to prepare a clear statement which sets out the aims and objectives for involving tenants in improving services and how this will influence outcomes. Housing associations must work with residents to develop, produce and agree this statement. The association must review this every year, using an impact assessment which shows what difference has been made.

The Housing Corporation's Residents Charter, *A Charter for Housing Association Applicants and Residents*, sets out the rights and responsibilities of residents and what they should expect from their landlord.

Please see **Appendix D** for Housing Corporation Guidance.

Liveability and the wider neighbourhood

In reviewing their Compact, councils and tenants might use this as an opportunity to look at 'liveability' issues relating to the design, management and maintenance of their communal spaces. High quality public space and green spaces make a critical contribution to cleaner, safer and greener communities, and to people's quality of life. Well-designed and well-maintained communal spaces help to create a sense of space, improve the local environment and provide networks for people to move in and around their community.

These issues are relevant not only to tenants but also to the wider community living on an estate. We recognise that many estates now have a mix of council tenants, leaseholders, other social housing renters and leaseholders, private renters and owner occupiers. All are key stakeholders in decisions involving the estate. Although Compacts build on the council landlord/tenant relationship and focus on housing it makes sense to involve other stakeholders where wider estate issues, such as liveability, are involved or where stakeholders agree a common approach to housing issues across the tenures. In this situation, the Compact should be negotiated on a voluntary basis with the agreement of tenants and stakeholders.

Compacts and involving everyone

Councils must have arrangements in place to consult and involve tenants who are not involved in formally recognised groups and make a special effort to reach those tenants who do not normally get involved. This means making an assessment of the barriers to involvement and planning action to overcome those barriers.

Councils and tenants should be prepared and willing to explore new ways of gleaning/getting the views of all tenants, over and beyond the tried and tested types of involvement, to ensure that all tenants have the chance to express their views and influence the planning and delivery of their housing services.

Tenants' groups with a role in decision-making must be able to show that they are democratically elected and accountable to their communities, with open membership, clear opportunities for involvement, and that all tenants are actively encouraged to participate.

Where existing structures and processes are not working effectively or meeting the needs of the wider tenant community, action needs to be agreed by councils and tenants and taken forward to address identified problems. This review should not be seen as an opportunity to replace formal structures which are working well but the chance to build on what works, by encouraging and developing a wider range of innovative, less formal approaches to encourage more people to take part.

Good quality housing management services, focussed on tenants' needs and priorities, are fundamental to promoting and supporting socially inclusive and cohesive communities.

In order to ensure that all tenants have fair and equal access to involvement opportunities, councils and tenants first need to develop a good understanding of the profile of the tenants in their community:

- are there more elderly tenants or are they mainly younger people?
- are tenants living in dispersed rural locations or living together in close proximity in an urban area?
- are tenants living in sheltered housing schemes?
- what about those tenants whose first language is not English?

Some councils carry out ethnic profiling of tenants and are therefore better placed to tailor their services and involvement opportunities to meet the needs of tenants in their area, particularly those from Black and Minority Ethnic communities.

Once councils and tenants have sufficient information about the tenant profile in their area, they will need to consider what the potential barriers, or major existing barriers, to involvement in their area are. This will help them to agree how best to overcome barriers to involvement to meet the particular needs of tenants locally. The Centre for Research and Study at the University of Birmingham, undertook research into barriers to involvement and their findings are set out in *Empowering communities, improving housing: Involving black and minority ethnic tenants and communities* (ODPM 2004).

As well as improving and strengthening existing mechanisms, councils and tenants are strongly encouraged to consider adopting more innovative and informal approaches such as:

- holding telephone conferences;
- setting up special interest groups;
- running focus groups;
- working with existing support groups that might be willing to act as 'honest brokers' even if their primary focus is not housing;
- organising special seminars or meetings;
- encouraging involvement through fun days or special events such as those aimed at children and young people;

- asking existing tenants to encourage and support new tenants and consider setting up 'buddy schemes';
- arranging sports projects and tournaments can help bring people together, especially younger people;
- using new technology, such as video diaries and mobile telephones;
- running meetings for young people in locations that they are comfortable with, such as the local fast food restaurant, and offering incentives such as free meals; and
- use of rural tenant representatives.

Tenants have the right not to become involved if they do not wish to. If tenants do want to become involved, this does not necessarily mean that they need to devote a huge amount of time as there are many levels of involvement.

Councils need to show that they have taken action positively to promote, encourage and support participation and have genuinely given all tenants a full opportunity to become involved. This means providing information and promoting opportunities for tenant involvement in ways which help tenants to decide whether and how they might be involved, and making sure tenants are fully aware of the benefits of getting more involved.

Involving young people

Engaging young people in their communities is an important Government priority. The views of children and young people should, therefore be taken into account when councils make decisions that affect them. Councils and tenants should establish specific arrangements to promote and support the effective involvement of young people and set these out in their locally agreed compacts.

The core principles for involving children and young people in the ODPM's policy development and delivery on the ground are set out in *Learning to Listen: Action plan for children and young people* (ODPM July 2003). This includes good practice examples on how local authorities have engaged young people in housing issues.

Roles and responsibilities

Beyond the core standards in Section 4 of this guidance, councils will want to make sure there is a shared understanding by all parties of the importance and value of tenant involvement in delivering better services, greater accountability and stronger communities, and clarity about the respective roles and relationships of council staff, tenants and members in delivering those outcomes through the arrangements agreed in Compacts.

One option is to draw up a code of practice to ensure that council staff, particularly those responsible for housing management services, have a clear role and necessary support and mechanisms to carry out their responsibilities effectively. There also needs to be a clear relationship between the tenant participation process and the council's

own decision-making organisation and structure. Councils might like to use the checklist at **Appendix A** as an example of good practice.

TENANTS:

It is ultimately for tenants to determine their role and the level of involvement they want. Tenants should, however, have the chance to be involved in:

- all stages of the decision-making process, including setting the policy agenda; and
- arrangements for reviewing and reporting on Compacts, including mechanisms for dealing with disputes arising from the council's performance.

OFFICERS:

Council officers need to have good working relationships with tenants and to build customer focus into their work. They must be able to respond actively and constructively to tenants' needs and hopes if they are to plan and deliver better services. They may need to review existing working methods and consider whether these need to change and be more flexible to meet tenants' needs. For example, they might make themselves available outside normal office hours or arrange meetings in locations which are more accessible to tenants.

MEMBERS:

In most cases the council executive retains ultimate responsibility for strategic and policy decision-making, including the council's compliance with statutory requirements.

However, non executive members can ensure that tenants' views are fed into the decision-making process by lobbying the executive or individual executive members. They are also able to feed in comments and hold the executive to account.

All members have an important role to play in representing the views of tenants. They must work closely with tenants and officers to deliver the changes that Compacts aim to bring about.

Further advice on council decision making processes can be obtained from ODPM:

Tel 0207 944 2951
or E mail: lgsp@odpm.gov.uk

ODPM Section 16 tenant empowerment grants

The Government continues to promote and support more effective tenant participation in housing management under the section 16 Tenant Empowerment Programme. Details are in **Appendix B**. This enables tenants to have access to independent information and advice on their options for getting more involved in the management of their homes and specifically to help tenants to set up a TMO under the Right to Manage. It also helps tenants to develop their skills, knowledge and confidence to take part effectively, through a range of training and capacity-building programmes and projects.

SECTION 3

Implementing compacts – making them work

Taking a strategic view on tenant participation

Compacts should be developed as part of a clear, comprehensive longer term strategy for developing and improving tenant participation in the local area. Councils and tenants need to develop a strategy, if they do not already have one, or review their existing strategy. This should set out what they want from their Compact, review current policies and structures, and identify action for change in order to meet their goals. The strategy should help to inform the review of the Compact and reflect the following underlying principles:

- tenant participation is fundamental to the development and well-being of a democratic, socially inclusive society and must be valued and properly supported;
- supporting and sustaining local communities is an essential part of enabling them to contribute to developing the social, economic and environmental well-being of their area.

The key elements of the Tenant Participation Strategy should feed into the council's wider Housing Strategy.

Compacts and race equality

The Race Relations (Amendment) Act 2000 introduced a new general duty on councils to promote race equality from April 2001. In carrying out their functions, councils, and a wide range of public authorities, are required to have regard to the need to eliminate racial discrimination and to promote equality of opportunity and good race relations.

Councils must publish a Race Equality Scheme (RES) and carry out ethnic monitoring in employment. Their schemes must:

- identify those functions and policies that are relevant to their general duty;
- set out how they will assess and consult on new policies for any adverse impact they may have on race equality;
- monitor existing policies and services;
- ensure access to information and services;

- publish reports on assessments and monitoring; and,
- train staff in implementing the duties.

Councils were required to publish a RES by 31 May 2002 and review their relevant functions at least every three years. ODPM and the Commission for Racial Equality would expect tenant participation to be relevant to the council's race equality duty. It should therefore be included in the RES and in the action plan for implementing the scheme. The principles of this new duty should underlie the development and review of Compacts.

As part of the Compact review, councils may decide to develop a separate race equality strategy, negotiated with tenants. This strategy should aim actively to recruit tenants from ethnic minority and other groups where they are underrepresented. To help with this, councils and tenants should review existing arrangements to see whether all groups are involved, including ethnic minority tenants, people with disabilities, tenants whose first language is not English etc.

Strategies could:

- set equality objectives (including race equality objectives) and standards for consultation etc.
- monitor levels of involvement and representation by all groups, to ensure that no group is significantly underrepresented;
- develop facilities and procedures to make sure that all tenant groups are encouraged, able to participate, and are inclusive;
- develop training options for tenants, staff and others to raise awareness of equal opportunity issues in housing, including policies on race equality and racial harassment.

Council-wide, local or Special Interest Compacts

Whilst all councils have now developed borough wide compacts only a minority have developed local, neighbourhood or special interest compacts.

Where tenants and councils want to focus on what happens at a neighbourhood level it may be relevant to develop a Compact that reflects this need. Where there are issues that are relevant at a more local level, tenants and councils may want to develop local Compacts.

Councils and tenants may also want to consider whether Special Interest Compacts would be a practical way of meeting the needs of specific groups such as:

- young tenants;
- elderly tenants;
- tenants in supported housing;

- tenants in sheltered housing; or
- Black and Minority Ethnic (BME) tenants.

