

Workshop 5: Empowering Residents to deal with issues at the local and landlord wide level. Facilitated by Greg Robbins, LFHC and Nick Reynolds, NFTMO: Is the Government's focus on landlord league tables, publication of their key performance indicators and 'choice' of landlords and services, in the green paper, the best way to 'empower tenants'? What kinds of local tenant involvement structures do we need to ensure the services we pay for in our rents are delivered, along with effective landlord accountability? How should these relate to the regulator?

Workshop discussion

(i) Key Performance Indicators: *Successive governments have seen these as ways of measuring how well different public services deliver, but has it worked or do they generate a target driven culture? (para 56-66) What have all the KPI statistics been used for and what impact have they had on the services we receive as tenants and residents?*

- Most attendees were not aware of KPI data, nor where to find it and all were concerned that they could be too easily manipulated to be a main determinant of performance. Residents own experience need to be heard. Sometimes the wrong things are measured.
- High turnover of staff and use of temporary staff mean that they don't have enough local knowledge and have little knowledge of the KPI which will be reported after they have left. Individually enforceable rights can be used more easily by tenants – e.g. the right to repair.
- KPIs to measure tenant involvement and participation could be interesting as could that for levels of social and affordable housing delivered by housing associations and boroughs. Changes need to be adequately resourced.

(ii) Funding: *The government claims a £9 billion affordable homes programme and wants this to be the carrot to control housing association development, though not all are building new properties. (para 67-69). **How can bad practice be penalised and good rewarded for landlords?***

Different views were expressed on penalising / rewarding – without consensus. However, principles agreed were:

- there is a need for transparency without litigation;
- funding should be made available only to those meeting quality building standards;
- funding should be directed at those building genuinely affordable housing;
- standards set need to be appropriate and enforced;
- the regulator needs to have appropriate technical knowledge and expertise;
- the regulator should have power to disqualify board members;
- the regulator must be prepared to use the powers that it already has;
- conflicts of interest must be declared and action taken;
- there must be a strong tenants voice within the regulator, which must be funded;
- cuts in legal aid and the county courts service must be reversed so individual rights can be protected and also ways for TRAs/community groups to provide a collective legal challenge;

(iii) TMOs and ALMOs: *Both operate services for a council, but one is set up by the council and one by residents. The government wants to know if they are accountable and if agreements can be ended. But are the relationships equal? **Can residents achieve what they want by taking control?***

- Some felt that TRAs often had to take the form that councils chose.
- Work on TRAs should count as voluntary work so those on JSA are not disincentivised from voluntary work that could be both personally empowering and beneficial to their community;
- Those with experience of TMOs felt they were effective and noted that various studies support this.
- Leasehold properties which are sub-let can dilute involvement in TMOs or TRAs.

(iv) Resident Management: *Some landlords have begun convert to community housing associations and councils have the right to take over local services (the 'right to manage'). **Do these measures help to empower tenants? Do they go far enough and include enough people?** (para 76-84)*

- Where it is working (i.e. not ended by the board), resident membership of community housing associations was felt to be valuable and effective.
- Resident membership needs to be enshrined in the articles, so it cannot be changed without a vote by residents.
- There was support for nationalising/mutualising housing associations.

(v) Regulator for our Protection: *If the KPI measures are put in place, the government sees it as being able to police breaches that cause 'serious detriment' (e.g. gas safety) - (para 90-98) **Should we, can we, rely on a government regulator – or what else should we do?***

- There was scepticism about the capacity of the regulator to complete this work. Many felt that it should begin again from scratch.
- There should be funded tenant involvement.
- There should be some random inspections using a checklist.
- The notion of residents as 'consumers' is not helpful.
- There should be more access to courts to enforce rights, including an ability to compel the regulator to fulfil its role.
- KPI for the regulator?
- The regulator to take more seriously its duty to publicise itself.