

In defence of Independent Tenant Organisations

Lessons from History

History teaches us that independent democratic tenants' movements and organisations were built 'from below' through activism, and struggle. Importantly public housing policy can be seen to have been created or influenced by tenants organising as a social movement, not created by civil servants or politicians.

George Lansbury one of the Poplar councillors jailed in 1921 for demanding increases in poor rates and an early leader of the Labour Party said in the Daily Herald of 1912

'Has not the time come for organising a strike against paying rents to slum landlords? ... We are of the opinion that the formation of Tenant Societies to resist the exactions of landlords by all possible means might wring great benefits from that selfish class, even as Trade Unions have extorted concessions from grasping employers. ... Such an organisation, powerfully directed, might make history.'

Landmarks in the history of tenants movements include

1915 Glasgow Rent Strike

1946 Squatting movement

1972 Rent Strikes against Housing Finance Act Growth of the 'Feds'

1988 Campaigns against Tenant Choice and Housing Action Trusts

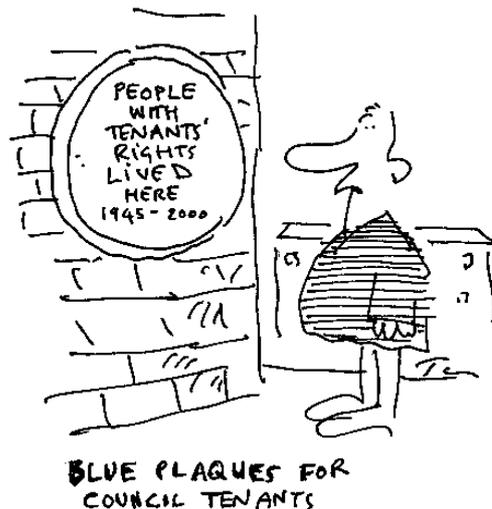
1989 1000 Anti-Poll Tax unions on estates and suburbs

1989 National Tenants and Residents Organisation founded in Wakefield

• This direct action led to major developments in housing policy. The Glasgow Rent Strike led to the Addison Act 1919 and the introduction of Council Housing, 1946 Squatters put pressure on the Labour Government to embark on the biggest Council House building programme.

• Council Tenants historically are 'unique citizens' – their landlords are their political representatives. Their independent organisations and movements have been political – often allied and integrated with the labour and trade union movement. Their activities and campaigns over the first eight decades of last century were about curbing and controlling the market in housing (the territory of the 'slum landlord'). A majority of working class people after all were in private rented accommodation through to the 1950's.

• Tenants' organisations campaigned for and were influential in developing the idea of housing as a right, and as an essential part of the post war settlement with the State through redistributive taxation. Council housing was successful in providing and financing good quality mass housing until the debacle of high rise tower blocks with the building corruption scandals of the 1970's



• The rise of Council Housing was central to the Welfare State until the 1970's then crucially from 1979 Conservative governments plotted the road to deregulation and privatisation with the Right to Buy, estate sales, and LSVT (transfer). The Conservative view was that home-ownership was the essential basis of citizenship and should be promoted – the market would provide.

Independent Tenant Organisations

Along the way independent tenants' organisations have won crucial rights through political action and direct action, not through governments handing down rights:

- Security of Tenure in 1980
- Right to ballots on transfers 1988
- Tenant Charters and Rights to consultation in 1980's

From the 1980's to the present a range of developments emerged which curbed and restricted independent tenants' organisations:

• Independent Tenant Resource organisations lost support and landlord and government funded organisations like TPAS (England) emerged. Only agencies and consultants 'approved' by the government were funded for resourcing and working with tenants.

• Councils began to 'sponsor' tenant organisations by employing workers to found and develop TARA's. Grants replaced levies and independent funding. Labour Councils particularly in the heartlands of urban council housing co-opted tenant organisations but also developed Tenant Charters to jointly oppose transfer and privatisation. This opposition meant

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that before 1997 most of the transferred estates were in rural areas, only a few in the urban heartlands of council housing.

- After the Labour victory of 1997 Labour councils threatened with loss of investment to improve estates starved of funding for almost twenty years reversed their policies and queued up to transfer council housing to Housing Associations or ALMO's. Democratically run Tenants Federations began to be undermined and closed down for political opposition to stock transfer. There were attempts by the most developed Tenants Federations to contest the reversal of Labour Council policies and nationally Defend Council Housing emerged as an alliance of these independent tenants organisations, with trades unions and M.P.'s

- We have to remember that no tenant organisation ever demanded a Stock Option study and a LSVT. Transfers and ALMO's are impositions rather than democratic politics. Nevertheless in debating and contesting transfer tenants have used ballots to prove that they are active citizens fully committed to democracy with turnouts in ballots far exceeding local elections, and even Westminster election levels. Between 1999 and 2004 of 133 ballots held only three had turnouts below 60%, 52 had turnouts between 75% and 91%. In November 2006 in Sedgefield Tony Blair's own constituency tenants rejected transfer in a ballot where turnout was 11% higher than the 2005 General Election turnout.