Resources and support for tenant participation

The **standards for resources for tenant participation** in section 4 of this document aim to ensure that tenants have the support they need to set up new structures and sustain existing ones so that they can participate effectively.

Often a small amount of funding for tenants' groups can make all the difference. Tenants may also need access to independent advice.

Tenants and councils should negotiate and agree an annual budget to support tenant participation. It should be based on a realistic assessment of available resources, likely costs and longer-term efficiency savings and benefits.

The Audit Commission's report *Housing – Improving services through resident involvement* concluded that, overall, tenant participation does make a difference and can benefit the whole community. It is also clear that approaches aimed at improvements in services most readily translate into good value for money.

Councils and tenants need to have a good understanding of the costs (e.g. volunteer and staff time, support for groups, surveys, newsletters etc.) and benefits (e.g. better services, better social networks, better-informed decisions, community capacity-building) when weighing up different types of involvement activity. This will help to identify what resources are needed to support tenant involvement in meeting the agreed aims of the compact.

Traditionally, housing budgets have funded tenant participation initiatives. However, where tenants are being consulted on issues beyond housing, it is important that councils consider whether this is a housing-related matter and for the benefit of tenants, and therefore should be funded by the housing budget. If it involves non-housing issues, other council budgets may be more appropriate.

Councils should also take a corporate view and consider whether to set aside a corporate budget to support participation where this involves cross-cutting issues and the wider community. This is increasingly important as councils develop their wider consultation and participation initiatives in relation to best value and community planning, which cut across the traditional council departmental roles.

Training

Councils should agree a programme of training with tenants that will give them the necessary knowledge and expertise to participate fully. Councils will also need to provide the right training for staff, including senior staff and elected members. Joint training can bring together different perspectives of tenants, staff and members and help develop mutual understanding and trust. A checklist of questions at **Appendix C** may help councils and tenants to identify local training needs.

Implementing tenant participation

The **standards for meetings and information** in section 4 try to make sure that there is effective communication and feedback between councils and tenants and, where appropriate, between tenants' groups and the wider tenant community.

Where tenants want to set up groups with a role in the decision-making process, they and the council should discuss together how they will implement the **standards for tenants' groups**. However councils should be sensitive to the needs of tenants. For example, the arrangements in the compact shouldn't stifle the development of more informal tenants' groups set up for mainly social reasons. Nor should they prevent development of alternative types of involvement where tenants have decided that they don't want to set up or join a formally-recognised group.

Practical ways in which councils can encourage individual tenants to participate include:

- promptly reimbursing tenants' reasonable travel and care costs, and out of pocket expenses incurred in attending meetings etc;
- allowing for the extra cost of travel in rural areas or looking for alternative ways of reaching tenants in those areas;
- holding prize draws to encourage responses to surveys or questionnaires; and,
- where tenant representatives help to carry out council door to door surveys etc, reimbursing them through a small payment to their organisation.

Implementing Compacts

Councils and tenants may find it helpful to use the following checklist when implementing Compacts:

1. *Know your community*
2. *Be clear about what you want to achieve*
3. *Find a solution that meets your needs*
4. *Agree arrangements in compacts*
5. *Get the message across*
6. *Training*
7. *Monitor progress on action agreed in compacts*
8. *Review and update compacts in the light of changing circumstances*

Good practice sources

To help stimulate new ways of involving tenants' councils and tenants may want to consider existing good practice.

Good practice references are in **Appendix D**. Recent publications which councils and tenants may find particularly useful include:

Interim Evaluation of Tenant Participation Compacts

Aldbourne Associates and IRIS Consulting assess the use made by councils of the National Framework and the impact of Compacts. The full research report *Interim Evaluation of Tenant Participation Compacts* (ODPM October 2003) includes recommendations for taking forward policy on Compacts and suggested areas for further or updated guidance. The full research report sets out examples of good practice taken from the research case studies.

Costs and benefits of resident involvement

The Audit Commission together with the Housing Corporation have published research on the benefits and financial implications of residents' involvement. *Housing: Improving services through resident involvement* (Audit Commission 2004) concludes that involving residents to improve services does work and can provide value for money. It provides good practice examples of the benefits of resident involvement. Although these examples are in the housing association sector they are also useful to council landlords and tenants.

Involving Black and Minority Ethnic Tenants and Communities

The Centre for Urban and Regional Studies at the University of Birmingham has produced a good practice guide, funded by the ODPM, on the involvement of BME tenants. *Empowering communities, improving housing: involving black and minority ethnic tenants and communities* provides essential good practice on tenant consultation on stock investment programmes. While the focus is on BME groups many examples and themes in the report will apply to involving any "hard to reach" group.

Innovation in resident involvement

The Chartered Institute of Housing have published a good practice briefing, *Innovation in Resident Involvement*, which disseminates information on projects funded by the Innovation into Action grant programme (see Appendix B). The briefing introduces the IiA programme, highlights case studies and disseminates lessons learned in developing the projects. The briefing also reviews the links between tenant involvement and the wider policy context, and other sources of funding available.

Quality checked Tenant Participation Compacts

ODPM is working with TPAS to establish a bank of quality checked Compacts. The compacts will be made available through the TPAS website and information service.

A list of organisations and useful contacts is at **Appendix E**.

SECTION 4

Core standards

This section contains the core standards on which council-wide and local neighbourhood/tenant Participation Compacts are to be agreed between council landlords and tenants. The core standards will ensure that all council tenants have the same opportunities to be involved in decision-making.

Not all of the standards may be applicable to every borough wide or Compact. However, councils should aim to include them wherever possible and where tenants want them. Councils and tenants should negotiate compacts so that levels of involvement are graduated. The roles and responsibilities of tenants and councils in relation to each level should be clearly defined and understood by all tenants and the wider community.

Housing services

These are the housing services which will form the basis for negotiating Compacts. The Government believes that this is the foundation needed to ensure sustainable tenant involvement. The Government expects tenant participation to extend beyond the housing agenda in this core standard to include wider community issues. Tenants and local councils may therefore wish to add to these standards during their local negotiations, or later as the benefits of tenant participation become clear and new roles are settled. Tenants will ultimately decide how they should be involved across the range of housing services. The underlying principle is that there is a spectrum of involvement. Tenants' input will reflect the level of participation that they have chosen.

- Developing the council's housing policy and strategy.
- Drawing up and appraising options for housing investment and improvements.
- Developing and taking forward the chosen option for investment.
- Drawing up the council's capital and renovation programmes.
- Developing and implementing regeneration and improvement programmes.
- Budgets, finance, rent-setting.
- Allocation and lettings policies, including choice-based lettings.
- Anti-social behaviour policies and procedures.
- Management of housing services.

- Policies and procedures for repairs, maintenance, rent collection and rent arrears, voids.
- Tenancy management and sustainability issues, tenancy agreements and conditions.
- Housing benefits and debt advice, debt recovery procedures.
- Leaseholder issues and charges.
- Sheltered housing services.
- Council service and performance strategies; and arrangements for monitoring and reviewing council performance, addressing shortcomings and remedial action.
- Setting, monitoring and reviewing services, performance standards and targets for housing management and neighbourhood services.
- Proposed remedial action if performance on services falls short.
- Proposals to contract housing services to other providers including through partnering contracts.
- Neighbourhood issues which affect tenants' homes or the management of the housing service.
- Equality policies, including race equality policies and policies on racial harassment.
- Customer care.
- Environmental works.
- Arrangements for providing information, for tenant consultation and involvement, including handling complaints and remedial action.

Standards for resources for tenant participation

These standards try to make sure that tenants have the support they need to set up new structures or arrangements for involvement and to sustain existing ones.

Support should include:

- reasonable financial help e.g., start-up grant, annual grant, estate budgets;
- facilities e.g., access to premises and equipment, stationery, photocopying, help in distributing newsletters;
- advice, including independent advice, community development support, support for local tenant networks;
- tailored training to meet the needs of tenants' representatives or tenants' groups, including possible joint training with council staff and members, where

appropriate. Training should also cover equal opportunity issues, including policies on race equality and racial harassment; and

- innovative approaches to encourage new tenants to get involved, so that structures remain representative and sustainable.

The council should provide tenants with full information on:

- what resources, including staff time, are available to implement its policies for tenant involvement;
- which council officers are responsible for delivering specific goals in the strategy;
- what resources are available to support training and capacity-building amongst tenants' representatives and tenants' groups, and to sustain established tenant participation structures; and
- anything else tenants ask for, so long as it is available and its disclosure does not breach confidentiality.

Standards for meetings

These standards try to make sure that there is effective communication and feedback in meetings between the council and tenants on issues covered by Compacts. This is so that tenants can participate fully and contribute to the decision-making process. The standards should also apply to meetings of tenants' groups with a formal role in decision-making. They may also apply where recognised tenants' groups funded by the council communicate with their communities and feed back tenants' views to the council.

Meetings are only one way in which councils and tenants can interact with each other in the decision-making process. Tenants should decide with their council whether meetings are the best way for them to be involved in decision-making.

To be effective, meetings should have:

- clear objectives and a mandate;
- a clear action plan to deal with matters arising;
- arrangements for reporting back the outcome, including feedback, to those who took part.

Meetings should be:

- publicised effectively and in good time;
- held at suitable times and in accessible places, to maximise attendance;
- properly chaired, and conducted in a fair and democratic way so that everyone gets a chance to have their say and is kept informed.

Councils should pay allowances (e.g. towards the cost of child care, or care facilities) and should provide transport, where appropriate. They should also provide technical assistance for people who need special help, such as facilities for interpreters.

Standards for information

These standards try to make sure that the information councils give tenants meets their needs. These standards may also help recognised tenants' groups to communicate information to their communities. These standards should also apply to tenants' groups which have a formal role in decision-making. Councils and tenants should negotiate what level and range of information they will provide locally.

Councils will have to consult in ways that meet their tenants' requirements and fit with other local circumstances. They may need to hold a continuing dialogue (perhaps on management issues or improvements) or a one-off consultation exercise on a specific issue.

Information should be:

- accessible (i.e. in plain language and be available in large print, Braille, cassette, translation etc.);
- expressed clearly, avoiding jargon and racist, sexist or other biased language;
- of good quality, timely and tailored to tenants' needs.

