

Minutes of Meeting of the Management Committee of Orkney Housing Association Limited held on Wednesday 02 October 2019 at 10.30am in the Association's office.

Present: Fiona Lettice (Chair, from Item 1.3), Wendy Baikie, Philip Cook, Dave Dawson, Linda Forbes (Skype), Elaine Grieve, John Rodwell (Skype), Jason Taylor, Bill Wallace (Skype), John White and Roella Wilson.

In attendance: Craig Spence (Chief Executive - CE)
Sandy Dennison (Finance Manager - FM)
Anne Fletcher (Director of Finance & Asset Management - DFAM)
Richard Flett (Development & Properties Manager – DPM)
Mhairi Hughes (Secretary / Head of Corporate Governance - HCG)
Paul Scott (Head of Housing & Customer Services - HHCS)
Connie Shearer (Minute Taker)

John Rodwell (outgoing Chair) wished to note how much he had enjoyed his time in the Chair, particularly because of the support he had enjoyed from members and Senior Staff. He also gave particular thanks to the Vice-Chair, Fiona Lettice, for her support. He welcomed new member, John White, to his first meeting and asked everyone to introduce themselves.

He then handed over to the Secretary to go through the process of electing the new Chair and Vice-Chair.

PART 1 – STANDING ITEMS

1.1 Apologies for absence
There were no apologies.

1.2 Election of Chair and Vice-Chair

1.2.1 The Secretary asked for nominations for Chair. John Rodwell nominated Fiona Lettice who confirmed she was willing to accept the nomination. This was seconded by Wendy Baikie. There being no other nominations, Fiona was duly elected as Chair.

1.2.2 The Secretary then asked for nominations for Vice-Chair. Elaine Grieve nominated Bill Wallace who confirmed he was willing to accept the nomination. This was seconded by Philip Cook. There being no other nominations, Bill was duly elected as Vice-Chair.

1.2.3 The Secretary then handed over to the new Chair. The Chair paid tribute to John Rodwell for his years of hard work and thanked him on behalf of members.

1.3 Declarations of (a) interest and (b) hospitality given/received in last 12 months for any items on the agenda.
There were no declarations of interest.

1.4 Minutes of:

- **Management Committee meeting held on 31 July 2019**
The Minutes were agreed to be an accurate record of the meeting and were proposed by Philip Cook and seconded by Wendy Baikie.

- **Management Committee meeting held on 28 August 2019**

The Minutes were agreed to be an accurate record of the meeting and were proposed by Jason Taylor and seconded by Linda Forbes.

1.5 Matters Arising & Deferred Items (Paper No MC/19/46)

Members agreed that, following Cyber Essentials Accreditation and confirmation from our Internal Auditor, the Annual IT Compliance Report is no longer required.

1.6 Future Meeting Dates:

Wednesday 20 November, 2.00pm – Performance & Resources Sub-committee
Wednesday 27 November, 10.30am – Management Committee
Wednesday 11 December, 10.00am – Strategy/Training Day with Christmas Meal

PART 2 – STRATEGY

S1 2020 Business Plan Programme (Paper No MC/19/47)

S1.1 The CE gave a brief overview of the paper, and explained he is proposing a sense-check on the 3-year Business Plan and then work on the detailed appendices for year 2. A table showing the proposed work was presented, together with the key dates for committee involvement.

S1.2 A member queried whether the Strategy Day scheduled for 11 December was necessary considering it was only appendices being reviewed. The CE said that, should the review of strategic aims and the high-level Business Plan be agreed by members at their 27 November meeting, then the 11 December session could be used for training. A number of areas had been identified for member training and these could be covered in one day.

S1.3 Members then agreed that the work to support delivery of detailed appendices for 2020-21 as part of our three-year Business Plan is progressed, and approved the process as set out in Section 3 of the paper.

S2 2020/21 Rent Review Process (Paper No MC/19/48)

S2.1 The HHCS gave a brief overview of the paper, explaining the consultation process proposed, and the timeline for doing so.

S2.2 A member asked why rents were set using RPI (retail price index) rather than CPI (consumer price index), as many peoples income is linked to CPI. The CE explained that, like many housing associations, we use RPI. CPI excludes housing costs which is an important factor during rent setting. CPIH does include housing costs but he was unaware of anyone using that. As CPI is linked to wages and benefits, the member requested that CPI is modelled as part of the rent setting process.

