



**PUBLIC MINUTES**

**of the Board meeting**

**on Tuesday 29 June 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 - item 6
Angela Holden (AH)	Assistant Director, Investigation and Enforcement – item 9
John O’Mahony (JOM)	Assistant Director, Corporate Services and Performance – item 11

Chris Kitchen (CK)	Board Secretary, Minutes
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**1 Welcome and apologies**

01/06/21 There were no apologies.

**2 Declarations of Interest**

02/06/21 There was one new declaration of interest from LB effective from July 2021 – Independent Member, General Dental Council

**3 Minutes of last meetings – 25 May 2021**

03/06/21 The public minutes from the meeting on 25 May 2021 were considered and were APPROVED.

**4 Matters Arising**

04/06/21 Members NOTED the actions.

**5 Forward Planner**

05/06/21 Members NOTED the forward planner. LB flagged to Members that subject to confirmation from the NAO regarding the ARA closing meeting, there might be a need to cancel the October ARAC meeting or have an additional meeting in November.

**6 Chief Executive update**

*General updates*

06/06/21 Members were given the following updates:

07/06/21 *ITV coverage of sector:* Members were aware on-going ITV News coverage of sector in respect of repairs, complaints and quality. Clarion's Eastfield estate in Merton had been covered in one article and a subsequent article included reference to a property owned by Guinness in Manchester and references to CEO salaries. The same article included an interview with the CEO of the NHF.

08/06/21 *Ombudsman:* have published a report on cladding and issued a call for evidence on damp and mould.

11/06/21 Members NOTED the other updates on recent meetings with MHCLG and also the appointment of a new CEO at Homes England.

*Policy Updates*

12/06/21

- *The First Homes scheme:* has been launched and Members NOTED the details of what the scheme will offer.
- The *Building Safety Bill* is expected to be introduced pre-summer recess and we have been holding scheduled and very helpful meetings with the CEO and DCEO of the Building Safety Regulator.
- The consultation on the *New Homes Quality Code* is due to end in early July. PS advised that he is not directly involved in the consultation work.

13/06/21 Members NOTED the updates on Personal Emergency Evacuation Plans (PEEP) consultation which closes 19 July and Updates from the Grenfell United Public Inquiry.

*Operational update*

14/06/21 *Registrations:* Members NOTED the one registration of **Grevayne Social Housing Limited as a for profit.**

15/06/21 *Regulatory Operations:* Members NOTED the information provided on the June 2021 narrative RJs. Merger talks are taking place between Progress and Reside, and discussions have started between Central and Cecil/Aster and One Housing and Riverside.

16/06/21 *Performance Report:* Members were advised that Campbell Tickell have been awarded the contract to provide editorial input for the Learning from Problem Cases publication.

17/06/21 *Government updates relating to Covid-19* – updates on mandatory vaccinations for care home workers and the end of the eviction ban at the end of May were NOTED.

*External Communications*

18/06/21 *Publications/Media coverage:* the range of publications were NOTED. There will be fewer publications during August. The Shelter Report was noted.

19/06/21 *Stakeholder engagement:* NOTED.

**7 Feedback from ARAC Chair on ARA and ARAC meeting on 29 June 2021**

20/06/21 LB (Chair of ARAC), fed back to the Board from the ARAC meeting that had taken place the day before and had focussed mainly on the review of the Accounts. She reported that there had been some suggested changes to the narrative in the Annual Report and a few minor corrections that were highlighted in the Accounts. These will be implemented in the next iteration of the ARA. Subject to these small amendments, the Committee confirmed that they were happy with the ARA and complimented the team on the work that had gone into getting the ARA to such a good place so early on. In the verbal update, the NAO had advised that they were not expecting to receive assurances on the LGPS assets before 30 September. Provided there was no significant delay in receipt and no significant issues were raised NAO are confident they would still meet the current meeting schedule. LB flagged that if there were any issues, it would impact on the audit timetable which may result in a change the date of the ARA sign-off meeting.

