



PUBLIC MINUTES

of the Board meeting

on Tuesday 28 April 2020 at 0930

Skype Meeting (no members were together, and the meeting was deemed to have been held in London, the location of the Chair).

6 Remote and virtual participation

6.1 Any member may validly participate in a meeting virtually through the medium of conference telephone, video conferencing or similar form of communication equipment, provided that all persons participating in the meeting are able to hear and speak to each other throughout such meeting, or relevant part thereof. A member so participating shall be deemed to be present in person at the meeting and shall accordingly be counted in a quorum and entitled to vote.

6.2 A meeting shall be deemed to take place where the largest group of those members participating is assembled or, if there is no group which is larger than any other group, where the chair of the meeting is.

Present

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

In attendance

Jonathan Walters (JW)	Deputy Chief Executive
Maxine Loftus (ML)	Interim Director Regulatory Operations
Richard Peden (RBP)	Director, Finance and Corporate Services
Will Perry (WP)	Director, Strategy
Harold Brown (HB)	Senior Assistant Director, Investigation and Enforcement
Emma Tarran (ERT)	Assistant Director, Head of Legal Services and Company Secretary
Jim Bennett (JB)	Assistant Director, Regulatory Strategy – for item 6 and 7
Althea Houghton (AH)	Althea Houghton, Assistant Director Registration and New Entrants – for item 11

Chris Kitchen (CK)	Minutes
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1 Welcome and apologies

01/04/20 There were no apologies.

2 Declarations of Interest

02/04/20 PS advised that he had resigned from his NED position on the Residential Landlords Association.

3 Minutes of the last meeting – 24 March 2019

03/04/20 The confidential minutes and the public minutes of the last meeting were AGREED subject to minor amendments.

4 Matters Arising

04/04/20 Members noted the updates to the actions from previous meetings.

5 Forward Planner

05/04/20 Members NOTED the forward planner. It was acknowledged that there is likely to be changes to the forward planner over the next few meetings as the organisation is dealing with the impact of the Covid-19 pandemic.

Chief Executive update

6 Covid-19

Sector Key Risks

06/04/20 The CEO advised members that there is extensive engagement with the sector and other groups. Operational risks were a stronger recurring theme than financial risks at this stage and it was acknowledged that financial risks are more likely to emerge over the longer-term. There have been a range of queries from providers about our regulatory approach to, for example, health and safety compliance and we have continued to address these issues with the sector, confirming that providers must keep abreast with guidance from the HSE, and that we will continue to take a proportionate approach. There has also been discussion about the construction industry beginning to re-open sites and what safety measures will be in place.

07/04/20 Uncertainty of supply of PPE has been reported by providers as a current concern, especially for RPs providing care and/or supported housing with providers having to consider the welfare of both tenants and staff, however no RP was yet reporting being overwhelmed.

Viability

08/04/20 DCEO advised members that we are currently reviewing the December quarterly survey data and where there are risk exposures flagged, these will be discussed with those RPs. Funding markets remain open thus far and housing associations are seen as credible borrowers.

Operational Impact (CORS survey - initial findings)

09/04/20 The Interim Dir of Reg Ops (ML) gave members an overview of the newly introduced, temporary, monthly Coronavirus Operational Response Survey (CORS). The survey ran for a week between 17-23 April. Surveys went to all large PRPs, around 40 small PRPs and all stock holding LAs. The primary intention of the survey was to understand the operational risks that RPs are experiencing and inform any sector or individual RP interventions. Members were advised that the results covered today were based on analysis of a representative sample of responses.

10/04/20 In respect of combined H&S question there was assurance that RPs are looking at the different elements of H&S work and prioritising high risk areas for their properties. Members were advised that it is our intention to carry out the survey monthly which should pick up any changes in key service delivery.

11/04/20 Members asked if there had been any reports of problems with accessing building materials/maintenance components. It was confirmed that materials were an area of concern with around 1/3 of respondents in a representative sample, reporting problems with supplies.

Latest Government announcements – members NOTED the information.

Long-term planning

16/04/20 There is currently no decision from Government on how or when lockdown will be lifted, but we will continue to work on modelling the economic impact on RPs.

External communications

17/04/20 As previously reported the executive team members are in very regular communication with the sector through the regular stakeholder groups and newly and specific convened groups. The senior leadership teams are also staying in contact with stakeholders and this interaction is being very well received by the sector. We are also focussing on providers with under 1000 units through a variety of other bodies and will be writing to small providers to remind them to contact us if they are facing difficulties so that we can consider options for support. We continue to take part in webinars which provide a good platform for interactive dialogues with the sector.

Internal communications

18/04/20 The move to home working has been quick and effective and with very few problems. We are helping staff deal with the pressures of home schooling and care responsibilities through supporting flexible working hours and there have been a lot of measures put in place to ensure wellbeing through contact and blogs. Staff have reacted very positively to all the support measures put in place and there have been very few staff reporting C-19 symptoms.

19/04/20 Members thanked the CEO for a comprehensive report on the C-19 actions and congratulated management on the steps implemented and the positive feedback from the sector and staff.

7 CEO update - Other issues

Accounting Officer meeting

21/04/20 Members NOTED the update in the slide and that the focus of the meeting had been on how we are responding to C-19, sector risks and resources to deal with the impacts.

Grenfell tower public inquiry

22/04/20 Members NOTED that the inquiry has been suspended.