Tenants should, as appropriate, receive information on:

- housing strategies, policies and priorities;
- housing investment options and plans;
- arrangements and requirements for delegating housing management, including contracting out of services;
- arrangements for developing and implementing best value, including monitoring and reviewing performance and setting service standards and targets;
- housing management and other relevant local services;
- present and future capital works affecting tenants, their homes and their area;
- the council's race equality and racial harassment policies;
- Compacts themselves;
- how tenants can get involved in housing management and decision-making and what this would mean for them, including benefits for both tenants and the council;
- support available to help them get involved.

Standards for tenants' groups

Tenants' representatives and tenants' groups often have an active role in councils' decision-making processes. These standards try to make sure that tenants' groups have a mandate by meeting reasonable criteria for formal recognition by the council. However councils should negotiate and agree these criteria with tenants first. It is important that criteria do not place too great a burden on tenants' groups, particularly small groups or those set up for mainly social reasons. Councils should be sensitive to the needs of all tenants' groups and tailor criteria according to the type of group.

Tenants' groups involved in decision-making

Tenants wishing to set up and participate in tenants' groups with a role under the Compact will have to meet the council's agreed and published criteria for formal recognition. Where tenants' groups have a formal role in decision-making, they should be able to show that they are democratic, accountable and have all of the following:

- a written constitution;
- equal opportunities policies (including race equality policies) which are complied with;
- regular elections;
- open financial records (and annual accounts if appropriate);
- regular meetings, including an annual general meeting which a minimum necessary number of tenants attend before the meeting can take decisions and where someone takes the minutes;
- a level of active membership determined by the council and tenants;
- procedures to make sure that information on the group is made widely available to tenants and all tenants are encouraged to become more active;
- membership clearly open to all tenants;
- regular newsletters or other written communications with members;
- means of showing how they have met their objectives and still have the skills to work effectively.

Standards for monitoring and measuring performance

These standards try to make sure that councils consistently monitor and assess how Compacts perform and that they set performance standards and targets for a common set of indicators.

Councils and tenants should:

- assess the results of operating compacts against their original expectations;
- review policies, practice and performance at regular intervals;
- set clear service standards and targets for tenant consultation and involvement;
- if service standards and targets are not met, investigate and find remedies;
- monitor and evaluate different approaches to tenant participation, looking particularly at the scope for changing their own approach to make sure this remains effective and efficient;
- monitor tenant representatives and groups to make sure they continue to carry out their roles effectively;
- monitor equality of opportunity and levels of involvement by all groups, including ethnic minorities;
- assess performance against what other housing organisations are achieving; and
- check that councils consult with and involve tenants from all parts of the community effectively.

Performance measures and targets should be set each year for tenants' satisfaction with:

- participation arrangements;
- services, including value for money; and
- their local area.

SECTION 5

How to monitor Compacts and measure performance

How to monitor Compacts

Council performance on Compacts is integral to best value and subject to the housing inspection process. Compacts should therefore be monitored regularly by councils and tenants to ensure that the arrangements continue to deliver agreed expectations and meet tenants' needs and priorities.

Internal monitoring is normally done by a joint steering group, made up of officers, tenant representatives and elected members. It is important that this monitoring information is fed by such a group into the council's own best value and performance evaluation process and, as such, regularly reported to the cabinet or relevant committee.

Councils and tenants may like to use the questions at **Appendix F** to assess how well tenant participation is working in their area and to show how tenants have been involved in developing the tenant participation strategy and Compact.

As part of the monitoring process, councils should hold regular discussions with tenants' groups, and periodically consult tenants more widely. Monitoring should look at policies, practice and performance. Performance targets should be specific, clear and realistic. Council officers and tenants should work together to investigate any failure to meet agreed standards and targets, or negotiate targets for continuous improvement to be included into the agreed action plan. Monitoring arrangements could be supported by:

- regular surveys of a wider group of tenants (covering special interest groups);
- annual sample surveys; or
- less frequent surveys of all tenants.

The **standards for monitoring and measuring performance** (see Section 4) should help councils and tenants to systematically monitor the following:

- locally-agreed performance standards and targets for tenant consultation and involvement;
- progress in implementing the core standards within agreed timetables;
- effectiveness and value for money of arrangements under Compacts;
- procedures to ensure effective involvement of tenants from all parts of the community;

- whether Compacts achieve expected outcomes (e.g. on agreed standards of service etc.); and
- tenant representatives and groups and their activities in order to ensure equality of opportunity; develop good practice, ensure tenants have a mandate to represent their community by actively encouraging wider participation and that they keep tenants informed.

Compacts and Best Value Performance Indicators

Councils must collect and publish data in respect of nationally prescribed performance indicators, including housing. The current set of indicators includes two on tenant satisfaction and both of these, tenant satisfaction with arrangements for participation and tenant satisfaction with the overall landlord service, are key indicators for Compacts. This and other information forms part of STATUS, the standardised tenant satisfaction survey used by councils and housing associations. Tenant satisfaction data should therefore feed into the Compact monitoring process.

Councils may also want to develop local indicators to focus more on local people's preferences and priorities or reflect the needs of specific groups within the tenant community. This could include indicators for different aspects of tenant participation in an area or a bundle of indicators tailored to reflect local priorities. **Appendix G** provides a menu of options which councils and tenants may want to use, grouped under measuring inputs, measuring outputs, measuring outcomes and measuring tenant satisfaction.

Dealing with shortcomings in performance and complaints

Shortcomings in performance should be identified and dealt with at an early stage. Monitoring arrangements should be sufficiently robust to ensure that remedial action is quickly identified and carried out effectively.

Routine monitoring should pick up most issues before they become serious. However situations may still arise which require a separate investigation. Procedures for dealing with complaints about the actions or performance of the council or of a tenants' group should be publicised, clear and accessible to tenants with guaranteed response times. Councils can adapt their existing formal complaints procedures to deal with the operation of Compacts, in consultation with tenants.

Handling of complaints should be monitored and reviewed regularly as part of the council's customer care arrangements.

ODPM published a guidance note *Using Tenant Participation Compacts to Resolve Disputes between Council Landlords and Tenants* in May 2002, on how council landlords and tenants can improve their procedures for dealing with disputes and disagreements. It recommends a set of processes and model clauses which can be agreed and included in the Compact and used to resolve disputes between landlords and tenants. This should ensure that any conflicts are dealt with in a fair and structured way which has been agreed in advance by the parties. The guidance also includes

clauses and procedures to initiate mediation and arbitration, where appropriate. The Guidance Note is at **Appendix H**.

Since the guidance was published TPAS has received an Innovation into Action grant to develop a project to look at council landlord and tenant group dispute resolution based on 3 case studies. A report including good practice approaches will be published in spring 2005.

How to evaluate performance on Tenant Participation and Review Compacts

It is important to evaluate performance on tenant participation to find out whether longer term agreed objectives have been met, to measure success or failure and inform future planning and strategic development. This is normally a cyclical process, at least every 3 years, which reviews performance, based on monitoring information, against agreed plans and targets and revises these, if necessary.

The evaluation may conclude that it is necessary to review the Compact. In any case the council and tenants should review their Compact periodically to ensure that it continues to be up to date and relevant.

The Compact review should be robust and challenging and should be based on the core standards for monitoring and measuring performance in Section 4 of this document.

Changes will need to be agreed by all the parties and incorporated in the formal signed agreement.

Reporting council performance under best value

Councils should report each year on how well they have operated Compacts, including progress on meeting targets for improvement. These reports could usefully feed into the housing service element of the council's annual best value performance plan.

Councils are not required formally to report to tenants annually on particular aspects of housing management performance (for example, rent arrears, repairs dealt with within target response times etc.). However, they are strongly encouraged to do so if tenants find this helpful. It is important for tenants to know how well the council has delivered housing services, including tenant participation, particularly following a service inspection by the Audit Commission's Housing Inspectorate.

Compacts and the housing inspection process

The Audit Commission is an independent body that provides important information on the quality of public services and ensures that public money is spent economically, efficiently and effectively. Through audit and inspection the Audit Commission drives improvement in public services, provides practical recommendations and spreads good practice whilst ensuring value for money.

The Housing Inspectorate is responsible for the inspection of both housing associations and council housing services. In 2004, a new inspection methodology was developed that included the creation of the Key Lines of Enquiry (KLOEs). KLOEs represent sets of questions and statements that provide a framework through which to assess housing services i.e. what would be expected from an organisation delivering an excellent service and from one delivering a fair service. They cover a range of core housing services, including resident involvement, and can be applied to both associations and councils.

Assessment of Compacts is a key area of the Resident Involvement KLOE (for RSLs the equivalent assessment will be made of the Resident Involvement Statement). There are also three KLOEs on the generic areas of value for money, access and customer care and diversity.

In addition to reviewing the range of opportunities for residents to get involved, the inspection team will look at how established the Compact is. The team will also consider how effectively it complies with statutory requirements, good practice and whether the scope is sufficiently comprehensive.

The inspectors will expect excellent (three stars) service providers to have consulted with residents on the Compact at an early stage and be able to demonstrate how users' views have been taken into account. The document should be regularly referred to in all areas affecting residents and seek to go beyond the minimum requirements. There should also be a good awareness and satisfaction among residents on the content and purpose of the Compact.

All housing inspection teams include a Tenant Inspection Advisor (TIA). These are social housing tenants who have been trained by the Audit Commission to assess frontline housing services. They help to ensure that inspections remain clearly focused on the customer's experience of housing services. TIAs will be especially looking at the impact of the Tenant Participation Compact during an inspection.

Role of Government Offices in assessing councils' tenant empowerment strategies for decent homes delivery

Government offices have a key role in assessing the robustness of a council's tenant empowerment strategy in delivering the Decent Homes agenda. ODPM guidance makes it clear that the tenant empowerment strategy should be based on the principles of the National Framework for Tenant Participation Compacts as well as the local Compact agreed with tenants. It should show that tenants are able to contribute meaningfully to the delivery of decent homes.

APPENDIX A

Good practice checklist for councils and elected members

Council staff development

This checklist is meant to ensure a clear understanding of the relationship under Compacts between tenants and council staff, including front-line staff. It tries to make sure that staff have a clear role and the necessary support and mechanisms to carry out their responsibilities effectively.

The council should:

- have a customer care policy which sets out the relationship between staff and tenants and ensures that all staff treat tenants as equal partners, respect their rights, needs and interests, and seek their involvement in planning and delivery of housing services;
- identify staff with a specific brief to help develop, support and enable tenant participation;
- ensure front-line staff are included in internal information and participation structures so that they have the relevant information to pass on to tenants;
- have a staff training programme based on regular surveys of training needs; and
- ensure front-line staff and staff who work with service users have training and support on equal opportunities and customer care, and the tools and skills to carry out their consultation role effectively.

