



**PUBLIC MINUTES**  
**of the Board meeting**  
**on Tuesday 17 September 2024**  
**PG49, 2 Marsham Street**

**10 Remote and virtual participation**

*10.1 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 Board 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.*

*10.2 A meeting shall be deemed to take place where the largest group of those Board 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
Jo Boaden (JBo)	Via MSTeams
Kalpesh Brahmhatt (KB)	
Liz Butler (LB)	
Deborah Gregory (DG)	
Richard Hughes (RH)	
Sukhvinder Kaur-Stubbs (SK-S)	
Fiona MacGregor (FM)	Chief Executive
Geoff Smyth (GS)	Via MSTeams

**In attendance**

Jim Bennett (JB)	Assistant Director, Policy, Strategy and Impact (item 7)
Harold Brown (HB)	Senior Assistant Director of Investigation & Enforcement
Kate Dodsworth (KD)	Chief of Regulatory Engagement
Karen Doran (KED)	Director of Regulatory Engagement (PRPs)
Angela Holden (AH)	Director of Regulatory Engagement (LARPs)
Richard Peden (RBP)	Director of Finance and Corporate Services
Will Perry (WP)	Director, Strategy
Emma Tarran (ERT)	Senior Assistant Director, Head of Legal & Company Secretary
Jonathan Walters (JW)	Deputy Chief Executive

**Minutes**

Christine Kitchen	Board Secretary
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**1 Welcome and apologies**

01/09/24 There were no apologies.

## 2 **Declarations of Interest**

02/09/24 The Chair asked members to declare any new interests, or any interests relevant to the business of the meeting. In relation to the Regulatory Engagement Update this month, RH flagged that until 2017, he had been a board member of Grand Union Housing Group. He mentioned this in the interests of complete transparency, but given the time which has elapsed it was no longer actually a conflict. This was noted.

## 3 **Minutes of meeting 16 July 2024**

03/09/24 The confidential and public minutes from 16 July 2024 were AGREED, subject to a minor amendment.

## 4 **Matters arising**

04/09/24 Noted. Explanation was given to DG in respect of the additional actions raised in respect of the digital update, and in relation to invitations to stakeholders and MHCLG to attend board meetings.

## 5 **Board forward planner**

05/09/24 Members NOTED the forward planner, including the matters arising which will be either papers or topics for workshops/teach-in sessions.

## 6 **Chair's update**

06/09/24 *NED recruitment:* BC advised that the renewals for GS, SK-S and KB have been agreed, but the formal confirmation has not been issued. LB has had her appointment extended to the end of August 2025, or until a new ARAC chair is in post.

07/09/24 *New NEDs:* BC provided an update BC will keep members advised.

08/09/24 *Board Effectiveness Review:* BC advised the questionnaire for 2024 will be circulated shortly and asked members to respond as expansively as possible in the free text box responses to make the most of the exercise.

09/09/24 *Grenfell Tower Inquiry report:* will be covered more fully in the CEO update, but BC flagged to members that the report had no direct recommendations for the RSH, however we will be considering the indirect implications for us and the implications for landlords.

10/09/24 *MHCLG public bodies review of the RSH:* As part of the cyclical public bodies review process, the RSH has been approached for phase one of its latest review, which is a desktop review, and which is near completion and due by the end of September.

## 7 **Chief Executive Update – JB joined the meeting.**

### **Key issues for discussion:**

11/09/24 FM advised the slide pack contained the operational, policy and stakeholder/media updates, but the discussion would be focussing on the key issues set out at the beginning of the slide pack.

- 12/09/24 *Grenfell Tower Inquiry Report*: FM confirmed that while the report had no specific recommendations for the RSH, there is much in the report that we, and providers can learn from. There were recommendations for the Government, the construction industry, fire authorities and safety and local authorities (LAs). It found that the deaths were all avoidable and that the residents of Grenfell Tower were failed by those responsible for their safety and that of the building. It also recommends that all providers read the report, particularly the section on the TMO and referred to the introduction of (what is now known as) Awaab's law and competency and conduct legislation.
- 13/09/24 Next steps:
- Government have committed to providing their response to the report within 6 months .
  - We will continue to use the recommendations from the report in discussions with stakeholders and reinforce to providers and landlords that they must meet the outcomes of our standards.
  - We will continue to ensure our inspections test H&S assurance to provider boards and tenant engagement.
  - We will continue to advise providers to read the section in the report on TMOs, which speaks to our messaging and expectations on culture, and whilst our remit in this space is limited, we stress the importance of providers having meaningful engagement with tenants and considering the substance of complaints in line with our Standards, which are elements of the culture of an organisation.
  - Despite there being no formal recommendations for us or the sector, we recognise the importance of our statutory role and remit as highlighted in the report.
- 14/09/24 Members were invited to comment. LB asked what our position was on judgements if we are aware buildings have ongoing cladding risks? FM advised that we consider providers on the basis of the evidence and assurance we find, and on a case by case basis. There are a number of issues we consider in making a multifaceted judgement, . We are seeing evidence that providers are, generally, prioritising these works, but there are also genuine constraints on progress in some cases. However, we do not determine gradings based on a single factor – we are seeking assurance from providers in the round as to how they are meeting the outcomes of our standards. BC acknowledged that there are complexities and LB took assurance from officers' responses.
- 15/09/24 JB flagged to members that in the years since the fire, the scope of the remediation ask has been expanded. The original focus was on aluminium cladding in 18m buildings. Government focus is now wider and includes other types of cladding and buildings less than 18m.
- 16/09/24 BC flagged the scope for a lack of clarity as to the respective responsibility of different regulators. FM said that we are seeking to progress discussions about getting a MOU in place with the BSR. We will assess against our standards and push for assurance from landlords whilst remaining outcome focussed, but have to be as clear as possible about our role and remit and that we are not technical fire safety experts – others have that role and landlords need to be liaising with those parties. It remains the landlord's responsibility to ensure remedial works are completed . We will continue to monitor the suggestion that the Government establish a single building safety regulator.

