

## **DERBY HOMES LIMITED**

### **MINUTES OF THE BOARD MEETING**

**Held on Thursday 30 May 2019**

The meeting started at 6.03 pm

#### **Board Members Present:**

Mike Ainsley (Chair), Lucy Care, Bob MacDonald, Dennis Rees, Sarah Russell, Jsan Shepherd

#### **Officers Present:**

Maria Murphy, Managing Director  
David Enticott, Finance Director & Company Secretary  
Shaun Bennett, Director of Investment & Maintenance  
Jackie Mitchell, Governance Services Manager

#### **Others Present:**

Councillor Roy Webb, Council Cabinet Member Adults, Health & Housing

The Chair welcomed to the Board the newly appointed Councillor Board Members Sarah Russell and Jerry Pearce and Councillor Lucy Care on her reappointment. He also welcomed Councillor Roy Webb.

#### **19/52 Apologies**

Apologies for absence were received from Sophia Gutsa, Iain MacDonald, Jerry Pearce, Christine Durrant, Clare Mehrbani

#### **19/53 Admission of Late Items**

There were no late items.

#### **19/54 Declarations of Interests**

The Council Board Members were noted as declaring their interest in matters relating to Derby City Council.

The Tenant Board Members declared their interests as tenants (as defined in the Memorandum and Articles of Association) of Derby City Council.

**19/55 Minutes of Previous Meeting**

The minutes of the meeting held on the 28 March 2019 were accepted as a correct record.

**19/56 Matters Arising**

**Minute 19/06 Announcements from the Chair**

CIPFA - Derby Homes was unsuccessful this year. The Board congratulated shortlisted nominees - David Enticott and all staff involved in producing last year's Annual Report.

Derby Homes has again been shortlisted again for a Derby Telegraph Business Award for its Apprenticeship programme.

The RoSPA awards will be taking place shortly and Derby Homes will be receiving a commendation in the Public Sector category.

**19/57 Announcements from the Chair**

The Chair advised of the Councilor Board Member Vice Chair vacancy to replace Fareed Hussain and the Councilor Board Member vacancy on the Operational Board replacing Rob Cooper.

Following discussions between the Chair and the Councillor Board Members, Jerry Pearce has volunteered to take up the place on the Operational Board.

Lucy Care and Sarah Russell have both expressed an interest in becoming Vice Chair. The matter will be carried forward to the July meeting of the Board when more Board Members are present. Both will be asked to give a brief statement and the Board will then hold a ballot to decide.

Derby Homes has been notified of a royal visit to Derby on 18 July. The visit will be an opportunity to promote the 100 years of council housing celebrations.

**19/58 Statements from Members of the Board**

There were no statements from Members of the Board.

**19/59 Questions from members of the public**

There were no questions from members of the public.

## **19/60 Committee Chairs' Feedback**

The Committee Chairs provided feedback from recent meetings:

- Operational Board – 25 April 2019
- Governance Committee – 29 April 2019

### **Agreed**

The Board noted the Committee Chairs' Feedback.

## **19/61 Outstanding Actions**

The Health & Safety annual report (minute 19/19) will be brought to the July meeting.

Investment & Regeneration Update (minute 19/41) is now complete.

### **Agreed**

The Board noted the update on outstanding actions.

## **19/62 Urgent Action - Employer Pension Discretions**

The Board received a report advising of urgent action taken by the Chair and Vice Chairs to adopt the new Employer Pension Discretions Policy and updated Leaving Work Policy.

The Finance Director & Company Secretary provided an update on the Council's decision. The Council's policy is almost identical to Derby Homes except for the first discretion in the table appended to the report regarding additional pension contributions scheme (APC). The Council and Derby Homes do not have an APC scheme and it was therefore proposed that 'N/A' should replace 'Yes' in the 'Adopt Example Discretion?' column.

### **Agreed**

The Board

1. noted the report; and
2. agreed to the amendment, as above, regarding the additional pension contributions scheme.

