

**THE RIVERSIDE GROUP LIMITED**

**IRVINE HOUSING ASSOCIATION**

Two Hundred and First Meeting of the Board held at 5.30p.m. on  
Wednesday 17 September 2014 at 44-46 Bank Street, Irvine

**Minutes**

Present: Mr A. West (In the Chair), Mr C. Bell\*, Mrs F. Garven, Mrs K. Gatherer, Mrs W. Johnstone, Mr D. McEachran, Mr P. McGregor, Mr R. Sturgeon, Mr J. Wood

In attendance were Mrs D. Boyle, Mr P. Hillard, Mrs K. Martin and Mrs N. Thom

\*From item 5.

Apologies for Absence

Apologies for absence were received from Miss F. Dunlop.

Declarations of Interests

There were no declarations of interest.

1. **Preliminaries**

Mr A. West welcomed Mr P. McGregor to the meeting as an observer, reminding Mr McGregor that in the event of a vote being required during the meeting, Mr McGregor would be unable to participate.

Mr West welcomed Mrs D. Boyle back to the Association following her leave of absence.

2. **Minutes of the Last Meeting held on 18 June 2014 and the Special Meeting held on 20 August 2014**

The minutes of the meeting held on 18 June 2014, and of the Special Meeting held on 20 August 2014, were approved.

3. **Matters Arising from the Minutes of 18 June 2014**

a) **Matters Arising from the Minutes of 19 March 2014 – Committee Minutes & Policies (Min3.)**

Mrs N. Thom noted that a date had now been confirmed for a meeting between Mr P. Hillard, Mrs Thom and Mrs C. Lavender from the Home Ownership Team at Group regarding the unsold properties within the development at St Molios Park in Arran. Following the meeting, a paper would be presented to the November 2014 Board meeting providing options regarding the tenure of the properties. Mr Thom confirmed that 1 property had sold in Phase 1, with 4 sold in Phase 2.

4. **Committee Minutes & Policies**

The Board noted the minutes of the:

- a) Audit and Risk Committee meeting held on 10 June 2014;
- b) Housing Services Committee meeting held on 26 June 2014.

5. **Scrutiny Framework Progress**

Mrs N. Thom provided a detailed background on the implementation of the scrutiny framework that had been established. This included a scrutiny panel and four specialist quality groups. Since late 2013, a great deal of time had been invested in these groups to develop the skills, knowledge and expertise of the members, including specialist training delivered by Chartered Institute of Housing.

Mrs Thom confirmed that the Annual Return of the Charter (ARC) and the Survey of Tenants and Residents (STAR) were both now complete and that the scrutiny groups had reviewed and analysed the Association's performance and results, creating actions plans which were attached as Appendices 2-5.

Mrs Thom noted that the ARC submitted in May 2014 monitored the performance of 2013/14 and advised that the Scottish Housing Regulator (SHR) had produced a Landlord Report for 2013/14 that highlighted performance compared with the Scottish average.

Mrs Thom provided further detail on the key highlights of each area including repairs and maintenance, estate services, communications and housing options noting that the action plans would address areas where the scrutiny groups felt performance could be improved. Mrs Thom discussed issues noted within the action plans noting that a full update on the progress made within each action plan would be provided to Board at the end of the financial year.

Mrs Thom referred to the SHR website and advised Board members how to access the comparison pages within the site. This would allow anyone to view how well the Association had performed and to compare performance against other Scottish landlords.

In response to a query from Board, Mrs Thom confirmed that the Association had performed exceptionally well in comparison to Scottish targets, however in utilising the SHR comparison tool Mrs Thom noted that other local landlords had achieved higher levels of satisfaction.

In comparing average weekly rents, Mrs Thom noted that SHR data included RSL's and councils, however in comparison to other RSL's only, the Association had performed better.

Mr J. Wood noted that performance levels had increased significantly which was extremely positive and commented that it may be difficult to accurately compare ourselves to other landlords dependant on exactly how other landlords had sourced their responses.

Mr C. Bell joined the meeting.

Referring to how information had been provided for the ARC, Mrs Thom confirmed that the Association had to define how we had gathered information, however it was not known exactly how other organisations had sourced the information they provided. Mrs Thom noted that the guidance provided by SHR would be refined and that SHR may carry out validity data checks. The information provided to SHR would be reviewed and used in any regulatory plan for landlords.

Mrs Thom confirmed that SHR would be looking to the scrutiny groups to analyse data submitted and challenge their landlord if appropriate. This is in keeping with the self-assessment principles of the Scottish Social Housing Charter.

Board noted the work undertaken by the scrutiny groups and agreed the tasks to be undertaken by the scrutiny groups as detailed in the actions plans.