21/06/21 The other matter reported from ARAC was the Internal Audit report on the audit of Procurement and Contracts, which had resulted in two moderate and 4 minor recommendations, all of which were in hand for completion.

**RSH 2020-21 Annual Report and Accounts**

22/06/21 RBP presented the ARA and advised that the format was the same as had been used the previous year. Contextual sections have been updated where necessary as have the tables and disclosures. The narrative will continue to be reviewed up until the finalisation of the accounts in October to address changes to Consumer Regulation and other White Paper changes. Board were being asked to give their comments on the drafting of the annual report following the

ARAC review of the accounts the previous day. Members had no additional comments and added their thanks to the team and awaited confirmation on the pensions information and any potential change of date to sign off the ARA.

## **8 Accounting Direction (AD) Consultation**

23/06/21 WP introduced the paper which requested a delegation to the Chief Executive for approval and issue of the proposed consultation on changes to the Accounting Direction (AD). The Board were being asked to NOTE the changes as set out in section D of the paper and AGREE to delegate approval of the consultation, including the consultation draft AD, to the Chief Executive.

24/06/21 At its meeting in May 2021, the Board had been advised of the rationale for updating the direction, the scope of the proposed changes and the engagement undertaken with stakeholders since the direction was last updated in January 2019. At that meeting the Board raised a question regarding the impact of proposals to expand the definition of a Public Interest Entity (PIE) on our direction. This issue was discussed with the working group, and although additional disclosures will be required in the financial statements for newly qualified PIEs, this will not affect the areas covered by the AD and it was still our view that significant changes to the AD are not required. Members NOTED the proposed changes and details of the consultation process and the proposal to launch the consultation on 19 July 2021. The consultation would then close on 24th September which would allow us to respond to contributors, finalise the direction, issue the Decision Instrument and launch the updated Accounting Direction in January 2022.

25/06/21 The full draft consultation document and proposed AD 2022 are available to Board members if required, with the key points covered in the Board paper.

26/06/21 The Board **AGREED** that approval and issue of the proposed consultation, including the consultation draft of the AD, be delegated to the Chief Executive.

## **9 Investigation and Enforcement update**

27/06/21 AH joined the meeting and HB introduced the I&E report which gave members background information to current cases.

28/06/21 *Prospect Housing Limited (Prospect)*

29/06/21 *Brent Community Housing (BCH):* The court has now granted permission for the winding-up which means that BCH is now in liquidation. We published a regulatory notice confirming the position in June 2021.

*Grading Under Review (GUR)*

30/06/21 There are now six providers on the Grading Under Review list:

*Auckland Home Solutions C.I.C (Auckland)*

*3CHA Limited (3CHA)*

*Ash-Shahada Housing Association Limited*

*Concept Housing Association CIC*

*Eldonian Community Based Housing Association (Eldonian) Empowering*

*People Inspiring Communities Limited (EPIC –*

31/06/21 Members NOTED the update in respect of the non-compliant cases.

- 32/06/21 SD asked HB and AH to give members a bit more information on the publication of Learning from Problem Cases which had been mentioned earlier. HB advised members that this publication is a look-back on non-compliant cases and will be the 5<sup>th</sup> publication and based on c.20 cases. It provides Boards of RPs with key learning from sector failures and has historically been a very well received publication and draws on our I&E expertise to help boards to spot and advise on how RPs can avoid similar problems. As previously mentioned, Campbell Tickell have been selected to provide an independent editorial review and have done this before. We are aiming for a publication date in early autumn.
- 33/06/21 HB and AH were asked to give a bit more information on what appears to be an increase in consumer regulation casework with LAs and queried if these were coming through via self-referrals or other routes and whether we had the resources to dealing with this increase in engagement.
- 34/06/21 HB and AH advised that while it has been quiet at the start of the pandemic, with programmes of work being delayed and reprofiled, the situation is now improving (works are being recommenced), and we are starting to see more self-referrals. LAs are beginning to look at their housing services and this appears to be resulting in more self-referrals. We have experience of working with LAs.
- 35/06/21 Members thanked HB and AH for the assurances and requested that the Board get in the future a paper or workshop discussion on how the consumer regulation relationship is developing with LAs.

