



## POLICY RESPONSE

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# **Response to a Consultation Document on a Tenant Participation Strategy for Northern Ireland: 2015 to 2020**

April 2015

## 1.0 Introduction

Housing Rights Service (HRS) welcomes the opportunity to respond to the Department for Social Development's (the Department) consultation on *A Tenant Participation Strategy for Northern Ireland: 2015-2020*. We are pleased that the Department considers tenant participation as an integral part of the successful delivery of social housing and its ensuing services.

Tenant involvement is defined by the Chartered Institute of Housing (CIH) as *"a two way process involving sharing information and ideas where residents are able to influence decisions and take part in what is happening"*. HRS supports the view that greater user involvement in landlord services leads to a more customer-focused approach being adopted; making services more efficient and raising quality.

Research from the Audit Commission establishes a clear link between user involvement and improvements in services, *"The benefits of resident involvement can be considerable. Our research established clear evidence of benefits, to the business, to residents and to the wider community. Specific gains for housing organisations include an impact on performance, better services and enhanced accountability."* Their report goes on to say, *"These improvements are also important to residents, but involvement can benefit residents in additional ways: such as individual capacity building and improved local community involvement. The latter can have a wider reaching impact in terms of stabilising communities and helping to ensure their sustainability"*.<sup>1</sup>

It is worth noting at the outset that the onus is on the social landlord to effectively engage with their tenants and other service users. It is the landlord who comes from a stronger power base and is well resourced. There is an expectation, therefore, that the landlord will make the effort to proactively encourage tenant and user participation.

## 2.0 Summary of key points

HRS believes that, in principle, the advancement of tenant and user participation is to be welcomed. There are a number of key points that we would like to highlight at the outset, which are developed further in this response:

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<sup>1</sup> *'Improving services through resident involvement'*, Audit Commission and the Housing Corporation, 2004.

- HRS recommends that the Government should proactively monitor, through the regulatory process, the progress made in engaging with tenants and other users. If suitable progress is not demonstrated, the Department should give full consideration to developing a legal right to participation at some future stage
- Participation in the development and delivery of social landlord services should be about more than tenants. The Department needs to recognise that the services of social landlords are used by many other people, including the homeless and people on the waiting list for housing. All such service users should have a say in the workings of landlords. This is not only good for the end user, but can also lead to better services being offered.
- Particular attention needs to be paid to the ‘easy to ignore’ groups. This will entail landlords making extra efforts to reach these groups. Whilst we welcome the 10 Principles for tenant participation, we would ask the Department to consider strengthening them to expressly make reference to easy to ignore groups. We believe that although Principle 10 refers to *‘the requirements of legislation on equality and Section 75’*, the easy to ignore groups could be overlooked if not more explicitly referred to in the Principles. Successful engagement with easy to ignore groups is key to effective participation, and this addition to the Principles would help to reflect this.
- Landlords and service users will need support and training in order for them to engage effectively. This will require additional investment of resources.
- Regulation needs to be proactive at least in the initial 5 year period. There also needs to be appropriate sanctions put in place for non-compliance. However, we understand that there needs to be a balance between supporting landlords and sanctioning them.
- There needs to be greater clarity and detail on the proposal for regulation of the participation activity. HRS believes it should extend to all social landlords and not just to Housing Associations.
- We support the idea of a Tenants’ Advocate but believe more consideration needs to be given to their role and remit. Their paramount concern must be the needs and interests of their particular client group.
- Tenant empowerment seems to be the next logical step. An appropriate level of skills, support and knowledge will be required to equip tenants to appreciate the significant responsibilities which come with exercising these rights.
- The social inclusion impact assessment should be reviewed to specifically look at the potential impact the strategy, as currently drafted, has on homeless persons. Homeless persons are valuable consumers of social landlord services and, there is a need to ensure that appropriate mechanisms are in place to ensure they are not disadvantaged by an exclusive focus on the needs and preference of existing tenants.

### 3.0 Legal right to participate

In Northern Ireland, the Northern Ireland Housing Executive (NIHE) has a statutory duty to consult its tenants on matters affecting their tenancies.<sup>2</sup> The NIHE has developed this statutory duty into encouraging a more active and participative involvement of tenants and residents groups in the delivery of their services through the operation of the Housing Community Network. NIHE has made clear commitments to “...*working with tenants, residents and other users in order to ensure improvements to the neighbourhoods that we work in.*”<sup>3</sup> For Registered Housing Associations, the existing regulatory code of the Department requires that they “*must seek and be responsive to residents’ views and priorities*”.

Under the current proposals, the Department plans for tenant participation to sit as part of an overall regulatory standard. However, in some other jurisdictions respective governments have gone beyond this and enshrined a right to participate in legislation. For example, in Scotland, a right for tenants to participate is enshrined in law under the Housing (Scotland) Act 2001. The right to participate applies to all social tenants, regardless of who their social landlord is.

Although no such legal right is currently being proposed in NI, we believe that the option of developing a legal right to participate should be considered by the Department. HRS recognises the lengthy period which is required to introduce a new piece of legislation and would not wish to see progress on promoting tenant participation unnecessarily delayed pending the introduction of a legislative right.

HRS recommends that the Government should proactively monitor, through the regulatory process, the progress made in engaging with tenants and other users. If suitable progress is not demonstrated, the Department should give full consideration to developing a legal right at some future stage, (possibly timetabled to coincide with the future review of the Tenant Participation Strategy).

