



PUBLIC MINUTES
of the Board meeting
on Tuesday 29 March 2022 at 1030
Hybrid meeting - 2 Marsham Street and Microsoft Teams Meeting

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) Via MS Teams	
Kalpesh Brahmhatt (KB)	
Deborah Gregory (DG)	
Richard Hughes (RH)	
Sukhvinder Kaur-Stubbs (SK-S)	
Via MS Teams	
Geoff Smyth (GS)	

Observing

Bernadette Conroy (BC)	Chair Designate
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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
Emma Tarran (ERT)	Senior Assistant Director, Head of Legal Services and Company Secretary
Kate Dodsworth (KD)	Director, Consumer Regulation
Jim Bennett (JB)	Assistant Director, Policy and Communications – item 6 & workshop
John O’Mahony (JOM)	Assistant Director, Corporate Services – item 7 & 8
Chris Kitchen (CK)	Board Secretary, Minutes

1 Welcome and apologies

01/03/22 There were apologies from Fiona MacGregor. The Chair welcomed members who were present for the first in person meeting since February 2020. He also

welcomed BC to the meeting who had been confirmed as the Chair of RSH with effect from 1 April 2022 and was attending this meeting in an observing capacity.

2 Declarations of Interest

02/03/22 PS advised of an impending withdrawal from one of his non-executive appointments. His Rol will be updated accordingly. There were no other new declarations of interest.

3 Minutes of last meetings – 22 February 2022

03/03/22 The confidential and public minutes from the meeting on 22 February 2022 were considered and subject to minor amendments, were APPROVED.

4 Matters Arising

04/03/22 Members NOTED the actions.

- In addition to those listed, the next steps from the Board away-day in January will be addressed at the next planned away-day in September.
- ERT confirmed that the changes agreed by the Board in February to the Code of Conduct will be incorporated and signed off by JW in the absence of FM. A separate Rol relating to declarations of any close connections as defined in the revised code will be sent out shortly and recorded by the Board Secretary.

ERT/CK

5 Forward Planner

05/03/22 NOTED.

6 Deputy Chief Executive update

06/03/22 Members NOTED the general updates. The

TSM consultation

07/03/22 There has been a lot of stakeholder engagement in connection with the TSM consultation, with good results in terms of responses. 54% of the responses received were from tenants, both individuals and tenant groups. We had allowed flexibility in how responses were submitted and were aware of some landlords facilitating their tenants to respond. Overall, there was a mix of views, and there is a lot of analysis to do on the responses. We will also consider whether to make any changes in light of the responses.

Select Committee

08/03/22 Members NOTED the update on the Select Committee on The Regulation of Social Housing. We expect to appear on 19 April alongside the Housing Ombudsman. The sessions to date have covered a variety of topics with some personal statements from tenants. JW confirmed that we are monitoring the submissions and hearings closely. We are also in communication with the Housing Ombudsman.

Policy Updates

Members NOTED updates on the following topics:

- 09/03/22 *Spring Statement 2022*
We are monitoring the impacts of the increase in cost of living on tenants and the rise in inflation. We will review the new guidance for ALBs when published and monitor the findings of the Cabinet Committee on Efficiency and VfM.
- 10/03/22 *Exempt Supported Accommodation select committee*
JW gave evidence on 28 March.
- 11/03/22 *Building Safety*
- 12/03/22 In response to a question regarding our particular role, members were advised that we can continue to liaise with and advise the department but as the work is all Government led, it is imperative for landlords to complete works. The impact of insurance is also an area to watch as lenders might begin to consider this a risk.
- 13/03/22 *Complaints Handling*
The Government has launched, from 1 April 2022, an awareness campaign for tenants on how and with whom to raise complaints, and for landlords to self-assess their performance on complaints handling with effect from 1 April.

Other updates

- 14/03/22 *Living Wills procedure*
G15 have published a guide for providers on “living wills” which was developed in co-operation with us and which we have endorsed.
- 15/03/22 *HE board members*
Members NOTED the newly appointed HE board members.
- 16/03/22 *Grenfell Tower Public Inquiry*
Module 6 – focus on role of the Government in relation to building regulation.

Operations Update

- 17/03/22 *Registrations:* There have been no new registrations.
Regulation Operations: Members NOTED the update provided in respect of RJs and RNs and the announcement that Optivo and Southern are in merger discussions.
Performance: 2 targets remain at amber and the amber to red risk was in relation to the publication of Learning From Problem Cases (LFPC) which we hope to publish by the summer.

Publications, media and stakeholder engagement

- 18/03/22 Members NOTED the updates and high level of stakeholder engagements undertaken and scheduled.

7 RSH Business Plan

- 19/03/22 RBP presented the paper and provided the background to the publication of the **External Business Plan 2022-23** and the areas covered in the Internal Plan.

This will be presented and published as a standalone document. Board was invited to comment on this document.

- 20/03/22 Members offered the following feedback/comments:
- Review the wording of the EDI section, to tease out the different strands of work more clearly.
 - Reference the Green agenda, as there will be an expectation that we are complying
 - Risk section – consider the inclusion of cyber risks
 - Regarding our EDI strategic objective around BAME representation at senior levels of the organisation, pick that up in separate work on our statutory Equality Objectives.

RBP/JOM

- 21/03/22 There was a discussion about wording of the vision statement and JW explained that this appears in a number of publications, so amending it for the Business Plan would not be appropriate, however a future discussion to revisit and develop a revised statement will be scheduled with the Board.

