



PUBLIC MINUTES
of the Board meeting
on Tuesday 26 January 2021 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)	
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 - Items 6 and 13-14
John O'Mahony (JOM)	Assistant Director, Corporate Services and Performance – Item 11
Althea Houghton (AH)	Assistant Director, Registrations and New Entrants – Item 12
Chris Kitchen (CK)	Board Secretary, Minutes

1 Welcome and apologies

01/01/21 There were no apologies.

2 Declarations of Interest

02/01/21 There were no new declarations of interest.

3 Minutes of last meetings – 24 November 2020

03/01/21 The confidential and public minutes from the meeting on 24 November 2020 were considered and AGREED.

4 Matters Arising

04/01/21 Members NOTED the actions.

5 Forward Planner

05/01/21 Members NOTED the forward planner.

6 Chief Executive update

Covid-19

07/01/21 Members were given an update on the impact of the most recent lockdown on the sector, with some RPs reporting that they are having to move back to emergency repairs (plus) as a result of tenants being less willing to have tradespeople in their homes and also companies being reluctant to have their unvaccinated operatives visit homes. We continue to liaise with RPs and expect them to take well informed and clearly recorded decisions on how they manage H&S risks during this period and that they should contact us if they feel that tenant safety is threatened.

08/01/20 There has also been a bigger impact for RSH staff than in previous lockdowns with higher levels of illness both of staff and relatives, bereavements and pressures of home schooling and other caring responsibilities. We continue to be as flexible as reasonably possible with staff working patterns and have reviewed some work deadlines, scaling back where possible. Members NOTED the other updates.

Policy updates:

09/01/21 *Ministerial Changes:* following the resignation of Kelly Tolhurst, Eddie Hughes MP has been confirmed as the Parliamentary Under Secretary of State for Rough Sleeping & Housing.

10/01/21 *Future Homes Standard:* the consultation has now closed and the focus is on new homes being zero-carbon ready.
Future Buildings Standard: consultation to close in April with the focus on energy and ventilation standards and there are no immediate implications for the RSH.

11/01/21 *New Regulator for Construction Products:* has recently been announced.

12/01/21 *Right to Regenerate:* the Government is consulting on proposals to make it easier to challenge councils and other public organisations to release land for development, and giving a right of first refusal to the person making the request.

- 13/01/21 *Grenfell Tower Inquiry*: members were advised of the changes to the timetable as a result of lockdown. This will impact on the timing of Module 3,. There has also been a change in the order of the modules with the modules relating to fire fighting and Government role being brought forward and module 4 covering the impact of the aftermath being moved to later in the order
- 14/01/21 *Chief Executive meetings/stakeholder engagements*: Members noted the recent meetings the CEO has had.
- 15/01/21 *Performance Review*: members NOTED the monthly interim update.
- 16/01/21 *Publications, Media Coverage and Stakeholder engagement*: members NOTED the recent increase in engagement which is likely to continue.

7 ARAC report to the Board

- 17/01/21 The Chair of ARAC reported to Board on the January meeting which had been a very positive meeting. The Committee had been presented with an in-depth assurance report on performance reporting and as expected had been given very high levels of assurance that the processes were thorough and well managed. There is an Internal Audit review on this area currently being undertaken.
- 18/01/21 The Committee had also been presented with the final report on the IA audit on Covid-19 response and decision making and had given it a Substantial assurance rating. The team had commented on the very effective transition to home working for all RSH staff and how strong the risk management was in the organisation.
- 19/01/21 The NAO had presented their Audit Plan. The NAO confirmed that the filing of the RSH Annual Report and Accounts, will once again this year be post recess. RBP advised that management would be working on the ARA to an earlier timetable, so there will be no need for an additional ARAC or Board meeting in 2021.
- 20/01/21 The Board Chair thanked the ARAC Chair for the report.

8 Investigation and Enforcement update

- 21/01/21 HB introduced the I&E report which sets out more background to current cases. He gave members an update on emerging case work.
- Emerging Casework
- 22/01/21 *Brent Community Housing (Brent)*: We have put Brent on the GUR list.
- 24/01/21 *Green Park*: We continue to regularly engage with Green Park.
- 25/01/21 *Prospect Housing Limited*: Following a period of intensive engagement with Prospect, and the identification of significant weaknesses in its governance arrangements, we made three statutory appointments to the board of Prospect in September and published a revised regulatory judgement in October.

26/01/21 *Sustain UK Limited:*

28/01/21 *South Kesteven Council:* Members NOTED the update in the paper. We will engage intensively with the Council to ensure it is resolving the issues with H&S and fire safety failings.

Impact of short and long term lease model

29/01/21 Members discussed in detail the impacts on the sector of the short term lease model. There continues to be a lot of interest in the exempt accommodation model in Birmingham.

31/01/21 Members NOTED the other updates in the paper.

9 Operational Update

32/01/21 ML introduced the paper which members had read. She confirmed that the stability checks programme which reviewed the financial forecasts and published accounts of RPs to see if there has been any material shifts in their financial positions, focussing mainly on viability, was near completion. This work has resulted in five RPs being re-graded from V1 to V2 plus one other as a result of their completed IDA.

33/01/21 The IDA programme has restarted and seventeen are currently underway, all of which are part of the planned programme.

34/01/21 The Bi-annual meetings are continuing and the sector is still responding well to these meetings. Feedback on virtual meetings and IDAs continues to be positive as the meetings are more focussed.