## 10 Finance and Corporate Services update

- 36/06/21 RBP presented the paper which this month did not include management accounts as it was the first month of the quarter. However, he gave the Board assurance that the accounts are trending favourably to budget, with underspend on travel and subsistence as expected.
- 37/06/21 *Fees:* recovery was at 99.9% for current year fees.
- 38/06/21 *IAS 19:* Updated pension accounting valuations undertaken in accordance with IAS 19 have been received from the actuaries for both pension schemes and will be included in the annual accounts. Members NOTED that the net pension deficit has increased in the context of the accounting calculation of pension assets and liabilities, which is independent of the actuarial calculation of funding requirements.
- 38/06/21 *Procurement Policy:* Board were asked to note the proposed updates to the procurement policy.
- 1 Formally noting that learning and development (L&D) spend is exempt from the Procurement Policy as it follows the distinct training and conference approval process managed by RSH's L&D team
  - 2 Renaming the 'contract expiry tracker', which is used to ensure re-procurement commences in good time, to avoid confusion with the 'signing register' which details all contracts signed by RSH.

Board **AGREED** the policy.

## **11 Equality Strategy**

- 39/06/21 JOM joined the meeting and presented the paper. Members were advised that in accordance with the Equality Act 2010 which requires all public bodies to publish equality objectives it thinks it should achieve to meet the general equality duty, our first set of equality objectives were published last July following Board approval. Annex 1 was the RSH's first EDI Strategy which builds on the existing work that has been done over the previous year and aims to pull together our commitment and approach to EDI. It has been developed in collaboration with both the BAME and Women's networks as well as taking account of feedback from DG (as Board EDI Challenge).
- 40/06/21 DG was asked for her comments on the strategy and she confirmed that she was very pleased with the succinct and clear way the information has been collated in the strategy. She stated that the challenge now was to be able to measure the success through outputs and outcomes. On a day to day basis it is difficult for the Board to see the progress, but having ERT in the internal challenge role was helpful. Progress will be reported to the Board on a quarterly basis.
- 41/06/21 ERT added that she agreed the document captures the findings in a clear and digestible way and the RSH will have to hold themselves accountable to the strategy going forwards. There was also a suggestion that we consider other staff-led groups and FM confirmed that staff had suggested some other groups (such as for disabled or older staff) and will be supported where there is a rationale for doing so.
- 42/06/21 JOM confirmed the next steps for the strategy. The Board will receive a report on the staff survey in September.

## **12 IDA Programming**

- 43/06/21 ML presented the paper which reflected on Regulatory Operations' experience of undertaking the first round of biennial IDAs for some large and medium, diverse providers. ML invited comments from the Board on the proposals to maintain programming based on risk.
- 44/06/21 Members were in favour of the proposals.
- 45/06/21 ML thanked members and gave them assurance that issues will continue to be picked up through the other planned and reactive work streams. She explained that there will continue to be regular discussions on priorities amongst the ADROs as well as in the meetings between the ROSMT and the Executive. There will also continue to be intelligence sharing between operations and the analysis teams using their outlier work to inform IDA programming. The IDA programme will continue to be flexed as and when required.
- 46/06/21 The comments from the Board will be taken into account. LB said that she had had some very positive feedback from a RP on their recent IDA which had been very thorough and fair.

**13 Any Other Business**

47/06/21 There were no other matters of business. The Chair thanked members for their contributions to the meeting.

**Date of next meeting: 28 July 2021 – 10.00am**