S2.3 Responding to a query about timescales, the HHCS explained that a 14-day consultation period was standard and gave enough time for comments to be fed

back to members prior to a final decision by Management Committee in January 2020.

S2.4 Following discussion, members agreed the consultation timetable as follows:

- **27 November Management Committee** – Report on Viability, Comparability and Affordability to allow preferred MC option and options to tenants.
- **3-17 January 2020** – Consultation with tenants and sharing owners
- **29 January 2020 Management Committee** – Report on results of consultation and final decision on increase.
- **March 2020** – Inform tenants and residents of new rent/occupancy charge obligations.

S3 Fixing the Interest Rate on Loans (Paper No MC/19/49)

S3.1 The FM said the purpose of the paper was to inform members of the proposals which will take a couple of months to implement. Things had changed since the paper was sent out and the Association was in the process of consulting with an external advisor.

S3.2 Following discussion on the merits and demerits of the loan fixing, it was agreed that a paper should be presented to November's meeting with specific proposals for members to make a final decision.

PART 3 – GOVERNANCE & ASSURANCE

G1 SHR Annual Assurance Statement (Paper No MC/19/50)

G1.1 The HCG gave a brief overview of the contents of the paper and explained that a few minor amendments had been made to the Annual Assurance Statement following advice received at the recent SFHA Governance Conference. Due to the amount of evidence gathered, she said it had been decided the best way to get this to members was via a password protected USB stick.

G1.2 The Chair acknowledged the huge amount of work which had been undertaken by staff in gathering the evidence required and asked members whether they felt they were 'assured'.

G1.3 The requirement to gather data relating to each of the protected characteristics for tenants, applicants, committee and staff is not currently done. However, we are not required to report on this until 2020/21. We await further guidance from the SHR, which is expected soon, prior to deciding how to proceed with the data gathering which will have to be implemented prior to 01 April 2020.

G1.4 Following discussion, a member pointed out that the key issue here is 'materiality'. Members agreed this is not a material non-compliance.

G1.5 Following their discussion members:

- a) agreed the evidence presented was sufficient to provide assurance to members that the Association has no material non-compliance with the new

- Regulatory Framework;
- b) agreed the final content of the Annual Assurance Statement should be as per the draft at Attachment 4;
 - c) authorised the Chair to sign it and the Head of Corporate Governance to submit it to the Scottish Housing Regulator via the portal on their behalf.

G2 Policy Reviews & Appraisals (Paper No MC/19/51)

G2.1 Asbestos Management Plan

The minor amendments were noted and approved.

G2.2 Treasury Management Policy

A member suggested that Management Committee could, from time to time, decide to temporarily suspend this Policy for a specific period. Members agreed to approve the amendments as detailed.

G2.3 How to Handle a Complaint Against the Chief Executive

- a) Standing Orders for Committee Business – amendments approved following 3 typo corrections which were noted;
- b) Appendix 5 to the Complaints Handling Procedure, “Serious complaint against the Chief Executive Procedure” – was approved;
- c) Appendix 2 to the Membership Policy “Job Description for Chair & Vice Chair” – was approved; and
- d) the creation of “Handling a Serious Complaint Against the Chief Executive Procedure” – was approved with a copy to be issued to each member for their Key Documents folder.

G2.4 Anti-Social Behaviour Policy

After a brief discussion, the amendments were approved and members noted that, following consultation with tenants and staff, the final policy will be brought to the January 2020 meeting for full approval.

G2.5 Data Protection & Privacy Policy

Regarding ‘the right to be forgotten’ (9.4.2) a member thought it was important that the implications of doing so were fully explained to the individual concerned. With this addition, the new Policy, and the removal of the existing Data Protection Policy, was approved.

G2.6 Members approved the:

- a) Asbestos Management Plan as at Attachment 1;
- b) Amendment to paragraph 10.1 of the Treasury Management Policy;
- c) Standing Orders for Committee Business as at Attachment 2;
- d) Appendix 5 to the Complaints Handling Procedure, “Serious complaint against the Chief Executive Procedure” as at Attachment 3;
- e) Appendix 2 to the Membership Policy “Job Description for Chair & Vice Chair” as at Attachment 4;
- f) Handling a Serious Complaint Against the Chief Executive Procedure as at Attachment 5;
- g) Anti-Social Behaviour Policy as at Attachment 6, and noted that it will be brought to the January 2020 meeting for full approval, following tenant and staff consultation;

- h) Data Protection & Privacy Policy as at Attachment 7 with an addition regarding 'the right to be forgotten', and noted that the former Data Protection Policy as at Attachment 8 is no longer required.

