

Homeowner Council response to Southwark Council's Resident Involvement Review recommendations

At the Homeowner Council meeting of 19 June 2019 Councillor Kieron Williams presented an overview of the Cabinet paper containing the council's Resident Involvement Review recommendations. A discussion of the proposals then took place. At its conclusion the meeting unanimously passed a proposal rejecting the recommendation for a single tenure strategic forum and in favour of two bodies. A second proposal that Homeowner Council submit formal written comments on the Cabinet paper and obtain expert advice on the council's proposals and process was also unanimously passed.

Homeowner Council commissioned Dr Quintin Bradley of Leeds Beckett University to produce an independent assessment of the council's recommendations. This assessment has been submitted to the Communities Division for inclusion in the consultation that is currently underway. Accompanying it and ancillary to it are Homeowner Council's summary comments on the recommendations in the council's report paper, as set out below.

Background information, Scrutiny Review and Co-Design Panel

It can be stated in summary that the council commissioned a very expensive external review of resident involvement during 2017 and has since used the result in an opportunistic way, with little or no regard for the concerns and challenges raised by those in the existing resident involvement structures.

While there is undoubtedly scope to update the current structures, the general impression is that the council has been disengaging with those structures for some time and effectively setting them up to fail.

In its recommendations the council intends to dismantle a considerable part of the existing structures and replace them with something that is much more amenable to its processes and objectives.

In this it would be following other local authorities such as Lambeth, Lewisham and Waltham Forest, where well established and democratic consultation structures were effectively wrecked.

At earlier points in the resident involvement review the council's proposals put great emphasis on digital communication and the involvement of young people. However, national statistics suggest that over 60% of local authority households in England are over 45 years of age, so the council's ostensibly commendable emphasis on engagement with young people may also involve other motives, such as the cost cutting that a move to digital consultation would permit.

While the council's declared desire to employ modern technologies might see more residents engaged in some form of digital 'conversation' it is entirely likely that the council's satisfaction levels may improve, while underlying service delivery outcomes remain unchanged.

The transformation of resident engagement in other boroughs has often resulted in a considerable diminution of resident consultation and involvement, with small hand-picked panels purportedly consulting on behalf of entire cohorts of residents.

The existing involvement structures in Southwark have historically been regarded as exemplifying best practice in resident involvement. Rather than integrate them in a modern, inclusive framework of resident engagement the council's proposals would significantly diminish them and remove of a whole layer of housing forums, with the migration of much of the decision making and control of funding to local councillors and council officers.

The council's Fairer Futures Vision and the current Council Plan propose that the context for a relationship with residents should be based on trust, openness and transparency.

While the council is currently engaged in an intense three month period of consultation on its draft final resident involvement recommendations, during the earlier evolutionary period, when those proposals were shaped and formed, the council displayed a systematic reluctance to consult properly and in good faith with its existing resident bodies on the subject of its resident engagement structures.

Given this, there appears to be enormous room for improvement if the council is to realise its declared values of trust, openness and transparency.

Proposals for resident involvement

Tenants and Residents Associations (TRAs)

The council can be commended for proposing that there should be continued support of TRAs and also for its aspiration to broaden participation but questions need to be asked about whether the council has the capacity to support and develop Southwark's network of TRAs and whether it will dedicate the necessary resources to this. Over the past few years several failed TRAs have been reinstated by the council, only to fail again quite quickly and if this was to happen on a regular basis in the future it could potentially undermine the confidence of some residents in the formal engagement structures. One option to address this would be the tasking of resident involvement officers onto individual TRAs with a remit of providing ongoing and long-term support.

Ward Forums

After the council migrated provision of its housing services from area housing offices to a more centralised structure it made little or no effort to maintain the relevance of the twelve corresponding Area Housing Forums and in recent times it has virtually ceased to consult with these bodies, given the falloff in submitted report papers.

The Kaizen report recommended the merger of Area Housing Forums with Community Councils. This recommendation was rejected by Homeowner Council, whose delegates found the Kaizen report to be a significantly flawed document. Objections to it included a failure on the part of the report's authors to consult with residents' bodies (despite a claim in the report that this had occurred), a lack of

understanding of the character and function of Tenants and Residents Associations, the inclusion in data of responses from a large number of people who were not council residents and a lack of insight into the character of differing tenures.

The subsequent proposal in the Co-Design Panel's report for Area Housing Forums to be replaced by five new Housing Forums was relatively sensible, but the council has scrapped this and is instead planning to merge the existing Area Housing Forums in its new Ward Forums. The latter are an updated version of Community Councils and are a platform for borough residents to discuss subjects like planning, amenities, highways, health and education. The proposal that they be used as forums for consultation on the council's housing services seems to be very much an afterthought on the part of the council.

