

## **DERBY HOMES LIMITED**

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

**Held on Thursday 24 September 2020**

The meeting started at 6.20 pm

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

Mike Ainsley, Jenn Layton Annable (until 7.10 pm) Alan Graves (until 7.30 pm), Iain MacDonald, Bob MacDonald, Lucy Care, Sarah Russell and Jsan Shepherd

#### **Officers Present:**

Maria Murphy, Managing Director  
David Enticott, Finance Director & Company Secretary  
Shaun Bennett, Director of Property  
Clare Mehrbani, Director of Housing Services  
Jackie Mitchell, Governance Services Manager  
Lorraine Testro, Head of Housing Management  
Paul Cole, Customer Communications Manager

#### **Others Present – Derby City Council:**

Councillor Roy Webb, Cabinet Member for Adults, Health & Housing  
Ian Fullagar, Head of Strategic Housing  
Kathie Anderson, IT Change Manager  
Paul Parkin, Senior Infrastructure Officer

#### **20/113 Apologies**

Apologies for absence were received from Rachel North

#### **20/114 Admission of Late Items**

There were no late items.

#### **20/115 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.

Lucy Care declared an interest as a member of Derbyshire County Council's Pensions & Investments Committee.

## **20/116 Appointment of Chair of Derby Homes 2020-23**

In accordance with Article 39 the Board considered the appointment of Chair of Derby Homes 2020-23. The appointment is a 3 year term and subject to annual confirmation by the Board.

Three Board Members had expressed an interest in the position in advance of the meeting:

Mike Ainsley  
Alan Graves  
Bob MacDonald

There were no further nominations. The three candidates then each made a brief statement to their fellow Board Members.

On the conclusion of the statements the broadcast was paused whilst the process of voting took place (automated through Skype poll).

The Board had agreed in advance that an absolute majority of those voting would be required.

The result of the ballot was

Mike Ainsley: 4  
Alan Graves: 1  
Bob MacDonald 3

As there was no absolute majority a second ballot was held between the top two candidates. The result of the second ballot was:

Mike Ainsley 4  
Bob MacDonald 4

A final ballot was held, again resulting in a tie.

### **Agreed**

The Board agreed to postpone the appointment of Chair of Derby Homes 2020-23 and Sarah Russell was appointed Chair for the remainder of the meeting.

**20/117 Appointment of Vice Chairs 2020-21**

**Agreed**

The Board agreed to postpone the appointment of Vice Chairs 2020-21 until the Chair of Derby Homes has been appointed.

**20/118 Minutes of Previous Meeting**

The minutes of the meeting held on the 30 July 2020 were accepted as a correct record.

**20/119 Matters Arising**

There were no matters arising.

**20/120 Announcements from the Chair**

A minute's silence was held in memory of Finbar Richards, former Tenant Board Member, who sadly passed away recently. Details of Finbar's funeral arrangements were shared with the Board.

The Board confirmed that Councillor Roy Webb could continue attending the meeting.

**20/121 Statements from Members of the Board**

Mike Ainsley encouraged Board Member to attend the NFA Board Members virtual event taking place on 13 and 14 October. Board Members were asked to contact the Governance Services Manager as soon as possible if they wished to attend.

**20/122 Questions from members of the public**

There were no questions from members of the public.

**20/123 Committee Chairs' Feedback**

The Committee Chairs provided feedback from recent meetings:

- Operational Board – 3 September 2020
- Governance – 21 September 2020

**Employer Pensions Discretion Policy**

The Governance Committee recommended to the Board a change to the policy to allow the same criteria for pension discretions to be used for early retirements.

## **Agreed**

The Board

1. Noted the feedback from the Operational Board and Governance Committee
2. Approved a change to the policy to allow the same criteria for pension discretions to be used for early retirements, as recommended by the Governance Committee.

### **20/124 Outstanding Actions**

The Board received an update on outstanding actions arising from previous meetings.

## **Agreed**

The Board noted the update of outstanding actions.

### **20/125 Items from Part C for discussion**

## **Agreed**

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

### **20/126 Managing Director's Report**

The Board considered a report on strategic and key issues.

An update was provided on work to review the delivery of services going forward and as agreed at the last meeting. A fourth 'R' has been added to the approach agreed – Readiness – how Derby Homes will respond quickly to any escalation of covid restrictions. It may be necessary to drop back to essential services but support will continue to be provided to the most vulnerable.

The current Senior Management Team (SMT) has been in place now for almost a year. The report updated the Board on how the new structure has worked and the benefits it has brought to the organisation.

The Managing Director provided an update on possession proceedings and work to support landlords and tenants in the private sector to prevent homelessness.