Elected council members

This checklist is intended to help clarify the relationship between the tenant participation process and the council's decision-making organisation and structure.

The council should negotiate arrangements locally to clarify the following:

- members' attendance at local meetings;
- members' consultation role with tenants and tenants' groups;

- members' role as champion of their communities and in feeding the community's views into the council;
- how members' 'scrutiny' role might be informed by a close working relationship with tenants' groups;
- opportunities for tenants' groups to liaise with their councillors; and
- training opportunities for councillors to help them develop the skills and knowledge needed to work in partnership with service users.

APPENDIX B

Section 16 Tenant Empowerment Grant

ODPM provides section 16 Tenant Empowerment Grant to support and promote the development of greater tenant participation in the management of housing. A broad package of grants is being developed to support the Government's policies for increased tenant involvement.

Grant already supports:

- **Information and advice** a free service for tenants providing information and advice about tenant participation issues. The service is available through the TPAS (Tenant Participation Advisory Service) Help-Line and Information Bank on **Freephone 0500 844111**.
- **Options studies** provide independent information and advice to council tenants about their options for involvement in the management of their homes. They take the form of short estate-based projects delivered by agencies at the request of tenants. Grants for options studies are available where council tenants wish to set up a tenant management organisation under the Right to Manage (see below).
- **Right to Manage** tenants can take over all or part of the management of their homes from their council under the Right to Manage (RTM) Regulations. Before tenants exercise the RTM, an advice agency will carry out a short *pre-feasibility study* to ensure that the requirements of the Regulations are met. A *feasibility study* will then be carried out to look at the possibilities for setting up a tenant management organisation (TMO). If tenants vote in favour, an approved agency will carry out a *development study* to prepare the group for its proposed role in housing management. This study may last up to two years and will provide intensive training. If, at the end of the process, tenants vote in favour, a management agreement is signed by the tenants with the council which delegates the agreed management functions to the TMO.
- **National tenant training programmes** Priority Estates Project (PEP) and the Tenant Participation Advisory Service are national organisations which specialise in tenant participation and training. Their courses offer training on a wide range of topics and are run at venues all over England. Some are designed for people just getting involved while others are aimed at experienced representatives who require detailed training in particular areas including tenant management. Although there are fees for attending the courses, they are much lower than they would be as the courses are subsidised by ODPM.
- **Making things happen: capacity building training and small grants programme** ODPM funds a *capacity building training programme for tenants who want to develop their skills and knowledge at Trafford Hall in Cheshire*,

which is the home of the National Tenant Resource Centre. The programme is unique because it combines training with a small grant programme set up to enable tenants to run projects that make use of skills learnt during the training.

- **Innovation into Action** ODPM funds the Chartered Institute of Housing to manage the Innovation into Action grant programme. The IIA programme is supporting ongoing projects and disseminating information on past projects that develop new approaches to tenant involvement in the management of council homes, and the publication of good practice briefing.

Further information about existing areas of the grant programme can be obtained from independent agencies or ODPM's address below. The list of approved agencies is available from councils or ODPM.

ODPM Contacts:

Contact Telephone: 0207 944 3488

Email: TP@odpm.gsi.gov.uk

Fax: 0207 944 3489

APPENDIX C

Checklist for training needs and provision

Assessing training needs

- Has the council audited the skills of its tenants' groups and identified any gaps?
- Are elected tenant representatives encouraged to seek support through training?
- Are council staff (not just those involved in tenant participation) equipped to respond to the challenges of Compacts and best value?
- What are the main priorities for training? Willing tenants? Open to all tenants? Ongoing training and updating?
- Is training aimed at passing on knowledge and information; or at developing skills and effective working?
- What do other councils and tenants do?

Providing training

- Are there opportunities for training council staff and elected members alongside tenants?
- Is training accessible to tenants? (don't forget the problems of rural areas, the need to be local, easily reached, and held at appropriate times)
- Can and should experienced tenants be involved in providing training (on proper terms)?
- What about the role of mentoring?
- What about links with other funding such as the Department for Education and Employment (DfEE) adult and community learning fund for accredited training?
- Is there potential for working with neighbouring landlords in order to provide joint training?
- Are there tenant training programmes funded by central Government? (see Appendix B)

APPENDIX D

Good practice references

1. Manuals and other briefings on best value in housing which look at service user involvement

Best Value in Housing & Homelessness Framework (BVHH)

(ODPM 2003) Tel: 0870 1226 236 Fax: 0870 1226 237 Email: odpm@twoten.press.net

The purpose of this Best Value in Housing and Homelessness Framework (BVHH), which replaces the 2000 document, is to refer the reader to primary sources of information, relevant research and good practice guidance issued by ODPM and other organisations. It also takes account of local authorities' new homelessness duties as set out in the Homelessness Act 2002.

Best Value for Housing Staff: Good Practice Briefing No 17

(Chartered Institute of Housing 2000) Tel: 024 76 851777 Fax: 024 76 694209
Email: gpu@cih.org

This briefing focuses on the processes which local authorities and RSLs need to address in order to apply the principles of the Government's Best Value regime to the maximum benefit of the organisation and of service users. Topics covered include, taking a corporate approach, performance plans, setting targets for improvements, making changes, self-audit and inspection.

Best Value Briefings

(National Housing Federation) Tel 0207 067 1010 Fax 0207 1011

A series of briefings covering particular aspects of best value in housing e.g. tenant participation, customer feedback, performance indicators and benchmarking.

A Tenants' Charter for Best Value in Housing

(TAROE 2003) Telephone: (01484) 223466 Fax: (01484) 223478

The charter is for the delivery of best value in housing to tenants of local authorities and registered social landlords. It builds on the existing legal framework to guarantee the accountability of landlords to their tenants and to make sure that tenants are at the heart of the best value regime for their housing services.

ODPM Housing Research Summary No. 156 – Implementing Best Value in housing & tenant participation compacts

(Aldbourn Associates/MORI/Barony Group 2002) Tel: 0870 1226 236
Fax: 0870 1226 237 Email: odpm@twoten.press.net

The aim of the research was to assess how both local authorities (LAs) and Housing Associations (HAs) were implementing Best Value in Housing (BVH) and Tenant Participation Compacts (TPCs) after the first year of introduction.

Best Value: How to make it work for Tenant Management Organisations

(National Federation of Tenant Management Organisations, Dec 2003)
www.tmonatfed.com or Tel: 01704 227053

Resident Involvement Key Lines of Enquiry

(Audit Commission 2004) Tel: 0207 828 1212 Fax: 0207 976 6187

Key Lines of Enquiry (KLOEs) represent sets of questions and statements around either service or judgement specific issues which provide consistent criteria for assessing and measuring the effectiveness and efficiency of housing services. These KLOEs are designed to provide inspectors, inspected bodies and others with a framework through which to view and assess services. In inspections, service specific KLOEs are used as a basis for assessing how good that service is and this resident involvement KLOE is one of this set.

2. Wider public participation in local government and housing strategy

Guidance on enhancing public participation in local government

(DETR 1998) Tel: 0870 1226 236 Fax: 0870 1226 237 Email: odpm@twoten.press.net

This guidance looks at how councils should select, implement and evaluate participation initiatives. In particular, it says, councils should build participation into the heart of their organisations so that it becomes the responsibility of all councillors and senior officials, not just the few.

3. Good practice in tenant participation

Tenant participation in housing management options

(Chartered Institute of Housing/Tenant Participation Advisory Service)
Tel: 0161 868 3500 Fax: 0161 877 6256 Email: info@tpas.org.uk

Tenant Participation in Sheltered Housing

(Tenant Participation Advisory Service) Tel: 0161 868 3500 Fax: 0161 877 6256
Email: info@tpas.org.uk

Whose home is this? tenant participation in supported housing

(Pavilion Publishing/Joseph Rowntree Foundation) Tel no. 01383 625136;
Fax 01383 625137.

Involving BME Tenants

(Tenant Participation Advisory Service) Tel: 0161 868 3500 Fax: 0161 877 6256
Email: info@tpas.org.uk

Equal Opportunities – A Guide for Tenants Associations

(Tenant Participation Advisory Service 2003) Tel: 0161 868 3500 Fax: 0161 877 6256
Email: info@tpas.org.uk

Rented Housing and the Race Relations Act

(Commission for Racial Equality) Tel 0207 939 0000 Fax 939 0001

This website includes the CRE's code of practice in rented housing

What Works – The Tenants' Compact and Successful Participation

(London Housing Unit/TAROE 1999) Tel 0207 934 9811

This report is here to help in building an effective tenants' Compact. It is based on extensive interviews in six local authority areas where there is a track record of tenant involvement. Tenants, councillors and officers talk candidly about how they got to where they are, what has worked and what has failed.

Developing Good practice in Tenant Participation

(Sheffield Hallam 1999) Tel: 0870 1226 236 Fax: 0870 1226 237
Email: odpm@twoten.press.net

The guide aims to help landlords and tenants develop an overall framework for partnership, which can be supplemented by specific arrangements for Best Value, Compacts or regeneration partnerships.

People Make a Difference: A Good Practice Guide for Involving Residents in Rural Regeneration

(Countryside Agency 2001) Tel 0870 120 6466

This guide is full of best practice advice on how to involve local residents in rural regeneration projects and describes the many challenges faced – giving examples that show the wider benefits that can result when local people start tackling local problems.

Best Value in Housing: A guide for tenants and residents

(ODPM 2000) Tel: 0870 1226 236 Fax: 0870 1226 237
Email: odpm@twoten.press.net

This leaflet explains how Best Value will apply to housing services which local councils provide. It will therefore be of interest whether you are a council tenant, a leaseholder, a housing association tenant, a home-owner or a private tenant.

Improving Services through Resident Involvement – National Report and Management Handbook

(Audit Commission 2004) Tel: 0207 828 1212 Fax: 0207 976 6187

The Audit Commission/Housing Corporation undertook a joint research study in 2003 to assess the benefits of resident involvement and look at its financial implications. The National Report sets out the findings of this research and the Management Handbook provides tools and additional case studies to help housing organisations put the recommendations of the Report into practice.

