

## MINUTE OF THE BOARD MEETING

31 August 2022

**Present:** R Hutton (Chair)

I Crawford; C Jayne; G Kitchener; W Raeburn;  
P Rowsby

C Ironside (Secretary)

**In attendance:** A Groat (Observer)  
C Hughes; A Hay; L McKay

**Apologies:** A Clark; N Hicks  
A Scott (via email after start of meeting)

The meeting was held virtually.

The Chair welcomed A Groat to the meeting as observer and potential Board member.

The Chair introduced L McKay, Corporate Services Manager, who was attending in place of K Miller.

### ACTION

#### 1 Apologies for Absence

Apologies were received from A Clark and N Hicks. A Scott submitted apologies via email after the start of the meeting.

#### 2 Declarations of Interest

R Hutton – Employee of Port of Leith Housing Association.  
G Kitchener – tenant of the Association  
C Jayne – Employee of City of Edinburgh Council

#### 3 Risk Management Issues / Health & Safety Issues / Notifiable Events / GDPR

##### Notifiable Event Ref 30186

C Ironside advised members of a new Notifiable Event. This is due to the office closure to enable works to be carried out. She assured members that the Association continues to offer full services to customers, although the office is closed to the public. She confirmed that Housing Management staff have arranged

access to other Association premises to enable new tenancy sign-ups to be carried out. She further advised that the Notifiable Event would be closed as soon as the office re-opens to the public.

### **Heath & Safety Issue**

A Hay summed up the outcome of a Health & Safety incident that occurred in June 2022. A Novus sub-contractor failed to safely complete an electrical job for a household. The tenant contacted the repairs team the following day. The repair was escalated immediately and completed by another operative. The case was investigated and reported by Novus through their H&S Department. Novus took appropriate action when informed of the problem. The Association undertook an independent electrical test on the property which was returned as satisfactory. Novus and the sub contractor have a management plan in place for the operative.

There were no other issues to be reported.

## **4 Minutes of the Board meeting held on 29 June 2022**

The minutes of the meeting held on 29 June 2022 were approved as a true record, proposed by P Rowsby, and seconded by G Kitchener.

## **5 Matters Arising**

None.

## **6 Board Actions**

Noted.

## **7 Minutes of Sub Committee or Subsidiary Meetings**

7(i) None.

## **8 Matters for Approval / Decision**

### **8(i) Confirmation of Association Register 2021/22**

C Ironside introduced the report that had been circulated previously. She confirmed that the register requires to be presented to the Board for approval prior to the Annual General Meeting (AGM).

Following discussion, members were assured that the Association had complied with requirements regarding all registers and approved the report, proposed by G Kitchener and approved by C Jayne.

### **8(ii) Policies**

#### **(a) Equality Policy**

C Ironside advised that she had reviewed the Association's previous Equalities and Diversity Policy to reflect the Scottish Housing Regulator's (SHR) requirements, and to include information regarding Human Rights Legislation.

C Ironside advised members that there is an action plan in place to ensure that equalities and human rights issues are addressed appropriately. She highlighted in particular the approach to gathering information regarding protected characteristics in respect of customers, as outlined in the report.

C Ironside advised members that training has been arranged, confirming that this has been broken down into 3 bite-sized sessions, the first being available to all staff and Board members. All staff will be invited to attend the second session, with the final session being targeted at senior staff who will be responsible for managing the Association's approach to equalities and human rights issues.

Following discussion, members approved the Equalities Policy, proposed by I Crawford and seconded by W Raeburn.

CI

#### **(b) Asbestos Management Policy**

A Hay introduced the report, noting that the Association did have a policy and associated procedure in place previously. It had been recognised that this required to be updated, particularly in respect of recording and follow-up works.

A Hay confirmed that there are 2 distinct aspects to the Policy. For common stair areas our responsibilities are greater and more detailed information is required; with regard to domestic properties, we hold less detailed information on the register.

A Hay advised members that an action plan is in place with specific targets. The initial priority is to bring registers fully up-to-date and to meet the requirements of the revised Policy.

