

Decisions made by the Board at their meeting held on 16th October 2019

Noted below are the decisions taken by the Association's Board at their meeting held on 16th October 2019. If you would like more information about any of these issues, please contact the Association's Office Administrator at the address below.

Up-date to Framework of Governance

The Board will be aware that it commissioned an independent consultant to carry out a review of the Association's Governance Arrangements. Following this review the consultant produced a report with recommendations and presented her findings to the Board at a Board Meeting earlier this year.

Members are now invited to consider a report by the Chief Executive, the purpose of which was to provide information about the proposed changes to the Framework of Governance which had been suggested during the review of our Governance arrangements, these include adding a policy, reviewing two existing policies and adding these to the Framework as well as to agree and add a new policy and a new appendix to the Framework.

The proposed revised Framework of Governance can be located in the Governance File in the Board Papers App, which shows the proposed changes highlighted in red. The CE provided an update on the amendments which had been made throughout the document, and which were detailed within the report. The revised document was also used by the Auditor as part of the evidence for the Assurance Statement.

Members **APPROVED** the revised Framework.

APPROVED the settlement Agreement Policy.

APPROVED the revised Recruitment, Retention and Succession Policy.

APPROVED the revised Gifts and Hospitality Policy and

APPROVED the protocol for dealing with a serious complaint about the CEO.

Assurance Statement Note of Evidence

Members were invited to consider this report, the purpose of which was to provide the Board with an up-date on progress in preparing the Annual Assurance Statement which requires to be submitted to the Scottish Housing Regulator by 31st October 2019.

Members will be aware that the new Regulatory Framework published by the SHR in April 2019 introduced the requirement for the Board to "assure" itself that as an organisation it complies with all relevant requirements of chapter 3 of the Regulatory Framework.

The CE updated that this is the first time that we have been required to produce this document due to the new Regulatory Framework. Information on the new regulatory framework was provided to the Board at their meeting on 29th May 2019 and in

addition to the general discussion about the new standards and their implications for the sector as a whole and Bridgewater in particular, the Board discussed, the explicit requirement for RSL's to have a Business Plan, direct reference to rent affordability and cost control in Standard 3, to reinforce the link between this standard and the Charter Outcomes on rents and value for money, a requirement for RSL's to have an internal audit function, guidance on severance payments and settlement agreements under Standard 5, a new Standard 7 to capture key principles relating to disposals and organisational charges which are currently part of the Regulators consent guidance, a constitutional requirements to ensure that RSL's do not make changes to their governance and financial arrangement which would compromise the ability to regulate effectively, as well as additional clarification within constitutional requirements on payments to Governing Body Members.

The CE reminded members that this requirement places the responsibility on Board to seek assurance that the organisation has effective governance processes in place, understands its statutory legal and regulatory duties and has been provided with all the relevant information in order to make appropriate and informed decisions.

The CE informed those present that the internal auditor had attended the office for two days and carried out an audit of the evidence provided to support the Assurance Statement, a list of this evidence was contained within this report. The Auditors final report will be available this week however the CE reported that informal feedback showed that we should expect strong assurance against the bank of information that had been provided for the audit.

A couple of Board Members agreed that the process we had followed was the best way to deal with the new requirements.

Although a member was unsure about the current wording in the Assurance Statement and thought that it would be better if this was changed as it seemed to leave the statement open to ambiguity. Members discussed and agreed the amended wording.

Following a full discussion

Members **CONSIDERED** the Assurance Statement Evidence Log.

DETERMINED that the evidence log is sufficient in order for them to authorise the Chair to sign a compliant Assurance Statement.

CONSIDERED the draft Assurance Statement and **INSTRUCTED** the Chief Executive to make the suggested changes to the wording

APPROVED the Assurance Report in Principle following a satisfactory report being received from the Auditor and

AGREED that the Chief Executive submit the Assurance Statement to the Scottish Housing Regulator.

Members also **NOTED** that if we get an unexpected or different report from the Auditor the Audit report will be brought back to the Board for further consideration.

Private and Confidential – Eviction Report

Members were invited to consider a report by the Head of Housing and Customer Services, the purpose of which was to provide the Board with information (case No 35) to consider a Decree for eviction obtained at Paisley Sherriff Court on 4th October 2019, satisfy the Board of compliance the Association's Arrears Policy and procedure and provide the regulatory context.

The HOHCS provided those present with the background to this case, it is clear that staff have followed not only the Board's Policy, but also its intentions when approving the policy to support people who get into financial difficulties but ultimately to recover possession of the property as a last resort.

The HOHCS reminded those present that eviction is the last resort for the Association and indeed it is the Board's policy that all efforts will be made in order to avoid an eviction. We must acknowledge that our decision to seek recovery of our property has been sanctioned by a Sherriff, who has weighed up all of the circumstances in this case and decided that these merit granting a decree for recovery of our property. This is not an easy thing to obtain, and the report highlights considerable efforts which staff have made to help the tenant sustain the tenancy.

The HOHCS stated that it is clear, from the information provided, that staff have followed not only the Board's policy, but also its intentions when approving the policy to support people who get into financial difficulties but ultimately to recover possession of the property as a last resort.

After full discussion Members **CONSIDERED** the details of the case and **APPROVED** the implementation of the Decree and to proceed to evict with the recovery of debt through the debt collection agents, unless the debt is paid in full by the tenant or significantly reduced.

Policy Schedule Review

Members were invited to consider the updated Policy Review Schedule, the purpose of which was to provide members with the updated Policy Schedule.

The Chief Executive updated that during the process of gathering evidence for the assurance

statement, it has come to light that there are some Policies which have not been updated on time. The CE updated that the review dates will be amended on the non-urgent policies and any outstanding more urgent policies will be reviewed before the end of the financial year. The Governance Policies have been reviewed and included within the Framework of Governance.

The Scrutiny Committee will review the policy review schedule each quarter. A members asked if this list could be added to the Governance Files on the Board App, the CE will arrange for this document to be added to the bank of documents. Members **APPROVED** the updated Policy Review Schedule.