

TENANT PANEL

What is a designated tenant panel?

The Localism Act 2011 provides that from 1 April 2013 tenants of housing associations, local authorities, and ALMO's can ask for their complaints to be considered by a 'designated person' when their landlord's internal complaints procedure is finished. One of these 'designated persons' is a group of tenants acting as a designated tenant panel.

How are they different from other tenant panels?

There are many different types of tenant panel involved in their landlord's decision making and accountability processes as well as monitoring and scrutinising their activity and performance. The designated tenant panel is a new type of body with a specific function in the complaint process. In order to be recognised as a 'designated tenant panel' it must be recognised by the landlord.

What does a designated tenant panel do?

The designated tenant panel can help to resolve the complaint in two ways; it can try to resolve the complaint itself or it can refer the complaint straight to the Ombudsman. The tenant panel can try to put things right in which ever it thinks will work best.

This could be for example, by acting as an advocate for the complainant, by giving advice, providing a review of the way the complaint has been handled or being more proactive and suggesting a solution. If the complaint is not resolved by the tenant panel, it can refer the complaint to the Housing Ombudsman. The law says that this referral has to be in writing.

Who is responsible for setting them up?

Landlords do not have to set up a designated tenant panel. They can work with their tenants to establish a panel, or tenants can form a panel themselves. For a designated tenant panel to be effective in the role it is essential that landlord and tenant work together to establish one that will work for them both.

If the panel does not meet the needs of tenants, they will not take their complaints to it; if it does not meet the needs of the landlord it will not work with it to resolve complaints. Either way the panel will not play an effective role in helping to resolve complaints or improve service.

To be 'designated' a tenant panel must be 'recognised' by the landlord. There is no guidance on what is required to achieve recognition. However, the HCA's Tenant Involvement and Empowerment Standard carries a broad expectation that a landlord will support the formation and activity of tenant panels. It follows that a landlord would need a proper reason to refuse recognition. A designated tenant panel could be recognised by more than one landlord. A landlord could recognise more than one tenant panel.

Is there any training or support available for tenant panels?

Landlords must find a balance between providing support to tenant panels and enabling them to consider matters independently. Unless a tenant panel is facilitated and encouraged to think independently it is unlikely to be able to make a useful contribution. Support to tenant panels needs to be provided in a way that enables them to take an independent view.

When agreeing how to set up tenant panels, landlords and tenants should discuss the support needs of the panel. It makes business sense for landlords to support tenant panels as that will help them to play a genuine and useful role in reviewing landlords' procedures and improving its service delivery.

What is registration?

The Localism Act requires the Housing Ombudsman to keep a register of tenant panels. It is a landlord's responsibility to register a panel with the Ombudsman once it has been recognised and to inform him of any subsequent changes. This will help the Ombudsman identify whether a complaint is referred by a designated tenant panel.

Only designated tenant panels acting in the capacity of designated persons (dealing with individual complaints) should be registered with the Ombudsman.

Only member landlords can register a tenant panel with us. You will need to provide us with the name of the tenant panel and which member landlord/s the panel will be applicable to.

Member landlords can register by providing the relevant data by email to membership@housing-ombudsman.org.uk.

Useful Links

CIH designated person - FAQs <http://nationaltenants.org/tenantpanels/>

[HCA](#) - involvement and empowerment standard

<http://www.homesandcommunities.co.uk>