In the absence of a statutory right to participation, it is essential that co-production of services between the service user and the social landlord is at the core of any service delivery. Co-production in this context means using the combined lived experiences of users and the expertise of landlords to create better services. Effective co-production will require support and resources for all parties involved to be able to fully play their part and may, in some cases, require a significant culture change amongst the social housing providers

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<sup>2</sup> Article 40 of the Housing (NI) Order 1983

<sup>3</sup> ‘*Community Involvement Strategy 2014 – 2017*’, NIHE, September 2014

#### 4.0 Who should be able to participate?

We believe that the consultation document is ambiguous in terms of who should be involved in the participation process. On the face of it, it appears to be restricted to only encouraging participation from the 'tenants' of social landlords; although there is some limited reference made to 'other customers'. HRS would welcome greater clarification on this as we believe it is important to extend participation to all consumers of social housing services. It would therefore be helpful if the Department could provide a definition of who is included in the reference to 'other customers'. For example, is it 'customers' as referred to by the NIHE i.e. "...*broad customer base comprises anyone with a stake in neighbourhoods, including Housing Executive and private tenants, owner occupiers and leaseholders*"?<sup>4</sup>

The following groups are just some of those who use the services of social housing providers and who, therefore, should be involved in the co-production of those services on a day-to-day and on a strategic basis:

- Current tenants,
- Homeless people,
- People who are on the waiting list for social housing, and
- People who are receiving housing support services provided by the landlord such as home owners who pay the landlord for services e.g. in mixed tenure buildings and travellers who use sites provided by the landlord.

We believe that the Department should consider the Scottish Housing Charter (the Charter) as the model for full user participation.<sup>5</sup> The Charter sets out the outcomes and standards that all social housing providers in Scotland should aim to achieve. The Charter is quite clearly aimed at more than just tenants. The Charter's target audience are 'tenants and other customers', such as those mentioned in the list above.<sup>6</sup> The Charter also stipulates that social landlords are accountable to tenants and other users on how well they perform against the set of outcomes and standards. This helps to promote a culture of transparency amongst social landlords.

Promoting user participation is integral to the delivery of housing services in Scotland. At the outset of their *Consultation and Involvement Strategy 2012-2015*, the Scottish Housing

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<sup>4</sup> Ibid.3

<sup>5</sup> 2012

<sup>6</sup> See page 14 of Charter

Regulator states that *“Protecting the interests of tenants and other services users is at the heart of our work. Engaging with tenants and other services users helps to make our work accountable, relevant and transparent”*.<sup>7</sup> This system clearly acknowledges that non-tenant customers also have an important part to play in developing and delivering good quality, value for money services that people want.

HRS believes the Social Housing Reform Programme (SHRP) presents an ideal opportunity to fully integrate a consumer-based approach to developing and improving social housing services in NI. We believe that this can only truly come to fruition when full user participation is embraced. Full user participation means looking beyond obtaining input from existing social tenants and seeking out the opinions of all users of social housing services. This is particularly important as, in our experience, inherent tensions can exist between those who are already housed and those who are looking for housing.

## **5.0 Challenges for landlords**

HRS recognises that increasing the levels of service user participation will be a challenge for many social landlords in NI. Engaging with only the most organised and vociferous social tenants is likely to be the easiest course of action, but can mean ignoring the voice of a significant number of less articulate service users who are on the periphery. In particular, it may be difficult to reach out to those customers who are not already tenants or to those people who may be regarded as ‘easy to ignore’. This can be as a result of barriers, which landlords and users may not be aware exist, but which need to be overcome in order for such people to participate and for landlords to reach out.

HRS commissioned independent research to further develop understanding of the problems which can be experienced by these groups and how these may be overcome.<sup>8</sup>

Easy to ignore groups can include:

- People who are geographically isolated;
- People with poor communication skills, including literacy and numeracy;
- People with a disability;

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<sup>7</sup> ‘Consultation and Involvement Strategy 2012-2015’, Scottish Housing Regulator, [www.scottishhousingregulator.gov.uk](http://www.scottishhousingregulator.gov.uk)

<sup>8</sup> ‘*Involving Everyone: Including ‘easy to ignore’ groups in housing policy and strategy development*’, Dr Jenny Muir, QUB and Mary McMahon, MMM Consultancy, April 2015. See Appendix 1 for summary of research.

- Minority ethnic groups whose first language is not English;
- People with mental health issues;
- People with drug and alcohol problems;
- Ex-offenders;
- Children and young people;
- People who are digitally excluded.

Some of the barriers to participation identified by the research are:

- Service providers having an expectation that service users will fit into their existing structures and ways of working,
- Staff not having the right knowledge or skills,
- Limited information being provided and not in an appropriate format'
- Lack of physical access for attending events,
- Negative attitudes towards service users,
- Practical needs of users not being taken into account e.g. transport costs and timing of meetings.

Equally important to involving users, is ensuring that the right structures are put in place to allow users to know that their contributions are being listened to and are of value. The methods employed in capturing those contributions must be flexible enough to cover a wide range of users; taking into account their varying backgrounds, needs and abilities. Failing to adapt to different users' needs and priorities could have the paradoxical outcome of stifling participation. The Department should, therefore, be wary of allowing social landlords to adopt a 'one size fits all' approach to participation.

Genuinely engaging with users will involve, amongst other things:

- Creating techniques to make the voices of the easy to ignore into valued opinions;
- 'Really listening' to what users are saying. In some cases this may involve taking more time with particular users, for example those who need an interpreter or those who depend on a carer to speak on their behalf;
- Communicating with users in small group discussions;
- Making information easily accessible;
- Properly trained staff who can actively engage with users and identify their input at a policy and strategic level;
- Making special provisions to have users physically present at discussions e.g. providing transport to meeting venues;

- Where feasible, making appropriate technology available to users to actively participate;
- Having access to and being able to contribute to a Centre of Excellence on good practice.

Appendix 1 of this response includes a detailed summary of the research and includes a number of recommendations on how these barriers may be addressed. HRS hopes this will be helpful to both the Department and social landlords.

## 6.0 Support

The effective implementation of a participation strategy will require sufficient resources and investment to be made available to support not just users in developing their participation skills, but also social landlords in developing their participation techniques and in designing and fulfilling their own strategy. We are encouraged that the consultation document states that the Department *“will make a strong case for government funds to support this”*. It is, however, not in our view unreasonable to expect social landlords to pay a levy which could help fund this essential work. Ultimately, from a business perspective, it is in the long-term interests of social landlords to invest in service user participation. There is a clear link between involving service users and enhancing and improving the services provided.

