

**Present:** Kath Mands, Ron Neave and Denis Brown. The following joined via Video Conferencing: Gordon Edwards (Chair), Rhona McLeod, Paul Hocking, Andrew Black and Vicki Cutler.

**In Attendance:** Barry Moore (CE) and Roz Clark (CSO). The following joined via Video Conferencing: Marjorie Sloan (CSD and Secretary).

**Observing:** Paul Crichton and Alan Fraser. The following joined via Video Conferencing: Ian Byers.

The Chair welcomed everyone to the meeting. In particular, the Chair welcomed the Observers to the meeting. He explained that whilst they could not participate in the meeting, he welcomed that they send any questions or comments to the CE after the meeting. He highlighted that papers would be presented with a background summary for the benefit of the Observers.

**20/11/1 Apologies** Nile Istephan and Brian Perrie (Observer).

**20/11/2 Declarations of Conflicting Interests**

No Member declared a conflicting interest.

**Audit, Finance & Risk Management Committee Reports**

**20/11/3 Audit, Finance and Risk Management Committee Meeting 11 Nov 20**

The Chair talked through the Audit, Finance and Risk Management Committee Papers explaining that only one item required Management Committee approval.

The CSD talked through the Charity Deposit Investment Paper explaining that there would be surplus funds to invest in March 2021. The platform used had identified CAF Bank, with whom the Association already had a good working relationship, as offering the best investment opportunity.

The CSD reported that DTP have been appointed to carry out the Loans Review.

Committee **noted** the AF&RMC reports.

Committee **approved** that a CAF Charity Deposit Platform be set up with [REDACTED], as Execution User.

**Management Committee Meeting Reports**

**20/10/4 Minute of Committee Meeting 21 October 2020 and Tracker**

The Chair presented the minutes of the meeting held on 21 October 2020. There were no amendments.

Approved. Proposed Kath Mands, Seconded Rhona McLeod.

The Chair presented the tracker.

**20/11/5 Matters Arising**

There were no matters arising.

**20/11/6 Chairs Action**

The Chair presented the paper highlighting there had been no Chair's Actions since the last meeting. Committee **noted** the report.

**20/11/24 Annual Assurance Statement 2020**

The Chair explained that due to the importance of the Annual Assurance Statement he had brought this item forward on the agenda.

The CE talked through the report. He explained that Committee must satisfy themselves that they have been provided with sufficient information, detail and evidence to support the final published version of the Annual Assurance Statement. He talked through each of the Appendices highlighting that Appendix 1 provided detail of every report presented since the last Annual Assurance Statement was submitted to the SHR. He explained that Appendix 2 highlighted the COVID-19 Flags as required to inform the Supplemental Covid-19 guidance to the SFHA Self-Assurance Toolkit. He explained that Appendix 3 was a copy of the report by the External Auditors in which they stated that the Association was fully compliant with the Regulatory Framework. He highlighted the briefing session which had taken place on 16 November 2020 where Members were given the opportunity to review the Annual Assurance Statement Evidence and Action Plan Framework. The Chair asked Members for feedback following this session. The Members who had been present at the briefing session said it had been comprehensive, interactive, user friendly and linked to an encyclopedia of evidence. The CE talked through the Draft Annual Assurance Statement, which had been provided at Appendix 4. The Chair asked for comments or suggested amendments. Members had a long and in-depth discussion on compliance. Following the discussion, it was agreed that specific detail would be provided in the first paragraph of the Annual Assurance Statement; specific to the Governance Training Plan.

Committee **approved** the Annual Assurance Statement 2020 subject to the changes agreed to the first paragraph and authorised the Interim Chair to sign it.

#### **20/11/7 Budget for 2021/22 and 30 Year Financial Plan and 20/11/8 Annual Rent Review 1 April 2021**

The Chair explained that Agenda Items 20/11/7 and 20/11/8 would be reported together, as the decision on the Annual Rent Review would be in conjunction with the agreement of the Budget.

The CSD presented the Budget Report and appendices. The CSD gave a comprehensive and detailed brief on the budget highlighting that it was the first draft, and that final approval would be required at the next Committee Meeting. She explained that assumptions had been made based on a 0% rent review for 2021/22. The CSD highlighted that an inflation increase had been included for payroll however, no allowance had been made for any changes which may be identified as part of the ongoing Terms and Conditions Review. The CSD also highlighted that there was no way of knowing the outcome of the consultation which was about to commence on the future of the Dura Street Retirement Housing Complex and therefore for budgeting they had assumed the properties would return to mainstream, which is the more prudent assumption to make. The CSD then talked through the financial position under the base case and the sensitivities and the recommendations that owners' charges and retirement service charges remain at the same level as 2020/21.

