



PUBLIC MINUTES
of the Board meeting
on Tuesday 17 October 2023
PG49, 2 Marsham Street

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)	
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

Jonathan Walters (JW)	Deputy Chief Executive
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
Karen Doran (KED)	Director of Regulatory Engagement (PRPs)
Angela Holden (AH)	Director of Regulatory Engagement (LARPs)
Kirsty Morris (KM)	Board apprentice
Jim Bennett (JB)	Assistant Director, Policy, Strategy and Impact
Anna Furlong (AF)	Assistant Director, Policy, Strategy and Impact – workshop – via MS Teams
Tom Crawshaw (TC)	Strategy Manager – workshop – via MS Teams
Claire Wilde (CW)	Strategy Manager – workshop – via MS Teams
Shantel Burbridge (SB)	Solicitor – agenda item 8

Minutes

Christine Kitchen (CK)	Board Secretary
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1	Welcome and apologies	
01/10/23	There were apologies from FM and RBP.	
2	Declarations of Interest	
02/10/23	There were no new declarations of interest.	
3	Minutes of meeting 26 September 2023	
03/10/23	The confidential and public minutes from 26 September 2023 were considered and subject to minor amendments, these were AGREED.	
4	Matters arising	
04/10/23	Update on how we will be addressing the outcomes from the staff survey to go to Board either in November or January 2024.	RBP
5	Board forward planner	
05/10/23	Members considered the forward planner for completed or carried forward actions.	
6	Chair's update	
06/10/23	<ul style="list-style-type: none"> • BC updated members on the all staff conference which had been very well attended and included presentations from providers and funders. Staff were in good spirits and over half the staff there were new to the RSH since the last staff conference. • JW and BC will be at the select committee on 23 October. The viability of the sector is the topic of discussion, but it is more than likely discussions will cover other areas. We will be sharing the platform with Peter Denton of Homes England (HE). • RSH Investor conference – 19 October. We will give a strong message that the situation is challenging but the sector is still strong. RH advised that he had recently met some investors, and suggested it will be worth providing assurance that the RSH will be appropriately staffed to commence consumer regulation without negatively impacting on economic regulation (which is their main concern). 	
7	Deputy Chief Executive's update	
07/10/23	JW advised members of an incident involving a bus crashing into the Manchester office. All the staff were evacuated and were safe and the office was secured before staff left the office for the day. The office re-opened later the same day.	
	General updates	
	Consultations	
08/10/23	<ul style="list-style-type: none"> • <i>Consumer standards:</i> 915 responses received so far, with a majority of responses from tenants, but we are expecting more responses from providers. Early review of the responses shows well over 80% are supportive of our proposals. <i>Fees:</i> 63 responses to date with good support for our 	

proposals. We expect more responses before the consultation closes at the end of October.

09/10/23 More generally, officers said that there is no obvious “consultation fatigue” in the sector with responses to our consultations being good, but there is always a danger that subsequent waves of consultations might not get such good levels of responses.

Building Safety:

10/10/23 *Cladding remediation monitoring:* the RSH survey of RPs on progress in remediating fire risks and including the department’s building level data collection has closed. 88% of RPs provided a return, 18 large LARPs did not respond. The data on fire remediation show the large majority of RP properties have been assessed for fire risk, and progress in remediation is in line with business plan submissions. A peak is expected in the next 3 years - 50% of buildings expected to be remediated within 12 months, 84% within the next 5 years and 89% within the next 10 years. Assurance was given in respect of the 10-year timeline which might seem very long, but given the range of works covered, is understandable given the continuing pressures of shortages with labour and building supplies. Cladding works are on-going alongside the fire remediation and safety requirements. We will continue to monitor progress with the remediation works via our IDAs, but it was made clear that it is not our responsibility to direct landlords on what works need to be done.

11/10/23 *Building level data:* the challenges of collating data was NOTED.

12/10/23 *AO Meeting:* the last meeting followed the standard agenda.

