



PUBLIC MINUTES

of the Board meeting

on Tuesday 28 July 2020 at 1015

Microsoft Teams 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
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)	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)	Senior Assistant Director, Head of Legal Services and Company Secretary
Jim Bennett (JB)	Assistant Director, Policy and Communications – for items 7 & 15
Althea Houghton (AH)	Assistant Director Registration and New Entrants – for item 9
John O’Mahony (JOM)	Assistant Director, Corporate Services and Performance – for item 12
Ruth Gibson (RG)	Assistant Director Assurance – for item 14
Chris Kitchen (CK)	Board Secretary, Minutes

1 Welcome and apologies

01/07/20 There were apologies from Liz Butler (LB).

2 Declarations of Interest

02/07/20 There were no new declarations of interest.

3 Minutes of the last meeting – 30 June 2020

03/07/20 The confidential minutes and the public minutes of the last meeting were AGREED subject to minor amendments.

4 Matters Arising

04/07/20 Members noted the updates to the actions from previous meetings.

5 Forward Planner

05/07/20 Members NOTED the forward planner. FM will consider whether the CEO slides will continue to require a separate section on C-19. **FM**

Chief Executive update

6 Covid-19

Latest Government announcements

06/07/20 Members noted the update in the slides.

07/07/20 *General:* Recent announcements on further easing of restrictions measures were outlined:

- Shielding for the vulnerable being lifted from beginning of August.
- New guidance issued to allow visits to care homes.
- From 1 August, repairs, maintenance and inspections can be carried out for all households, including those shielding, if appropriate safety measures are in place. RPs are beginning to report they are catching up with repairs and gas safety check backlogs.
- Guidance has been issued regarding construction site working hours and planning permission timescales.
- The re-opening of offices is still being reviewed.

Regulatory approach, stakeholder engagement and external comms

08/07/20 FM reported that we have written to large PRPs regarding our revised timetable for FFRs and advising on the resumption of IDAs. Care providers report that they are facing challenges around void rates and managing social distancing in communal areas. Some other stakeholders are also being impacted financially – CIH, NHF and TAROE.

CORS survey –report

09/07/20 The Dir of Reg Ops (ML) gave members an overview of the July results from the Coronavirus Operational Response Survey (CORS).

10/07/20 The July survey had closed 4 days ago and had a 94% response rate which was better than the same point in June. The analysis of the July survey was reporting a generally positive position.

- Virtually no urgent repairs backlogs, and any that do exist are expected to be cleared by September/October
- Still some problems with getting access to properties but improving
- RPs are reporting readying themselves for a second spike, by ensuring PPE stocks and carrying out H&S checks
- Staffing levels and sickness absence is improving in the care and support sectors
- Local lockdowns are being monitored, the most recent being Leicester

7 CEO update - Other issues

Meeting with the Housing Minister

12/07/20 FM reported on the third meeting with the Housing Minister Christopher Pincher MP at which we took him through the CORS results, rent arrears and a discussion on lease-based providers. He requested MHCLG officials set up a meeting to discuss the QS results in due course.

Policy Update

15/07/20 Members NOTED the policy updates following the Chancellor's summer statement which included

- **Jobs and employment:** Kickstart employment scheme for 16-24 year olds, job retention bonus and Expansion of DWP, Jobcentre Plus and National Careers Service
- **Housing:** Cut in Stamp Duty, Social Housing Decarbonisation fund and Green Homes Grant
- **Affordable Housing Programme:** we are continuing our work with the department.
- **Draft Building Safety Bill:** The Bill establishing a Building Safety Regulator (BSR) has now been published but is subject to pre-legislation scrutiny. This sets in place a duty for us and the BSR to co-operate. The BSR will have a resident's panel to ensure residents have a voice in the changes being made to building safety guidance. When the BSR issue notices, we will be informed. The Bill also established a New Homes Ombudsman who will deal with complaints about newbuild properties. The Bill also proposes removal of the democratic filter before tenants can seek redress through the HOS. It will cover high risk buildings (18 metres), and there is some discussion on whether it should also cover high risk buildings under the 18 metres, with the definition of "high risk" under discussion. It was noted that the proposals also cover high-risk buildings in the private sector.