The Chair talked through the assumptions highlighting the importance of supporting tenants during this difficult time.

The CE presented the Annual Rent Review report. He highlighted the significant and long-term financial impact the pandemic was having on not only the tenants, but also on communities and on the economic health of cities and towns. He explained the rationale behind the recommendation of a rent freeze emphasising that the main factor for implementing a rent increase in 2020/21 had been to allow for investment in our properties. However, due to COVID-19 much of this work had not been carried out and therefore the Association would need to consider this in making a decision.

The Chair asked Members for comments and a discussion followed on the proposals. It was highlighted that the proposal showed good community leadership and how the Association could be responsive, recognise and understand the struggles that tenants may be suffering. It was suggested that a corporate statement be published in the press highlighting the Committee's decision on the rent freeze. The CE agreed that this would be done as a matter of priority.

The Committee asked the CSD to pass on their thanks to the Finance Manager who had produced the budget despite having only started working for the Association in March.

Committee **approved** the draft Budget for 2021/22 and 30 Year Financial Plan.

Committee **agreed** that owners' charges remain at the same level as 2020/21.

Committee **agreed** the proposed retirement service charge remain at the same level of £86.41 per month.

Committee **agreed** that there would be a rent freeze for 2021/22.

#### **20/11/9 Planned Maintenance Programme – 2021/22**

The CE gave apologies on behalf of the Asset Manager and presented the report in her absence. He confirmed that the plan for 2021/22 reflected what was included in the budget for 2021/22. He talked through the report and appendix highlighting the impact COVID-19 restrictions had had on the plan. He explained that a cautious approach had been taken to what works would be carried out and that in the main external works had been scheduled.

Committee **approved** the Planned Maintenance Programme for 2021/22.

#### **20/11/10 Corporate Governance Policy Review: Complaints Policy**

The CSD presented the Model Complaints Handling Procedure and Policy explaining that it had been reviewed and updated by the SPSO. The CSD explained that they had published it in January 2020 with an implementation date of no later than 1 April 2021. The CSD reported that staff would be undergoing training in the next month and that the Policy would be implemented on 1 January 2021. Committee asked if the training was extensive and was an implementation date of 1 January 2021 realistic. The CSD explained that staff were already very familiar with the current Complaints Procedure and that the training would serve as an update and refresher and also cover the updates to the already robust procedures in place.

Committee **approved** the Complaints Policy.

#### **20/11/11 Health and Safety Quarterly Report: Quarter 2**

The CE talked through the report highlighting that the report covered five areas including Asbestos, Electrical, Gas Safety, Legionella and Lifts. He explained that during the current pandemic and due to the importance of gaining access to carry out gas servicing, a separate report on gas servicing will follow this report. The CE gave a comprehensive narrative on each of the four areas.

Committee **noted** The Health and Safety Quarterly Report.

#### **20/11/12 Gas Servicing Quarterly Report: Quarter 2**

The CE gave an overview of the Quarter 2 Gas Servicing report. He reported that there had been 13 properties in the last Quarter, which had been identified as being past their anniversary date, and the details of each were appended to the report. This would form the basis of a notifiable event to the SHR. The attachments were numbered 15 – 27 to follow on from the properties in Quarter 1 which had been numbered 1 – 14. The CE explained that sequential numbering would allow an overall total to be reported throughout the year. The CE highlighted that a considerable amount of effort had gone into achieving and maintaining the performance and that a total of 1,110 Landlord Gas Safety Checks had been carried out since April 2020.

Committee **noted** The Gas Servicing Quarterly Report.

#### **20/11/13 Operations Performance Report**

The CSD presented the report and talked through the appendix. The CSD highlighted that the performance highlighted in red was in the main due to the pandemic, which affected many areas including repairs, gas servicing and voids. The vacancies on the Management Committee would be addressed by the recruitment of the new Members. Committee asked the CE to pass on their thanks

to staff for the work they were doing, as the performance indicators were extremely good despite the current pandemic restrictions.

Committee **noted** the Operations Report.

#### **20/11/14 Tenancy Sustainment – 6-Monthly Report**

The CE gave apologies on behalf of the Housing Manager and presented the report in her absence. He highlighted the excellent work being carried out by staff who were assisting many tenants and their families. He stressed that the assistance provided was not just financial but of a social and moral nature which was particularly relevant during the current pandemic.