## 6. **Governance Documents**

Mr P. Hillard noted that following the adoption of the Association's new Rules in April 2014, the previous membership categories had been removed. Therefore, the Association's Membership Policy and Board Composition and Recruitment Policy required to be updated to reflect this change. Mr Hillard noted that the updated documents also now met the SHR regulatory standards.

The Association had commenced a review of governance in 2012, with the aim being to align the Association's policies with those of Group, where possible, whilst ensuring that they complied with SHR regulatory standards. Mr Hillard noted that Mrs L. McCracken, Director of Legal Services for Group, had also reviewed all documents presented to Board.

Mr Hillard advised that throughout the Constitutional Partnership process with Barony Housing Association (BHA), the governance review had been put on hold. Following the submission of the business case to SHR, the governance review had now recommenced.

Mr Hillard highlighted that the proposed Membership Policy did not refer to actively promoting membership, however this was achieved via customer engagement with our scrutiny groups.

Mr Hillard noted that the majority of the work in revising the documents had been completed by Mrs D. Boyle and Mr Hillard thanked her for completing this piece of work.

In response to a query, Mr Hillard confirmed that documents would be made available for Board members to access electronically, enabling Board to review and refer to documents at any time.

Board thereafter:

- a) approved the revised Membership Policy and the Board Composition and Recruitment Policy;
- b) approved the adoption of the proposed Code of Conduct for Board and Committee Members, replacing the current Code of Governance Policy, Board Members Declaration and Board Members Expenses Policy.

## **7. Complaint – Member of the Association**

Mr P. Hillard reminded Board that an initial report had been presented to Board in August 2013, detailing the abusive call made to the out of hours service by a shareholding tenant of the Association. At that time Board instructed the Managing Director to write to the individual expressing their strong disappointment that a shareholding member of the Association would act in such a manner. This letter was delivered to the individual by two members of staff. Board had also requested that Mr Hillard research potential alternatives to respond to such incidents if they were to occur again. Mr Hillard had carried out this research, however no such best practice was available.

Mr Hillard advised that the individual concerned had yet again made an aggressive, abusive, racist and misogynist call to the Customer Service Centre in May 2014. Mr Hillard confirmed that as a tenant, this matter

had been dealt with in accordance with the Association's Personal Safety Policy.

Mr Hillard advised that it was the recommendation that the individual be provided with details of the complaint against him and advised that Board had requested his resignation from shareholding membership of the Association.

Mr Hillard confirmed that Rule 16(a) stated "An ordinary member may be expelled by a resolution carried by the votes of two-thirds of the ordinary members present in person or by proxy and voting on a poll at a special general meeting .....". Mr Hillard advised that should a special general meeting be called, this would incur cost to the Association in both hiring a venue and resources.

Following full discussion, Board agreed that it was completely unacceptable for any individual to behave in such a manner, and felt that the Association must take a firm stance against this type of behaviour, however it was noted that convening a special general meeting was not the best use of resources.

Board thereafter:

- a) authorised that the individual be provided with details of the complaint and advised that Board had requested his resignation from membership of the Association, and that if no resignation was forthcoming that his expulsion would be sought in accordance with Rule 16(a);
- b) authorised that if no resignation was forthcoming, a special general meeting be convened to seek the expulsion of the individual from membership of the Association in accordance with Rule 16(a).

## 8. **Membership of the Association**

Mr P. Hillard advised that in accordance with Rule 15(b)(i)(B), there were 56 members who had failed to attend and submit apologies for five consecutive Annual General Meetings, as detailed at Appendix 2.

Mr Hillard also noted that eight applications for membership had been received, seven of which were from members of Barony Housing Association's Board.

After consideration, the Board:

- a) approved the membership of 8 applications as detailed at Appendix 1;
- b) approved the withdrawal from membership of the 56 members as detailed at Appendix 2;
- c) approved the removal of 3 members as detailed at Appendix 3.

9. **Publication of Board Minutes**

Mr P. Hillard advised that the Association had historically produced an abbreviated version of minutes, and later a 'core brief', that was made available on the website.

However, many RSL's were now publishing a full version of minutes, subject to redaction of any confidential items, to improve transparency. Group Board had agreed to publish the full minutes (non-confidential) of each meeting since April 2013, and it had been agreed that Divisional Boards would adopt this practice also.

Mr A. West noted that the minutes would require to be scrutinised prior to publication, with a great deal of attention paid to wording to ensure that there was no room for misinterpretation. Mr Hillard confirmed that the minutes would continue to be drafted by the Personal Assistant, and these would then be reviewed by himself as Secretary of the Association. The unconfirmed minutes would then be presented at the next Board meeting for Board to review and confirm before they were made available on the website. Mr J. Wood clarified that Group had produced guidance information on the preparation of minutes, and noted that in the interests of transparency it was best practice to make minutes (non-confidential) available.

