

**Present:** Kath Mands (Chair), Ron Neave (Vice-Chair), Denis Brown, Paul Crichton, Alan Fraser, Ian Byers.

**In Attendance:** Barry Moore (CE), Marjorie Sloan (CSD and Secretary) and Roz Clark (CSO).

### **22/08/01 Apologies**

Andrew Black, Teresa Robertson and Vicki Cutler.

The Chair welcomed everyone to the meeting.

### **22/08/02 Declarations of Conflicting Interests**

Alan declared that he had a conflict of interest in relation to Agenda Item 22/08/23 as the employee had sought legal advice from MML Legal. He confirmed that he had not personally been involved in the case but would absent himself during that particular agenda item. It was also noted that the employee had not been aware of Alan's connection to the Association.

### **Asset Management and Development Committee Reports (AM&DC)**

#### **22/08/03 AM&DC Meeting 17 August 2022: AM&DC Chair's Briefing to Board**

The Chair of AM&DC provided a comprehensive update on the meeting which took place on 17 August 2022. She explained that detailed discussions had taken place in relation to the Mossgiel and Clepington Road developments. The Committee recommended to the Board that the Association undertake a regulated procurement exercise in respect of development works at Mossgiel subject to a clause inserted in the procurement documentation to the effect that the Association will be under no obligation to accept any of the tender bids. The Committee also recommended to the Board that the Association pursues the development at Clepington Road with a view to presenting further reports to the AM&DC and Board respectively.

It was noted that the AM&DC would meet quarterly in line with the AF&RMC meetings and would present to Board similarly. The CE highlighted the important role that the Sub-Committees held as the detailed discussions which took place at these meetings would be a great benefit when it came to the Board Meeting. The CE highlighted that the purpose of the Sub-Committees was to carry out constructive scrutiny and debate in order to prepare for the Board Meeting. He reminded all Board Members that they were very welcome to attend any of the Sub-Committees should they wish.

The CE talked through each of the policies which were presented to the AM&DC.

Board **noted** the AM&DC reports.

Board **approved** that the Association undertakes a regulated procurement exercise in respect of the Mossgiel development subject to a clause inserted in the procurement documentation to the effect that the Association will be under no obligation to accept any of the tender bids.

Board **approved** that the Association pursues the Clepington Road development with a view to presenting further reports to the AM&DC and Board respectively.

Board **approved** the Powers of Entry Policy.

Board **approved** the Asbestos Policy.

Board **approved** the Repairs and Maintenance Policy.

Board **approved** the Rechargeable Repairs Policy.

Board **approved** the Right to Repair Policy.

Board **approved** the Tree Policy.

## Audit, Finance and Risk Management Committee Reports (AF&RMC)

### 22/08/04 AF&RMC Meeting 10 August 2022: AF&RMC Chair's Briefing to Board

The Chair of AF&RMC provided a comprehensive update on the meeting which took place on 10 August 2022. He explained that this was, in essence, the meeting which covered the end of year accounts. The AF&RMC received the Internal Audit of Void Management which received Reasonable Assurance. They also received the Internal Audit on Budgetary Control which received Full Assurance.

The Chair reported that both the Internal and External Auditors were present at the meeting, and both had provided comprehensive briefs. Kevin Booth, the Audit Partner from Alexander Sloan, gave an explanation on the main statements in the statutory accounts and talked through the Audit Summary Report.

The Chair reported that the AF&RMC had requested a change to the Letter of Representation to make it clear that in relation to the method adopted by the scheme actuaries and the actuarial assumptions used, the Board rely on advice from the scheme actuaries as they are experts in this field. The CSD confirmed that this change had been made. The AF&RMC recommended to Board that they approve the Report and Financial Statements for the year ended 31 March 2022 and asked that they are signed by the Chair of the Board, Chair of the AF&RMC and the Secretary.

The AF&RMC recommended that the Board approve the Audited Financial Statements Return and asked that the Chair and Vice-Chair sign them prior to the CSD submitting them to the SHR.

The AF&RMC asked Board to note that the Risk Assurance Register had been updated.

Board **noted** the AF&RMC Meeting reports.

Board **approved** the Report and Financial Statements for the year ended 31 March 2022 and the Letter of Representation and ask the appropriate office bearers to sign them.

Board **noted** the Management Letter.

Board **approved** the Audited Financial Statements Return, and asked the Chair and Vice-Chair to sign it and for the CSD to submit it to the SHR.

## Board Meeting Reports

### 22/08/05 Minute of Committee Meeting 25 May 2022 and Tracker

The Chair asked for comments relating to the minutes of the meeting held on 25 May 2022. There were no amendments.

Approved. Proposed Ron Neave, Seconded Denis Brown.