Lucy Care thanked the Managing Director and her team for the partnership work that has been done during the pandemic. With regard to the update on the Equalities Forum and Black Lives Matter statement, she advised that

Derby Royal and the Mental Health Service is offering employers Vitamin D for their staff, recognising that Vitamin D is normally produced through the skin; darker skinned people make less of it and if you are working inside some people are losing out on Vitamin D. She asked if Derby Homes could consider doing this due to the impact of covid on people with darker skin.

The Managing Director said she would pass this to the Equalities Forum as an issue they may wish to develop.

Jsan Shepherd praised the Managing Director for leading the organisation through a difficult time and was glad that the Board had the opportunity to strengthen the senior management team.

The Managing Director thanked Rachel North for her contribution as Strategic Director for Communities and Place.

Earlier this year an increase to the Managing Director's delegated authority was made from £250,000 to £1M. The Board was now requested to bring the delegation back in line to £250K but that if the current alert level increases, that the amount should be reinstated under urgent action procedures if necessary.

### **Agreed**

The Board

1. Noted the report.
2. Agreed to reduce the Managing Director's delegated financial authority back to the original level £250,000 and if there is a need to increase this, authority to be obtained under urgent action procedures if necessary.

## **20/127 Finance Update**

The Board considered a report on financial issues.

The report advised that at quarter 1 Derby Homes' forecasted operational surplus was £1.5 - £1.6 m or 3% turnover.

An update was also provided on capital investment and Derby Homes financial outlook, which was reported as remaining strong.

The report also contained a proposal to merge the designated reserve back into the general reserve.

In addition permission was sought to make an advance payment on the pension fund. An advance payment of c. £3.5m paid in October or

November would create a significant saving by reducing the overall amount charged by the pension fund to Derby Homes.

### **Agreed**

The Board

1. noted the current forecast revenue position for 2020/21
2. agreed to merge the designated reserve with the revenue reserve
3. authorised advance payment of employers' pension fund contributions until March 2022.

## **20/128 Property Update**

The Board considered a report on current issues within the Property Directorate.

The report provided an update on new build activity including the imminent completions at the War Memorial Village, Bracknell Drive, Carson Road, Perth Street and Hatfield Road. All areas of work within the Directorate are up and running with kitchen and bathrooms the last area of work to recommence.

The report also contained details of regulatory compliance quarter 1 with all measures being 100% compliant except for electrical safety at 99.6%, which was due to access to properties and covid restrictions.

A recent audit by Homes England has given a clean bill of health.

Although Derby Homes has decided not to bid in the first round for energy efficiency government funding, due to the size of the project not being big enough to meet the minimum size, we will still be able to benefit from the voucher scheme at £5K per property.

Private sector properties will be blended into the bid for the second round funding.

### **Agreed**

The Board noted the report.

## **20/129 Housing Services Update**

The Board considered a report providing an update on strategic and key issues in relation to Housing Services.

The Allocations Policy has been reviewed and developed by Derby Homes on behalf of Derby City Council. The policy has moved from a two to a three band system of Corporate Needs, Priority Needs and General Housing Needs.

The outcome of the Next Steps Accommodation Programme bid around rough sleepers has been announced. Derby's bid was for £160K and has been awarded £120K.

Although the Coronavirus Eviction Ban has been extended to 31 March 2021 it is believed that homelessness is likely to increase as the number of people claiming Universal Credit increases and the end of the furlough scheme. Derby Homes is working with the Council and other partners across the statutory and voluntary sectors to put together a private sector homeless prevention plan.

### **Agreed**

The Board noted the report.

## **20/130 Health & Safety Update**

The Board considered details of recent health and safety performance and current issues.

In addition, the Board received an update from that afternoon's Health & Safety Forum. As well as detailed violence and aggression and accidents and incident reports, the Forum discussed Covid risk assessments that have been produced for every element of work Derby Homes does. The Board was assured that, planning for the future, six months PPE equipment supplies have been ordered.

The Health & Safety Team has been reconfiguring office space and reorganising desks so that staff can work safely.

### **Agreed**

The Board noted the report.

## **20/131 Establishment of Inhouse Fire Safety Works Team**

The Board considered a report setting out the rational for establishing an inhouse fire safety team in advance of the anticipated obligations arising from the Fire Safety Bill.

In January 2020 the Board agreed that Derby Homes achieved third party accreditation to enable the work to fire doors and minor repairs to be brought in house. The first phase of becoming third party accredited via the nationally recognized BMTrada scheme has been successfully completed.

The report proposed to create a dedicated, accredited inhouse team to specialise in the regular inspection of communal fire doors, likely to be introduced in the new legislation, and which will allow control of both quality and cost.

Iain MacDonald suggested that the service could be offered to other housing organisations in the future.

