



# Homes & Communities Agency

## THE REGULATOR OF SOCIAL HOUSING

### Decision Instrument

Instrument number: 15

Title of Instrument: **Decision to change the wording of Section 2.2.3 of the Tenant Involvement and Empowerment Standard**

## Introduction

- A Regulation of social housing in England under the Housing and Regeneration Act 2008 ('the Act') is the responsibility of the Homes and Community Agency acting through its Regulation Committee ('the Regulator').
- B The Act was amended by the Housing and Planning Act 2016 ('the HPA 2016'). The changes made include de-regulatory measures which amend the HRA 2008 by removing the requirement for private registered providers to seek the regulator's consent to the disposal of social housing and to some constitutional changes.
- C The Regulator has consulted on changes to Section 2.2.3 of its Tenant Involvement and Empowerment Standard arising from the changes introduced by the HPA 2016. The purpose of this document is to set out the decision of the Regulator made following the conclusion of that consultation.

## Decision

Date decision made: 22 May 2017

Decision made by: Regulation Committee

1	In exercise of its power under section 193 of the Act to set Standards with which registered providers of social housing are required to comply, the Regulator has decided to revise the wording of Section 2.2.3 of its Tenant Involvement and Empowerment Standard. The revised wording is as set out in Annex 1.
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	The decision to make this change has been taken following consultation, complying with the requirements under s196 of the Act.
2	This decision comes into force on 14 July 2017.

## **Authentication**

Name: Julian Ashby

Position: Chair of the Regulation Committee of the Homes and Communities Agency

Signature:

A handwritten signature in black ink, appearing to read 'Julian Ashby', written in a cursive style.

## **Schedule 1 to Decision Instrument 11**

### **Amended text of the Tenant Involvement and Empowerment Standard**

#### **Tenant Involvement and Empowerment Standard (to take effect 14 July 2017)**

##### **1 Required outcomes**

##### **1.1 Customer service, choice and complaints**

1.1.1 Registered providers shall:

- (a) provide choices, information and communication that is appropriate to the diverse needs of their tenants in the delivery of all standards
- (b) have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly.

##### **1.2 Involvement and empowerment**

1.2.1 Registered providers shall ensure that tenants are given a wide range of opportunities to influence and be involved in:

- (a) the formulation of their landlord's housing-related policies and strategic priorities
- (b) the making of decisions about how housing-related services are delivered, including the setting of service standards
- (c) the scrutiny of their landlord's performance and the making of recommendations to their landlord about how performance might be improved
- (d) the management of their homes, where applicable
- (e) the management of repair and maintenance services, such as commissioning and undertaking a range of repair tasks, as agreed with landlords, and the sharing in savings made, and
- (f) agreeing local offers for service delivery.

##### **1.3 Understanding and responding to the diverse needs of tenants**

1.3.1 Registered providers shall:

- (a) treat all tenants with fairness and respect
- (b) demonstrate that they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs.

## **2 Specific expectations**

### **2.1 Customer service, choice and complaints**

2.1.1 Registered providers shall provide tenants with accessible, relevant and timely information about:

- (a) how tenants can access services
- (b) the standards of housing services their tenants can expect
- (c) how they are performing against those standards
- (d) the service choices available to tenants, including any additional costs that are relevant to specific choices
- (e) progress of any repairs work
- (f) how tenants can communicate with them and provide feedback
- (g) the responsibilities of the tenant and provider
- (h) arrangements for tenant involvement and scrutiny.

2.1.2 Providers shall offer a range of ways for tenants to express a complaint and set out clear service standards for responding to complaints, including complaints about performance against the standards, and details of what to do if they are unhappy with the outcome of a complaint. Providers shall inform tenants how they use complaints to improve their services. Registered providers shall publish information about complaints each year, including their number and nature, and the outcome of the complaints. Providers shall accept complaints made by advocates authorised to act on a tenant's/tenants' behalf.

### **2.2 Involvement and empowerment**

2.2.1 Registered providers shall support their tenants to develop and implement opportunities for involvement and empowerment, including by:

- (a) supporting their tenants to exercise their Right to Manage or otherwise exercise housing management functions, where appropriate
- (b) supporting the formation and activities of tenant panels or equivalent groups and responding in a constructive and timely manner to them
- (c) the provision of timely and relevant performance information to support effective scrutiny by tenants of their landlord's performance in a form which registered providers seek to agree with their tenants. Such provision must include the publication of an annual report which should include information on repair and maintenance budgets
- (d) providing support to tenants to build their capacity to be more effectively involved.

2.2.2 Registered providers shall consult with tenants on the scope of local offers for service delivery. This shall include how performance will be monitored, reported to and scrutinised by tenants and arrangements for reviewing these on a periodic basis.

2.2.3 Where registered providers are proposing a change in landlord for one or more of their tenants or a significant change in their management arrangements, they shall consult with affected tenants in a fair, timely, appropriate and effective manner. Registered providers shall set out the proposals clearly and in an appropriate amount of detail and shall set out any actual or potential advantages and disadvantages (including costs) to tenants in the immediate and longer term. Registered providers must be able to demonstrate to affected tenants how they have taken the outcome of the consultation into account when reaching a decision.<sup>1</sup>

2.2.4 Registered providers shall consult tenants at least once every three years on the best way of involving tenants in the governance and scrutiny of the organisation's housing management service.

### **2.3 Understanding and responding to diverse needs**

2.3.1 Registered providers shall demonstrate how they respond to tenants' needs in the way they provide services and communicate with tenants.

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<sup>1</sup> The text of Section 2.2.3 prior to amendment read: "2.2.3 Registered providers shall consult with tenants, setting out clearly the costs and benefits of relevant options, if they are proposing to change their landlord or when proposing a significant change in their management arrangements."