



PUBLIC MINUTES

of the Board meeting

on Tuesday 24 November 2020 at 0930

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)	
Liz Butler (LB)	
Richard Hughes (RH)	
Ceri Richards (CR)	
Jo Boaden (JBo)	For agenda items 1 - 13
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
Mark Smith (MS)	Solicitor – attended for item 12
Chris Kitchen (CK)	Board Secretary, Minutes

1 Welcome and apologies

01/11/20 There were no apologies.

2 Declarations of Interest

02/11/20 There were no new declarations of interest.

3 Minutes of last meetings – 20 and 26 October 2020

03/11/20 The confidential and public minutes from the meetings on 20 and 26 October 2020 were considered and AGREED.

4 Matters Arising

04/11/20 Members NOTED the actions.

5 Forward Planner

05/11/20 Members NOTED the forward planner.

Chief Executive update

6 Covid-19

White Paper update

06/11/20 Members were given an overview of the main points of the White Paper and noted the information in slides 3-12.

07/11/20 Initial reactions to the RSH being made the regulator for consumer regulation have been broadly positive. The White Paper recommends that the regulator retain a co-regulatory approach to consumer regulation. A range of specific measures are outlined including the introduction of Tenant Satisfaction Measures. This is an area where there will be early activity and we will need to ensure there is effective engagement with interested parties. The introduction of consumer regulation to our remit will not diminish our focus on economic regulation and we will continue to emphasise this and the importance of both aspects of our role through our on-going stakeholder engagement.

08/11/20 The internal Consumer Regulation Programme Board is working through how we will develop this role to become an effective Regulator who will make a difference to tenants. That does not diminish the fundamental importance of the relationship between tenants and their landlords – it will not be the Regulator's role to resolve all tenant issues.

09/11/20 Understandably, there is a lot of interest in the timetable for implementation of what is in the White Paper. We are being clear with external stakeholders with the messages that this will be dependent on timescales for the legislation going through Parliament. However, we will also be strongly messaging to landlords that they should not wait for legislation to be in place to address any areas where they could achieve improvements in their services and start to consider the requirements of the White Paper.

10/11/20 We are not underestimating the intensity of the task that lies ahead of us as an organisation and we will be recruiting a Director of Consumer Regulation and over time a wider consumer regulation team. In the meantime, work is underway in the policy and legal teams working with MHCLG colleagues on the content of the legislation. There will be a lot of stakeholder engagement and work to design the Tenant Satisfaction Measures which we will test through informal engagement as well as formal consultation in due course. There are not yet confirmed dates for the laying of the primary legislation.

Policy updates:

11/11/20 *New model for shared ownership:* MHCLG have launched their consultation on the new model and provided details in respect of staircasing and the type of repairs that will fall within the responsibility of landlords.

12/11/20 *Spending Review:* due to be announced on 25 November 2020.

Other:

13/11/20 *Annual Report and Accounts:* the RSH ARA had been laid in Parliament on 12 November 2020 and thanks and congratulations were extended to everyone involved and, in particular to the finance team.

14/11/20 *NHF Code of Governance:* the revised code has been published. ML and members of the Operations team had commented on and fed into the revised version and it contains helpful information on the sector's approach to inclusion and diversity. The new guidance has been well received by the sector. At a recent conference attended by FM & JW, there was support for the RSH's approach to co-regulation in these areas continuing.

15/11/20 *Covid-19:* members NOTED the updates.

16/12/20 *Registrations:* Members NOTED the updates on the three registrations that have been approved.

17/11/20 *Regulatory Operations:* members NOTED the updates. The published RJs were based on the IDAs carried out over the summer. Some previously published judgements will be refreshed following stability checks. The list of mergers in the public domain were NOTED.

18/11/20 *Grenfell Tower public inquiry:* members NOTED Module 1 of the inquiry was now complete with the evidence from expert witnesses confirming a number of failures. Module 2 has commenced and is on schedule for completion in February 2021 when Module 3 is due to start.

19/11/20 *Publications, Media Coverage and Stakeholder engagement:* members NOTED the information provided. The Sector Risk Profile is due to be published on 26 November and there is a lot of interest in this from the sector. There has been quite a lot of media coverage (BBC, Radio 4 and local press) on Lease Based Providers in particular in respect of the issues in Birmingham. There was also a private members Bill discussed in Parliament. JW was interviewed for a local BBC programme into the Stella Maris inquiry and Panorama is due to be covering issues faced by leaseholders which is due to pick up cases from four G15 providers. The Chairman will be the keynote speaker at the Social Housing Conference in December and FM will be part of the Q&A session.

7 Investigation and Enforcement update

20/11/20 HB introduced the I&E report which sets out more background to current cases and an update on Lease Based Providers, particularly the issues in Birmingham with short term leasing models in operation. As mentioned previously there has been a lot of media and political interest. HB reported on a very positive meeting with Shabana Mahmood MP covering the importance of a multi-agency approach to tackling these issues, and we were happy to continue working with Birmingham Council where we could, including

messaging around supporting the quality standards being developed by the Council.

