



PUBLIC MINUTES
of the Board meeting
on Tuesday 25 July 2023
Friend's House, Euston

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

Bernadette Conroy (BC)	Chair
Liz Butler (LB)	Via MS Teams
Jo Boaden (JBo)	
Deborah Gregory (DG)	
Richard Hughes (RH)	
Geoff Smyth (GS)	
Paul Smee (PS)	
Kalpesh Brahmhatt (KB)	
Sukhvinder Kaur-Stubbs (SK-S)	

In attendance

Harold Brown (HB)	Senior Assistant Director, Investigation and Enforcement (SADI&E)
Kate Dodsworth (KD)	Chief of Regulatory Engagement
Will Perry (WP)	Director, Strategy
Maxine Loftus (ML)	Director, Regulatory Operations
Emma Tarran (ERT)	Assistant Director, Head of Legal & Company Secretary
Kirsty Morris (KM)	Board apprentice
Jim Bennett (JB)	Assistant Director, Policy & Communications
Jonny Longden (JL)	Strategy Manager – for item 8
Claire Wilde (CW) and Anna Furlong (AF)	For part of item 9

Minutes

Christine Kitchen (CK)	Board Secretary
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1 Welcome and apologies

01/07/23 There were apologies from FM, and from officers JW and RP.

2	Declarations of Interest
02/07/23	There were no new declarations of interest.
3	Minutes of meeting 27 June 2023
03/07/23	The confidential and public minutes from 27 June 2023 were considered and subject to minor amendments, these were AGREED.
4	Matters arising
04/07/23	Members considered the matters arising from previous meeting and actions were AGREED.
5	Board forward planner
05/07/23	Members considered the forward planner.
6	Chair's update
06/07/23	<p><i>Chairs' sessions:</i> all sessions are now complete and were extremely useful and informative. The themes from all discussions were similar with providers airing concerns on:</p> <ul style="list-style-type: none"> • Format of IDAs going forward • Financial state of the sector • Need for new homes • Stock remediation and investment • Rents regulation • Expectations of the regulator on providers under the new consumer regulation regime
07/07/23	We were clear in all our engagement meetings that our expectations of providers in terms of governance are not going to change and RP Chairs/boards need to continue to focus on seeking assurance and ensuring their organisations meet our standards.
08/07/23	<i>Relationship with DLUHC:</i> BC updated members on changes in relevant officials at DLUHC.
10/07/23	BC mentioned the sad passing of Sir Bob Kerlake, who was well known and respected in the sector. WP added that he had been very helpful in the early days of the RSH.
7	Chief Executive's update – presented by KD
	General Update
11/07/23	<i>Fees consultation:</i> the regulator's planned consultation has been referred to as part of Government communications about the grant of Royal Assent to the Social Housing (Regulation) Act 2023. DLUHC have at the same time advised the sector about the expectation of full fee recovery, including from LARPs. Our consultation is expected to be launched in August and new fees principles introduced from April 2024. We will be meeting with the FRAP shortly. DG asked if the proposals on the fees principles have changed since the draft consultation

pack was last seen by the Board, and it was confirmed that there have been no substantial changes. There have been some minor changes in reference to group structures.

- 13/07/23 *Consumer Regulation review:* the publication of the review was NOTED.
- 14/07/23 *Levelling Up, Housing and Communities Committee Inquiry into the finances and sustainability of the social housing sector:* two evidence sessions have been held; we are unlikely to be called to give evidence until after the summer recess.
- 15/07/23 *Staff survey:* Board will get a presentation of the results in September. The response rate has been good and the feedback better in respect of training and inductions. However, as expected, pay and reward are areas of concern for staff.
- 16/07/23 *Social Housing (Regulation) Act 2023:* The Bill received Royal Assent on 20 July. Work to implement Awaab's Law is still underway. The only changes to the Act at its final stages were in relation to professionalisation and management contractors.
- 17/07/23 *Consumer Standards consultation:* this has launched, and Board were provided with the full pack including the Summary and Easy Read versions. Stakeholders were pre-warned of the launch, and we aim to publish findings in February. There was acknowledgement of the amount of work that will be involved to go through responses.
- 18/07/23 *Competence & conduct elements of the Social Housing (Regulation) Act 2023:* we are hoping we will be able to incorporate the Government's directions into our final standards for implementation in October 2024.
- 19/07/23 *Supported Housing (Regulatory Oversight) Act:* this Act will mainly affect LAs.
- 21/07/23 *Rents:* we have been contributing to DLUHC's policy discussions on the future rent settlement. The sector feedback to DLUHC has been that they do not want another level of complexity. There was a query as to whether we can gather tenant views on rents, and it was confirmed that this would be the responsibility of landlords.
- 22/07/23 There was a question about the 48-hour emergency repairs power in the Social Housing (Regulation) Act 2023. WP explained that this was always in the Bill as it was a firm political commitment. The Use of Powers (UoP) document will provide further information about our approach.
- 23/07/23 The Board will see the consultation draft revised Use of Powers Guidance.
- 25/07/23 The Chair said that it would be helpful the Board to understand which powers are considered in regulatory casework and how decisions are made as to which will be employed. It was agreed that it would be useful to have a workshop on this, using case studies as a starting point. **HB**
- 26/07/23 *Stakeholder feedback:* NOTED.