16/07/20 JB advised that the BSR is likely to be operational from November 2021 but was dependent on the passage of legislation. He confirmed when asked that there will be an "accountable person" appointed for every building,

17/07/20 Members NOTED the updates on:

- Corporate Insolvency and Governance Act 2020
- The Housing Ombudsman's Complaint Handling Code Oral questions to HCLG regarding the end of the eviction ban

HCLG Committee

18/07/20 FM reported on the session attended by Robert Jenrick MP and Simon Clarke MP. Areas of interest for the RSH were:

- Draft Building Safety Bill
- Private rented sector
- Rough sleeping
- Local lockdowns

19/07/20 The HCLG Committee report, building more social housing, investigated the long-term delivery of social housing – the report estimates that 90,000 more social rented homes a year are required.

Regulatory Operations update

20/07/20 Members NOTED the information provided. There had not been many Regulatory Judgements issued and the merger information was NOTED.

Grenfell

21/07/20 The inquiry has restarted but will be adjourned for the summer break. Attendance will be limited to accommodate social distancing requirements.

8 Investigation and Enforcement update

22/07/20 HB introduced the I&E report which sets out more background to current cases and an update on Lease Based Providers.

Consumer Regulation

23/07/20 Members NOTED the update on current cases which included updates on how providers are managing Covid-19 risks, as well as any significant developments.

Case Reports – Lease Based Providers

24/07/20 *Inclusion*

25/07/20 *Larch*: Members NOTED that an updated RJ had been published.

26/07/20 *Westmoreland*:

27/07/20 *Prospect*: A Regulatory Notice was issued in May.

9 Decisions of the Assistant Director Registrations and new entrants

29/07/20 AH joined the meeting and presented the paper. Members NOTED that since the last report, one new entrant, Outreach, had been registered and designated as a non-profit provider.

30/07/20 Of note was the re-designation of Reliance Social Housing CIC from a for-profit to a not for profit body.

11 Finance and Corporate Services Update

36/07/20 RBP presented the paper which members had NOTED.

38/07/20 RBP reported on the progress of the transfer of HR services from HE to RSH.

12 Quarter 1 – Performance and Risk report

39/07/20 JOM joined the meeting. Members NOTED the regular quarterly report. The annex detailed the four areas of the performance and risk targets that were rated AMBER.

40/07/20 The Business Plan activity had been agreed prior to Covid-19 and REG had agreed to maintain the activities and they receive monthly reports. There was just one target graded AMBER which members noted.

13 Internal Audit – Digital Services SLA

41/07/20 The Board were being sighted on this to give them comfort that there are no major issues. Internal Audit reviewed the digital services part of the SLA and have given it a medium assurance.

43/07/20 Overall, the service we receive from HE Digital is of a good standard, with system uptime regularly at 99.9%.

44/07/20 The report will go the ARAC as part of the usual reporting cycle.

14 Annual Assurance Report

45/07/20 RG joined the meeting. The report is backward looking as at March 2020.

15 RSH/Housing Ombudsman Service MOU

46/07/20 JB joined the meeting and added context to the paper. The current MOU dates back to April 2017 and pre-dated the Green Paper. The updated MOU reflects changes to the Ombudsman and their new Scheme which comes into force from 1 September 2020. We are therefore using this opportunity to review the MOU to reflect the changes to the new scheme and make some drafting changes and update it. JB confirmed that it will be reviewed again when the outcome of the White Paper is known.

47/07/20 We have a good relationship with the Ombudsman, and we meet with them on a quarterly basis. The new Scheme gives them more powers to deal with landlords and identify thematic/systemic or severe maladministration by a provider. They will carry out initial investigations of any cases and then refer to us if appropriate.

48/07/20 JB advised members that it is our intention to publish this revised MOU in August, ahead of the Ombudsman publishing their new Scheme in September. It will then be reviewed following the publication of the White paper. Members NOTED the proposed changes to the MOU and supported its publication.

16 Any Other Business

49/07/20 RH enquired as to whether the September board meeting is likely to be face to face, as restrictions to office working are being lifted. FM stated it was likely that September will be an on-line meeting given travel requirements and ensuring offices were open and Covid secure, with a possibility that we could be back to meeting in 2MS from October. This will be confirmed.

50/07/20 August Board Meeting: It was AGREED that the board secretary will advise if a meeting is required.

Date of next meeting: 29 September 2020 – 9.30am