



**PUBLIC MINUTES**  
**of the Board meeting**  
**on Tuesday 25 June 2019 at 0930**  
**FG47, 2 Marsham Street, London**

**Present**

Simon Dow (SD)	Interim Chair
Liz Butler (LB)	
Richard Moriarty (RM)	
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
Karen Doran (KD)	Assistant Director, Investigation and Enforcement – for item 7
Jim Bennett (JB)	Assistant Director, Regulatory Strategy – for item 8
Althea Houghton (AH)	Acting Assistant Director, Registration, Notification and Small Providers – for items 8 and 9
Chris Kitchen (CK)	Minutes

The minutes reflect the order in which the items were taken at the meeting.

**1 Welcome and apologies**

01/06/19 There were no apologies.

**2 Declarations of Interest**

02/06/19 There were no new declarations of interest.

**3 Minutes of the last meeting – 21 May 2019**

03/06/19 The confidential minutes and the public minutes of the last meeting were AGREED subject to some minor amendments.

**4 Matters Arising**

04/06/19 Actions 36/05/19 and 46/05/19 from the meeting on 21 May 2019 will be picked up at the October meeting.

**5 Forward Planner**

06/06/19 Members NOTED the forward planner.

**6 Appointment of Deputy Chair (agenda item 13.1)**

07/06/19 In accordance with the standing order 1.2, a deputy chair may be appointed by resolution of the board. Board members considered the proposal and the considerations set out in the paper in respect of appointing Paul Smee as Deputy Chair of the Board.

08/06/19 Paul Smee took no part in this discussion and offered to withdraw from the meeting. The other members RESOLVED unanimously to appoint Paul to the post. Paul Smee CONFIRMED his acceptance.

## **7 2020 Board meeting dates (agenda item 6)**

09/06/19 In accordance with the Board standing orders 2.1 and 2.2, the Chair and other members of the board considered the proposed dates for board meetings in 2020. The Chair formally requested the board secretary to convene meetings on the dates set out in the paper and, subject to the possibility of alternatives being agreed for May and September, members AGREED the proposed dates (with times to be confirmed by the Board Secretary in due course).

## **8 Consumer Regulation Review – feedback (agenda item 7)**

10/06/19

- HB and KD joined the meeting by Lync. Members had separately been sent a copy of the Consumer Regulation Review document for comment and feedback prior to publication. Some feedback had already been shared, which was discussed as well as more general feedback given at the meeting.

- The document shares lessons learned and sector experience, and as such, is an important regulatory publication. It is important we ensure awareness of the publication is widespread, and particularly targeted at board and leadership levels of providers including local authorities. It was AGREED that a letter will be sent to the CEO and Chair of every provider. More generally, we will be referencing it at stakeholder engagement events and conferences etc.

11/06/19 KD thanked members for these comments and suggestions and invited any other drafting comments they might have to be sent in.

### **Investigation and Enforcement update (agenda item 7)**

12/06/19 HB introduced the paper. Members NOTED the updates on intensive regulatory engagement cases including those listed in the annex.

### **Lease Based Providers update**

#### *Inclusion Housing Community Interest Company (Inclusion)*

13/06/19 HB provided an update on the regulator's casework.

#### *Encircle Housing Limited (Encircle)*

17/06/19 Member NOTED the update.

#### *Bespoke Supportive Tenancies Limited (BeST)*

18/06/19 Members were advised that intensive engagement with this provider continues.

19/06/19 Members NOTED the updates on consumer regulation cases.

## **9 Chief Executive update (agenda item 8)**

### **Policy Updates**

#### *Spending Review*

20/06/19 We have submitted our GIA bid .

#### *Brexit and contingency planning*

21/06/19 We are engaging as needed with MHCLG on their contingency planning for Brexit.

#### *Green Paper*

22/06/19 An announcement is awaited.

#### *Fees discussion paper*

23/06/19 Members noted the update and were given the background to a discussion document which they will receive a copy of by correspondence. It will set out the rationale for the per unit fee for 2020/21. JB

#### *Building a safer future – government consultation following the Hackitt review*

24/06/19 Members NOTED the content of the government consultation for building safety regulatory reform in regard to multi-occupied residential buildings 18m and higher. Members noted the need to discuss this further once proposals progressed. Management AGREED to have a workshop to cover this in the autumn. JB

#### *Resources Review*

25/06/19 Members NOTED the progress with the resources review .