G3 Sub-Committee Membership & Election of Chairs (Paper No MC/19/52)

- G3.1 Following discussion, sub-committee membership was confirmed as:

<u>ARM</u>	<u>P&R</u>	<u>Staffing</u>
Philip Cook	Bill Wallace	Fiona Lettice
Linda Forbes	Wendy Baikie	Bill Wallace
Elaine Grieve	Dave Dawson	Roella Wilson
John Rodwell	Fiona Lettice	
Roella Wilson	John White	

<u>Health & Safety Working Party</u>	<u>Joint Union/Management Sub-Committee</u>
Dave Dawson	Philip Cook
Jason Taylor	Jason Taylor

- G3.2 The present Chairs of ARM and P&R both agreed they were willing to remain as Chairs.
- G3.3 Company Secretary: It was unanimously agreed that the HCG should continue as Secretary.
- G3.4 EVH Representative: It was agreed that Dave Dawson and Jason Taylor should be the Representative and Substitute respectively. However, the point of contact would remain the Company Secretary who can relay matters of importance.

G4 Repairs Self Assurance Report (Paper No MC/19/53)

- G4.1 The DPM explained the report highlighted the areas in his opinion that were required to meet Outcome 5 of the Scottish Social Housing Charter. However, part of the assessment is done using a web-based Toolkit provided by the Scottish Housing Network which is not in a suitable format to present to members, though he detailed the process and outcome and offered to go through it with any member if they wished.
- G4.2 Responding to a query, he said a health check of our Repairs software had recently taken place. This had highlighted areas for improvement in our processes and these will be implemented over the next year.
- G4.3 Following a brief discussion, members welcomed the report and its conclusions, and agreed there were no other assurances necessary to ensure compliance in terms of Repairs, Maintenance and Improvements.

G5 Resolutions & Applications for Membership (Paper No MC/19/54)

- G5.1 Members noted the contents of the paper.

PART 4 – PERFORMANCE

None.

PART 5 – ITEMS FOR DISCUSSION

D1 Extension of Freedom of Information to RSLs (Paper No MC/19/55)

- D1.1 The HCG said the Scottish Information Commissioner's office (SIC) provided good practice and guidance which she had found very useful. The Model Publication Scheme and the Notification Form were presented for approval.
- D1.2 With regards to publishing Management Committee Minutes, she confirmed that any commercially sensitive information and/or personal details which, by disclosing would contravene the data protection principles, will be redacted.
- D1.3 Following discussion, members agreed their Registers of Interests (after depersonalisation) and details of expenses could be displayed on the website.
- D1.4 Members then:
- a) Agreed to adopt SIC's Model Publication Scheme as at Attachment 1;
 - b) Delegated authority to the Head of Corporate Governance to notify the SIC of this decision as per Attachment 2 subject to inclusion of the:
 - web address for the Association's Guide to Information and
 - date once the above is available.
 - c) Noted the draft Guide to Information at Attachment 3.
 - d) Noted the remainder of the Paper.

PART 6 – ITEMS FOR INFORMATION

I1 Performance & Resources Sub-Committee Report (Paper No MC/19/56)

- I1.1 Members noted the contents of the report.

I2 Development Update Report (Paper No MC/19/57)

- I2.1 The Crafty development is currently delayed due to the current Scottish Water issues in Kirkwall. The DPM explained that the favoured site for allowing remedial off-setting of surface water entering the existing system was the old Balfour Hospital site. Orkney Islands Council and Scottish Water are due to have discussions with NHS Orkney regarding this and the outcome of these talks will be reported to members.
- I2.2 Members noted the current position with the development programme, projects on-site and shadow projects.

I3 Staffing Update (Paper No MC/19/58)

I3.1 In response to a query, the CE confirmed that the Senior Building Officer had completed his secondment to Pentland Housing Association who were very appreciative of his work.

Members noted the remainder of the paper.

I4 Factoring – Missing Shares (Paper No MC/19/59)

I4.1 The HHCS gave a brief overview of the paper. A member asked whether alterations undertaken through ESSH could apply to missing shares. He said this would be done on a case-by-case basis taking a number of factors into consideration, such as the nature of work, costs involved, etc.

Any Other Urgent Business

There being no other business, the meeting closed at 12.50pm.

Signed:

Date:

Chair