10 Finance and Corporate Services

35/01/21 *Management accounts:* RBP presented the paper and members NOTED the November year-to-date revenue spend.

36/01/21 Letters had been sent to RPs advising that aggregate fee levels would be held for the 2021/22 fee year.

37/01/21 Members noted the other updates in the paper.

38/01/21 *Environmental Policy Statement:* members were advised that the policy is reviewed annually. The RSH is committed to improving its carbon footprint and looks to minimise environmental impact in the areas where the organisation can exert influence. As we do not control the offices we occupy this is largely in the area of staff travel. We prioritise use of public transport, offer staff a cycle to work scheme and pay a mileage rate for staff who use electric cars. We also have started work to look at the environmental impact of our digital footprint by working to reduce unnecessary document storage. Members were invited to comment on the policy statement which if approved will be published on the RSH website.

11 Equality update

- 40/01/21 JOM joined the meeting and presented the report as the second quarterly update. We are continuing our learning from other organisations which is helping us calibrate our approach. We have started work to develop a Diversity and Inclusion Strategy and we will also become signatories to the Race at Work Charter which was launched by Business in the Community. We also had a session with MHCLG in December looking at our work on diversity and inclusion. In addition to staff leading on equality work this was also attended by Deborah Gregory in her role as Board lead.
- 41/01/21 Staff engagement on Equality, Diversity and Inclusion continues through small staff forum meetings. The action plan has been reviewed by the delivery group in light of Covid-19 and it was AGREED that the targets should be grouped by theme.
- 42/01/21 DG gave members her feedback from the session she attended with MHCLG. She had found the session useful.

12 Decisions of the AD Registrations and New Entrants

- 44/01/21 AH joined the meeting. Members NOTED the latest registrations decisions since the last report and that the three registrations were representative of the types of applicant that are registered.
- 45/01/21 There was a discussion about applicants who have shareholders on their Boards and assurance was given that where we can within our legislative remit we challenge their governance structure as part of the consideration of these applications. We always point applicants to the guidance on becoming a registered provider.
- 46/01/21 Members were advised that the level of applications are running at a very high level and as a result there is a backlog in processing applications. Recruitment is underway for new staff to join the registrations team and also to expand the new entrants team which is intended to help ease the backlog of work. Some of the timing issues are also not of our making. There are often long gaps in applicants responding to requests for information from the registration team.

13 White Paper Consumer Regulation Programme update

- 47/01/21 WP presented the paper which summarised progress to date and current understanding of timings. It set out for members where there are dependencies between the work being undertaken by MHCLG and the regulator and flags areas where the Board should be particularly aware of the approach being adopted.
- 48/01/21 **Overall timeline:** it was NOTED that implementation of all the aspects of the White Paper and are dependent on legislation being put in place. Currently, the legislative timetable is not known, we continue to work with MHCLG to be as ready as possible when the timetable becomes clearer.
- 49/01/21 **Legislation, directions and dependencies:** Primary legislation is required to enable key elements of the White Paper's proposals and the anticipated changes to consumer regulation. We are in discussion with MHCLG on the

form and scope of the Directions powers the Secretary of State may seek and use. The Board NOTED and AGREED with this approach.

50/01/21 **Tenant Satisfaction Measures (TSMs):** Our plan is to start with “soft” engagement with stakeholders in order to better shape a formal consultation on the TSMs later in the year. This will enable us to reflect stakeholder feedback, particularly in areas where our work to date has identified significant work is needed to meet the White Paper’s expectations. The Board NOTED this approach and were given assurance that they will be kept informed on progress.

51/01/21 **Operating model and structure:** Members were reminded that we have appointed a Director of Consumer Regulation. In terms of implementing the requirements around standards and inspections, and our initial thinking is that we should identify where there are potentially synergies between economic and consumer regulation and design an integrated approach to gathering assurance to realise these. It was noted that this was consistent with the decision to have both functions in a single organisation. Feedback from stakeholders including providers and tenants is that the assurance-based approach used in our current economic and reactive consumer regulation is effective, well understood and could potentially be used as a basis for consumer inspections. Providers have also stressed the importance of consumer and economic regulation informing each other, to avoid potentially contradictory outcomes and promote efficiency of engagement. Consideration would then need to be given to how this assurance is presented to enable our view of consumer regulation performance to be clearly presented. This will be an area of focus for the Director of Consumer Regulation and Board will have opportunity to comment in due course. The Board NOTED and AGREED with this approach.

14 Stakeholder Survey

52/01/21 JB joined the meeting and represented the results of the 2020 RSH Stakeholder Survey and members NOTED the content of the paper and the annex. JB advised members that the responses have been very positive, and some of the results will be included in our draft Corporate Plan as performance measures. It is our intention that we publish the results in early February.

53/01/21 Members discussed the results and were given assurance that the sample size was reasonably good. The response rate from LAs was positive and members suggested it would be helpful if the data could be split to show the LA figures. PS was asked if consideration had been given to carrying out bespoke/separate surveys with stakeholders and JB stated we could consider this separately as part of the work on tenant and resident engagement.

54/01/21 Members acknowledged the positive results.

15 Any Other Business

56/01/21 There were no other matters of business. The Chair thanked members for their contributions to the meeting.

Date of next meeting: 23 February 2021 – 9.30am