There are approximately 55,000 council residents in the borough and many of them have as their main concern the level of housing service provided by the council. They are concerned about repairs and disrepair, major works, fire safety, service charges, rent setting, anti-social behaviour and much else.

Ward Forums do not provide the opportunity for proper engagement by council residents in respect of housing matters. They are chaired by local councillors who set the agendas and meetings so far have been characterised by a migration of the participants and issues from Community Councils to the new bodies.

In this way Ward Forums would preclude rather than provide opportunities for consultation on housing services.

Homeowner Council believes that housing forums, chaired by elected residents and inclusive and open to all, are the appropriate platform for council residents to consult on cross-tenure neighbourhood and area issues.

Tenants and Homeowners Forum (THF)

The merging of the currently separate strategic bodies is opposed by both Tenant Council and Homeowner Council. The very size of the body of council residents in Southwark (38,000 secure tenants and 17,000 homeowners) justifies having separate bodies for each tenure and the differing approaches of homeowners and tenants to issues such as district heating provides a rationale as to why the proposed merger is undesirable. One possible alternative, as considered by the Co-Design Panel, is two single tenure groups that would meet jointly with the council on cross-tenure strategic issues.

During the Co-Design Panel process Homeowner Council submitted proposals for a modern, inclusive borough-wide directly elected strategic homeowner body. At meeting four the Co-Design Panel decided there should be a single elected strategic homeowner body. This decision was rescinded after the intervention of Councillor Cryan and certain council officers at meeting eight.

Councillor Tom Flynn, Chair of the Housing and Community Safety Scrutiny Sub-Committee, at the Homeowner Council meeting of 26 July 2017 expressed the belief that the council was somewhat hostile towards homeowners.

The Tenant Participation Advisory Service (TPAS) states in its Leaseholder Engagement Guide that its research demonstrates overwhelmingly that leaseholders see themselves as less valued, by their landlords, than their tenant neighbours.

The TPAS guide also states that there appear to be few organisations that have strategies based on consultation and identified leaseholder priorities to the same extent as can be found for tenants.

The Kaizen report adopted the approach that the separation of tenants and homeowners seemed counter-productive as there was little evidence of significant differences in views between the two groups on most issues.

The Kaizen approach fails to account for the significantly lower satisfaction levels among Southwark Council homeowners, nor does it factor in the overriding issue among homeowners of paying high service charges for poor quality services.

it also makes no allowance for Councillor Flynn's belief, shared by many homeowners, that the council is somewhat hostile to homeowners.

The TPAS guide notes that while specific issues for leaseholders can include many of the same factors experienced by tenants who rent their homes there are often additional and much more complex issues due to the financial pressures affecting these households.

Given the above, the council should be focused on how it can develop a homeowner-friendly culture, where members of staff are positive about homeowner engagement, how it can invest in capacity building for both homeowners and staff to ensure improved outcomes and how it can afford opportunities for homeowners to have meaningful influence over strategic decision making.

The council's proposal for a single cross-tenure strategic forum fails to take into account the specific nature of the relationship that homeowners have with the council, including its complexities and pressures.

The TPAS guide on leaseholder engagement best practice contains the advice that it is critical to establish dedicated and specialist consultation strategies that will focus on leaseholder services.

The recent Homeowner conference was attended by upwards of 350 council homeowners. When canvassed about their satisfaction levels during the meeting a considerable majority indicated they were unhappy or very unhappy with the council's housing services.

Those homeowners attending the conference also voted overwhelmingly in favour of a directly elected borough-wide homeowner body.

There is an imperative need for a broad-based, democratic strategic homeowner body that represents the interests of those residents and upwards of 16,000 other council homeowners. That body already exists, in the form of Homeowner Council. Our position is that a modernised Homeowner Council should be retained.

Tenants and homeowners online panel

Commitments in the council's Housing Strategy to 2043 include the development of a menu of options for resident involvement. As is noted in the strategy, "These options will prioritise digital methods of communication both for speed and ease of contact for the majority of residents and the council, but also to minimise cost."

A proper strategy for resident involvement using digital methods may be considerably more expensive than envisaged by those who devised the strategy. It is also likely that the council currently lacks the capacity to set up and properly sustain such an online panel. For example, the online Sounding Board of around 100 participants that assisted the work of the Co-Design Panel had an extremely low rate of response and it was unrealistic for council officers to claim that it wasn't the quantity but the quality of the response that mattered.