In NI, there are wide variations in the experiences and capacities of social landlords to carry out greater user participation. Again, just like with the end user, a ‘one size fits all’ model will not be the best approach in working with social landlords. Some social landlords, such as the NIHE, already have a wealth of experience of engaging with users in developing their services through their Housing Community Forum Central Panel. They have also already made a commitment in their Community Involvement Strategy to give *“...residents a real say in making their neighbourhoods good places in which to live and help build stronger communities. The broad customer base comprises anyone with a stake in neighbourhoods, including Housing Executive and private tenants, owner occupiers and leaseholders.”*<sup>9</sup>

Unfortunately, not all social landlords are at the same stage in involving users. The greatest variation in practising user participation occurs within the Registered Housing Association movement. In our experience, there is currently no consistent approach to user participation amongst the Housing Association movement. Many Housing Associations have

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<sup>9</sup> Ibid.3



little or no experience of engaging with users on the level required by the proposed standards. User participation will be uncharted territory for many Housing Associations.

Initially, there needs to be a focus on individual Housing Associations developing and implementing their participation strategy to meet the agreed standards. In many cases, extensive support and training will be needed to ensure not only that their user participation strategy is published, but also that it is put into everyday practice and fully complied with. This support and training will be needed throughout all levels of the organisation; from the Board and Senior Management teams right down to the frontline staff.

Social landlords will need to be supported and 'skilled up' to communicate in the right way with their service users. Special skills and techniques may be needed to fully engage with some particular groups of users, especially those who are 'easy to ignore'.

We believe that the Department should build on the skills and knowledge that already exist in Northern Ireland. Supporting Communities NI (SCNI) provides expertise in supporting and developing tenant participation. Most of their work to date has been with developing the skills and input of NIHE tenants, but they have also begun to branch out into working with Housing Association tenants. SCNI "*promotes best practice in Community Participation in Northern Ireland through a 'grassroots' approach to Community Development, providing tailored support, advice, information and training to new and existing Community Groups, Statutory and Voluntary Organisations.*"<sup>10</sup> SCNI does this through a network of Community Liaison Officers who work with tenants in acquiring the right skills and knowledge. As such, they are ideally placed to continue to carry out this function. Additional and appropriate resources will need to be allocated to ensure that this essential work can be undertaken.

## **6.1 Establishing a Centre of Excellence**

Given the significant task ahead for landlords and service users, we believe that consideration should be given to developing a local *Centre of Excellence for User Involvement in Housing Services* (Centre of Excellence). In the research recently commissioned by HRS, it is recommended that the skills, knowledge and experience that already exists in NI and beyond should be harnessed and brought together so as to make resources and support more easily accessible.<sup>11</sup> There are already many organisations in NI, and beyond, who can show good practice in user participation. However, these examples of

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<sup>10</sup> <http://www.supportingcommunitiesni.org/Default.aspx>

<sup>11</sup> Ibid.8

good practice cannot currently be centrally accessed; meaning that many of them remain unknown to the very people and organisations that could potentially be able to benefit from their work and experience.

The research envisaged the Centre of Excellence as being a small independent resource base with service users at its core. In times of limited public funding, it could potentially be funded by a combination of the following:

- Government funding, including European money;
- Philanthropic sources such as charitable trusts;
- Funding from social landlords and possibly private landlords; and
- Private sector donations and sponsorship.

According to the research, the Centre of Excellence could have the following functions:

- Development of a knowledge base and good practice repository from the UK and internationally.
- Provision of training, conference and seminars in order to disseminate and share examples of good practice.
- Administer an Innovative Involvement Programme to allow service providers the opportunity to experiment with methods of user participation
- Carry out quality assurance reviews for landlords on a consultancy basis.
- Advise the public, voluntary, community and private sector on good practice.
- Maintain a register of skilled practitioners in engagement techniques.
- Devise performance measures for evaluating participation.
- Commission or co-ordinate a longitudinal study (at least a 10 year period) on the wider impact of participation on individuals and communities.

HRS would encourage the Department to explore this idea further and to engage with key stakeholders, including HRS, in any discussions.

## **7.0 Regulation and scrutiny**

Regulation is an intrinsic element of the proposed Participation Strategy. The standards set out will be governed by legislation and will be subject to the scrutiny of a Regulator. We agree that any standards to be met by social landlords should be subject to inspection. It is only by examining how landlords meet the standards that a proper analysis of their

competencies can be carried out. It is important that service users are consulted with at all stages; from developing a Participation Strategy, right through to scrutinizing it.

Although the question of who will take up the role of Regulator will be the subject of another consultation exercise, we believe there is real benefit in having an independent Regulator who is free from possible Government constraints and conflicts of interest (either perceived or real). Independence brings with it user confidence and trust when carrying out its work and reaching its findings.

- **We believe that the wording of the regulatory standard, as currently proposed, is ambiguous and that further clarification as to who the standard applies is required.** The consultation document only refers to 'Associations'. We would like clarification on whether the NIHE (or its successor) will be subject to the same Regulatory Standard.
- **We believe that the assessment of the Regulatory Standard has to be proactive.** There is a current trend, reflected in the recently released "*Proposals for a New Regulatory Framework for Social Housing Providers in NI*" which is moving away from a compliance based to a risk based approach to regulation. However, we do not believe this risk based approach would be appropriate in relation to a new activity such as service user participation. Any regulation of the Standard should, in our view, be proactive at least until the Strategy is reviewed.
- **Regulation should involve tenants and other users.** From the consultation document, it is not clear the role, if any, which tenants/users would have in the regulatory process.

In the case of Scotland, all service users are involved in the regulation of social landlords. There is provision for service users to give feedback on their landlord's performance. This is then collated and published on an online comparison tool which enables service users and social landlords to compare social landlords' performances against each other.<sup>12</sup> The Scottish Housing Regulator sees this as a core element of improving standards in social housing as it allows social landlords to benchmark their performance with their peers. This has the knock-on effect of improving standards and also empowers service users to engage with their social landlord.