13/10/23 *National Tenants Survey:* we are currently procuring a supplier to help deliver the National Tenants Survey to understand how satisfied tenants are with their landlord’s services. We aim to appoint a supplier by the end of November 2023.

14/10/23 *Rochdale Boroughwide Housing (RBH) – lessons learned:* HB presented the key points of the lesson learned report which members had been sent.

15/10/23

- RBH lacked leadership capability at Executive level and there were failures in leadership and governance.
- The Board at the time of the incident, did not have the necessary skills and expertise and there was a skills gap in property management and maintenance, but this was never addressed.
- The organisation’s strategy and focus moved sharply away from core landlord services and quality homes to development and regeneration.
- There was a lack of critical challenge or strategic thinking.
- Systems and processes were not joined up and teams were working in silos.
- There was a lack of understanding of the strategic importance of data analysis to drive business decisions at Executive level.
- A belief prevailed that damp and mould was a lifestyle issue.

16/10/23 Members were advised that we continue to monitor RBHAs we move to our new regulatory regime, we will consider how we review the evidence provided to us in our IDAs/inspections and probe further. In response to a question about whether our new powers will help us in regulating providers, HB advised that there will be more mechanisms to help us identify issues. We will however continue to encourage a co-regulatory approach and stress that it is a landlord’s responsibility to understand their tenants and their stock, and to work with their

tenants to address issues of concern. Landlords must understand the importance of data quality and analysis of that data to deal with issues.

17/10/23 There was a discussion about landlords using Culture and Values/lifestyle issues to ignore problems such as disrepair or damp and mould which was the case at RBH. However, there is much more awareness of the need to address damp and mould in the sector now, and issues with disrepair can be reported to the Housing Ombudsman (HO). KD advised that our regulation focuses on risks to tenants beyond damp and mould, and we continue to encourage providers to consider risks to tenants safety in a holistic way. Members asked whether there were other providers in the sector with a similar mutual model as used by RBH. HB advised that there were very few providers in the sector operating with this type of model, and that it remains important for us to understand private registered providers' governance structures as part of our regulation.

Policy Updates: the following topics were discussed:

19/10/23 *Decent Homes Standard (DHS) review*

20/10/23 *Rents Policy from 2025*

21/10/23 *Media coverage:* Members noted the online feature by the Board Room Apprentice on Kirsty-Marie Morris. It was AGREED that the interview will be put on RSHNet. The remaining updates in the slide pack were for information and were NOTED.

RBP

8 Section 215 guidance and consultation

22/10/23 SB joined the meeting. She was part of the project team and had provided legal support in relation to the review of the Guidance and consultation document. HB gave an overview of the process the review of the Guidance had been through explaining that it had been trimmed back and incorporated amendments made to the Housing and Regeneration Act 2008 ('the Act') by the Social Housing (Regulation) Act 2023. BC thanked HB for the paper and congratulated the team on a very good and clear piece of work. She invited members to give their comments, with a steer that they should stay focussed on strategic points rather than drafting, which could be shared separately with the team. The following areas were discussed:

23/10/23 *Penalties:*

24/10/23 *Compensation:*

26/10/23 *Safeguards:*

29/10/23 *Appointing advisors to a local authority*

30/10/23 *PIPs*

31/10/23 BC thanked members for their comments and HB and the team for their hard work on the guidance document.

32/10/23 As set out in the paper, the board APPROVED the draft guidance subject to amendments and delegated authority to DCEO for final sign off. The Board confirmed that JW had, as part of that, the authority to sign-off on the final consultation document.

9 Any Other Business

33/10/23 There was no other business to discuss. BC took the opportunity, as this was the last board meeting before ML left the RSH, to thank her for her 18 years of work with the Regulator. The board agreed that ML will be missed and wished her every success for the future. ML thanked the board and said that she was sure that the RSH would continue to be the excellent organisation it is and was grateful for the opportunities she had been given during her career.

12 Review of meeting papers

34/10/23 Members were content with the quality of the papers and that they were received on time.

Date of next meeting: 28 November 2023