Committee **noted** the Tenancy Sustainment Report.

#### **20/11/15 Procurement Quarterly Report**

The CSD talked through the report and gave an overview of the tender which had been awarded during this period.

Committee **noted** the Procurement Quarterly Report.

#### **20/11/16 Acquisitions and Disposals**

The CSD talked through the report. The CSD highlighted that the property at Denhead Crescent, which was reported as having an entry date of 4 December 2020 was likely to be delayed.

Committee **noted** the Acquisitions and Disposals Report.

#### **20/11/17 Bad Debt Write-Offs**

The CE talked through the report and appendix.

Committee **approved** the Bad Debt Write-Offs.

#### **20/11/18 Development Report – Finavon Street**

The CE talked through the report. He reported that whilst the site had been handed over on 9 October 2020 there were still financial elements ongoing. He explained that this was likely to continue for some time.

Committee **noted** the Finavon Street Development Report.

#### **20/11/19 Development Report – Charleston**

The CE talked through the report. He explained that work was progressing well and that Bancon were running a well-orchestrated site. He highlighted that although not currently an issue it had been reported that the construction sector was having issues with the delivery of supplies and materials and it was anticipated that this might get worse from January 2021. He reported that Bancon were risk managing the supply of materials and had indeed stockpiled a number of key building components.

Committee **noted** the Charleston Development Report.

#### **20/11/20 Development Report – Mossgiel**

The CE talked through the report. The CE informed Members that should they approve the purchase of the site the Association's solicitors would be instructed to engage Dundee City Council (DCC). Committee asked if due diligence in relation to Scottish Water drainage requirements would be carried out before purchasing the land. The CE confirmed that DCC had done a considerable amount of preparatory work and in addition the Association had commissioned its own Public Utility Review. The CE confirmed that he was aware of the drainage requirements and that there was nothing that was out of the ordinary with regard to a site which was previously occupied by a school. There followed a discussion, by Members who were in the construction field, on the current issues being faced by developers regarding Scottish Water.

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Committee asked whether the number of properties currently proposed for the site was decided by the Association or DCC and could there be any movement on that number. The CE explained that DCC decide on the space requirement of gardens which influenced the number of properties the site could accommodate. He explained that if there could be some movement on the size of gardens there would be an opportunity to add 2 to 3 more properties. The CE doubted whether DCC would ease the space requirement.

With regard to the procurement of the actual construction works, the CE confirmed that no decision had been made on the procurement. Members offered their expertise to assist with this phase, which the CE gratefully accepted. The Chair thanked the Committee members for their offer of assistance. Committee **noted** the proposal for the development of the Former Mossgiel Primary School site. Committee **approved** purchase of the site on the terms set out in the paper. Committee **approved** that tendering would take place once the land purchase is completed.

**20/11/21 SHR Communication and Correspondence**

The CE talked through the report explaining that it provided detail of all communication and correspondence passed to the SHR since the last meeting. The Chair highlighted that it showed the positive and transparent relationship between the Association and the SHR. Committee **noted** the SHR Communication and Correspondence.

**20/11/22 Share Update**

The CSO presented the report.  
Committee **approved** the Share Update

**20/11/23 Committee Training Update**

The CSO presented the report.  
Committee **noted** the Committee Training Update

**20/11/25 AOB**

As there was a confidential item to discuss, the Observers were thanked for their attendance and left the meeting.

The Chair introduced the confidential item regarding the ongoing investigation and asked for an update from the Sub-Committee.

Rhona read out a statement which had been provided by Nile. It included a personal statement in which he apologised for not being present to provide the report in person. Rhona reported that it was hoped that interviews for those involved would take place during the week commencing 7 December 2020 and that both the Association's solicitors and the independent investigation company were leading on this.

Members asked whether interviews would still go ahead if the complainants chose to delay their interviews. Rhona explained that the Sub-Committee were following the advice from the Association's solicitors and the independent investigation company with a view to progressing things as quickly as possible.

The Chair asked the sub-committee to consider a reasonable timescale to avoid considerable drift on what had already been a lengthy period of time.

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With regard to the Subject Access Request the Association had received, Members asked for clarification on the request to provide information relating to the Association's activities which is held on personal devices. The CE commented that this only related to information received in the course of the Association's business activities. The CSD explained that the request had been made following advice from the Association's Data Protection Officer. However, advice was also being sought from the Association's solicitors and this advice will be provided to Members.

Following discussion, it was agreed that the CE would seek legal advice on all relevant matters that aren't within the remit of the independent investigation.

Meeting closed at 19:25 hrs