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<sup>12</sup> Comparison tool can be found at <http://www.scottishhousingregulator.gov.uk/find-and-compare-landlords>

The Scottish Housing Regulator has just published its first *National Report on the Scottish Social Housing Charter*.<sup>13</sup> Their main findings show that the things most closely associated with overall satisfaction are:

- Landlords keeping tenants informed about their services and decisions;
- The quality of tenants' homes;
- Good neighbourhood management;
- Having opportunities to participate;
- The time taken to complete non-emergency repairs; and
- The quality of repairs and maintenance to tenants' homes.

These findings quite clearly illustrate that service user participation and open communication with social landlords are high on the agenda of service users and adds greatly to the satisfaction that they have with their home, their neighbourhood and their landlord.

- **Finally, we believe that there is a need for the Department to clarify what action will be carried out if a landlord fails to comply with the Standard.** Achieving progress in this area will be dependent on finding an appropriate balance between providing support and encouragement and the threat of sanctions if a landlord does not comply. It is not appropriate in our view, for the Department to only step in when there is a demonstrated case of serious failure (as is currently the situation in England). Given that NI is at a formative stage in designing the process, there is an opportunity for the Department to achieve the right balance.

## 7.1 Tenants' advocate

HRS welcomes, in principle, the concept of a 'Tenants' Advocate'. There are many good examples of services that have been established to represent the needs and concerns of particular interest groups. These include:

**NICCY** - The role of the Northern Ireland Commissioner for Children and Young People is to safeguard and promote the rights and best interests of children and young people.<sup>14</sup> The Commissioner is constituted to:

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<sup>13</sup> An analysis of landlords' 2013/14 annual returns, March 2015

<sup>14</sup> <http://www.niccy.org/>

- Undertake general inquiries into issues where she believes children are being adversely affected.
- Respond to requests from the Assembly and Parliament to look at issues.
- Review the ways that those providing services for children listen to complaints and take account of children's views.
- Deal with individual complaints from children and young people, or their parents/guardians about government services.
- Start or take over legal proceedings on behalf of a child or young person if a general principle is at stake.
- Develop ways of communicating with young people and encouraging their participation in decisions.

**COPNI** - the Commissioner for Older Persons in NI is *"an independent champion for older people, who safeguards and promotes their interests."*<sup>15</sup> The Commissioner's principle aim is to safeguard and promote the interests of older people. Although established under the Commissioner for Older People Act (NI) 2011 and sponsored by the Office of the First Minister and Deputy First Minister, the Commissioner is independent of Government. The Commissioner's powers include:

- Raising awareness of the interests of older people.
- Reviewing the law as it affects the interests of older people.
- Reviewing the adequacy and effectiveness of services provided to older people by "relevant authorities".
- Encouraging best practice in the treatment of older people.
- Encouraging participation by older people in public life.

In both of these examples, and in many others, the 'advocate' has a sole duty of acting on behalf of and in the best interests of their user base. **They may have been set up by Government; but, crucially, they are independent of Government and their paramount responsibility is to promote the interests of their particular client group.**

It is not clear in the consultation document the remit or indeed the status of the 'Tenants' Advocate' which is being proposed. The following detail would be required to enable the value, or otherwise, of this proposal to be assessed. For example:

- How will the Tenants' Advocate be selected?
- What is their terms of reference?

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<sup>15</sup> <http://www.copni.org/about-copni.html>

- What will their relationship be with Government/social landlords?
- How will their effectiveness be monitored?
- Who will they be accountable to?

HRS would encourage the Department to explore the Tenants' Advocate proposals with key stakeholders, including ourselves, to further develop this idea.

## **8.0 Tenant rights**

The Department rightly considers tenant empowerment as a logical next step on from service user participation. Empowerment can include the right of tenants to:

- Manage their own properties;
- Transfer to a different social landlord; and
- Have access to community cashback schemes.

These rights already exist in other parts of the UK. HRS supports the development of additional tenants' rights. However, we would add a note of caution. We believe that the idea of tenant participation is already a huge leap in the mindset of many tenants and landlords. As already mentioned in this response, much work will need to be carried out at both a tenant and landlord level to get all parties to a point where they can effectively engage with each other in developing and delivery quality services. This will require the investment of much time and resources.

Tenant empowerment goes above and beyond participation and is of benefit when tenants have the capacity not only to participate, but also to appreciate the responsibilities that they have in exercising such rights. The ability to meet those responsibilities will depend to a large extent on the support and training that tenants will receive.

## **9.0 Impact assessment**

In drawing up their consultation document, the Department has carried out a series of impact assessments. The Department did not identify any adverse impacts. However, in our view, the consultation proposals, as they are currently formulated, could have an adverse impact on homeless people. Homeless people are recognised as one of the most marginalised and socially excluded groups in our society and they are also important consumers of social housing. There are often tensions between their needs and the preferences of those people who are already tenants.

HRS believes greater consideration must be given to how their interests will be represented and safeguarded. We would, therefore, ask the Department to review its social inclusion impact assessment and, in particular, to ensure appropriate mechanisms are contained within the Strategy to ensure that homeless people are not disadvantaged as an unintended consequence of the implementation of the proposals contained in the document.

## **10.0 Conclusion**

This response represents the views of HRS. However, as part of the process of making this submission we have drawn from the valuable feedback made by a range of stakeholders at the 'Shaping Social Housing' conference. There was a general consensus amongst participants that user participation was to be welcomed. However, many of them shared the same concerns and had the same calls for clarification as we have indicated in this response. Full details of all feedback from the conference can be found in Appendix 2.

We have also referred to the research recently commissioned by HRS which looks at involving easy to ignore groups and the barriers that currently exist to their participation. We feel that for participation to be truly effective it needs to include all service users; with particular effort and resources being made available to reaching out to the easy to ignore groups.

HRS would be happy to contribute to any future discussions which the Department may undertake regarding user participation.