## **19/63 Confidential Business**

### **Agreed**

The Board agreed, under Part IV of the Derby Homes Governance Arrangements, members of the public be excluded from the meeting during discussion of the following items on grounds that it involves the likely disclosure of confidential information as defined in Standing Order 20.2 (b, f, g, h and n).

The Board agreed to allow Councillor Roy Webb to be present during the confidential items.

**19/64 Managing Director's Report**

The Board considered a report providing an update on strategic and key issues.

**Agreed**

The Board noted the report.

**19/65 Finance Update**

The Board considered a report on a variety of financial and policy matters.

**Agreed**

The Board agreed the recommendations in the report.

**19/70 Investment & Regeneration Update**

The Board considered a report on current issues within the Investment & Maintenance Directorate.

**Agreed**

The Board noted the report.

**19/71 Housing Services Update**

The Board considered a report on strategic and key issues in relation to the Housing Services Directorate.

**Agreed**

The Board noted the report.

**19/72 Risk Registers 2018/19 Year End Report**

The Board considered a report on the effectiveness of Derby Homes' risk management arrangements and present a snapshot of the strategic and operational risk registers as at 31 March 2019.

**Agreed**

The Board noted the report.

**19/73 Board Structure**

The Board considered a report outlining a recommendation from the Governance Committee in response to a request to consider reinstating a leaseholder on the Board of Derby Homes.

**Agreed**

The Board agreed to defer the item and bring back a further report to the July meeting.

**19/74 SMT Declarations of Interest**

The Board considered a report detailing the declarations of interest made by the Senior Management Team.

**Agreed**

The Board noted the Senior Management Team's declarations of interest.

**19/75 Contracts & Frameworks**

The Board considered a report requesting approval to appoint to the Drainage Repairs and Associated Services Contract

**Agreed**

The Board agreed the recommendation in the report.

**End of Confidential Business**

**19/76 Items from Part C to be discussed**

**Agreed**

The Board did not raise any items from Part C for discussion.

**19/77 Health and Safety Update 2018-19**

The Board considered a report detailing recent and year end health and safety performance and current issues.

The Board was advised that the Health & Safety Forum, that day, had discussed the Milestone House improvements, and detailed health and safety statistics.

Agreed

The Board noted the report.

**19/78 Standing Order 12**

**Agreed**

The Board agreed to waive Standing Order 12 at 8.00 pm to allow the meeting to continue.

**19/79 RSH & NHF Governance & Viability Compliance Statements**

The Regulator of Social Housing (RSH) requires the Board to make a positive statement of its compliance with its standards on governance through a self-assessment, as part of the Governance and Viability Standard to which Registered Providers (RPs) have to adhere.

The Board has also adopted the National Housing Federation (NHF) Code of Governance 2015 at its meeting in September 2015. This remains the latest Code of Governance for the sector.

The Board considered a report setting out the self-assessed annual review of Derby Homes' position with respect to each. The overall conclusions of the self-assessments are that Derby Homes complies with the RSH Governance and Viability standard and complies with the NHF Code of Governance 2015, albeit with one declared 'non-compliance' with reasoned explanations.

The Governance Committee considered this matter at its meeting on 29 April 2019.

**Agreed**

The Board agreed the following statements in its 2018/19 accounts with respect to the reviews:

“In its view, Derby Homes Board complies with the RSH Governance & Viability standard” as set out in the attached detailed statement.  
and

“In its view, Derby Homes Board complies with the NHF Code of Governance 2015. The Board recognises one area of declared non-compliance, with respect to its Board Membership, as a result of our constitution.”

## **19/80      Performance & Compliance Against Consumer Standards**

The Board considered a report summarising Derby Homes’ performance for 2018/19 and detailing work that has been done internally to measure Derby Homes against the requirements of the Consumer Standards, in preparation for new regulatory requirements.

The Senior Management Team have carried out an assessment against the Consumer Standards, noting how Derby Homes meets the standards, where evidence can be found and identifying areas for improvement. Details of the assessments were made available to Board Members on:

- a) Value for Money Standard
- b) Home Standard – (Decent Homes Guidance).
- c) Tenant Involvement & Empowerment Standard
- d) Tenancy Standard
- e) Neighbourhood & Community Standard.

