



PUBLIC MINUTES
of the Board meeting
on Tuesday 30 April 2019 at 1200
FG47, 2 Marsham Street, London

Present

Simon Dow (SD)	Interim Chair
Liz Butler (LB)	
Richard Hughes (RH)	
Ceri Richards (CR)	
Paul Smee (PS)	
Fiona MacGregor (FM)	Chief Executive

In attendance

Jonathan Walters (JW)	Deputy Director, Strategy and Performance
Mick Warner (MW)	Deputy Director, Finance and Corporate Services
Richard Peden (RBP)	Deputy Director, Provider Engagement
Emma Tarran (ERT)	Assistant Director, Head of Legal Services and Company Secretary
Harold Brown (HB)	Senior Assistant Director, Investigation and Enforcement
Jim Bennett (JB)	Assistant Director, Regulatory Strategy – for item 6
John O’Mahony (JOM)	Assistant Director, Corporate Services and Performance – for item 8
Chris Kitchen (CK)	Minutes

1 Welcome and apologies

01/04/19 There were apologies from Richard Moriarty (RM).

2 Declarations of Interest

02/04/19 There were new declarations of interest from Liz Butler (LB) who has accepted a NED role with Connect Health Ltd. Fiona MacGregor (FM) also declared an interest in respect of her husband who is working one day a week for Willis Towers Watson (WTW) as a Strategic Adviser on climate change. WTW provide advice to several Housing Associations, however the work of Ms MacGregor’s husband is not in this area and therefore his role will not give rise to any conflict of interest. Both LB and FM have completed and submitted revised DoI forms.

3 Minutes of the last meeting – 26 March 2019

03/04/19 The confidential minutes and the public minutes of the last meeting were AGREED subject to the inclusion of RM who had been present at the March meeting but had been omitted off the attendee list.

4 Matters Arising

04/04/19 Actions from the meeting on 26 March:
32/0319, 35/03/19 and 15/02/19/19 had been actioned or addressed in the papers at the meeting. 17/03/19 – as requested, ERT updated the board on

the key powers of a public inquiry established under the Inquiries Act 2005.

5 Forward Planner

05/04/19 Members NOTED the forward planner.

6 Chief Executive update

Policy Update

06/04/19 *Brexit and contingency planning*
FM gave members an update on Brexit and the continuing engagement with MHCLG

07/04/19 *Spending Review*
NOTED.

08/04/19 *2020 Rent policy implementation*
The proposed new rent standard has been drafted and we will publish it for consultation in May.

09/04/19 *Green Paper*
Government continues to work on its response to the Green Paper consultation and the regulator is feeding into specific areas where required. A date for the response is not currently confirmed

10/04/19 *Registrations*
There have been no new registrations this month.

11/04/19 *Regulation Resources Review*
Member NOTED the consultation period had closed and that there had been a good response from staff and the unions.

12/04/19 *Grenfell Tower Fire and Public Inquiry*
JB joined the meeting. The phase 1 report is due to be published in June 2019.

15/04/19 *Stakeholder Engagement*
Members NOTED the revised format which set out stakeholder engagement during March. A range of department, stakeholder and provider meetings were outlined. Members found this and the forward look of stakeholder engagement very useful

16/04/19 *Publications*
Members NOTED the published and forthcoming publications. They were advised that the addendum to Sector Risk Profile has been well received by a range of stakeholders and commentators.

17/04/19 *Media Coverage*
Members NOTED the update.

7 Audit and Risk Assurance Committee (ARAC) – Chair’s report

- 18/04/19 LB, Chair of ARAC gave members an update from the meeting on 29 April 2019. The committee had reviewed the Strategic Risk Register and agreed the two recommendations. ARAC had received a paper on the proposed approach to deep dives, and exception reporting to the committee. The Internal Audit team reported on the work on the 2018/19 plan which was on track. Committee also received a helpful and informative paper on Pension assumptions.
- 19/04/19 The NAO presented their audit planning report. The audit had started and LB advised Board members that normally ARAC would see the audit plan prior to commencement of the work. NAO confirmed that would be the case in future.
- 20/04/19 Board Members were advised that the NAO had divided their planned audit work and would look at the following areas:
- Opening balances
 - In year transaction testing Year-end financial position testing
- 21/04/19 The fees for 2018/19 will be £90k which they acknowledged was high, but resulted from the extent of testing which will be required as the RSH is a new organisation. LB advised Board members that on this point, she had requested the NAO set out a breakdown of first year costs against BAU costs. NAO AGREED to provide this information.
- 24/04/19 The Chair of the Board, thanked the ARAC Chair for her report.

8 Quarterly Performance and Risk report

- 25/04/19 JOM joined the meeting and presented the report which was the quarterly performance and risk report. The format of this report has been changed and some areas will be reported by exception to help make it a more concise and focussed document.
- 26/04/19 Members NOTED that the four priorities for the RSH for 2019/19 were delivered through 40 operational activities, 38 were complete and some of those will be rolled over as they are ongoing business as usual activities. Two activities were marked as AMBER.
- 29/04/19 Members NOTED the areas of performance that would be reported by exception if the rating fell below green. The reason for the timescale for the laying of RSH accounts was clarified as being the result of NAO audit scheduling.
- 30/04/19 Members thanked the team for the very clear report and APPROVED the new format and proposal for exception reporting.

9 Finance and Corporate Services update

31/04/19 Members NOTED the report and MW advised the forecast out-turn was similarly to previous reports. Revenue spend forecast was higher than reported in March due to an increase in the holiday pay accrual offset by lower forecast legal spend. He advised that an MOU is to be agreed with Homes England and annexed to the SLA formalising the recharge of non-pay facilities and IT costs. MW confirmed that the draft annual report and accounts will be presented to ARAC in June, the NAO audit will commence in July and the final accounts will be presented to ARAC and then Board at their September meetings.

10 Operations Update

32/04/19 Members had NOTED the report. The report was proposing reporting the analysis of RJs quarterly. The six monthly report on the IDA programme will include an overview of the type and frequency of issues arising from IDAs. The board ACCEPTED these proposals.

33/04/19 Eight judgements have been published since the last report to Board. **Byker Community Trust** has been upgraded on governance (G2/V2 to G1/V2) following its downgrade after an IDA in 2018. **Radian** has also been upgraded on governance (G2/V2 to G1/V2) following its downgrade after their IDA in 2018. **Greenfields** have had their G2/V1 grades confirmed.

34/04/19 The IDA programme remains on track with a total of 197 IDAs completed – an increase of six since the previous update to Board. Members NOTED the merger activity and the most recent announcement of L&Q and Trafford Housing.

11 Investigation and Enforcement Update

35/04/19 Members NOTED the updates on Intensive regulatory engagement cases.

Lease Based Providers Update

36/04/19 The updates on the other cases were noted.

Gradings Under Review

37/04/19 *Bespoke Supportive Tenancies Ltd*: the update was NOTED.

Consumer Regulation

38/04/19 Members NOTED the updates on Wirral Partnership Housing (Magenta Living) and Brunelcare. The IDA on Brunelcare identified only partial assurance for compliance with H&S requirements and specific concerns were identified in respect of compliance with fire and electrical safety actions. CRP identified breach of consumer standards and risk of serious harm and a regulatory notice published. Brunelcare's governance grading has been downgraded to G2.

39/04/19 *Gateshead Metropolitan Borough Council (Gateshead MBC)*: members were updated on this case.

40/04/19 The cases listed in the annex were NOTED.

12 Any Other Business

56/03/19 None.

Date of next meeting: 25 June 2019