



**PUBLIC MINUTES**  
**of the Board meeting**  
**on Tuesday 28 September 2021 at 1000**  
**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)	
Jo Boaden (JBo)	
Kalpesh Brahmhatt (KB)	
Deborah Gregory (DG)	
Richard Hughes (RH)	
Fiona MacGregor (FM)	Chief Executive
Geoff Smyth (GS)	

**In attendance**

Jonathan Walters (JW)	Deputy Chief Executive
Harold Brown (HB)	Senior Assistant Director, Investigation and Enforcement
Maxine Loftus (ML)	Director, Regulatory Operations
Richard Peden (RBP)	Director, Finance and Corporate Services
Will Perry (WP)	Director, Strategy
Emma Tarran (ERT)	Senior Assistant Director, Head of Legal Services and Company Secretary
Jim Bennett (JB)	Assistant Director, Policy and Communications - item 6
Robert Dryburgh (RD)	Assistant Director, Business Intelligence

**Observing for item 7**

Angela Holden (AH)	Assistant Director, Investigation and Enforcement – item 7
Andrew Clegg (AC)	Head of Economics
Anna Furlong (AF)	Head of Policy and Strategy
Claire Wilde (CW)	Strategy Manager

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

01/09/21 There were apologies from Sukhvinder Kaur-Stubbs (SK-S)

**2 Declarations of Interest**

02/09/21 There was a new declaration of interest:  
LB – Special Advisor to the World Federation of Medical Education from 01/09/21.

**3 Minutes of last meetings – 27 July 2021**

03/09/21 The confidential and public minutes from the meeting on 27 July 2021 were considered and subject to some minor amendments, were APPROVED.

**4 Matters Arising**

04/09/21 Members NOTED the actions. CEO confirmed that a date for the Board away-day has been identified at the end of January and will be confirmed to members.

**5 Forward Planner**

05/09/21 Members NOTED the forward planner. Workshop topics for 2022 will be discussed by REG and added to the planner. The Chair invited Members to consider topics they would be interested in covering in future workshops,

**6 Chief Executive update**

*General updates*

06/09/21 Members were given the following updates:

07/09/21 *Departmental and Ministerial changes*  
Members NOTED that MHCLG has been renamed the Department for Levelling Up, Housing & Communities (DLUHC), with the appointment of the new SoS, The Rt. Hon. Michael Gove MP.

*The ministers that had been reappointed:*

- The Hon. Christopher Pincher MP – Minister for Housing
- Eddie Hughes MP – Minister for Rough Sleeping and Housing
- Lord Stephen Greenhalgh – Minister for Building Safety and Communities jointly with the Home Office

*The new ministers:*

- Kemi Badenoch MP – Minister of State, LUHC and Foreign, Commonwealth and Development Office and Minister for Equalities, Government Equalities Office
- Neil O'Brien MP – Parliamentary Under-Secretary of State (with responsibility for the levelling-up agenda)
- Andy Haldane will head up the Levelling Up Taskforce for 6 months that will report jointly to the Prime Minister and the Secretary of State for DLUHC

08/09/21

09/09/21 *Accounting Officer Meeting:* CEO advised that the meeting covered the Strategic Risk register, key sector risks, RSH performance and preparation for the Spending Review. RBP explained the elements of the SR bid.

10/09/21 *Ongoing media coverage:* there was discussion on the on-going media attention on the sector

11/09/21 *UKRN – CEOs’ meeting:* there was a presentation which underlined Government priorities.

12/09/21 *Sector updates:* Members were advised that Homes England (HE) and GLA had announced their AHP allocations and strategic partnerships. Since the announcement of the August CPI (3.2%), the sector has been discussing the impact on rent increases for 2022/23 especially in relation to the impact on tenants.

*Policy updates*

13/09/21 *BEIS/Cabinet Office consultation on Better Regulation*  
Members were given an overview of the BEIS/Cabinet Office consultation on Better Regulation. They are seeking views on reforming the Framework for Better Regulation (as part of response to leaving the EU). The consultation is a call for evidence on various discussions points. The consultation highlights that the government’s response to Grenfell will continue to be excluded from the Business Impact Target, regulatory offsetting, and any deregulatory targets. Responses are due on 31 October and we will feed in via the department and the response from UKRN.

*Operational updates*

14/09/21 Members NOTED the updates on Registrations and Regulatory Operations.

15/09/21 *Performance – August 2021:* The two amber targets were NOTED. Members expressed their concerns that there appear to be a number of pressure points in respect of recruitment. CEO acknowledged there was but gave assurance that recruitment is progressing across the directorates.