Learning to Listen: Action plan for children and young people

(ODPM 2003) Tel: 0870 1226 236 Fax: 0870 1226 237 Email: odpm@twoten.press.net

This is the Government's statement of principles and intent for the involvement of children and young people in practice and policy development across a range of Departments.

Encouraging Participation: A toolkit for tenants and social landlords

(Published by CIH for the Joseph Rowntree Foundation 2003) Tel: 024 7685 1752
Fax: 024 7669 5110

This toolkit offers tenants and landlords a framework to evaluate and improve their participation arrangements. Exploring key themes such as the changing role of tenants' groups and networks, equal opportunities and the resources needed to start up and continue participation, the toolkit highlights ideas which have succeeded elsewhere.

Routes to Involvement

(Housing Corporation 2005)

This website, accessible on www.bankofgoodpractice.org/rti/, is a source of practical examples and good practice ideas to help housing associations implement the Housing Corporation's Involvement Policy for the Housing Association Sector.

Delivering Decent Homes – Options Appraisals: Guidance for Local Authorities

(ODPM June 2003) Tel: 0870 1226 236 Fax: 0870 1226 237
Email: odpm@twoten.press.net

This guidance sets out, in broad terms, what is expected of local authorities, the steps that are being taken to strengthen the support provided for authorities in this work and the process and requirements for option appraisal sign-off by July 2005.

***Tenant Participation Compact Briefings on –
Compacts and Best Value Inspections***

Estate Based Compacts

Issue Based Compacts

Reviewing your Compact

The Role of Councillors in Compacts

(Tenant Participation Advisory Service) Tel: 0161 868 3500 Fax: 0161 877 6256
Email: info@tpas.org.uk

ODPM Housing Research Summary No. 200 – Interim Evaluation of Tenant Participation Compacts

(Aldbourne Associates and IRIS Consulting 2003) Tel: 0870 1226 236 Fax: 0870 1226 237
Email: odpm@twoten.press.net

This is the most recent research conducted to assess progress on Tenant Participation Compacts in the first three years of their implementation. The key findings contained in this summary have informed the revised National Framework for Tenant Participation Compacts.

Empowering Communities – Tenants Guides

(ODPM 2003) Tel: 0870 1226 236 Fax: 0870 1226 237 Email: odpm@twoten.press.net

This is a comprehensive ODPM package of leaflets for tenants on Decent Homes and Stock Options Appraisals.

Housing Private Finance – A Tenant’s Guide

(ODPM 2003 – to be updated shortly) Tel: 0870 1226 236 Fax: 0870 1226 237
Email: odpm@twoten.press.net

***ODPM Housing Research Summary No. 211 – Empowering Communities
Improving Housing: Involving Black and Minority Ethnic Tenants and
Communities***

(Centre for Urban and Regional Studies, University of Birmingham 2004)
Tel: 0870 1226 236 Fax: 0870 1226 237 Email: odpm@twoten.press.net

Involvement Policy for the Housing Association Sector

(Housing Corporation 2004) Tel: 0207 393 2000 Fax: 0207 393 2111

***Regulatory Code and Guidance: “The Way Forward”, Our Approach to
Regulation***

(Housing Corporation 2002) Tel: 0207 393 2000 Fax: 0207 393 2111

A Charter for Housing Association Applicants and Residents

(Housing Corporation 2003) Tel: 0207 393 2000 Fax: 0207 393 2111

***ODPM Housing Research Summary No. 147 – Tenant Participation in
Transition***

(Sheffield Hallam University 2001) Tel: 0870 1226 236 Fax: 0870 1226 237
Email: odpm@twoten.press.net

***LSE Evaluation of Trafford Hall “Making Things Happen” Capacity Building
Programme 1999–2003***

(ESRC Centre for Analysis of Social Exclusion, London School of Economics 2004)
Tel 0207 955 6872

***ODPM Housing Research Summary No. 174 – Tenants Managing: An
Evaluation of Tenant Management Organisations in England***

(Oxford Brookes University/HACAS Chapman Hendy 2002) Tel: 0870 1226 236
Fax: 0870 1226 237 Email: odpm@twoten.press.net

***Innovation into Action Good Practice Briefing Note 27 – Innovation in
Resident Involvement***

(Chartered Institute of Housing 2004) Tel: 024 76 851777 Fax: 024 76 694209
Email: gpu@cih.org

***ODPM Housing Research Summary 187 – Interim Evaluation of the
Innovation into Action Programme***

(Oxford Brookes University/HACAS Chapman Hendy 2003) Tel: 0870 1226 236
Fax: 0870 1226 237 Email: odpm@twoten.press.net

APPENDIX E

Organisations and useful contacts

Age Concern England

Astral House
1268 London Road
London SW16 4ER
Tel: 0208 765 7200
Fax: 0208 765 7211
www.ace.org.uk

Nationally, Age Concern campaigns on ageing issues, undertakes research, provides information and advice and offers a wide range of training. Locally, a network of 1400 groups and 250,000 volunteers provides community-based services such as lunch clubs, day centres and home visiting.

Aldbourne Associates

Aldbourne House
Unit 6
Elgar Business Centre
Hallow
Worcestershire WR2 6NJ
Tel 01905 641428
Fax 01905 641829
Email: admin@aldbourneassociates.co.uk
<http://www.aldbourneassociates.co.uk/>

Specialists in undertaking tenant satisfaction surveys, focus groups and other forms of customer feedback, working on TP reviews for social landlords and helping them and their tenants with their Tenant Participation Compacts.

Association of London Government

59½ Southwark Street
London SE1 0AL
Tel: 0207 934 9999
Email: info@alg.gov.uk
<http://www.alg.gov.uk/>

Part think-tank and part lobbying organisation which also runs a range of services designed to make life better for Londoners.

Association for Tenant Involvement and Control (ATIC)

Linda Helen
Secretary
Belle Isle EMB
Low Grange Crescent
Leeds LS10 3EA
Tel: 0113 271 6139
Fax: 0113 277 2410
<http://www.atic.org.uk/>

Organisation set up to encourage promotion of good practice and high standards of service in support of tenant and community control, and promote opportunities for tenant and community control within a range of options within social housing.

Audit Commission

1st Floor, Millbank Tower,
Millbank, London SW1P 4HQ
Tel: 0207 828 1212
Fax: 020 7976 6187
Email: hi@audit-commission.gov.uk
www.audit-commission.gov.uk

Delivers public sector audit and is responsible for the Housing Inspectorate.

Better Government for Older People Programme

4th Floor
145 King Street
London W6 9XY
Tel: 020 7934 9999
Email: nancy.sesay@lbhf.gov.uk
<http://www.lbhf.gov.uk/external/BGOP/default.htm>

Partnership between Hammersmith & Fulham Council, the health authority, voluntary sector and older people in Hammersmith & Fulham. Aims to make sure that older people are given opportunities to have their say.

Black & Minority Ethnic Tenants & Residents Advice Network (BME TARAN)

Bill Brown
Kingsley House
6 Market Place
Great Bridge
Sandwell DY4 7AR
Tel: 0121 551 557 6333

Promotes and initiates the empowerment of BME communities to participate in social housing organisations.

Chartered Institute of Housing

9 White Lion Street
London N1 9XJ
Tel: 020 7837 4280
Fax: 020 7278 2705
www.cih.org

Seeks to promote good practice in tenant participation through the '*Housing management standards manual*', the work of the Good Practice Unit and various briefings and publications. In addition, the CIH/LGA publication '*Housing and best value: a guidance manual*' includes a substantive module on service user involvement.

Commission for Racial Equality

St Dunstons House
201–211 Borough High Street
London SE1 1GZ
Tel: 0207 939 0000
Fax: 0207 939 0001
www.cre.gov.uk

Established by the Race Relations Act 1976, its mission is to work for a just society which gives everyone an equal chance to live free from discrimination and prejudice, and from fear of racial harassment and violence. Its duties include enforcing non-discrimination and promoting good race equality practice. It can advise on developing and implementing equal opportunities policies and programmes.

Confederation of Co-operative Housing

The Bond Warehouse
180–182 Fazeley Street
Digbeth
Birmingham B5 5SE
Tel: 0121 685 1019
Fax: 0121 771 4694
www.bigfoot.com/~c.c.h/

National tenant-led representative body for housing co-operatives and other tenant-controlled organisations.

Countryside Agency

Dacre House
19 Dacre Street
London SW1H 0DH
Tel: 0207 340 2900
Fax: 0207 340 2911
Email: info@countryside.gov.uk
www.countryside.gov.uk/mainmenu.htm

Body with experience of working with rural communities and encouraging their active participation in decisions about their future. Alongside other community development work, it is funding work to identify and develop good practice for involving rural tenants in regeneration of their communities.

Decent Homes Unit

ODPM
Zone 2/E5, Eland House
Tel: 0207 944 0600
Fax: 0207 944 3109
<http://www.odpm.gov.uk>

Set up within ODPM to co-ordinate cross cutting issues relation to each of the delivery options, including helping all those involved in stock options appraisals

Equality and Diversity Unit

ODPM
Zone 3/B3 Eland House
Bressenden Place
London SW1E 5DU
Tel: 0207 944 3112
Fax: 0207 944 2460
<http://www.odpm.gov.uk>

Supports the ODPM's need to meet its responsibilities under equality legislation and drive to achieve cultural and organisational change by promoting community consultation and engagement in the decision making process.

Federation of Black Housing Organisations

2nd Floor
1 King Edwards Road
London
E9 7SF
Tel: 0208 533 7053
Fax: 0208 985 9166
www.fbho.org.uk

An umbrella body for the black-led housing sector (including housing associations, hostels, refuges, housing co-ops, housing advice and training organisations) and black individuals involved in the housing field.

Home Office Community Cohesion Unit

7th Floor
50, Queen Anne's Gate
London SW1H 9AT
Tel: 0870 000 1585
Fax: 020 7273 2065
www.communitycohesion.gov.uk

Promotes integration and delivery of public services locally and nationally to ensure that those from different backgrounds have similar life opportunities.

Housing Corporation

149 Tottenham Court Road
London W1P 0BN
Tel: 0845 230 7000
Email: enquiries@housingcorp.gsx.gov.uk
www.housingcorp.gov.uk

Government agency which funds and regulates over 2,200 housing associations and other registered social landlords in England. These not for profit bodies own over 1,250,000 homes let to people in need. It has taken on an increasingly important role in promoting good practice in the social housing sector.