- At a local level stock transfer, and regeneration 'partnerships' and council reorganisation and 'democratic renewal' policies actually reduced tenant organisations, and their influence. The Joseph Rowntree Foundation research over twenty years of estate regeneration documents an actual reduction in the numbers of and influence of TARA's.

- National tenant organisations gradually became dependent on approved agencies and consultancies and conditional financial support 'with strings' from government. Although there was very little support amongst tenants groups and organisations for initiating transfer of council housing there was no national campaign on transfers by national tenants organisations (which would have prejudiced funding or 'seats at the table' with the Government).

- Regional Federations emerged to be a sounding board for Regional Housing Strategies, and seem to have used approved agencies rather than be used by them, and although clearly not fully representative, stronger federations and independent tenant organisations have emerged as dominant in them, and seem to be using them as their 'voice' nationally.

- This process of change and in the main disempowerment has now reached its inevitable conclusion with Taroe becoming a company limited by guarantee operating as a social enterprise, with a grant from the CLG which cannot be used for campaigning. Its representative function seems also to be in question, offering membership with conditions.

Currently there are two directly opposing models of Tenant Participation

One of these which is still driving policy is based on a government sanctioned vision of housing as a 'modernised public service' fully marketised and deregulated. In this model tenants are consumers and customers in a competitive market for housing. They have consumer rights and consumer choice which will be defended by a 'Regulatory' body, the Tenants Services Authority (TSA). The model is the one used for the privatised utilities of the 1980's – gas electricity, water – the TSA one has to remember was originally to be called Oftenant. There is

little evidence that such regulation of water, energy or transport has improved service or kept down prices. The TSA personnel is already dominated by the Housing Association sector, and one key appointment to the Board has experience in Ofgas, Ofgem and Postcomm!

In this model of 'regulation', tenants are collectively represented through their organisations only to 'monitor' their housing not to decide policies. At a local level they do this with contract supervision, quality of service, mystery shopping. They have also been invited into the 'police family' in various ways to counter ASB, and community 'disorder', and to be 'responsible' for their neighbourhoods. Individual tenant choice on services, even who manages them and owns their houses, will drive their involvement.

In this model tenants are not elected but chosen from self nominated volunteers, by regulatory bodies to serve on the Board – this has already happened with the TSA with two such 'tenant board members' already appointed. The chief executive of TPAS which now describes itself as a national consultancy and 'market leader in tenant involvement' has been appointed to the TSA Board. It may be significant that Capita a company born out of privatisation of public services and utilities now organises annual Tenant Engagement conferences

There is to be a wider advisory body involving tenants vetted by the CLG, and the much vaunted National Tenant Voice, also created by the CLG from consultant led national organisations, and TAROE the national tenants' organisation, now a social enterprise, restricting membership and contracted not to campaign using any government funding. It is clear that most tenants' organisations in consultations have rejected this NTV, but it is unclear whether the DCLG will go ahead anyway

The other model for tenant participation is the messy model of independence, democracy, power, representation, and policy. Here tenant organisations are democratically based and representative of active tenants. They create their own organisations at local, district, regional and national levels; some brilliant, some pretty useless, with resources from a levy, fundraising or grants. They monitor, but also negotiate best conditions for tenants with their landlords, in partnership but also exercising the right to campaign or take actions against their landlord to improve conditions. Most crucially tenants' organisations seek to extend the independent rights of tenants as citizens to question and to change and create housing and other policies which affect tenants at national and local landlord level.

All the evidence points to the fact that the vast majority of active tenants want to retain this messy 'representative citizens' model.

The rash of proposals at present regarding tenant participation, resident involvement, 'choice and voice' and a 'national voice' for tenants and their organisations all seem to assume that council housing and social housing is already privatised or at the very least is marketised and tenants and their organisations are actually consumers and customers in a competitive housing market rather than volunteers and activists organising in local, regional and national organisations in varying degrees.

Independent tenants organisations are part of a social movement in civil society not merely consumers in a privatised housing world.

Tenants and residents and their organisations are identical to organisations in the voluntary and community sector. In fact they differ only in the fact that they are some of the best organised and longest established of organisations, and have already

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won and established rights to participation, consultation, and management of public assets which the government is only now proposing in a more limited form for other organisations in the Local Government Bill before Parliament

In terms of social housing tenants are in fact acting as unique citizens, their landlords in terms of council housing (and ALMO's) are also their political representatives. RSL tenants are not in the private sector. Housing Associations are still dependent on public money either historically through partnerships with local authorities, or through the Housing Corporation and any successor organisations. ALMO's and direct local authority tenants are clearly not in a market situation.