**Action:**

- ensure that the corporate risk register captures the risk around where regulatory responsibility sits (BSR/FS/RSH) .
- 17/09/24 SK-S asked if there was anything we should be doing in respect of giving tenants support and guidance on discrimination. KED responded that our standards set out what is expected of landlords in terms of equality and fairness. The onus remains on landlords to provide assurance that they are listening to their tenants.
- 18/09/24 *FFR*: there will be a discussion of the FFR in the workshop session.
- 19/09/24 *Stakeholder reaction to RJs*: feedback is that our judgements have been professional and rigorous but it is too early to draw conclusions from apparent patterns or themes as yet. There have been a number of journalist enquiries speculating on the differences between LARPs and PRPs and on the balance between consumer and economic regulation.
- 20/09/24 *Consultations*: JB gave members an update on the outstanding MHCLG consultations.
- Awaab's law and the Competency and Conduct - no Government response to the consultations as yet.
  - STAIRS – awaiting response.
- 21/09/24 *Pensions*: RBP provided members with an update on the move from HCAPS to CSPS as from 1 October 2024, which has been approved by the Accounting Officer.
- 22/09/24 *Party conferences*: FM advised that we have been issued with Government guidance which applies to ALBs in respect of attending party conferences. The guidance will be forwarded to members, and BC asked that she and FM are advised in advance if members were intending to attend a party conference.
- 23/09/24 *Operational updates*: members NOTED the updates.
- 24/09/24 *Investigation and Enforcement updates*: HB provided members with updates.
- 25/09/24 *A2Dominion*:
- 26/09/24 *Project London*:
- 27/09/24 We are awaiting evidence from the provider on the progress they have made. Board will continue to be advised on progress.

## 8 Finance and Corporate Services update

- 28/09/24
- *Management accounts*: the figures are to end of July and we are trending favourably to budget.
  - *Payroll*: the positive differential related to reduction in HCAPS employer contributions after actuarial valuations.
  - *Digital costs*: The positive variance is due to phasing of transition costs and due to normal variability in charges.
  - *Travel costs*: we continue to monitor the accuracy of the budget for this spend as inspection activity increases, however variance is not material overall.
  - *Fee collection*: fees were collected in two rounds. The cash collections have gone well.

- *Pension costs:* JBo asked about these costs and RBP advised that these are on-going contribution to the running cost of HCAPS once we join CSPA. The majority of costs associated with the transition were allowed for in the 2023-24 budget, but there is contingency on 2024-25 budget.

## 9 Q1 Performance and Risk update

29/09/24 This was a brief update; the next report will be more comprehensive. RBP flagged the *Stage 2 economic service* standard which was now an Amber risk but related to a small number in absolute terms and did not therefore present a significant risk. The team are preparing new metrics for collating and reporting this data.

30/09/24 The delivery of the *Information Management Programme* (Amber) related to the digital transition work which combined with the change in operating model is putting strain on available resources.

31/09/23 *Staffing* (Amber) – recruitment is progressing well. As the regulatory engagement programme embeds, a review of staffing levels will be needed to ensure that planned resources meet the needs of our new remit.

32/09/24 BC asked if *objective 3 – maintaining confidence* is a worry and RBP advised that work is ongoing but there are no major concerns. KED added that we are on track on the TSM analysis and we should meet the deadline.

33/09/24 LB advised that she had recently attended a conference on preventing Fraud and suggested that we add this to our audit plan.

RBP

## 10 Governance update

34/09/24 ERT presented the paper which was required as a function of the further extension of certain board member appointments. Board, subject to Liz Butler and Kalpesh Brahmhatt taking no part in the decisions affecting each of them, as described in the paper, were asked to formally:

- 1 **AGREE to RE-APPOINT** Liz Butler as a member of ARAC, with effect from and including 1 September 2024, on terms that such re-appointment shall come to an end (unless terminated earlier by the Board) at the earliest of the end date of her Extended Appointment or the date on which she ceases to be a member of the Board;
- 2 **AGREE to RE-APPOINT** Liz Butler as the Chair of ARAC, with effect from and including 1 September 2024, on terms that such re-appointment shall come to an end (unless terminated earlier by the Board) at the earliest of the end date of her Extended Appointment, the date on which she ceases to be a member of the Board, or the date on which she ceases to be a member of ARAC; and
- 3 **DELEGATE** authority to the Chair of the Board to sign a letter of appointment to effect the agreed re-appointments set out at paragraphs (a) and (b) above.

All of the above were AGREED.

35/09/24 4 **AGREE to RE-APPOINT** Kalpesh Brahmhatt as a member of ARAC, with effect from 1 July 2024, on terms that such re-appointment shall come to an end (unless terminated earlier by the Board) at the earliest of the end

date of his Extended Appointment or the date on which he ceases to be a member of the Board; and

- 5 **DELEGATE** authority to the Chair of the Board to sign a letter of appointment to effect the agreed re-appointment set out at paragraph (a) above.

All of the above were AGREED.

The Board will be updated as soon as any further extension of KB's appointment is granted.

**11 Any other business - none**

**12 Review of papers and meeting**

36/09/24 Members agreed that the papers were of a good standard. CK to consider the time allocated to items for the next agenda.

37/09/24 The workshop will follow after lunch.

**Date of next meeting: 15 October 2024**