We will be pleased to provide additional information in support of this response. For further information contact:

Sharon Geary  
Policy Officer  
Email: [sharon@housingrights.org.uk](mailto:sharon@housingrights.org.uk)  
Tel: 028 9024 5640

### **Involving Everyone: Including 'easy to ignore' groups in housing policy and strategy development in Northern Ireland - Research project by Dr Jenny Muir and Mary McMahon for the Housing Rights Service**

#### **Summary of findings and proposals, for contribution to consultation on the draft Tenant Participation Strategy for Northern Ireland**

The research aim was to assess and make recommendations for the greater involvement of 'easy to ignore' groups in housing policy and strategy development in Northern Ireland, with particular emphasis on engagement with the Social Housing Reform Programme (SHRP).

The research found that local service providers and policy-makers regarded service user involvement as essential for the design of appropriate services to meet need, for service planning more generally, and in some cases due to a commitment to user empowerment. Local policies and strategies emphasised user involvement including mention of 'hard to reach' groups, or similar. Research participants readily identified who was excluded and why, and had many ideas about how the situation could be improved. Therefore it is imperative to ask why current structures seem unable to accommodate a wider variety of service users, whether to contribute to policy and strategy or to service delivery.

#### **Who is ignored?**

A literature review generated a list of easy to ignore groups in five categories: equality issues; where people live; communication issues; the nature of impairments; and 'unwanted voices' (Table One – tables at end of document). Some people would be in more than one group; and not all groups would be homogenous. In relation to the SHRP and particularly the Tenant Participation Strategy, this is important. The research includes all tenures, however many social housing tenants (general needs or in supported housing) are also in other groups.

Local fieldwork found the following equalities groups were seen as particularly excluded: black and minority ethnic groups including Roma and Travellers; younger people and children; people with mental ill-health; and people with learning difficulties. In relation to type of housing, homeless people and tenants in the private rented sector were highlighted, and both were identified as potential customers of the social rented sector. Supported housing residents and people living in isolated areas were also mentioned, along with some housing associations tenants. Communication issues included problems with literacy and numeracy, poor social skills, and lack of access to the internet. People with complex needs such as severe mental ill-health or drug and alcohol use were identified as the most unlikely



to be involved, along with ex-offenders including women, vulnerable people and sex offenders.

### **What are the barriers to involvement for easy to ignore groups?**

Again, the literature review generated a large number of barriers, as set out in Table Two. The key issues were:

- Expecting service users to fit into existing structures and ways of working;
- Inadequate staff knowledge and training;
- Failing to provide adequate or appropriate information, including information in alternative formats;
- Lack of physical access to events;
- Discriminatory or disrespectful attitudes towards service users;
- Not understanding or allowing for practical needs such as transport costs and timing of meetings.

Many barriers are connected with service users being expected to adapt to the structures, behaviour and expectations of service providers and policy-makers, which is not to discount good practice or to fail to acknowledge the important contribution of individuals within organisations. However, Tables One and Two illustrate how some groups are easier to ignore than others, and how involvement structures as they stand favour the articulate, the able-bodied and the less 'different'.

Local research participants, again, were aware of specific obstacles, including:

- A paternalistic attitude from some service providers, who were unwilling to share power with techniques such as co-production;
- A lack of trust;
- No clear purpose to participation;
- A lack of time and resources;
- The need for good quality and timely information as a prerequisite to meaningful participation;
- Practical issues such as choice of venue and cost of travel.

### **How can these barriers be addressed?**

The context for greater inclusion of easy to ignore groups in housing issues, whether policy and strategy or service delivery, appears to be promising. There is widespread awareness of the importance of service user involvement and there are isolated examples of good practice. However, there is no systematic approach to *improving practice* (as opposed to

strategic documents which essentially measure what is being done). The recommendations from this research are in three parts: Philosophy, Process and Resources. Together, they create a model for a new approach to service user involvement in housing, for all participants including easy to ignore groups.

### **Philosophy**

*The recommended philosophy of service user involvement is based on the rights of the service user and a co-production approach to the development of policy and strategy, which values lived experience alongside professional expertise. Together these factors are intended to instigate a culture of mutual respect and partnership.*

A rights-based approach to partnership working is based on the rights held by the service user and the ability of the service provider or policy-maker to deliver change. Service user rights include: housing tenancy or ownership; right to apply for accommodation and support; Freedom of Information legislation; rights under the Universal Declaration of Human Right and the United Nations International Covenant for Economic, Social and Cultural Rights<sup>16</sup>. In many cases these are not absolute rights. They need to be balanced against the resources available from the state. Nonetheless, the recognition of rights tilts the balance of power more towards the service user, although it is no panacea.

A co-production approach complements the recognition of service user rights by valuing lived experience as well as professional expertise and commits to processes that allow both to be expressed and shared under the motto 'nothing about me, without me'. The process can be challenging but it has been acknowledged to result in better outcomes, for example the Shared Solutions approach of the Glasgow Homelessness Network.

### **Process**

*Good intentions are meaningless without a process that works. A three stage approach to facilitating involvement is proposed: finding the right structures; facilitating engagement; and promoting capacity release.*

#### **1. Finding the right structures**

The report explores a particular model for analysing power relationships<sup>17</sup>, which includes three types of spaces of involvement: 'closed spaces' are those controlled by an elite group such as bureaucrats, politicians or nominated experts, and to which most of us do not have

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<sup>16</sup> We acknowledge the work of the organisation Participation and Practice of Rights in this area over a number of years: <http://www.pprproject.org/>

<sup>17</sup> Gaventa, J. (2006) 'Finding the Spaces for Change: A Power Analysis', *IDS Bulletin* 37(6): 23-33. [http://www.powercube.net/wp-content/uploads/2009/12/finding\\_spaces\\_for\\_change.pdf](http://www.powercube.net/wp-content/uploads/2009/12/finding_spaces_for_change.pdf)

access; 'invited spaces' are those in which the public is encouraged to participate, often led by state agencies; and newly created or 'claimed' spaces are those developed organically by the less powerful, standing outside decision-making structures, such as campaigns or community associations. It is important to assess which of these is the most appropriate forum for the intended purpose, and how it can be best used to promote service user rights, respect and co-production. In all cases, service users' rights should be identified and discussed. Efforts need to be made to ensure that practice within these structures does not promote exclusionary networks or restrict access to information. Both service user and advocacy interests should be represented in all spaces but the difference between them should be acknowledged and respected.