W Raeburn noted that the Policy was comprehensive. He questioned how the Association monitors that contractors have complied with the requirements. A Hay advised that where a contractor makes a request for information, they have to confirm that this has been received. If asbestos is removed from the property, they have to complete a disposal note. This will be monitored, however the Association will also carry out spot checks to ensure compliance. A Hay confirmed that where a contractor finds asbestos not previously identified, they will stop work immediately and appropriate investigations carried out.

A Hay advised members that the Policy does not require to be implemented in respect of properties built after 2000/2001 as the use of asbestos in house-building had stopped by that time.

In response to a question from I Crawford regarding the need to report any issues arising from the Policy as a Notifiable Event, A Hay confirmed that any issues that presented a serious risk to a householder or employee would be notifiable (to the HSE) and information would be included in the annual Health & Safety report to the Board. The potential requirement to record as RIDDOR had been checked in the most recent case where asbestos had been identified, and advised it was not required.

**AH**

*(Post-meeting note: where a matter is referred to the HSE, it must also be reported to SHR as a notifiable event).*

C Ironside advised that, following an enquiry from a member, where a report has been prepared by a member of staff other than the Senior Management Team, they will be invited to attend the meeting. Members noted the position.

### **8(iii) Annual Assurance Statement (Regulatory Self-Assessment)**

C Hughes introduced the report that had been circulated previously, noting that this requires to be submitted to the SHR by the end of October 2022.

C Hughes asked members to note that information specific to the Regulatory Standards is now available on Govenda and that this will be updated on an ongoing basis. This should reduce the need for lengthy information to be included in the year-end report.

C Hughes drew members' attention to the matter that has been included as non-compliant and potentially considered material in accordance with SHR requirements and definitions. She confirmed that information regarding the properties where it had not been possible to complete and Electrical Installation Condition Reports had been fully declared to the SHR in the Annual Report on the Charter (ARC), submitted in May 2022.

Following discussion, members approved the recommendations of the report and submission of the Annual Assurance Statement to the SHR by the end of October 2022, proposed by P Rowsby and seconded by C Jayne.

**CH**

## **9 Matters for Discussion**

### **9(i) Rent Increase 2023/24**

C Ironside introduced the paper that had been circulated previously, noting that this was being raised with the Board earlier than usual, due to concerns about the current cost of living crisis.

C Ironside noted that there are suggestions that a cap of between 3% and 7% may be introduced in England. She asked members to note that all associations are considering this challenging issue now and a range of approaches are being considered. (One association that operates nationally is considering an increase as high as 10%, another Edinburgh-based organisation is considering capping the increase at 4% for the next 3 years, this to be monitored on an ongoing basis).

C Ironside advised members that the Scottish Federation of Housing Associations (SFHA) will be issuing information regarding affordability on 21 September 2022. She further confirmed that an SFHA representative will be attending the next meeting of the Edinburgh Affordable Housing Partnership to discuss the issue further.

C Ironside confirmed that the Association's Business Plan was modelled on the assumption of a 2.7% annual rent increase, however we had not anticipated the significant increases in inflation and cost of living currently being faced.

In response to a question from C Jayne, C Ironside confirmed that there are no current external restrictions on the level of rent increase that organisations can apply.

W Raeburn expressed concern that the increases in inflation had been coming for some time. He suggested that the Board requires regular information regarding the impact of the current situation and suggested that monthly modelling may be appropriate as costs are changing so quickly.

**KM**

I Crawford noted that the Association is unlikely to be able to reach a final decision until there is some clarity about Government involvement in the matter. He noted a preference to see a rent freeze, however accepted that this is unlikely to be achievable.

C Ironside advised that A Clark had requested she advise members of his suggestion that the Board might want to consider what happens in the public sector pay dispute before reaching any decision.

C Ironside advised that the ARCHIE meeting held 31 August had considered the matter and agreed to meet again early September to discuss if there are any actions that can be taken collectively to help address the issue.