Housing Quality Network

8-9 York Place
Scarborough
North Yorkshire
YO11 2NP
Tel: 01723 350099
Fax: 01723 350888
www.hqnet.org.uk

Independent not for profit initiative funded by its 170 or so local authority and housing association members. Provides advice and guidance on achieving best value and effective tenant involvement.

Innovation into Action at the Chartered Institute of Housing

Tenant Participation Team
Chartered Institute of Housing
Octavia House
Westwood Way
Coventry CV4 8JP
Tel: 024 7685 1734
Fax: 024 7669 4209
Email : innovation@cih.org
<http://www.innovationintoaction.org>

Grant programme run by CIH to develop radical or new ways of involving council tenants in managing their homes in authorities across England.

Joseph Rowntree Foundation

The Homestead
40 Water End
York YO30 6WP
Tel: 01904 629241
Fax: 01904 620072
www.jrf.org.uk

Independent social policy research and development charity. It supports a wide programme of research and development projects in housing, social care and social policy. Also carries out practical innovative projects in housing and care through the Joseph Rowntree Housing Trust to help develop better policies and practices across the UK.

Language Line

Tel: 0800 169 2879 or 020 7520 1430
Fax: 020 77520 1450
Email: enquiries@languageline.co.uk
<http://www.languageline.co.uk>

Provides interpreting, translation and consultancy services.

Local Government Association

Local Government House
Smith Square
London SW1P 3HZ
Tel: 0207 664 3000
Fax: 0207 664 3030
www.lga.gov.uk

Voluntary lobbying organisation representing local government.

Local Government Management Board

Layden House
76–86 Turnmill Street
London EC1M 5QU
Tel: 0207 296 6600
Fax: 0207 296 6666
www.lgmb.gov.uk

Works with councils to help build capacity for change.

London Housing Unit

2nd Floor
Bedford House
125–133 Camden High Street
London NW1 7JR
Tel: 0207 934 9811
<http://www.londonhousing.gov.uk/>

LHU is run and funded by 20 of London's borough councils. It provides them with information, promotion, analysis and policy advice on housing issues affecting them.

National Consumer Council

Research and Policy Organisation
20 Grosvenor Gardens
London SW1W 0DH
Tel: 0207 730 3469
Fax: 0207 730 0191
<http://www.ncc.org.uk/>

Independent body set up by the Government in 1975 to represent the interests of UK consumers of goods and services of all kinds. It campaigns, conducts research and supports other consumer organisations and has a particular responsibility to represent disadvantaged consumers.

National Council for Voluntary Organisations

Regent's Wharf
8 All Saints Street
London N1 9RL
Tel: 0207 713 6161
Fax: 0207 713 6300
www.ncvo-vol.org.uk/

Provides advice and support to voluntary organisations and is also responsible for assisting in the relationship between the Government and voluntary sector. NCVO runs a free helpline on the running of voluntary organisations (0800 2798 798).

National Federation of TMOs

Terry Edis
Chairperson
c/o Burrowes Street TMO
Resource Centre
Burrowes Street
Walsall WS2 8NN
Tel: 017042 27053
<http://www.tmonatfed.com/>

Body supporting all tenant management organisations (TMOs) and groups intending to set up as TMOs.

National Housing Federation

Lion Court
25 Proctor Court
London WC1V 6NY
Tel: 0207 067 1010
Fax: 0207 067 1011
www.housing.org.uk

Promotes good practice and supports members to achieve it. It also provides training in organisational change.

National Tenants Resource Centre

Trafford Hall
Ince Lane
Wimbolds Trafford
Chester CH2 4JP
Tel: 01244 300246
Fax: 01244 300818
Email: n.bradbury@traffordhall.com
<http://www.traffordhall.com/>

Trafford Hall, home of the NTRC, is a residential training centre founded to assist tenant and resident groups in their work by providing high quality training and support.

Neighbourhood Renewal Unit

ODPM
Zone 3/C5
Eland House
Bressenden Place
London
SW1E 5DU
Hotline: 08450 828383
Email: neighbourhoodrenewal@odpm.gsi.gov.uk
<http://www.neighbourhood.gov.uk>

Supports the development of Local Strategic Partnerships and administers programmes including the Neighbourhood Renewal Fund, New Deal for Communities and the Neighbourhood Warden and Management Team.

Northern Consortium of Housing Authorities

Websters Ropery
Ropery Road
Deptford Terrace
Deptford
Sunderland
Tyne & Wear SN4 6DJ
Tel: 0191 566 1000
Fax: 0191 566 1001
<http://www.northern-consortium.org.uk/>

A membership organisation representing the interests of over 100 local authorities, housing associations and other organisations involved in housing in the North. It supports members with services including policy, research and training. It has 3 tenant participation working groups which facilitate the exchange of good practice, consider policy issues and are currently developing model Compacts.

Priority Estates Project (PEP)

Albert Mews
2 Albert Road
London N4 3RD
Tel: 020 7281 3178
Fax: 020 7281 3587
Email: training@pep.org.uk
<http://www.pep.org.uk>

Provides advice, hands-on project work, training and research services for tenants and residents to tackle social exclusion, support neighbourhood renewal and build sustainable communities.

RaceActionNet

Website: <http://www.raceactionnet.co.uk>

One-stop practitioner web resource for supporting victims, and dealing with perpetrators, of racial harassment.

ROOM, the National Council for Housing and Planning

41 Botolph Lane
London EC3R 8DL
Tel: 0207 929 9494
Fax: 0207 929 9490
<http://www.room.org.uk/>

A national, independent charity that campaigns for improved policies and practice in housing, planning and regeneration. It also runs seminars and other training events.

Supporting People

ODPM
 Zone 1/G5 Eland House
 Bressenden Place
 London SW1E 5DU
 Tel: 0207 944 3812
 Fax: 0207 944 2497
 Email: supporting.people@odpm.gsi.gov.uk
 Website: <http://www.spkweb.org.uk>

Working partnership of local government, service users and support agencies set up within ODPM to deliver strategically planned housing-related services to complement existing care services.

Tenants and Residents Organisations of England (TAROE)

Cora Carter
 Secretary, TAROE
 41–42 Estate Buildings
 Railway Street
 Huddersfield
 West Yorkshire
 HD1 1JY
 Tel: 01484 223466
 Fax: 01484 223478
<http://www.kfra.demon.co.uk/>

A tenant-led, membership-based organisation for tenants which aims to influence decisions which affect tenants' and residents' homes and environment. It is a full member of the International Union of Tenants based in Stockholm. TAROE works with member federations on a wide range of issues and has links with a wide range of national housing organisations.

Tenants Union

Flat 3, Westbourne House
 13 Whittaker Street
 London SW1W 8HJ
 Tel 07947 019287
 Email: tusecretary@biggs.demon.co.uk
<http://www.geocities.com/tenantsunion2003/>

The Tenants Union was set up as an umbrella organisation to unite all tenants and tenants' organisations in the country. Membership is open to local authority, housing association and private tenants, and tenant leaseholders.

The Tenant Participation Advisory Service (TPAS)

5th Floor
Trafford House
Chester Road
Manchester M32 0RS
Tel: 0161 868 3500
Fax: 0161 877 5256
Email: info@tpas.org.uk
www.tpas.org.uk

Provides information, advice, training, consultancy, seminars and conferences on all aspects of involving tenants in the management of their housing. The service includes a Freephone Helpline for social housing tenants on 0500 844111

Tenant Services Branch

ODPM
Zone 1/H6 Eland House
Bressenden Place
London SW1E 5DU
Tel: 0207 944 3488
Fax: 0207 944 3489
<http://www.odpm.gov.uk>

Policy on participation, housing management and S16 empowerment grants and training for social housing tenants.

APPENDIX F

How to check the quality of tenant participation

Local tenant participation policies and strategy

Good Practice Indicator 1: the council has a policy on tenant participation, with objectives which aim to encourage and develop involvement of tenants in management of housing and decisions on housing strategies, programmes and services. Tenants have a role in decision-making on housing issues.

Evidence

1. The council has published comprehensive policies, made widely available to tenants, which contain a full commitment to tenant participation.
2. The council's policies offer tenants a clear role in operational and strategic decision-making on housing issues (e.g. the housing management service, housing strategy, rent setting, capital programmes and housing regeneration).
3. The council's policies are forward looking and well developed in respect of developing Compacts and delivering best value.
4. There is a clear relationship between tenant participation and the council's own decision-making organisation and structure.
5. Tenants have an effective role in decision-making. This includes tenants having delegated decision-making powers. Tenants' views are taken into account and influence decisions. Their participation has had a significant impact across the housing service.
6. The council's policies take a corporate view of the role of tenants in tackling social and community issues.
7. The council's policies cover communication between tenants and the council; opportunities for tenants to get involved in management and decision-making, including delegation of budgets and decision-making; support for tenant participation; and handling of complaints.
8. Tenants have been involved in developing tenant participation policies and strategy and their views have influenced these.
9. The council has systems in place for monitoring, reviewing and implementing its policies which involve tenants.

Opportunities and support for tenant participation

Good Practice Indicator 2: There is effective, good quality communication between the council and their tenants on a full range of housing matters.

Evidence

1. The council uses a comprehensive range of methods to communicate with tenants (e.g. providing information, holding meetings, other processes or structures) on a range of housing matters. Communication is regular and/or frequent.
2. The tenants receive clear, timely, good quality information on all aspects of the housing service, including performance, through mechanisms which best meet their needs. Tenants are involved in what information is provided and how this is done.
3. The council presents information on a council-wide and on an estate basis, where tenants want this.
4. The council has formal consultation and feedback arrangements for housing management and maintenance issues, and reporting arrangements for programme monitoring. The council provides regular, clear and open feedback to tenants.

Good Practice Indicator 3: Tenant participation is actively and positively promoted, with funding/facilities and training available for tenant participation.

Evidence

1. The council actively promotes participation amongst tenants. It uses comprehensive, imaginative ways of publicising and providing information on opportunities to get involved through various structures and processes.
2. The council actively promotes the positive benefits and outcomes to tenants of participation. Promotion helps tenants to understand what is on offer and conveys a clear, persuasive message on how participation can lead to improved services.
3. The council's promotion is relevant with identifiable outcomes. It is targeted on a wide range of localities and all groups, including special interest groups.
4. The council promotes participation in management, including tenant management, as part of its publicity and promotion. Tenants are aware of the tenant management option and understand its benefits and responsibilities.
5. The council surveys and regularly reviews tenants' training needs, has a defined training budget and well thought-out training programme which accesses a wide range of training resources.
6. Training is accessible to tenants and benefits all sectors of the community. It also involves some joint training with council staff and with elected council members.
7. Tenants are offered a wide range of relevant training opportunities and take them up.