The report advised that later this year CMAP will undertake some consultancy work with Derby Homes to review these assessments and provide independent validation of compliance. This work has been formally included as part of the Audit Plan for 2019/20 and outcomes, progress against recommendations will be reported through Audit Committee and an update will also be provided to the Board.

### **Agreed**

The Board noted:

1. the 2018/19 out-turn performance on key service areas as reported to Derby City Council
2. work which is being undertaken/planned to assess Derby Homes’ performance and outputs against the Consumer Standards, in preparation for new regulatory requirements.

## **19/81      Delivery Plan End of Year Report**

In January 2018, the Board formally approved the Delivery Plan for 2018/19.

The Delivery Plan sets out the high level activities which underpin the delivery of Derby Homes' strategic aims and objectives.

The Board considered a report on the progress of the actions within the 2018/19 Delivery Plan at year end.

### **Agreed**

The Board

1. noted the achievements made against the 2018/19 key priorities at year end
2. approved the deletion of the action set out in paragraph 4.4
3. approved the action set out in paragraph 4.5 is carried forward to 2019/20 where there has been slippage.

## **19/82 Government Consultation Response: Tackling Homelessness Together**

The Government Consultation – Tackling Homelessness Together, sought views on how the Government could improve local accountability for the delivery of homelessness services. In particular, views were sought on the effectiveness of existing non-statutory and statutory local accountability and partnership structures and whether the Government should introduce Homeless Reduction Boards (and other ways we might improve local accountability and partnership working).

Derby Homes worked with colleagues within the Council to develop a response to the consultation, which was approved by the Council's Chief Executive and Leader of the Council, and which was appended to this report.

The consultation deadline for submissions was 16 May.

Agreed

The Board noted and supported the Council's response to the consultation.

## **19/83 Modern Slavery Act Policy**

The Board considered a report reviewing the Modern Slavery Act Policy previously approved by the Board in 2016.

The report advised that the outcome of the review of the policy was that no changes were required other than transferring the contents of the policy onto Derby Homes' policy template.



A slavery and human trafficking statement is also a requirement of the Act where certain conditions are met. Derby Homes meets this requirement. The statement is reviewed annually and will be brought to the Board in July.

**Agreed**

The Board approved the Modern Slavery Policy.

**19/84 Procurement Financial Thresholds**

The Board considered a recommendation from the Governance Committee proposing changes to the Procurement Financial Thresholds. The report advised that Derby City Council approved a variation of financial thresholds by which its officers are required to follow different procurement procedures. In light of this Derby Homes has re-considered its financial thresholds to ensure they are appropriate and fit for purpose and if they should be aligned with the thresholds set by Derby City Council.

**Agreed**

The Board agreed to amend the Procurement Financial Threshold lower limit from £5,000 to £10,000 and endorsed the three quotation threshold remaining at £25,000 above which open tenders need to be obtained.

**19/85 Insurance Act 2015**

Under the Act Derby Homes is obliged to disclose to insurers “relevant information” at both the insurance tender / renewal time and within the year if relevant issues occur.

The Board considered whether there was any new relevant information that should be disclosed to the insurer under the Insurance Act 2015.

**Agreed**

The Board, having considered whether there is any new relevant information that should be disclosed to insurers, as required under the Insurance Act 2015, agreed it was not aware of any such information.

**19/86 Draft Minutes of Committees of the Board**

The Board received the draft minutes of Committee meetings:

- a Operational Board 25 April 2019
- b Governance – 29 April 2019

**Agreed**

The Board noted the draft minutes of recent Committee meetings.

**19/87 Forward Plan of Agenda Items**

The Board received the Forward Plan of Agenda Items for the period June – November 2019.

**Agreed**

The Board noted the Forward Plan of Agenda Items.

**Date of next meeting**

**The next meeting will be held on Thursday 25 July 2019 at 6.00 pm in the Board Room at London Road.**

The meeting ended at 8.20 pm.

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CHAIR

Signed as true and accurate record of the meeting held on 30 May 2019.