**7 Tenant Satisfaction Measures (TSM)– Standard and Survey Methodology**

16/09/21 RD, AC and CW joined the meeting, and the paper was seeking comments from the Board on the drafts of the TSM consultation paper (Annex 1) and the technical note setting out the proposed TSMs and our proposed detailed requirements relating to them (Annex 2). We are considering stakeholder feedback and where appropriate reflecting it in our consultation proposals.

17/09/21 The White Paper set out several parameters that the government expected the regulator to work within and states that the tenant satisfaction measures should follow the themes set out in the Social Housing Green Paper. It also states that the measures should include both objective quantitative measures and tenant perception measures. On that basis our proposed TSMs will follow these principles, whilst acknowledging that our technical work and engagement has identified some potential changes. Members were content with the proposals set out in the paper.

- 18/09/21 The following comments on the TSMs were raised by members and RD responded to each.
- 19/09/21 *Risk of gaming*  
There was an acknowledgement that there is a risk of this in any system of performance measurement. RD advised that we have sought to design TSM requirements to mitigate the risk of gaming, although it was extremely difficult to eliminate it entirely.
- 20/09/21 *Remedial actions*  
We already consider remedial actions as a core part of our existing consumer regulation work. Our future approach to consumer regulation will need to build on this.
- 21/09/21 Members were reminded that TSMs are not the only measure by which providers have to show compliance with the standards. They are already required to report any material health and safety issues and the introduction of TSMs will not change that. We plan to reemphasise this responsibility in the draft consultation document.
- 22/09/21 *Wording of questions and scoring*  
It was suggested that the questions would benefit from a “plain English” review and the choices for responses are consistent across the questions to allow comparative data. In response to the language, RD confirmed that there is on-going review and the questions will continue to be refined. RD confirmed that we have external experts who are drafting a ‘plain English’ summary document.
- 23/09/21 *Scoring*  
The consultants we are engaged with (BMG) are reviewing the choices and scoring options.
- 24/09/21 *Regulatory Impact Assessment (RIA); Equalities Impact Assessment (EQIA)*  
RD confirmed that the RIA will be brought back for consideration by the Board at the October meeting.  
EQIA will also be brought to Board in October
- 25/09/21 *Will there be an opportunity to review the TSMs once they have been published?*  
RD confirmed that there would be opportunity to get feedback on the TSMs.
- 26/09/21 Overall members were content with the questions asked of them and congratulated Rob and the team on a very well written and well explained paper and there were some suggestions about the layout of the document in respect of signposting to White Paper objectives and better bring out the level of stakeholder engagement that has taken place and continues.
- 8 Investigation and Enforcement update**
- 27/09/21 HB introduced the I&E report which gave members background information to current cases. He gave members an update on the key developments.
- 28/09/21 *Prospect Housing Limited (Prospect)*
- 29/09/21 *Eldonian Community Based Housing Association*

30/09/21 Two non-compliant cases were resolved in this period:

- *Cheshire Peaks and Plains Housing Trust*
- *Folkestone and Hythe District Council*

*Grading Under Review (GUR)*

31/09/21 *3CHA and Reliance Social Housing CIC (Reliance)* have been placed on the GUR list. Both are short term lease providers.

32/09/21 *Falcon Housing Association*

33/09/21 *Larch Housing Association*

34/09/21 *Empowering People Inspiring Communities Limited (EPIC)*: this provider was placed on the GUR list.

35/09/21 *Inclusion*

36/09/21 Members discussed the article in Inside Housing in regard to the Housing Benefit issues in Birmingham.

37/09/21 Members thanked HB for the report and the updates.

## **9 Finance and Corporate Services update**

38/09/21 RBP presented the paper and Members NOTED that July actual figures are close to forecast. RBP reminded Members that the fees regime does not allow for surplus or deficits to be carried forward. The £14.7m fees budget covers the elements of the economic regulation regime for which fees can be charged and the balance of funding is met through Grant In Aid.

41/09/21 *Covid-19*: the Government's Work From Home order has been lifted and staff are being allowed to return to offices. Staff are returning to 2MS and Manchester and the new Leeds office is going through the staff induction programme. Birmingham is expected to open in mid-October.

42/09/21 Members NOTED the rest of the paper.

## **10 Any Other Business**

43/09/21 There were no other matters of business.

**Date of next meeting: 26 October 2021 – 10.00am**