## 2. *Facilitating engagement*

Within the right structures, service users must believe or know that their voices are heard and that they have some power over agenda setting, in order to build trust. *Two ways of assisting this are proposed:* practical help to ensure service users can be included, such as transport costs, refreshments, access requirements and other response to specific user group needs; and use of techniques to allow the expression of lived experience and its incorporation into the co-production of services, policy and strategy.

## 3. *Promoting capacity release*

Facilitating engagement can be short-term and relatively superficial without an additional commitment to empowerment through capacity release for all participants in the process. *This third stage of 'process' embeds empowerment into practice over a longer period and can promote more permanent cultural change.* Key steps might include:

- An asset mapping exercise
- An exercise to identify barriers to involvement
- Identification of practical steps to release capacity, such as training courses, peer mentoring, and a community development approach for groups
- A systemic approach to monitoring good practice and new opportunities for learning.

Good communication and negotiation skills remain at the heart of service user involvement processes throughout the three stages set out here.

## **Resources**

*At a time of austerity it is important to re-state that good quality service user involvement costs money, and involving easy to ignore groups can cost more if their needs are properly met.* Although the state should not renege on its responsibilities, other funding sources are available, for example from philanthropic sources. Social housing landlords and support providers should fund routine service user involvement as part of their business plan.

In Northern Ireland there are examples of good practice in social housing (including housing associations), and with private tenants, homeless people, users of housing support, and owner occupiers. However, there is no organisation responsible for collecting, sharing and developing good practice in service user involvement across all tenures. In particular, it is important that tenants in the private rented sector are better supported. This research proposes the establishment of a small regional centre, to promote excellence in user involvement in housing services. Such a centre would:

- Be small, enabling and strategic;
- Act as a repository of good practice initiatives and other service user involvement information *from all tenures*, from Northern Ireland and elsewhere;
- Disseminate good practice to housing providers, service users and policy-makers;
- Develop international connections in order to assist with data collection, dissemination and funding opportunities;
- Administer *a new Innovative Involvement Programme fund*;
- Carry out and commission research;
- Be independent from government and from housing providers;
- Include service users on the Board of Management;
- Adopt a co-production approach to its functions;
- Be funded by a mix of public and philanthropic sources, although private sector sponsorship could also be investigated.

It is not considered appropriate for the centre to have any involvement in the inspection or regulation of social housing providers, as this would compromise its independence from government. *It is not intended that this organisation would compete with or replace the existing work of Supporting Communities NI or substitute for the proposal in DSD's Tenant Participation Strategy for a Tenant Participation Advisory Service.* Its function would not be primarily operational and would not be of the scale necessary to replace these groups, also it would operate across all tenures.

**Table One: A categorised list of 'easy to ignore' groups**

**1. Equality issues**

- Black and minority ethnic groups, including refugees
- Faith communities
- Mental and physical disabilities; mental health issues
- Gender : women usually excluded
- Sexuality: lesbian, gay, bisexual and transgender people usually excluded
- Age: both older and younger people usually excluded; children
- People with caring responsibilities, especially single parents and other lone carers
- Children leaving care
- Travellers
- People with restricted rights e.g. asylum seekers, people regarded as not have the capacity to make decisions for themselves; some mental health service users

**2. Where people live**

- Homeless people (statutorily homeless and other)
- Private rented sector
- Owner occupiers and shared ownership
- Some housing association tenants
- Residents in rural areas
- People living in residential establishments of various kinds; people receiving housing support services including floating support
- People in prison and in the criminal justice system

**3. Communication issues**

- People who cannot read or write
- People without access to the internet
- People who speak English as a second language (without proficiency)
- Deaf people or those who are hard of hearing
- Visually impaired or blind people
- People with speech impairments, aphasia, people who use voice synthesisers
- People who use interpreters or helpers

**4. The nature of impairments**

- Physically disabled people with specific access needs
- People with multiple and complex needs
- Drug or alcohol users

**5. 'Unwanted voices'**

- People who are disruptive or who challenge the status quo
- Unpopular groups such as drug or alcohol users, ex-offenders including sex offenders

**Note:** An individual may belong to more than one group.

## Table Two: Barriers to Involvement

- 1. Methodological Barriers:** the methods used in the involvement process can have an impact on the effectiveness of these opportunities. *Examples:* emphasis on formal meetings; reliance on large amounts of written material ; information presented in jargon and inaccessible language; failure to acknowledge lack of confidence and self-esteem in service users; not providing access to translation or interpretation including sign language, and to recorded and Braille versions; inadequate information about the topic under consideration or about practicalities such as how to get to the venue; failure to facilitate meetings in a way that allows everyone to be heard; lack of knowledge of facilitative techniques; bureaucratic approach.
- 2. Physical Barriers:** the types of places that organisations choose to use can have an impact on the effectiveness of these opportunities. *Examples:* lack of disabled access e.g. steps, heavy fire doors, no accessible toilets, entry system; lack of accessible transport; lack of appropriate communication aids; background noise; location of meeting difficult for public transport users.
- 3. Attitudinal Barriers:** these can consist of how those conducting involvement respond to groups and individuals' needs, and the assumptions which are made about people. *Examples:* generally negative attitudes towards some groups of service users from individuals or from organisations; failure to challenge negative or discriminatory attitudes; assumptions made about people's abilities or lack of ability; discriminatory 'humour'; inability or unwillingness to acknowledge difference; tokenism; stigma; cultural assumptions and failure to recognise cultural difference e.g. through ethnicity, class, gender; attitude of gatekeepers; not acknowledging childcare and other caring responsibilities; failure to understand or make allowances for chaotic lifestyles or challenging behaviour; assuming easy access to the internet and social media, and knowledge of how to use them; reliance on informal networks to spread information and recruit new participants.