The CSD talked through the tracker and reported that the items relating to the Board Member Portal, Delivery of Governance Training, Void Rent Loss Reports, Charleston, Finavon Street, Committee Expenses Loss of Earnings, Recruitment and Selection Policy and Report on Rental Income were complete and would be removed from the tracker.

Board asked for clarification on when the rent review would be carried out as there were concerns in relation to the ever increasing costs that tenants were facing. The CE reported that the plan was to appoint a Consultant in 2022/23 with a view to carrying out the Rent Review in 2023/24, however any changes implemented would be cognisant of the issues and rising costs which tenants faced.

Board asked for clarification on the tracker item relating to personal development reviews and whether they referred to staff or Board Members? The CE confirmed that this was for staff.

Board asked for further detail on the planned Board Portal. The CE explained that the plan was to have access to a Board Folder on the Association's IT Network. There followed discussion on the benefits of still retaining the ability to provide paper documents and the CE confirmed that it was always the intention to continue to provide paper reports to complement the portal.

### **22/08/06 Matters Arising**

The CE provided an update relating to Agenda Item 22/05/11 confirming that all asbestos had been removed or encapsulated and labelled in the communal areas. He reported that all asbestos was recorded in the Asbestos Register, which was available to contractors. The CE provided an update on Agenda Item 22/05/15 reporting that he would be working with the Chair and Vice-Chair over the coming months to put together an overarching document on Business Continuity. He stressed that the documents provided to Board on the agenda such as the IMP, KPIs and Risk Management Tables provided a comprehensive brief on what was required and would assist business continuity, should the need arise.

The CE provided an update on Agenda Item 22/05/21 and confirmed the three companies carrying out the electrical checks.

### **22/08/07 Chair's Actions / Decisions between meetings**

The CE presented the report and confirmed there had been no Chair's Actions since the previous Board Meeting on 25 May 2022; the Chair confirmed this to be the case.

Board **noted** the report.

### **22/08/08 Confidential Chief Executive's 2022 Annual Appraisal**

The Chair confirmed that all Board Members had received a copy of the CE's Annual Appraisal and asked for comments. The Board confirmed it was an excellent report and they thanked and congratulated the CE.

The CE thanked the Board and highlighted that his report was a reflection of the Board as they were instrumental in the work carried out.

The Chair reiterated the importance of having the right people in place to take the Association forward.

Board **noted** the report.

### **22/08/09 AGM Arrangements and Board Election**

The CSD presented the report confirming the details and plans in place for the forthcoming AGM which was to be held on Wednesday 21 September 2022 in Dryburgh Gardens Retirement Complex. The CSD reported that it would be a hybrid event allowing members to attend virtually as well as in person. The CSD talked through the current Board Membership and vacancies and highlighted that the 9-year rule did not apply to anyone seeking re-election at the upcoming AGM. The CSD confirmed in writing that Rules 62 to 67 had been followed. She explained that these rules relate to the use of the seal, the keeping of the Register of Members, display of the Association's name and keeping of books.

Board **noted** the AGM Arrangements and Board Election.

### **22/08/10 Internal Management Plan: Quarter 1**

The CE presented the report. He talked through the appendix in detail highlighting that he was pleased with the excellent progress being made. He talked through items of particular note including Board Recruitment, Fire Risk Assessments and Fire Safety and Prevention inspections. He was pleased to report the appointment of Quest IT as the Association's IT provider as they had proved invaluable during the transition from office to remote working as a consequence of the pandemic. The CE confirmed that the Reactive Repairs costs were now more in line with budget.

The CE reiterated that the IMP was a comprehensive document and as such should provide Board with a detailed overview.

Board **noted** the Internal Management Plan: Quarter 1 2022/23.

### **22/08/11 Operational Performance Report KPIs: Quarter 1**

The CE talked through the report and appendix. He reiterated that the IMP and KPI combined provided Board with a comprehensive understanding of how the Association was progressing and performing. He highlighted the excellent performance by the newly formed Income Team and commented on the significant challenges that lie ahead over the next two to five years.

The CE talked through lettings and the impact one property had on performance. He gave an overview of the very low, and hence very positive, void rent loss, which in the current climate was exceptional.

Board **noted** the Operational Performance Report KPIs: Quarter 1 2022/23.

### **22/08/12 SHR Correspondence and Communication**

The CE talked through the report highlighting that the SHR had contacted the CSD to discuss the website and, in particular, where Board Meeting Minutes and Meeting schedules were published. It was noted that a small amendment had taken place to make it easier for the reader to locate the items. The CE reported that he had provided the SHR with a synopsis to the effect that McGill's entering into Administration had no impact to the Association.

Board **noted** the report.