8. The council has a sound system of financial and support in kind for tenants' groups (e.g. running costs, premises, equipment, photocopying, help with producing newsletters etc.)

Tenant participation strategy delivery, monitoring and review

Good Practice Indicator 4: the council has a clear delivery strategy, including arrangements for monitoring and review.

Evidence

1. The council has specific officers who are responsible for delivering specific goals in the strategy.
2. The council provides sufficient resources, including staff time, to support effective tenant participation, in proportion to the size of its housing stock.
3. The jobs of operational staff contain a clear commitment to tenant participation aspects of the service.
4. The council monitors its strategies and policies and tenants are involved in this.
5. The council regularly reviews the effectiveness and value for money of its tenant participation arrangements.
6. The council regularly reviews whether participation makes a difference to council services; whether all groups of tenants are effectively involved; and whether tenants' groups are democratic, accountable, and well placed to represent the views of their community.
7. The council regularly reviews whether equal opportunity policies in housing, including race equality policies, are working properly.
8. The council has a strategy and practical initiatives to contact hard to reach groups which aim to ensure that their views are taken into account.
9. The council responds to issues raised in its review and revises or develops its strategy accordingly.

Good Practice Indicator 5: There is a range of formal and informal tenant participation structures in place which provide comprehensive coverage within the council's area.

Evidence

1. Tenants are represented on a range of council committees, including local area committees.
2. A wide range of tenants' groups and structures provide extensive coverage within the council's area.

3. A substantial proportion of formal structures has delegated budgets and devolved decision-making or the council provides clear opportunities for delegation and advice to tenants on deciding on the best approach.
4. Formal structures include recognised and active tenants' associations and tenant management organisations with budgetary control. These should be democratically elected and accountable to their communities, with open membership. They should encourage all tenants to get involved.
5. No group of tenants is significantly underrepresented.
6. There are other liaison arrangements, such as tenants' panels, to cover council-wide performance, specialist areas or services in local areas.
7. Where there is a tenants' federation or equivalent council-wide body, it is open, democratic and accountable, and encourages all tenants to get involved.
8. The council has effective procedures for monitoring TMOs to ensure they continue to be effective, efficient and respond to tenants' needs. It gives TMOs support and advice, where tenants want or need this.
9. The council and tenants have estate or service level agreements in place. These should be tailored to tenants' priorities and local circumstances. They should contain service quality promises setting out priorities and targets over a particular period in a particular area. There should be some form of sanction open to tenants if the agreement is breached.

Good Practice Indicator 6: The council's tenant participation policies, practice and procedures are effective and ensure fair access to tenants.

Evidence

1. The council has carried out a tenant satisfaction survey within the last 12 months which includes relevant questions about tenant participation. Response rates and satisfaction levels should be reasonable.
2. The council is responsive to the survey's findings.
3. The council has an equality strategy, which has been drawn up in consultation with tenants. It contains clear objectives, including race equality objectives, to encourage participation of tenants from all groups.
4. The Council has arrangements for monitoring levels of involvement and representation by all groups, including ethnic minority tenants.
5. The council provides adequate support to meet its equality objectives, and training for staff, members and tenants to raise awareness of the issues and ensure compliance with policies, including policies on race equality and racial harassment.
6. The council monitors and regularly reviews its equality strategy and tenants are involved in this. This includes monitoring levels of involvement and representation of all groups, including ethnic minority tenants.

Good practice and innovation in tenant participation

Indicator 7: the council has clear plans for developing and implementing good practice approaches in tenant participation, as part of implementing Compacts.

Evidence

1. The council's plans encourage and involve tenants in implementing good practice approaches in local tenant participation policies, structures and arrangements.
2. The council's plans set out a realistic timetable and programme for fundamentally reviewing its existing policies, strategy and arrangements, and for implementing changes to take account of good practice principles.
3. The council's programme for implementing Compacts includes setting up arrangements to monitor performance on Compacts and mechanisms for dealing with shortcomings and complaints.
4. The council actively takes steps to increase awareness and understanding of good practice approaches amongst staff, elected members and tenants, and of the relationship between Compacts and best value.

APPENDIX G

Menu of options for measuring local performance

Local performance indicators could be selected and developed under the following categories:

Measuring inputs

- number of staff and other resources (e.g. budgets) available to support tenant participation;
- training budget for tenants; and for staff and members;
- publicity for tenant participation;
- help to tenants to access tenant participation opportunities; and
- programme and type of training available for tenants, staff and elected members.

Measuring outputs

- number and variety of tenant participation structures and mechanisms (and year-on-year change);
- number of recognised tenants' groups with a written constitution and elected committee;
- number, variety and frequency of different methods of communication (e.g. newsletters) or methods of involvement (customer panels etc.);
- percentage of tenants responding to consultation arrangements;
- types of budgets controlled by tenants;
- range of decisions in which tenants are involved;
- areas of influence for tenants (e.g. policy development);
- actual and committed expenditure on tenant participation compared with budget provision;
- number of joint visits to estates by tenants and councillors;

- number of joint staff/councillor/tenant conferences or training days in the year; number of training courses; and number of tenants and others attending; proportion of tenants' representatives who receive training;
- frequency and type of customer survey (focus groups, questionnaires, surveys, monitoring service users' enquiries, complaints) and response rates;
- number/percentage of staff/councillors with relevant training on service user involvement; and
- average number of training days in the year undertaken by relevant staff.

Measuring outcomes

- staff views about the difference made by tenant participation;
- improvements in quality of housing management and other services which feed into wider best value performance plans;
- range and profile of tenants actively engaged with the council (relative to profile of tenants generally);
- proportion of younger people, single parents, unemployed people, older people, ethnic minority tenants involved; success in reaching new people;
- tenants and staff views on whether forms of tenant participation are unnecessary or too expensive;
- tenants' views on impact on quality of life in their area, satisfaction with their homes, sense of community etc. (relevant to measuring estate-based services and other improvements);
- council decisions resulting from or changed by tenant participation (in developing strategy, choice in modernisation schemes, changes to council policy and practice); and
- quality and effectiveness of training.

Measuring user satisfaction

- tenants' views on whether rent represents good or poor value for money;
- tenants' views about how they can influence decisions;
- tenants' views on the quality of information they receive; and
- tenants' views on the quality of service they receive.

APPENDIX H

Guidance Note on using Tenant Participation Compacts to resolve disputes between Council Landlords and Tenants

Introduction

This note provides Good Practice Guidance on how council landlords and tenants can improve their procedures for dealing with disputes and disagreements. It recommends a set of processes which landlords and tenants can draw up and agree to include in Tenant Participation Compacts. This will make sure that any conflicts are dealt with in a fair and structured manner that has been agreed by all parties in advance.

This guidance has been prepared in conjunction with the Tenant Participation Advisory Service and is based research carried out by Dr Sue Whittle from Sheffield Hallam University, seminars facilitated by TPAS, and feedback from tenants.

The National Framework for Tenant Participation Compacts

The National Framework for Tenant Participation Compacts sets out how landlords and tenants can deal with shortcomings through Compacts. This note supplements that guidance.

The National Framework sets out how landlords and tenants should deal with shortcomings in performance and complaints (Section 5). In particular it recommends that each local authority has:

- a system of handling and monitoring complaints;
- an 'internal appeals' process which could be used to deal with continuing disputes;
- arrangements for in house mediation or arbitration;
- arrangements for external mediation or arbitration for use when all other avenues are exhausted.

Research and consultation

The DTLR wanted to find out how landlord and tenant relations were developing following the introduction of Compacts, Best Value and other initiatives. In 2001 it commissioned Dr Sue Whittle to prepare a detailed report looking at tenant-landlord relations in the Local Authority sector. The report provided an authoritative and comprehensive account of the current position of the relations between landlords and tenants. (A copy of this report can be obtained via the TPAS Information Service).

In order to further assess the current situation and to seek views on the best ways to resolve disputes, the DTLR commissioned TPAS to run four consultation events around the country. These events were held in January and February 2002, in Manchester, Brighton, York and Bristol, and were attended mainly by tenants, but with a small number of officers at each event.

The seminars were based around the changes in relations brought about by initiatives such as Neighbourhood Renewal, Best Value, and the Modernisation of Local Government. The consistent theme throughout each of the seminars was the use of Tenant Participation Compacts within each of these.

Tenants who attended these seminars provided positive feedback on the implementation of Compacts. Every delegate was aware of Compacts and the vast majority had been involved in developing the Compact in their own organisation. Most delegates felt that Compacts had demonstrated the biggest step forward in tenant involvement for a number of years.

The role of Compacts in resolving disputes

The views given at these events build on the messages already included in the National Framework and reinforce the message that Compacts can provide a vehicle for conflict resolution between landlords and tenants.

The clear messages received from the consultation events were that:

- complaints should be dealt with internally or at a local level wherever possible;
- there should be set procedures for monitoring and reviewing shortcomings in service provision;
- Compacts need to be strengthened and utilised more effectively;
- the balance of power between landlords and tenants needs to be more even.

Although many local authorities have clauses within Compacts to deal with conflict resolution, it is very much a mixed picture.

Model Compact clauses for dealing with disputes

Following on from the landlord/tenant relations conferences more detailed work has been carried out to evaluate the present use of Compact clauses to deal with dispute resolution.

The model clauses listed below are built upon clauses which already exist in a number of Compacts. Confidence in the Compact to deal with disputes should be enhanced if one or more of these clauses are used and agreed in advance of any disputes arising.

One of the model clauses suggests mediation and arbitration. It is, however, advisable that local informal procedures, where they exist, are used to resolve disputes wherever possible before resorting to mediation or arbitration.

The clauses offer different options and can be used on their own or in combination depending on local circumstances. Given that arbitration would normally only be used where mediation has failed it is unlikely, however, that the arbitration clause would be adopted without a clause on mediation.