- 4. Financial and resource problems:** it's important to remember that some people may not have the resources that others have – either financial or other types. *Examples:* not paying travel expenses; not providing lunch; not providing access to information or training; not paying for or providing access to childcare; taking a long time to refund expenses. Lack of resources can also lead to inadequate staff training and support.
- 5. Timing:** it is critical to take the timing of any event into consideration, as this may impact upon people across who fall into a number of the equality groups for many different reasons. *Examples:* early evening meetings which exclude parents of young children; older people may prefer a meeting during the day; meetings in rural areas and meetings that don't take into account public transport times; meetings held in normal working hours for staff convenience.
- 6. Consultation/ participation fatigue:** many groups and individuals can suffer from this, especially where people feel that they are being consulted on everything. *Examples:* individuals representing their user groups on several forums; perhaps particularly an issue for geographically based groups such as tenants' associations.

**Workshop Feedback from Shaping Social Housing Conference, 5<sup>th</sup> March 2015 - Jointly hosted by Supporting Communities NI and Housing Rights Service**

**Workshop 1 Feedback**

**Developing and delivering a Tenant Participation Strategy & the 10 Principles of Tenant Participation (TP)**

*Participants considered:*

- Should Housing providers be asked to produce and publish TP Strategies – setting out how they are to engage/involve their tenants
- If landlords are not asked to produce a TP Strategy, what could they develop? E.g. Evidence based proof of how tenants are involved/engaged
- If yes, how can they be delivered (who can help?)
- How will TP be incorporated into the organisations service / business
- The 10 Principles for TP – do you feel they are fair and realistic? YES / NO? – Any additional points?

*Summary of main points from workshops:*

- TPS is needed but must be tailored to the specific social housing providers (HE/HA) – all vary in size, smaller HAs can become ‘lost’. Smaller HA’s may find ‘strategy’ difficult to understand.
- No fixed solution – whatever best suits the organisation but must be geared towards tenants
- It is important that once a strategy is produced, it is then implemented. It would be a ‘living document’ that requires a process of revisiting / reviewing regularly – involving tenants is very important – new ideas and new legislation on an ongoing basis creates change with the strategy
- Use of the word ‘tenant’ and ‘community’ needs clarification – needs to be inclusive as everyone has a valuable contribution to make
- Suggestion to have a set of minimum standards that all housing providers must adhere to and in which they can tailor to suit their organisation
- Evidence of strategy? Every landlord shouldn’t be enforced to produce a strategy. Other suggestions included an Action Plan, a Policy, Annual Plan etc. – easier to digest and can evolve through time
- Scrutiny – 13 Tenant Scrutiny Panels within the NIHE at present – HA’s have pockets of stock and may find ‘scrutiny’ a challenge – important for HA’s to work together on scrutiny



- TPS must be open and transparent – should be something to measure against e.g. Scottish Housing Regulator’s online comparison tool
- Local solution best way forward – simply not a ‘one shoe fits all’ strategy
- HE very consistent in completing actions from Inter Agency meetings – need a level of consistency across the board from all agencies e.g. education, health providers. Importance of ‘interdependence’ – regulator needs to see efforts of all agencies
- TPS needs developed by more than 1 support organisation – better quality of work rather than 1 organisation – important to share good practise
- TP incorporated through Business Plan whereby tenant consultation is very important
- Measuring Impact is crucial – outcomes of the strategy on the local community are very important. In some cases, tenant engagement is difficult e.g. need to tailor engagement for young people through the use of email, Facebook, Twitter
- Tenants need to help to develop strategy!
- ‘10 Golden Rules / Principles’ –social housing should have these principles in place already
- ‘10 Golden Rules / Principles’ - need funding / resources to implement. HA do not have the economies of scale that HA’s have.

## **Workshop 2 Feedback**

### **Proposed Regulatory Standard**

#### *Is a standard necessary/helpful?*

- Standards are a positive thing
- Promotes consistency / level playing field
- Helpful to have a regulatory standard
- Should apply to all landlords including private
- Yes!
- Provide a benchmark
- It should it apply to all social housing providers (NIHE / HA) relevant to all SL – evidence based approach
- Discussed whether it should go further –i.e. legislation?
- Should include PRS
- Very useful from tenants perspective

#### *Is proposed standard clear & understandable?*

- No
- Wording of standard in consultation document needs to be reviewed/ unclear if relates to ALL landlords or just HA’s- should be ALL

- Ambiguity on detail provided in draft document
- Need to defined further what is meant in standard by reference to 'other customers'?

*How will/should standard be monitored?*

- Not adequate to look at documents produced – need evidence of impact
- Queries on how proposed standard would be applied to HA's/NIHE – how would outcomes/impact of TP be measured
- Independence of regulator is fundamentally important
- Tenants should be involved / given the choice in being involved in assessment process i.e. measuring LL against standard.
- Common sense to involve tenants
- Upskill tenants to enable them to be involved in assessment/regulation (similar to Scottish model)
- Tenants should be involved in assessing landlords against standards
- Issues re costing / scale of associations

*Thoughts/comments on proposal for Tenants advocate*

- Champion to safe guard rights of tenants?
- Needs greater clarity/definition before potential value could be assessed
- Term means different things to different people
- Role is unclear
- Maybe disempowering for tenants if not right role/right person
- More clarity needed
- How would outcomes be measured
- Is this role taken by other organisations? (SCNI)
- How would it be funded?