As other resident bodies have noted, those who are digitally excluded will inevitably be unable to participate in the online panel.

When an online panel is established, beyond using digital methods for communication and feedback, there is also an opportunity to network and integrate online participation with active residents' groups and homeowners on the online panel could be linked into Homeowner Council's current website.

Resident Involvement Fund (RIF)

The formal residents' bodies, such as Tenant Council, Homeowner Council, Area Housing Forums and the TRAs have been united in opposition to many of the recommendations in the report and have campaigned during the resident involvement review process in defence of democratic, resident-led structures and against the mooted control of resident funds and resident forums by local councillors and officers. While it is important that mechanisms are developed to ensure that all homeowners and tenants who contribute to resident funds have access to them Homeowner Council's position is that fund management should remain with residents.

My Southwark Homeowners Board

MySouthwark Homeowners Board is a council advisory body whose general purpose is to scrutinise and monitor the council's housing related services on behalf of homeowners. Its chair is a council homeowner, it has a maximum membership of eight people and is composed of homeowners and independent persons with relevant professional experience. Members are appointed by application and interview with the chair, another board member and optionally a council officer. Its meetings are closed, excepting two general meetings a year which members of the public can attend.

It was set up in 2017, to provide independent oversight to the Agency (a council department) as part of the MySouthwark Homeowners service.

There appear to be a number of issues with the Board, as follows.

The Cabinet report of December 2015 proposing the MySouthwark Homeowners service contains the comment that:

A board brings with it a more commercial tone to the structure more akin to a “company”. It would suggest empowerment and influence in regard to its relationship with the wider council.

In relation to the ‘commercial tone’ desired of the body, it is imperative that the council should not engage with its council residents as customers, but as citizens and residents with rights.

The Board was one of the participant bodies on the Co-Design Panel. The Chair of the Panel noted in his report the effective duplication of housing scrutiny functions by the Board and Homeowner Council.

At the first meeting of the Co-Design panel the Board sent as their representative the council officer who is head of the Agency. This was challenged by other Panel participants and the Board then sent one of their own members to three of the further seven meetings.

As the Board is meant to be independent of the Agency and is meant to scrutinise both it and the council’s broader housing service there seems to be a profound failure involved in the Board’s thinking that one of the chief officers of an entity it was meant to be scrutinising could act as its representative on a co-design panel of residents and council officers.

Other than focusing on securing its own future the Board appears to have been relatively inactive for the last six months and its membership as evidenced on its council webpage is running at four out of a maximum eight participants, plus its chair. It has historically had a high turnover of members and at the current time it does not appear to be in compliance with its constitution.

Homeowner Council believes that the council’s 16,000 homeowners should be represented by a body that is open, elected and democratic, as Homeowner Council is and not by one that is closed, appointed, technocratic and tiny in number.

The Board should be returned to its original duty of overseeing the functioning of the Agency. To ensure its independence in this role, Homeowner Council recommends that support for the Board is provided by a council section other than the MySouthwark Homeowners service, a suitable alternative being, given that it is a resident body, the Communities Division.

Supplementary advice from other officers

Strategic Director of Finance & Governance

Homeowner Council requests that clarification from the Strategic Director of Finance and Government be sought in relation to the following evaluation in Dr Bradley’s assessment:

Discussions relating to rents and tenancy conditions may need to be conducted only with tenants while discussions over service charges may be best conducted with leaseholders directly. While Southwark Council operates a Housing Revenue Account it will need to ensure that decisions with HRA resource implications are administered separately. In merging the Tenant and Homeowner Councils, to comply

with financial regulations there is a risk that the new combined Forum would be excluded from decisions with resource implications. It might hold an advisory role but would not give tenants or residents an opportunity to participate democratically in strategic or operational matters.

Strategic Director of Housing and Modernisation:

Homeowner Council requests that the Strategic Director of Housing and Modernisation be given sight of Dr Bradley's assessment, including the following remarks and that he be asked to confirm that should the council adopt the Resident Involvement Review recommendations as they stand there will not be an increased risk to the safety of council residents:

The tragedy of the Grenfell fire precipitated a nationwide review of tenant and resident participation which was led by the Ministry of Housing, Communities and Local Government and embraced by the National Housing Federation, tenant engagement specialists and representative bodies. That review signalled a revival of interest in collective autonomous representation and a rejection of systems of individual consultation and information which were felt to have disempowered tenants and residents and reduced scrutiny of organisational governance and operational decisions, resulting in the reckless endangerment of citizens' lives.