JW

- 22/03/22 In response to a query about the location strategy, RBP advised that there has been lots of discussion with staff on ways of working in the future, and we are currently looking to maintain flexibility in our location strategy to allow for both growth and any changes in how we use our office space. There is no intention however of changing to home working contracts as standard.

- 21/03/22 The **Internal Business Plan** was for information and set out the key activities that each team will be delivering within the year. Many of the targets remain relevant across years since they relate to the core work of the regulator. However, the plan is reviewed annually and updated to reflect changes in the operating environment and the operational needs for the upcoming year.

- 22/03/22 Subject to the comments/suggestions for the External Business Plan, Members were content with the documents.

8 Investigation and Engagement update

- 23/02/22 HB introduced the I&E report which gave members background information to current cases. He reminded Members that the information is market sensitive and confidential. He gave members an update on the key developments.

24/02/22 *Larch Housing Association*

25/02/22 *Eldonians*

Gradings under Review

26/03/22 *Shepherds Bush HA Ltd:*

Lease Based Providers

27/03/22 *Inclusion:*

Consumer case work

- 28/03/22 Volume of consumer related case work is growing, and although we had previously increased resources into the team, we are also recruiting additional

posts and will keep the resourcing of the team under review to ensure that it is sufficient for the increased volume of cases.

Cases under intensive engagement

30/02/22 Members were given an update on some of the cases that have been non-compliant for some time and an explanation as to the background to some of the cases.

9 Finance and Corporate Services update

31/03/22 RBP presented the paper which was an update on the work of the Finance and Corporate Services Team.
Management Accounts: Revenue spend versus Q3 forecast is favourable.

32/03/22 *Fee invoice:* 2022-23 invoices have been issued.

33/03/22 *NROSH replacement procurement:* The Chair of ARAC and GS had both reviewed the process and were content that a robust approach had been taken to the procurement. RBP confirmed that the Chair and Deputy chair had also been briefed on the approach to the procurement following the discussion at the January Board meeting. Following a discussion with members on the level of further involvement they wish to have with this procurement, noting the assurance that the relevant Board members had expressed to the meeting, the board resolved that the Director of Finance & Corporate Services be authorised to approve:

- the award of the contract;
- the final form and content of the contract to be entered into between the regulator and the supplier, and the regulator's entry into it; and
- any associated or ancillary act or thing that would otherwise fall to be approved by the Chief Executive.

34/03/22 In addition to the above, Management AGREED to consider whether an internal audit of the process would be helpful, and to report progress to the board regularly, not just on the procurement but on the implementation of the new system.

RBP

Annual Equality Publications

35/03/23 *Ethnicity pay gap report:* RSH is required to publish equalities information annually but had last year taken the decision to go further and publish an ethnicity pay gap report for 2020 as we believe it is important to demonstrate leadership and transparency in this area. RSH is now due to publish equalities information and ethnicity pay gap data for 2021. The figures in the report are as at 31 March 2021. RBP reminded Board that the pay gap statistics are not an indicator of equal pay issues in terms of different pay levels for similar jobs, but reflect statistical average and median pay figures heavily influenced by the demography of the different levels of seniority in the organisation. RBP provided assurance that the regulator had reviewed pay at each staff grade in the organisation and had not identified any anomalies indicative of equal pay disparity for either gender or ethnicity. The mean pay gap shows a slight decrease of 0.2% compared to 2020 figures. The median pay gap has increased by 3.4% in favour of white employees. Ethnic minority staff are significantly under-represented in the senior management of the organisation. We recognise

the need for positive action and additional measures were put in place to support diversity in recruitment in October 2020. 2022 demographic data which will be available early in the financial year will help assess the success of the positive action. It is recognised that, due to our small workforce, the median pay gap can be affected by very small changes in our workforce.

36/03/22 *Gender pay gap:* The annual gender pay gap report will be published on 30 March. Where pay gaps are present, they are mostly in favour of men. The exception is the mean bonus gap, where there is a 1.6% gap in favour of women, compared to a 0.4% gap in favour of men in 2020. RBP again noted that the pay gap had widened during the year. As with the ethnicity pay gaps the gender pay gaps primarily derive from the demography of the different tiers of the organisation as set out in the pay gap report.

10 Overview of SDR

37/03/22 The paper was for information and is a summary of the information published in the SDR and LADR documents in December 2021, and gives a flavour of the size and scope of the sector. The data provides key stats on the number of homes between private registered providers and LAs. There is also information on rent levels and how these compare to market rents and the differences between LA and HA rent levels. The aggregate figures show that social rents are closer to market rents in parts of the North, and considerably below market rents in London and the South East. The data can be focussed by provider and is used to identify outliers. Geographical breakdowns show the difference between private registered providers and LA, illustrating the effect of stock transfers.

11 Any other business

41/03/22 *Meeting of ARAC chairs of ALBs:* LB reported on the recent meeting she had attended and the key messages were:

- ALBs to feed in the Departments' Risk Register. A request for feedback from the department has been recorded.
- Clear steer from the Department, that they will be sending representatives to attend ALB board and ARAC meetings
- Expectation for us to comply with the Green agenda and report to the Department
- Pension reporting – LB advised the Department that we are led by the NAO on the timing of the publication of our Annual Report and Accounts which is subject to the timing of the NAO pension fund audit and LGPS assurances.

42/03/22 The Chair thanked members and officers for their contributions to the meeting. The Deputy Chair offered thanks to the Chair for all his work over the years, and all members and officers concurred in the thanks.

Date of next meeting: 26 April 2022 – 10.00am