Therefore it is highly inappropriate to suggest regulatory frameworks and tenant democratic participation should follow market models of regulation, particularly in that council housing and ALMO's will be subject to TSA regulation from 2010.. Entire privatisation and marketisation of social housing may well be the programme of some sections of government and lobbyists like the CIH with its recent statements on means testing for council tenancies, but at present social housing is part of the public sector services dependent on tax revenue (and rents) delivered directly or at arms length (through management in ALMO's and TMO's) or publicly funded in ownership and management partnerships with RSL's.

Government policy on tenant participation in social housing is governed by existing legislation and directives; it will be interesting to see whether the TSA will erode this or perhaps build on them. So far we have seen the TSA say that it will 'top down' simply transfer management from one landlord to another. Tenants seem to be seen as individuals or in 'tenant forums'. There is no indication yet how it will relate to and recognise independent tenant organisation. This is perhaps an argument which will surface in coming consultations on 'standards' to be operated by the TSA. At present:

- Tenure is governed by security of tenure established in the Housing Act 1980, with subsequent amendments. Rights to information, succession, consultation, and other 'tenant charter' rights have been established over the past twenty years, and again are reflected in relevant legislation.

- Alongside these framework rights tenant organisations have established and agreed a whole raft of local rights and responsibilities with council landlords through local actions. These rights and local policies are codified in Tenant Compacts which the inspection and existing regulatory framework make mandatory on local authorities and ALMO's.

- Establishing these rights (individual and collective rights claimed directly from local and national government NOT consumer rights based on a market relationship), has been, and still is through a process of negotiation between independent democratic collective organisations of tenants at all levels, and local and national state agencies.

- The government has in fact very recently strengthened this traditional democratic citizen based approach with public funding for establishing representative tenant organisations at a regional level to enable scrutiny and representation at the new Housing Regional Board level with direct links with Government offices. Six such Regional federations have emerged with the longest established being the one in Yorkshire and the Humber.

- Thus we have a national picture of many hundreds if not thousands of local neighbourhood and community based tenants and residents organisations established independently by tenants, residents and in some cases by or with the assistance

of council and RSL landlords. Their local 'voice' in current terminology is captured in tenant compacts and local agreements (Kirklees and Leeds are good examples of democratically negotiated public funding agreements).

- It is significant that at a time when the Government in its 'Communities in Control' White Paper is seeking to give 'Real People, Real Power' it is actually seeking to disempower successful tenant organisations, recognising only TMO's as a way forward, which are notoriously difficult to establish, and at present actually in decline.

- It is ominous also that the 'housing profession' through the CIH have resurrected the idea of means testing council tenants even though specific clauses in the Housing and Regeneration Bill were amended to make clear that this was not acceptable to Parliament. Margaret Beckett in her first major intervention seems to have rejected means testing and insecurity for council tenants.

The way forward

- The Government needs to abandon its consumerist agenda for tenants and their organisations, and recognise independent democratic tenant organisations as a successful and potent source of ideas and actions for the improvement of social and affordable rented housing.

- Strategic council landlords and Housing associations should provide public funding or provide levy facilities guaranteeing independent local TARA's and Federations

- Government Offices or Regional Assemblies should provide public funding for regional and county Tenants Federations on the same basis as Voluntary and Community sector regional infrastructure organisations

- A national tenant's organisation should be a forum and national lobby and campaign organisation representative of local and regional federations and national organisations, with a small secretariat funded from member organisations.

- There should be a specific National Compact for Tenants developed from the present Voluntary and Community Sector compacts programme to guarantee independence for tenants' organisations like other voluntary and community organisations to campaign whilst in receipt of local or national public funding

Council tenants after all already have a head start with statutory rights to consultation, and local Tenant Compacts. At a stroke a duty on local councils to support tenants organisations would allow them to 'tick the box' of 'empowerment', local democracy and meet their targets under Local Area Agreements and Local Strategic Partnerships. It would also allow resources for tenant themselves to start to organise private rented sector tenants, the most exploited group, with decontrolled rents and pathetically few rights.

The new TSA is promising 'coffee mornings' and regional consultations on its policies and new standards – independent tenant organisations need to make sure their voices are heard loud and clear for the government and the TSA to change direction. The present housing cataclysm needs new policies based on a collective approach to funding and controlling policies on public housing as DCH has set out over the past few years – an independent tenants movement is an essential element in these new housing equations. ■

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