Consumer Regulation

21/11/20 Members NOTED the update on consumer referrals this year.

Case Reports – Lease Based Providers

Case resolution

22/11/20 *Ongo Homes:* Ongo Homes' governance grading was upgraded from G3 to G2. Their V1 grading remains appropriate.

23/11/20 *Case reports:*

Green Park:

24/11/20 *Prospect:*

25/11/20 *Sustain:*

26/11/20 Members NOTED the other updates in the paper.

8 Strategic Risk Register - SRR

27/11/20 RBP presented the SRR which had been reviewed by the Risk Review Group.

28/11/20 Members NOTED the rationale for the decisions as set out in the paper and the Chair of the ARAC confirmed that she was content with the scoring.

9 Performance Report Q2

29/11/20 Members NOTED the report. RBP advised that there were some overlaps in this paper as the SRR had not been presented to the October Board meeting as a result of the meeting being earlier in the month.

30/11/20

- *Organisational capacity* was now status green as we have successfully adapted our recruitment processes to move to online interviews and inductions and the majority of the I&E and legal posts have been filled.
- *Health and Safety* is also status green and the new RSH H&S policy has been published.
- *Internal Audit:* RBP confirmed that the wording on this could be clearer and gave assurance that our internal audit actions are tracked within the organisation as well as by the Internal Audit team

31/11/20 Members NOTED the other updates in the report.

10 Finance and Corporate Services update

32/11/20 Members NOTED the report

33/11/20 The balance sheet position from August was NOTED. HR services have transferred from Homes England to the RSH HR team and the Applicant Tracking System (ATS) for recruitment is in place. The annual pay award has been confirmed and will be paid to staff in December.

34/11/20 RBP confirmed that Supplementary Estimate discussions had commenced with MHCLG

35/11/20 RBP confirmed that staff wellbeing continues to be monitored and there have been no general increase in stress related sickness. Staff are supported with signposting to tips for staff wellbeing and we ensure that teams are regularly checking in on individuals.

11 Gender Pay Gap (GPG), Equalities information and Ethnicity Pay Gap (EPG) publications

36/11/20 RBP advised members that the 2019 Gender Pay Gap data was first published in March 2020 and this year the proposal was that the 2020 GPG data would be published alongside the Equalities and EPG data.

38/11/20 DG as the Boards' Equalities Champion congratulated management on the transparency of the data and the steps being taken to address the gaps through positive recruitment and career progression.

12 Authorised Signatories

39/11/20 ERT introduced the paper and Mark Smith, solicitor who had worked on the review of the Schedule of Authorised Signatories and the procedure for the Execution of Documents in the RSH.

40/11/20 As a result of the C-19 lockdown, it is becoming more common to rely on electronic signatures for the execution of documents.

41/11/20 The paper set out the changes to the Schedule of Authorised Signatories and the rationale for those changes, which included an updating of names and roles.

42/11/20 The Board were being asked to **AGREE** that:
1 the Schedule of Authorised Signatories as proposed to be amended shall apply with immediate effect; and
2 for the avoidance of doubt, the Chief Executive shall have authority to approve a procedure for signing and sealing, including an e-signing procedure, and amend the same from time to time.

43/11/20 The Board AGREED the adoption of the amended Schedule and gave authority to the CEO for the approval of a procedure for signing and sealing, including an e-signing procedure, for the approval of any subsequent amendments as may be required from time to time.

13 Learning from Problem Cases

44/11/20 MW joined the meeting and gave members an overview of the next publication of problem cases which will be Volume 5 of the publication.

45/11/20 MW explained the context of the publication and took board through the various routes providers can find themselves in a non-compliant position.

46/11/20 Members all agreed that it was a very good piece of work and that it would be well received by the sector when published.

47/11/20 FM confirmed that as MW was leaving the organisation, this work would be completed internally.

48/11/20 The Chair thanked MW for all his hard work and contributions to the organisation in its various guises during his 22 years and especially with the transition to a standalone organisation in 2018. He wished him well for the future.

49/11/20 JB left the meeting before the next agenda item, having confirmed she had no other business to raise.

14 Private Finance Update

50/11/20 WP presented the paper. The banking and debt capital markets were strong, and the cost of financing was low.

51/11/20 There has been a reasonable amount of activity in private placements helped by the opening up of the US markets.

52/11/20 The sector has launched the ESG reporting framework. The soon to be published Sector Risk Profile picks up on some of the risks facing the sector.

15 Any Other Business

53/11/20 There were no other matters to discuss. The Chair thanked members and officers for their contributions.

Date of next meeting: 26 January 2021 – 9.30am