### **Agreed**

That the Board

1. Approved the creation of an in-house fire safety works team
2. Noted the potential financial pressures on Derby Homes revenue budget.
3. Delegated the progression of the proposal to the Director of Property and Head of Finance to continue discussions with the Council on future funding of fire safety works.

### **20/132 Standing Order 12**

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

### **20/133 Safeguarding Policy**

The Board considered a report outlining a review of the Safeguarding Policy. There were several updates within the new policy that are linked to guidance documents that have been issued by Government with regards to both adults and children safeguarding. The new policy has been widened to incorporate the work of the Housing Options team and includes new definitions of abuse.

The policy had been considered by the Operational Board on 3 September and recommended to the Board for approval, subject to some minor amendments. The Head of Housing Management outlined a further amendment to the definition of sexual abuse.

### **Agreed**

The Board approved the revised Safeguarding Policy.



## **20/134 Self Assessment – Regulatory Standards**

The Board considered a report that provided the outcome of a review by Central Midlands Audit Partnership on the work that had been done internally to measure Derby Homes against the requirements of the Consumer Standards. The report also contained a summary action plan.

### **Agreed**

The Board

1. Approved that the Managing Director has overarching responsibility for ensuring compliance with the Consumer Standards and to report by exception as required.
2. Approved the summary action plan and agreed to receive future reports developing proposals for economic and community recovery.
3. Noted that the outcome of the audit review on compliance is reported to Audit Committee

## **20/135 Board Effectiveness Review**

The Board received a report on the draft National Housing Federation's Code of Conduct 2020 for consideration under the annual Board Effectiveness review. The Board was requested to debate its position with respect to the draft NHF Code and any other issues relating to its own effectiveness that it might wish to consider.

### **Agreed**

The Board agreed to delegate the review of the draft Code to the Governance Committee with recommendations back to the Board.

## **20/136 Derby Homes Meetings 2020-21**

The Board considered a schedule of dates for meetings of the Board and its Committees for 2020-21.

### **Agreed**

The Board approved the schedule of meetings for 2020-21.

## **20/137 Appointments to Committees**

The Board considered a report proposing appointments to Committees for 2020-21.

## **Agreed**

The Board

1. appointed:

Audit Committee Members: Iain MacDonald, Lucy Care

Chair of Audit Committee: Iain MacDonald

Derby Homes representative on CMAP Board: Iain MacDonald

Chair of Governance Committee: Jsan Shepherd

2. agreed to defer appointments to the Operational Board until the appointment of Chair of Derby Homes has been made.

3. Agreed to hold an extraordinary Board meeting on a date convenient for all Board Members, to appoint the Chair and Vice Chair(s) of Derby Homes and appoint Board Members to the Operational Board.

4. Delegated to the Chair of Governance and Company Secretary to consider further the process for election of Chair of Derby Homes.

## **20/138 Board Members' Declarations of Interests**

The Board considered a report providing details of Board Members declared interests in accordance with Article 30 and as required by the Companies Act 2006.

Lucy Care advised of an additional declaration, that she has become a member of Derbyshire County Council's Pensions & Investments Committee.

## **Agreed**

The Board noted the Declaration of Interests by Board Members.

## **20/139 Disclosure under the 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.

**20/140 Forward Plan of Agenda Items**

The Board considered the Forward Plan of Agenda Items.

**Agreed**

The Board noted the Forward Plan.

**20/141 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 (n).

**20/142 Confidential Minutes of the previous meeting**

The Board considered the confidential minutes of the meeting held on 30 July 2020.

**Agreed**

The confidential minutes of the meeting held on the 30 July 2020 were accepted as a correct record.

**20/143 Matters arising**

There were no matters arising.

**20/144 Strategic & Operational Risk Registers 2020/21 Q1**

The Board considered an update on the effectiveness of Derby Homes' risk management arrangements and a snapshot of the strategic and operational risk registers as at 30 June 2020.

Lucy Care suggested the register should take into consideration outcomes of the Fire Safety legislation requirements once known.

**Agreed**

The Board noted the Strategic and Operational Risk Registers.

**End of Confidential Business**

**20/145 Draft Minutes of the Operational Board – 3 September 2020**

The Board received the draft minutes of the Operational Board meeting held on 3 September 2020.

**Agreed**

The Board noted the draft minutes.

**20/146 Performance Monitoring Information Q1**

The Board received a summary of performance for quarter one 2020/21 from key performance measures reported to Derby City Council.

**Agreed**

The Board noted the report.

**Date of next meeting**

**The date of an extraordinary Board meeting is to be advised.**

**The next ordinary Board meeting will be held on Thursday 26 November 2020 at 6.00 pm.**

The meeting ended at 20:43 pm.

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CHAIR

Signed as true and accurate record of the meeting held on 24 September 2020.