**Workshop 3 Feedback**

**Independent Tenant Support**

*What sort of support is needed?*

- Tenant training – how to engage, communication skills, organisation skills, capacity building, personal development
- Leadership training – successful community groups generally have one or two key people who drive any achievements. Without this key person, with necessary skills, ambition, interest, the groups often fail.
- Landlords also need recognition of the good work that they're already doing and of any new programmes that deliver results

- There needs to be continuous engagement with groups and the programme needs to adapt to suit needs/aims of individual groups
- Supporting adoption/use of plain English – jargon/technical terminology creates barriers, gets people off on wrong foot (echoed by all four groups)
- Suggestion that there should be local for a for all landlords - so that they can work together on common issues, can be difficult for groups/agencies to get in contact with relevant people at HAs, easier to engage with NIHE
- Training needs to be standardised but also to be available at different levels
- Developing a set of standards would allow individual LLs to set their own training agenda, which may be more suitable to their needs, but still ensure LL's commitment to engagement/involvement
- Quality of SCNI training praised by those who have participated
- Housing officers also need training, particularly on how to communicate with tenants, particularly those with mental health issues or addiction problems.
- Housing officers need to be trained so that they have greater awareness of support services available to help any tenants who have problems.
- Floating support services are great, but too often HOs are told that there is waiting list or service is at capacity and cannot assist.

*Any groups that require particular support?*

- Tenants with mental health issues re less able to engage, need to consider how these tenants can be helped to express any issues that may be affecting them.
- General needs tenants can often be harder to engage than those in supported housing or those who already make use of advocacy groups – don't identify as needing support or may not have immediate access to staff/support
- Some groups of tenants may need an advocate – may feel more comfortable expressing issues to this person, but there needs to be follow through. This advocate must be able to effect change and must share what s/he has heard from tenants – people get disenfranchised if they feel that they haven't been listened to properly.
- Tenants tend to worry or panic about visits from landlord – landlord communication needs to be clearer. Language can be quite intimidating, need to express things in friendlier terms.
- Young people/secondary students need to be educated on tenant responsibilities, community involvement, participation etc
- People on waiting list and in temporary accommodation should be supported and advised of their options and of expectations when they become tenants
- Point made that HOs should maximise on opportunities to engage at sign up, before tenants become disillusioned or lose interest. If tenancy starts off on wrong foot, it can sour entire tenant/LL relationship.

### *Who needs support?*

- Tenants
- Housing providers management
- Housing officers
- Private landlords
- Private tenants
- Community groups and church groups
- Shops & local businesses (for issues of ASB)
- Owner occupiers, private tenants – need to consider multi-use developments
- Any service should be community wide and open to those who need it

### *Who should provide the support?*

- Overwhelming backing for SCNI. They have experience, expertise and have earned trust of other agencies.
- SCNI may need to outsource expertise to deliver training, but have the necessary background in community organisation
- Concern about using just one organisation – how to guarantee value for money or good results. Would an element of competition improve the end service for funder?
- Need to consider conflict of interest – how will funding impact on service's independence/autonomy?
- Has/NIHE need to look more closely at joint procurement – could a tenant participation officer for one area be shared/funded by a number of landlords?
- Provider should be regulated.
- However, SCNI may not have knowledge/skills to deliver all support required.
- Some support for a central hub which could source appropriate, standardised training for those who need it – however, this should not be a profit making exercise.
- Any appointed support body should have the necessary, appropriate skills to deliver services effectively.

### *Who should pay?*

- Some suggestion that central government should pay, however, groups acknowledged this was unlikely.
- Landlords should contribute to the cost of the service as it will ultimately enhance their own services.
- Need to ensure that any landlord levy is not seen as a penalty charge
- Important that independence is retained – having “in house” TP officers may not be ideal, look to NIHE/SCNI model

- Consider levy on social housing rents? How is that fair to other service users (owner occupiers, private landlords/tenants – pay to use?)
- Acknowledged that most landlords are already happy to invest in staff and want to provide an excellent customer service so should support this type of initiative.
- However, point made that many problems are caused by issues outside of housing management, so landlords can't be expected to bear all the responsibility for resolving problems. (Other departments, such as roads service, police, councils, social services etc may be involved – should they contribute to costs if benefits are shared?)

## **Workshop 4 Feedback**

### **Tenant Empowerment**

#### *The Right to Transfer:*

- It depends on how it is engineered/couched
- Incentive to do this- maintenance improvements?
- The majority of tenants (NIHE) wouldn't want to transfer to another landlord
- Why can tenants only transfer from NIHE to Has- Is this not undermining the principle of the strategy?
- Tenants should have the 'choice'/'Option'
- Loyalty to landlord
- Perceptions of tenants of different landlords- NIHE V HA
- If the NIHE had funding to repair etc- there may not be an appetite for this.
- Issues surrounding rent/affordability
- Needs to be bottom up- not just top down
- Need to ensure the same standards are used for all Social Housing Landlords

#### *The Right to Manage:*

- Not sure if groups are ready for this yet
- Lack of skills/capacity to do this right now
- Intensive training needed
- Manage certain areas/elements of service
- Maybe consider lower level/small scale- Social Enterprise?
- Needs to be led by communities and safeguarded
- How would it be monitored/regulated?
- Maybe aspirational
- Demographics- impact of sectarianism
- Need for specialised/clear legislation
- Risk assessment needed/clear governance and criteria set

- Has to be a journey- something to look for the future
- Needs to be inclusive
- Needs to be robust and rigid management
- Could be seen as a natural progression to Tenant Participation
- Need to clarify what tenants can manage
- There is an appetite for this
- Should be encouraged
- Need for regulation/vetting

#### *Community Cashback*

- Reference made to NIHE Community Service Agreements
- Social Responsibility for Landlords- useful
- Positive impact on employability/education
- Need for an independent conduit to assist with this
- Need for flexibility and the provision of resources to do this e.g. Training
- Need for more focus and scope- more capable people in different areas
- Similar to ACE schemes?
- Need for strict criteria
- Accountability concerns
- Define what this is about- is it about job creation?
- Opportunities for Apprenticeships
- Issues surrounding procurement
- Impact on Unions
- What research has there been on impact elsewhere?
- Good- if capacity exists and effectively regulated
- Social Enterprise- could it be an element of this?
- Need for capacity building/tools/resources
- Should the concept of an 'enabling power' be included within legislation to allow for the element of flexibility