### **22/08/13 Risk Management Tables: Quarter 1**

The CE talked through the report highlighting that as agreed at the Board Meeting in May 2022 the full Risk Management Tables were to be presented to Board in August of each year. He confirmed that the Ten Serious and Significant risks would be reported on a quarterly basis.

The CE talked through the Ten Serious and Significant risks highlighting the following changes:

Removed - Income: suitable and sufficient procedures and resources not in place to maximise income collection had been removed following the introduction of the Income Team.

Added – Inflation Implications.

Removed - Procurement: significant breach of procurement legislation on a major contract had been removed as the Association now takes legal advice on all significant procurement.

Added – Net Zero Carbon.

The CE gave a comprehensive update on the Risk Management Tables including Corporate Governance (CG), Finance (F), Human Resources (HR), Information Technology (IT), Housing Services (HS) and Property Services (PS).

Board asked for an update on when it was likely that further Board Members would be recruited. The CE reported that he anticipated that at least one new Board Member would be recruited in the coming weeks.

There followed discussion on HR1 with the CE confirming that the Association had engaged with a specialist recruitment consultant who would assist when required. The consultant had worked with the Association previously and therefore was known to the Chair, Vice-Chair and staff members.

Board **approved** the Ten Serious and Significant Risks and the complete tables in respect of CG, F, HR, IT, HS and PS.

### **22/08/14 Health and Safety Quarterly Report: Quarter 1**

The CE talked through the report highlighting the five areas covered: Asbestos, Electrical, Gas, Legionella and Lifts. The CE highlighted paras 2.2-2.2.7 relating to the Five Year Electrical Safety Checks. He reported that a similar database to the Gas Safety checks had been implemented to ensure the Association met the anniversary dates.

Board asked how electrical checks were split between the three Contractors and the CE reported that they were split evenly. He highlighted that the current contract was due to end in March 2023 and that procurement would be carried out in the coming months. He confirmed that it would follow a similar scope with three contractors required to ensure that the Association reached its target.

There followed discussion on the requirement to carry out five yearly inspections and the associated costs involved.

Board **noted** the Health and Safety Quarterly Report: Quarter 1 2022/23.

#### **22/08/15 Rent Arrears Report: Quarter 1**

The CE presented the report. He talked through paras 2.1.1 and 2.1.2 highlighted that the report showed the Association's continued excellent progress in no small part to the work being done by the Income Team. The CE also talked through para 2.2.1.1, 2.2.2.1 and 2.2.3.2 which now included details from previous years to provide contextual comparisons.

The Board noted the good progress in income management but stressed that the financial forecast was likely to get worse and that the Association needed to be mindful of these implications moving forward. The CE discussed rental income that came from housing benefit or universal credit and the rental income that came from tenants who self-fund. He stressed that the Income Team are aware of the significant costs tenants are facing and would be working with tenants at the earliest opportunity to offer support and assistance to avoid escalating arrears.

Board **noted** the report.

#### **22/08/16 Former Tenant Arrears Write-Offs: Quarter 1**

The CE talked through the report.

Board **noted** that there were no proposed write-offs in respect of Quarter 1.

#### **22/08/17 Voids Reasons for Termination of Tenancies**

The CE presented the report. He highlighted para 2.1.1 and the Appendix which provided further detail on terminations. He reassured Board that all aspects relating to termination of tenancies were monitored regularly to effectively manage the void and allocation process.

Board **noted** the report.

#### **22/08/18 Void Rent Loss Report: Quarter 1**

The CE presented the report. He highlighted paras 2.1, 2.2.1, 2.2.2 and 2.2.3 which all confirmed the progress and exceptional performance figures. He asked Board to note that the figure at 2.2.3 relating to supported housing had an adverse impact on the performance. It was noted that Dundee City Council was responsible for finding suitable supported housing tenants. There followed discussion on the difficulty DCC were experiencing to find suitable tenants for the accommodation.

Board **noted** the report.

#### **22/08/19 Tenant Allowances Report: Quarter 1**

The CE, on behalf of the Housing Manager, presented the report.

He highlighted that 4 payments had been made in Q1 with the most significant being paid to a tenant who had to be decanted to a hotel as the decant property was already occupied.

Board **noted** the four tenant allowances paid to tenants in Quarter 1 2022/23.

#### **22/08/20 Procurement Quarterly Report: Quarter 1**

The CSD talked through the report highlighting two tenders over £50k had been awarded since the last quarterly report. The tenders were in respect of ICT Support Services and Bathroom Replacements.

Board enquired how many bathrooms were to be replaced. The CE confirmed that 14 were to be replaced. There followed discussion on the challenges faced by RSLs in the current market with some not receiving any tenders. The CE gave an overview of the rationale behind awarding QAPM the bathroom contract.

Board **noted** the report.