Board agreed to the publication of full minutes (non-confidential) of Board meetings.

10. **Factoring Policy**

Mrs N. Thom confirmed that the initial Factoring Policy had been implemented in 2010 following extensive consultation with the owners in each of our communities. The Property Factors (Scotland) Act 2011 had since been introduced and the Association had introduced revised procedures and enhanced services to owners to ensure compliance with the Act.

The Factoring Policy had now been reviewed following a recommendation by the Internal Audit team and now clearly defined the obligations of the Property Factors (Scotland) Act and the Scottish Social Housing Charter. The Association had stipulated an increased frequency of communal and shared area inspections, strengthened our commitment to consult with owners prior to the instruction of any major works, strengthened our approach to debt recovery, including legal fees, and clarified the role of the Homeowner Housing panel. Whilst reviewing the policy, consultation was carried out with the scrutiny group and representatives of the repairs quality group. The revised Factoring Policy, attached at Appendix 1, had been reviewed by Internal Audit who had confirmed that it met all requirements.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Board thereafter approved the Factoring Policy 2014.

11. **Performance Monitoring**

Mr P. Hillard advised that the August 2014 version of Appendix 1 had been tabled for information. Mr Hillard noted that the Health & Safety KPI was inaccurate, due to a reporting problem. This would be resolved by the November 2014 Board meeting.

Referring to Appendix 6, Mrs N. Thom clarified that the Association had only carried out one eviction this year. This was due to a system error and was currently being investigated.

Responding to a query from Board, Mrs Thom confirmed that Scottish Water had delayed the building works at Pennyburn.

Thereafter, the Board:

- a) noted the Association's performance against the Group's Top Ten KPI's for Group and Local Targets;
- b) noted the Association's performance against the current monthly Performance Review report and Analyse by Division reports;
- c) reviewed and ensured the Association's compliance with the funder's financial covenants.

## 12. **Corporate Plan Monitor**

Expanding on the report attached at Appendix 1, Mrs N. Thom confirmed that Homes4D&G was now fully implemented and had proved to be a great success.

Mrs Thom advised that staff members had been recruited to form the Virtual CSC in Irvine and this would become effective 1 October 2014. A full training plan had been developed and IT requirements had been identified.

Mr P. Hillard confirmed that Board had agreed to pursue development opportunities in North Ayrshire as a priority, noting that officers continued to pursue the opportunity currently being discussed in North Ayrshire. Mr Hillard advised that the Association had been approached by South Ayrshire Council (SAC) to consider being a development partner for various key development sites in SAC's SHIP, noting that discussions would continue. Board approval would be sought prior to any commitment being made.

Mr Hillard provided a full update on the proceedings with SHR following the submission of the business case in July 2014. SHR had requested further information, specifically relating to conflicts of interests and requesting examples of how a governing body, like the one proposed in the business case, would operate. This information was to be supplied, but before it could be provided to SHR they responded advising that the business case had been rejected stating that the governance proposals did not meet regulatory guidance. SHR had indicated that the independence of BHA was a key issue. BHA proceeded to submit the information requested, however SHR again responded advising that the business case was rejected.



Mr Hillard had since met with Mrs R. Wilson and Mrs L. McCracken to seek alternatives to the governance structure detailed in the business case.

Board fully discussed the options of pursuing with the constitutional partnership and Mr Hillard confirmed that both organisations were keen to continue. Mr Hillard noted that if the constitutional partnership did not progress, there would still be opportunities for BHA and the Association to work together.

Board noted the content of the Corporate Plan Monitor Report.

### 13. **Information Items**

Board noted the following items:

a) **Annual Eviction Report**

Board noted the content of the Annual Eviction Report.

b) **PR & Networking Report**

Board noted the content of the PR Events and Networking Report.

c) **Digitalisation of Board Papers**

Mr P. Hillard reported that Group had developed a REX website that would be used for all Board and Committee meetings. Papers would be made available on the site and Board members would be issued with a username and password to enable access to the site. For any Board member without a current email address, Mrs K Martin could assist with creating an email address to enable a username and password to be created.

Mr Hillard noted that from the November 2014 Board meeting, papers would be made available both electronically and by hard copy. The office now had Wi-Fi so members could bring in their device to enable them to view papers electronically.

Mrs K. Martin showed Board members how to navigate through the system and access all papers.

Mr Hillard asked Board members to use the system at home and advise officers of any issues they may have. It was the intention that hard copy papers would stop being produced once all Board members were familiar with the system and confident accessing papers. This would achieve efficiencies, saving both time and resources. Mr Hillard asked that all Board members advise officers of any issues they may experience with internet access, not having a suitable device or any difficulties with the site.

14. **Date of Next Meeting**

Board Meeting - Tuesday 18 November 2014.

P. HILLARD  
Secretary  
22 September 2014  
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