#### *Performance review*

27/06/19 Members NOTED the 2 amber targets – L&D and accommodation strategy.

#### *Grenfell Tower Fire and Public Inquiry*

28/06/19 MHCLG are liaising with the regulator in respect of any information they require to inform their position statement. Two new panel members have been appointed for phase 2 of the Inquiry.

#### *Stakeholder engagement*

29/06/19 It has been a busy month. Quarterly stakeholder engagement continues and the last RSH Chairs event in Birmingham had been very positive with discussions on a range of topics. The forward look was NOTED.

30/06/19 FM reported that the third AO meeting had taken place .

#### *Publications*

31/06/19 Members NOTED the judgements and reports that have been issued and the forthcoming publications.

*Media coverage*

32/06/19 Members noted the update.

**10 Re-designation**

33/06/19 AH joined the meeting. The Board has in the past discussed and agreed principles around re-designation of providers. The formal decision has been delegated by the Board to the Assistant Director of Registrations, Notifications and Small Providers.

34/06/19 Members emphasised the importance of economic substance as well as constitutional structure. AH advised that the criteria for designation as 'profit making' or 'non-profit' are set out in the Housing and Regeneration Act 2008 and we must operate within those criteria. Within that framework we consider all relevant information including constitutional documentation. JW advised that a new team is to be established as a result of the resources review to review applications showing novel or contentious intentions.

35/06/19 The members NOTED the report and information provided.

**11 Decisions of the acting Assistance Director, Registrations, Notifications and Small Providers (agenda item 10)**

36/06/19 Members NOTED the paper which set out the summary of recent activity. There have been a large number of registration requests.

37/06/19 Members NOTED the report.

**12 Feedback from the Chair of the Audit and Risk Assurance (additional item - not on the agenda)**

38/06/19 LB reported on the business of the ARAC meeting which has been held the day before. The Chair reported that the annual report and accounts for the RSH were in good shape and the next iteration of the accounts will be presented to the Board at the July meeting. Sarah Dickinson, NAO Audit Manager presented their report. Accounting for depreciation was discussed. ARAC were advising the Board that the Board accepts the NAO preferred method for calculating depreciation.

39/06/19 The strategic risk register had provided the committee with an overview of the relativity of the risks to the organisation. Management and members of ARAC had received the outcome of the first two Internal Audits. Both had a substantial assurance rating. Board to be sent copies of the final reports.

**CK**

**13 Finance and Corporate Services update (agenda item 11)**

40/06/19 Members had NOTED the report which provided an update on the management accounts to 31 April 2019 and collection of fees. The next report will report on forecasts.

42/06/19 MW reported that the Civil Service Pay remit had been received. The Chair suggested that the Nominations and Remuneration Committee will need to convene a meeting at an appropriate time to discuss proposals.

**FM/CK**

**14 Operations Update (agenda item 12)**

43/06/19 RBP presented the report in the new format. Since the last report there have been six judgements published. Three had a change in grades.

44/06/19 **ForHousing Limited** interim judgement (G2/V1) following the restructure at ForViva Group Limited. The parent is not registered and therefore not graded and ForHousing had no grading either. A G2/V1 interim grading for ForHousing was concluded. **Moat** (G2/V1 to G1/V1) upgraded on governance following an IDA. **The Industrial Dwellings Society** (G2/V1 to G1/V1).

**IDA programme**

45/06/19 A total of 211 IDAs have been completed – an increase of six since the previous report to Board.

**Merger Activity**

46/06/19 Flagship and Suffolk, Great Places and Equity and Leeds Federated and Leeds and Yorkshire are recently announced mergers.

47/06/19 RBP confirmed that the paper to Board in October on differentiated engagement, including more frequent IDAs , will discuss how we will engage with on medium diverse and large providers.

**RBP**

**15 Any Other Business**

48/06/19 CK to email to members the link to “Guide to becoming a registered provider”.

**CK**