Regulatory Operations update

23/04/20 As previously agreed, the Reg Ops update will now be reported as part of the CEO updates with separate quarterly reports. Members NOTED the information on the recent regulatory judgements and related narratives issued during March and April and updates on merger activity in the sector.

Stakeholder engagement

24/43/20 Members NOTED the high level of stakeholder engagement and the planned engagement. There is huge appetite for the sector to keep talking and continue the intelligence sharing.

8 Audit and Risk Assurance Committee (ARAC) – report to Board

25/04/20 The Chair of ARAC gave members an overview of a very positive meeting that had taken place the previous day and updated on the key areas.

26/04/20 *Strategic risk register:* the review of the register had included a good discussion on the rationale for the executive team deciding not to have a separate C-19 risk, but rather considered the risks in the context of the existing risks on the register, their inherent and mitigated risk scoring and the further actions that were being undertaken.

27/04/20 *Internal Audit:* had submitted reports on Consumer Regulation and Risk Management, both of which had been given a substantial assurance rating. The audit on Budget monitoring had flagged a couple of minor points which had now been resolved but had been given a moderate assurance rating.

28/04/20 *In-depth assurance:* ARAC had been given a very thorough and informative in-depth review on our consumer regulation processes and approach.

29/04/20 *NAO:* the interim report had been considered. There were three areas discussed:

- Management override – the NAO see this as big risk area in all of their audits - no evidence of this was found in our audit,
- Defined benefit pension scheme accounting.
- Internal controls – one minor observation had been reported.

30/04/20 The chair of the board thanked the chair of ARAC for her report.

9 Finance and Corporate Services update

31/04/20 Members NOTED the report and DF&CS highlighted key areas in respect of the forecast outturn.

32/04/20 There was a question in respect of facilities costs in light of C-19 and management confirmed that we are in discussion with GPA regarding office space in office, especially Leeds, but discussions have currently paused. No internal decisions have yet been taken on post lockdown working practices and we will adhere to Government/Civil Service guidelines when available. We currently work on a 6:10 desk.

34/04/20 Members commented on the arrangements in place for staff to claim special leave which should be recognised by staff as a very positive and supportive move by the organisation. The CEO stated that there has been very positive feedback from staff.

10 Performance and Risk report – Q4

36/04/20 DF&CS presented the report which members had NOTED. The full Strategic Risk Register will be presented to Board at the May meeting.

37/04/20 Members were advised on the reasons for the three AMBER risks

Organisational capacity: is due to the number of vacancies arising from the resource review and the impact of the outbreak of Covid-19. A significant amount of recruitment took place in Q4, but the impact of the pandemic has meant that some advertised posts have been put on hold and we have reduced staff capacity in some areas due to staff caring responsibilities.

Health and Safety: is due to a delay in implementing a new version of the H&S policy due to other work being prioritised. We do have a H&S policy in place, carried over from HCA, but want to refresh it, but in the meantime, we remain compliant with legal duties under the Health and Safety at Work Act.

Strategic Risks: ARAC had considered these as reported by the ARAC chair in her report.

38/04/20 The L&D strategy is being reviewed to consider how we can continue to deliver training during lockdown. The accommodation strategy is on-going but at a slower pace due to on-going discussions with GPA. Members were assured that in the current work from home arrangements, advice is being made available to staff on H&S whilst working in their homes.

11 Investigation and Enforcement update

39/04/20 HB introduced the paper and reminded members of the confidentiality of the information in the report. He provided further updates on the intensive regulatory engagement cases listed in the paper and Members NOTED the updates on continued engagement with the Lease Based Providers.

Consumer Regulation

40/04/20 To date there have been 597 referrals at Stage 1. 269 have been escalated to the consumer regulation panel and 151 of those progressed to an investigation. There are currently 34 open cases and 8 cases that are over 6 months old where we are awaiting 3rd party review.

Leased Based Providers

41/04/20 *First Priority Housing Association:*

42/04/10 *Inclusion:*

45/04/20 *Westmoreland:*

Gradings Under Review

47/04/20 *Prospect Housing Limited:*

48/04/20 *ForHousing Limited:*

12 Registrations Decisions

49/04/20 The AD Registrations and New Entrants (AH) joined the meeting. Members had NOTED the report.

50/04/20 Members were advised that the team continue to be busy with registrations and de-registration applications and are still receiving a regular flow of applications for registrations.

13 Items agreed by correspondence

51/04/20 The board noted that since the last meeting there had been one decision made in writing in accordance with Standing Order 7.1: *[Save as provided in Standing Order 15.4, a resolution in writing signed by all the members shall be as valid and effectual as if it had been passed at a meeting duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members, including signatures evidenced by means of electronic transmission]*.

52/04/20 The decision was:

1. To appoint Jo Boaden as a member of the Nominations and Governance Committee of the Board with effect from Wednesday 8 April 2020, for a maximum term of two years, or the remainder of her term of office as a Board member, whichever is the shorter;
2. To delegate authority to the interim Chair of the Board to sign a formal letter of appointment to Jo Boaden to this effect.

53/04/20 All members indicated their approval in accordance with SO 7.1, save for Jo Boaden who did not take part in the decision in accordance with standing order 7.2 which provides: *[For a written resolution to be effective, it shall not be necessary for it to be signed by a member or any other person who is prohibited, by these Standing Orders, from voting thereon]*

14 Any other business