

PUBLIC MINUTES
of the Regulation Committee meeting
held on 20 November 2014, 11.45am
QEII Centre, London

Present

Julian Ashby	Chairman
Richard Moriarty	
Jonathan Adlington	
Inge Kettner	
Piers Williamson	(agenda items 1 – 12 only)
Ceri Richards	

In attendance

Matthew Bailes	Director of Regulation
Bronwen Rapley	Deputy Director Investigation and Enforcement
Mick Warner	Deputy Director Operations
Jonathan Walters	Deputy Director Strategy & Performance
Isabella Freeman	Head of Legal Services and Company Secretary
Jim Bennett	Assistant Director Regulatory Strategy (item 7)
Ros Poulson	Registrar (items 10 & 11 only)
John O'Mahony	Assistant Director Regulatory Framework and Performance (items 8 and 9)
Sandy Pacek	Head of Performance Management (Item 8)
Anna Simpson	Head of Regulatory Framework and Performance (Item 9)
Samantha Anthony	Registration and Consents Policy Manager (Item 10)
Sara Le-Surf	Secretariat Assistant

1 Welcome and apologies

01/11/14 The Chairman welcomed everyone to the meeting. Apologies were received from Sarah Wall and Andrew Rose.

2 Declarations of Interest

02/11/14 No interests were declared.

3 Minutes of the meeting held on 16 September

03/11/14	The minutes of the meeting were AGREED as an accurate record of the meeting subject to amending item 8 to read DCLG/HCA Review of Legislation.	SLS
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04/11/14	The Committee AGREED the proposed public minutes.	SLS
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4 Matters Arising

05/11/14 Members NOTED the matters arising.

5 Committee forward look

06/11/14 Members NOTED the forward planner. The Chair requested that questions raised by the Select Committee be included in the progress against the Cosmopolitan Lesson Learned Report that will be considered by members in December. **MB**

6 Regulation Director's update on key issues

07/11/14 The Director of Regulation updated Committee on key developments since the last Committee meeting. Particular note was taken of the following points.

09/11/14 Deregulation Bill – Members were informed that the Bill was currently at committee stage in House of Lords. The Bill will impose a duty to have regard to the desirability of promoting economic growth to specified regulatory functions and the current thinking is that this will be for all non-economic regulators. Regulators it applies to will be determined via a statutory instrument.

12/11/14 Autumn Statement – Members considered the proposals for the Autumn Statement.

14/11/14 Internal Audit – Members were informed that one outstanding action remained on the depth of RJs and this is on track. All other actions were completed to agreed timescales and there will be an upcoming review on the implementation of lessons learned from the Cosmopolitan case.

15/11/14 Media Coverage and Stakeholders – Members noted the update on media coverage and stakeholder engagement.

16/11/14 Restructure and Recruitment – Members noted that no material changes had been made to the structure post consultation.

17/11/14 Manchester office relocation – Staff were informed that the lease at the current location had been extended to May and that an announcement is expected imminently on the relocation.

18/11/14 Members NOTED the report.

7 DGLG/HCA Review of Legislation

19/11/14 Following a discussion at the previous Committee meeting, members were

invited to comment on a draft presentation 'managing insolvency in social housing providers' that the Regulator is proposing to use in its initial engagement with lenders and investors.

20/11/14 Members NOTED the presentation, and it was agreed to circulate a revised version to Committee for further comments which will also be shared with DCLG. **JB**

8 Staff Survey

21/11/14 The Assistant Director Regulatory Framework and Performance and Head of Performance Management introduced the staff survey report and explained that this was the 3rd staff survey since its inception in 2012.

22/11/14 The Regulation response rate was 91%, and generally there was a good improvement in scores.

26/11/14 The survey does not ask any questions about interaction with Board & Committee members and members wondered if this would be helpful. Members were informed that the questions are not set by Regulation but that comments would be fed back. It was AGREED that the Executive Team would think about ways for the Committee to interact with staff and to show their appreciation to staff in all that they do to Regulate the sector **MB**

27/11/14 Members NOTED the Staff Survey results and requested that they see an action plan at their meeting in January 2015. **JOM**

9 Proposed Changes to the Code of Practice

28/11/14 Members received and considered a further report on a number of outstanding issues that have been resolved and proposed changes to the Code that have been made as a result.

36/11/14 Members AGREED to the changes outlined in the above report and the Chairman commended officers for their excellent work on the production of the Code.

10 Meeting our obligations under the Public Sector Equality Duty (PSED)

37/11/14 The Registrar introduced the report which clarified the Regulator's approach on meeting its obligations under PSED and asked the Committee's view of the proposed strategy and the work to be undertaken to support it.

38/11/14 Members considered the report and associated workstreams and AGREED with the approach to be taken including the development of a PSED framework and the scoping of the work required to develop the underpinning policy, processes and training material. Members also agreed that until the framework is agreed cases would be dealt with on a case by case basis, with internal legal review of the approach to each case to ensure the PSED is being properly considered (and that this can be demonstrated).

11 Decisions of the Registrar

39/11/14 The Registrar advised the Committee of the decisions taken in accordance with the delegation to the Registrar on registrations, de-registrations and restructurings since October 2014.

41/11/14 Members NOTED the report.

13 Regulatory Judgements

42/11/14 Members NOTED that fifteen regulatory judgements were published on the Agency's website at the end of October.

43/11/14 The Deputy Director Regulatory Operations informed members that in line with the approach set out in Regulating the Standards nine Viability Assessments were finalised. Eight were confirmed as V1 judgements with the ninth confirmed as a V2.

44/11/14 Members discussed viability judgements and AGREED that this should be the focus of a future workshop. **MW/JW**

45/11/14 Members NOTED the report.

14 Investigation and Enforcement update

46/11/14 The Deputy Director of Investigation and Enforcement updated Members on registered providers where a significant measure of under-performance had been identified during regulatory engagement and provided a detailed briefing on those cases which are of most concern.

52/11/14 Members also NOTED the further cases under Intensive Regulatory Engagement and those under Enhanced Regulatory Engagement.

53/11/14 Members NOTED the report.

15 Any Other Business

54/11/14 This was the final Regulation Committee meeting attended by Inge Kettner. The Chair moved a vote of thanks for her valuable contribution to the Committee and wished her well for the future.

Date of Next Meeting

55/11/14 The next meeting would take place on Tuesday 16th December 2014.