#### **22/08/21 Confidential Development Report: Charleston**

The CE talked through the report highlighting that this was to be the final report presented to Board on the Charleston Development. He confirmed that the bid for additional Scottish Government Grant Funding had been successful, and the Association had been awarded the respective amount stipulated in the report. He explained that the funding had been awarded retrospectively to compensate the Association on costs incurred due to the pandemic.

Board **noted** the update and final report in respect of the Charleston Development.

#### **22/08/22 Allocation of a Property and Grant of a Tenancy to a Relative of an Employee**

The CE talked through the report. He gave a comprehensive brief on the circumstances surrounding the allocation of the property. He reassured Board that he was satisfied that the employee had not been involved in nor had any influence relating to the allocation of the property and therefore was content that the allocation of the property to the employee's relative was within the spirit of Regulatory Standard 5 and the Regulatory Framework.

Board **approved** retrospectively the allocation of the property and the grant of tenancy to the respective relative of the employee, noting that the name of the employee and name and address of the relative had been entered on the Entitlements, Payments and Benefits Register.

It was noted that Alan would not take any part in the following Agenda Item.

#### **22/08/23 Confidential Employee Settlement Agreement Report**

The CE talked through the report. He gave a comprehensive brief on the facts surrounding the request to seek Board approval on the Settlement Agreement in respect of the termination of employment for an employee. He highlighted that although there was nothing contentious about the pertinent facts or the monetary entitlement the Association had taken and continues to take legal advice on the matter. He reported that the SHR would be notified as per Notifiable Events; however, he stressed that as the agreement was not contentious he did not foresee any concerns.

Board **approved** the Settlement Agreement with the employee in respect of the termination their employment.

#### **22/08/24 Staff Long Service Award Scheme**

The CE talked through the report and explained the rationale behind updating the current scheme to one which rewards long service by providing payments for staff during their employment rather than when they leave. He reported that there were a number of staff members who were eligible for payment and that the first payment would be made in September's salary run. He explained that moving forward payments would be made on the anniversary of the staff member joining.

The Board asked whether payments would be made retrospectively to ensure the scheme was fair and the CE confirmed that it would be.

Board **approved** the revised Staff Long Service Award Scheme which would replace the current scheme.

**22/08/25 Value for Money Annual Report**

The CSD presented the report. The CSD highlighted that the Association had adopted the standards as set out by the Regulator for Social Housing in England. The CSD talked through the appendices which provided the explanatory information and statistics.

The Board asked how practical it was to measure the satisfaction with landlord's contribution to management of the neighbour as this could be subjective. The CSD explained that the information for this statistic was based on tenant satisfaction surveys.

Board **noted** the Value for Money Annual Report.

**22/08/26 Corporate Governance Policy Review: Communications Policy**

The CSD presented the report and policy highlighting that it was due for review. The CSD confirmed that the policy had been comprehensively reviewed and updated.

Board **approved** the Communication Policy.

**22/08/27 Corporate Governance Policy Review: Procurement Policy**

The CSD presented the report and policy highlighting that it was due for review. The CSD confirmed that the policy had been comprehensively reviewed and updated.

The CE talked through a change to paragraph 4.2.3 highlighting the reasoning behind it.

Board **approved** the Procurement Policy with the amended paragraph 4.2.3.

**22/08/28 Housing Services Policy Review: Anti-Social Behaviour Policy**

The CE, on behalf of the Housing Manager, presented the report and policy. The CE confirmed that the policy had been comprehensively reviewed and updated.

The Board asked whether there had been consultation with tenants regarding the policy. The CE reported that there had not, but the intention was to consult with the Register of Interested Residents in the future.

Board **approved** the Anti-Social Behaviour Policy.

**22/08/29 Housing Services Policy Review: Void Management Policy**

The CE, on behalf of the Housing Manager, presented the report and policy. The CE confirmed that the policy had been comprehensively reviewed and updated.

Board **approved** the Void Management Policy.

**22/08/30 Property Services Policy Review: Properties Purchased through the Mortgage to Rent Scheme**

The CSD presented the report and policy highlighting that it was due for review. The CSD confirmed that the policy had been comprehensively reviewed and updated.

There followed discussion on the Association buying back properties previously sold under the Right to Buy scheme. The CE reported that there was a staff group in place to review and consider suitable properties particularly where it could benefit the Association.

Board **approved** the Properties Purchased through the Mortgage to Rent Scheme.

**22/08/31 Share Update**

The CSO presented the report.

Board **approved** the updates to the Share Membership Register.

**22/08/32 Board Training Updates**

The CSO presented the report. Board **noted** the Board Training Updates.



ABERTAY HOUSING ASSOCIATION LIMITED  
Minutes of the Board Meeting  
Wednesday 31 August 2022 17:00

**22/08/33 AOB**

There was no AOB.

Meeting closed at 19.20hrs.