The Chair invited A Groat to comment, in view of her experience. A Groat advised that the organisation she works for are dealing with a mix of older owners and tenants and have seen an increase in calls looking for welfare

benefits and energy advice. She noted that there is a high level of concern amongst older people regarding the current situation.

C Jayne noted that the Association has previously used benchmarking information in relation to the rent increase to be applied and assumed that this will be available in due course. He noted the balance between what is acceptable to the Association in terms of its ability to meet rising costs and what is affordable to tenants.

The Chair also noted that the Association should consider what assistance they may be able to offer staff in the current situation.

The Chair commended SMT for raising the issue at this early stage.

## **10 Matters for Information**

### **10(i) Treasury Management Review**

Members noted the report.

### **10(ii) Key Performance Indicators (KPIs)**

P Rowsby questioned the areas that have remained amber for some time, seeking information as to whether these are likely to move to red or green at some stage.

A Hay confirmed that the KPIs relating to reactive maintenance and voids are unlikely to improve before the end of the current reactive maintenance contract. Although there have been some improvements with the current contractor, performance is still below target. Work is ongoing to procure a new contract currently and we would expect to see improvements going forward.

C Hughes advised that there will be a fundamental review in respect of the recording and reporting of Anti-Social Behaviour, noting that targets set are somewhat arbitrary, with no consistency between different organisations.

W Raeburn that staff should review those areas where performance is consistently at amber, and develop a realistic 'plan to green', investigation of which may identify a need to amend targets.

**AH/CH**

A Groat commented that she was impressed by the performance statistics, particularly in view of the challenges the Association has faced over the past 2 years. She commended the staff and Board on this achievement. The Chair requested that this be passed on to staff.

Members noted the report.

### **10(iii) Complaints Monitoring Quarter 1**

Members noted the report.

**10(iv) Finance Update Quarter 1**

Members noted the report.

**10(v) Planned and Cyclical Maintenance Programme Update Quarter 1**

A Hay advised members that the report reflects the inflationary increases and rising costs, noting that we are starting to see the impact of these in current tenders.

A Hay advised that it is unlikely that any savings will be achieved during 2022/23.

C Jayne had advised that he had expected there to be higher costs than were presented. He noted that this is a live indicator and a good means of measuring the level of exposure faced by the Association.

Members noted the report.

**10(vi) Tenancy Sustainment Policy**

C Hughes advised members that the SFHA had recently published a detailed report and self-assessment toolkit in respect of preventing eviction. This was after completion of the Policy presented. She sought Board permission to further review the Tenancy Sustainment Policy following review of the SFHA report and to re-present the Policy to the October Board meeting.

Members approved that the report be re-presented in October, proposed by P Rowsby and seconded by I Crawford.

**10(vii) Environmental Information Regulations**

Members noted the Policy.

**10(viii) Entitlements, Benefits and Payments Record 2021/22**

Members noted the report.

**10(ix) Constitutional Compliance Checklist**

C Ironside confirmed that the Compliance Checklist as recommended by our previous Internal Auditor. It demonstrates that the Association complies with the Rules and is a precursor to the AGM being held on 7 September 2022.

Members noted the report.

**10(x) SMT Report**

C Ironside confirmed that the purpose of the report is to advise members of operational issues that are progressing. She confirmed that in future, SMT will prepare the report in months where there are no Board meetings (July and March) in order to keep members apprised of operational activity.

A Hay advised members that the contract in respect of the new development at South Queensferry has not yet been signed, noting that the delay relates to S75 requirements, with the matter being considered by both the Housing and Planning Departments of City of Edinburgh Council. The developer, CALA Homes, are pushing for this matter to be resolved and it is hoped that the contract will be signed soon.

P Rowsby noted the impact of the examples outlined in respect of Welfare Benefits and Energy advice. Staff will include such information in newsletters and other promotion of these services.

Members noted the report.

**11 Any Other Competent Business**

None

**Date and time of next meeting: 26 October 2022 at 5.30 p.m.**

**AGM Wednesday 7 September 2022 at 6.00 p.m.**

**The meeting closed at: 6.55 p.m.**