Model clauses

1. A scrutiny panel containing independent tenants, elected members and staff members will be established solely for the purpose of investigating the case/complaint. The panel will review the case and make recommendations for an improvement in the situation.
2. A neighbouring local authority, selected jointly by the landlord and tenant representatives, will be appointed as a 'critical friend', probably on a reciprocal basis. A panel of nominees, including elected members, staff members and tenants, will review any conflict and will make suggestions about how to reach an amicable solution.
3. In unresolved or serious cases an independent mediator will be hired to work with both parties to find a compromise with which all parties agree. The mediator will be chosen by both the landlord and the relevant tenant representatives. This may be one named mediator or company selected prior to conflict arising, or from a 'select list' of mediators.
4. Where all other measures have failed to reach a satisfactory conclusion an independent arbitrator will be appointed jointly by the landlord and tenants to review the case and arrive at a conclusion. This conclusion is binding and must be adhered to by all parties involved.

Use of mediation

Mediation is a process in which an impartial third party helps people in dispute to reach a mutually acceptable solution. The mediator may facilitate the reaching of a legally binding agreement as part of the solution.

Mediation is based on two principles, one is that nearly every tenant prefers not to be in dispute with their landlord and the other is that people are capable of resolving their own problems. Mediation is at its most effective when introduced to a situation at an early stage of a dispute. The time it takes for the landlord to go through the series of internal stages of the dispute/complaints process can detract from a positive outcome of mediation. Protracted processes allow positions to become more deeply entrenched making resolution more difficult. Mediation should therefore be introduced or

proposed early on in a dispute, not simply as a last resort (for details on how to instigate mediation, see Appendix 1).

Use of arbitration

Arbitration is a method for deciding between two conflicting claims in which an independent person's decision is binding.

The independent person, called a neutral, makes a determination based on evidence presented during the arbitration process. In arbitration the arguments put by both parties are heard by an arbitrator who, by using their knowledge, skills and experience, will come to a decision on the issue/problem. The arbitrator's decision is issued in the form of an award and is a binding judgement on the dispute (for details on how to instigate arbitration, see Appendix 2).

The clear benefit of using mediation as opposed to arbitration is that the outcome is usually that the parties in dispute agree a mutually acceptable way forward. This is very much consistent with the ethos of tenant participation and partnership working. When arbitration is used however, it is the independent arbitrator who decides on the way forward by agreeing with one party over the other. Neither party has direct control over the final outcome of arbitration and therefore there is less ownership of the solution.

Funding of mediation and arbitration

Compacts should set out the resources to be provided to support mediation and arbitration processes.

Recommendations

The ODPM strongly encourages local authorities to ensure that they have robust and effective systems for dealing with shortcomings in performance and dispute resolution. It is therefore recommended that local authorities, as part of their regular review of Tenant Participation Compacts, include clauses such as those listed above.

The introduction of such systems and clauses should stop many potential conflicts from arising. If however they do arise, the systems which are in place should have been jointly agreed by all parties. This agreement from the outset should ensure that all parties are clear about the procedures and are committed to the processes.

ODPM is interested in monitoring whether the model clauses are used and found to be useful.

Useful contacts

ODPM
Tenant Services Branch
Zone 1/H6
Eland House, Bressenden Place
London SW1E 5DU
Tel: 0207 944 3488

Tenant Participation Advisory Service
5th floor, Trafford House
Chester Road
Manchester M32 0RS
Tel: 0161 868 3500

Free phone Information Service for tenants: 0500 844111

Mediation UK
Alexander House,
Telephone Avenue
Bristol BS1 4BZ
Tel: 0117 904 6661

For further information on mediation and arbitration and a list of agencies who carry out this work, please contact TPAS on one of the above telephone numbers.

Appendix 1

Steps to follow in order to instigate mediation

1. Check that the processes outlined within the Compact have been followed.
2. Speak to the officer named within the Compact, and inform them that tenants feel that mediation should be the next step.
3. Agree with the local authority who the mediator should be.
4. Make a referral of the case to the selected mediation service.
5. The mediation service will send two trained mediators to visit firstly the party who reports the problem and then the other party. These visits allow each party to give their account of the situation and how they feel.
6. If both parties wish to participate in mediation in order to try and resolve the problem a face-to-face meeting is arranged.
7. If the parties do not wish to meet each other, in a few extreme cases, mediation can be carried out through a 'shuttle' process.
8. The mediators remain impartial throughout and make no suggestions about potential solutions. Their presence and management of the mediation meeting is intended to enable both parties to abandon their negative emotional responses to the difficulties of the past and to find better ways forward.
9. Further meetings may be required to find a solution to the issue.
10. An agreement is reached on a way to move forward with which both parties are satisfied.

Points to Consider

The process is entirely voluntary and an agreement to enter into mediation is not legally binding.

Mediation is unlikely to succeed when run alongside any form of statutory action being taken against one or all parties. A case ideally should be referred for mediation prior to statutory action being taken or once other action has been completed.

Mediation usually works best the earlier a case is referred.

Mediation is not appropriate where a criminal offence has been committed, or where there are contractual or statutory obligations that must be complied with.

Appendix 2

Steps to follow in order to instigate arbitration

1. Check that the processes outlined within the Compact have been followed.
2. Ensure that all other avenues for resolving the dispute have been explored and tried.
3. Speak to the officer named within the Compact, and inform them that tenants now feel that arbitration is the only remaining method to resolve the dispute.
4. Agree with the local authority who the arbitrator should be.
5. Each party will need to give each other and the arbitrator details of their respective cases prior to the hearing.
6. All parties will need to consider whether they wish to have present at the hearing anybody who could offer support from their personal experience or give statements about the events leading to the dispute/problem. In some cases it may be sufficient to submit a signed statement from the person containing their account of events, rather than ask them to attend the hearing.
7. Any party will have the right to bring along anyone they wish to help them to present their case, although no special status will be given to legal representatives. Parties or their representatives will not be allowed to cross-examine the other party or anybody that they have called to help them put their case. The arbitrator has the right to address questions directly to either party, and/or representatives attending the hearing to speak on their behalf.
8. The arbitrator, using their knowledge, skills and experience, will come to a decision on the dispute.
9. The arbitrator's decision is issued in the form of an award and is a binding judgement of the parties dispute.

Points to Consider

Hearings will normally last about half a day, although the arbitrator does have the power to adjourn if they feel that this is required.

Hearings are informal with the arbitrator deciding all procedural and evidential matters during the hearing.

No further evidence will be accepted after the hearing.

APPENDIX I

Tenant Participation Compacts and the Decent Homes Standard – A TPAS Briefing Note for Tenants

Background

The ODPM publication, *Sustainable Communities: Building For The Future*¹ set each Council in England the target of bringing all its homes up to the Decent Homes Standard by 2010.

To achieve this, councils will need to do an 'Option Appraisal'. In brief, this means councils need to assess the level and type of disrepair within their stock, compare this to the decent homes standard and work out how much it will cost to bring homes up to standard. They also need to assess the options available for them to raise the necessary funds.

The deadline for all councils to have their Option Appraisals accepted by their local Government Office is July 2005. New ODPM Guidance: "Delivering Decent Homes – Option Appraisal", published in June 2003, insists that tenants be involved at every stage. Councils that fail to involve their tenants will not have their Option Appraisals "signed off" by the Government Office.

This TPAS Briefing Note for tenants summarises what ODPM's June 2003 Guidance requires in terms of tenant involvement in Option Appraisals, and links this to the development of councils' Tenant Participation Compacts.

What is a Tenant Participation Compact?

Tenant Participation Compacts are locally negotiated agreements between council landlords and tenants, setting out how tenants will be involved collectively in taking local decisions on housing issues that affect them.

Tenants should be using their Tenant Participation Compacts to make sure they have a proper say in decisions about the best way to achieve the decent homes standard. In particular tenants should:

¹ Published by ODPM 2003

- Review existing arrangements agreed in Compacts
- Build on these to enable tenants to play a full part in Options Appraisals – from the start and throughout the process.

What is the Decent Homes Standard?

The Decent Homes Standard is a target set by Government for all councils and registered social landlords to meet set standards of design and fitness for their homes by 2010. In brief, a decent home will have to pass four tests:

- It has to meet the current statutory minimum standards for housing.
- It needs to be in a reasonable state of repair.
- It needs to have reasonably modern facilities and services.
- It needs to provide a reasonable degree of thermal comfort.

How should tenants be involved in Option Appraisals?

ODPM's June 2003 guidance on Option Appraisal says more about how councils are expected to meet the commitment in the "Communities Plan" to put tenants at the heart of decision-making on the future of council housing. Option Appraisals will only be "signed off" by the local Government Office if tenants have:

- taken a full part in all the project groups working on the appraisal;
- had equal status with every other participant;
- shared in agenda-setting and decision-making;
- had access to independent advice from the start; and
- felt able to identify with the conclusions.

Before an Option Appraisal gets underway, each Council must agree with the Government Office and the Community Housing Task Force:

- An **overall project plan** for the Option Appraisal including a **budget** to cover staffing, tenants' travel costs and other expenses, translation and interpretation, training and advice.
- A **tenant empowerment strategy** drawn from a "baseline assessment" of the local tenant involvement situation and the Council's own openness to public involvement.
- A **communications strategy** to inform all tenants of how the Option Appraisal is progressing and to broaden consultation.

How will an Independent Tenants' Advisor (ITA) will be appointed?

ITAs must now be appointed by tenant selection panels as soon as option appraisals get underway.

How can the Tenant Participation Compact help with Option Appraisals?

To produce the tenant empowerment strategy required by the decent homes options appraisals, councils will have to develop the arrangements in their tenant participation Compacts. These should already include arrangements for:

- a) Informing tenants,
- b) Consulting tenants,
- c) Involving tenants and for supporting tenants, e.g. with training and facilities to enable them to take part effectively and to the level they chose.

Arrangements agreed in Compacts should be flexible enough to help tenants look at options at the borough wide as well as the local level, if they so wish.

Where councils and their tenants are considering setting up community based landlords, S16 Tenant Empowerment Grants may be available to help tenants take forward this option.

Further Help and advice

Decent Homes Unit – for guidance on the Option Appraisal process, how to put housing investment options into practice and information about ITAs. Contact Melanie Sturtevant – Tel: 0207 944 0600

ODPM Tenant Services Branch – for information on “S16 Tenant Empowerment Grants” and Tenant Participation Compacts **Tel: 0207 944 3488**

TPAS Free Helpline for tenants – Tel: 0500 844 111.