- 27/07/23 *Operations update:* ML advised that we are getting to the end of the IDA programme and planning for Q4 has started. Staff are moving to stability check and FFR work as well as commencing another round of consumer regulation pilots. She confirmed when asked that the feedback from pilots incorporating a consumer regulation element has been positive. Members NOTED the current merger discussions.
- 28/07/23 *I&E update:* Members NOTED the updates and HB advised that there was one provider – Windrush – on the Gradings Under Review list. All other cases were progressing.
- 29/07/23 *Consumer regulation update:* KD provided updates on three cases.
- 30/07/23 *Camden*
- 31/07/23 *Bolton at Home*
- 32/07/23 *Barnsley Council*
- 33/07/23 *Damp and mould survey:* our second report has been published. We continue to encourage providers to publish their own data.

8 RSH ADVISORY PANEL

- 34/07/23 JL joined the meeting to take note of the discussion and action any decisions. Members were given an overview of the requirement in the Social Housing (Regulation) Act 2023 to establish this panel and were asked to AGREE the proposed membership, structure and ToR. It was confirmed that the existing sounding board will be disbanded when this panel is established.
- 35/07/23 The following areas were discussed:
- Those attending the panel should be senior staff of the member organisations.
 - Delegated attendees should also be to senior staff, with a consistent attendance at meetings where possible to ensure continuity of discussions.
 - ToR to be reviewed on a regular basis but not to become too constrained.
 - Be clear on where the accountability of this panel rests.
 - Ensure there are notes of the meeting to provide a good overview of the discussions and record the value of the panel.
 - It was agreed that the Northern Housing Consortium are to be invited to attend as members.
- 36/07/23 The Board approved the establishment of the Panel in line with the recommendations in the report, subject to the points mentioned.

WORKSHOP SESSIONS

9 Regulating LAs

- 37/07/23 KD introduced the session and focused on the areas set out in the slides:
- 38/07/23 *Politics and political influence:* discussions covered the differences between PRPs and LAs and how we navigate this.

- 39/07/23 *Separation from G&FV Standard compliance:* the challenges of the fact that the G&FV Standard does not apply to LARPs was discussed. .
- 40/07/23 *Democratic accountability / governance:* we will speak to relevant officers and the operational committee but, also, the lead elected member. The latter is very important because it reinforces accountability. Our outcome focus requires us to reinforce the accountability of Boards in PRPs and lead members of LARPs. This latter accountability is more complex.
- 42/07/23 *Powers:* we have a suite of powers we can use, including voluntary undertakings and up to censuring LAs, plus now PIPs and direct completion of works. It is not just through the use of formal powers that we achieve positive change. There is a range of attitudes towards regulation at LARPs, and our engagement is yielding fruit. But we will no doubt still unearth issues through proactive consumer regulation.
- 43/07/23 In our experience, most providers do take our Regulatory Notices seriously. We are in touch with the LGA and London Councils and they understand the issues, but there may be issues of resourcing/capacity.

10 **RSH - Vision and Purpose**

- 47/07/23 CW and AF joined the meeting remotely, however due to IT issues were unable to remain in the meeting. The Chair set the scene about our statutory fundamental objectives and the fact that what we are talking about is strategic planning for this period within those parameters. JB then introduced the workshop which is a continuation of the discussion at the March board away-day. WP recapped on what had been decided and agreed in March. The discussion was broken down into the various areas as set out in the slides.
- 48/07/23 In particular, the Board discussed what the following key stakeholders want from the sector and the regulator:
 - Central Government (NB potential change in Government, and political imperatives)
 - Social landlords
 - Social housing tenants
 - Local authorities
 - Investors

- 50/07/23 **Next steps:**
Discussion points to be taken away and developed further by JB. Board in September to receive an update on the Vision and Purpose work and how it will link into the next Corporate Plan. **JB**

18 **Any Other Business**

- 51/07/23 There were no other matters of business to discuss.

19 **Review of meeting papers**

52/07/23 Good discussion, papers and room was good.

Date of next meeting: 26 September 2023 – 2MS