

EAST LOTHIAN HOUSING ASSOCIATION

A meeting of the **Management Committee** was held on Thursday 22 August 2024 at 7.00pm, at ELHA Head Office, Haddington, with Alan Forsyth joining via Teams.

Present:	Eileen Shand	(4/6)	Joyce Bolan	(5/6)
	Alan Forsyth	(5/6)	Katrina Hamilton	(5/6)
	David Rose	(5/6)	Paul Hillard	(6/6)
	Iain Atkinson	(5/6)	Peter Ewart	(6/6)
	Jim Curran	(3/6)	Maureen Batten	(3/3)
	Pamela Macleod	(4/6)		

In attendance: Martin Pollhammer, Chief Executive
 Karen Barry, Director of Housing
 Gary Alison, Director of Finance & Corporate Services
 Charlie Cooley, Director of R3 & Asset Management
 David Jeffcoat, Alexander Sloan, Accountants
 Eric Stoddart, Executive Support Officer (Minutes)
 Darren Hartley, Altair Ltd (Part)

1.0 GENERAL

The Vice-Chair (Eileen Shand) explained that the Chair (Brian Logan) had given his apologies, so she would be chairing the meeting. The Vice-Chair then opened the meeting and welcomed David Jeffcoat from Alexander Sloan, Accountants.

1.1 Apologies

Apologies were received from Brian Logan (5/6), and Shirley Evans (3/6).

1.2 Declarations of Interest by Management Committee Members

There were no declarations of interest.

Before proceeding further, the Vice-Chair highlighted that this would be the last Management Committee meeting for two long-serving members, Joyce Bolan, and Jim Curran. Whilst the formal thanks for both would take place at the AGM in September 2024 when they stand down, the Vice-Chair wanted to thank both now, not just for their combined long-service, but also for their significant contributions over that time.

1.3 Minutes of Meeting 30 May 2024

The Minutes were **approved** by the Management Committee. They were proposed by David Rose and seconded by Joyce Bolan.

1.4 Action List

The Management Committee noted the report.

1.5 Matters Arising

There were no matters arising.

2.0 GOVERNANCE

2.1 Secretary's Report

The Chief Executive highlighted applications for membership had been received from John Gordon [REDACTED], and Morag West [REDACTED].

It was also noted that at the last meeting of 30 May 2024, the Management Committee received a full review of all community memberships and noted that a review of community groups would follow. This has identified a number of community groups which have failed to attend, notify a change of representative or send an apology for the last five or more AGM meetings, as well as two further individual memberships which should be cancelled.

The Management Committee **approved**:

- (a) The applications for Membership; and
- (b) Homologated the cancellation of Memberships detailed in the report.

2.2 Key Performance Indicators 2024/25

The Chief Executive highlighted 'Unit Reactive and Void Maintenance Costs' which had been above target throughout 2023/24. It was reported at the May Management Committee meeting that the approved budget for reactive maintenance for 2024/25 had been based on previous year actual spends so this figure should be within target in future reports.

However, due to recent changes in the These Homes (Allocations) Policy, there have been a greater number of voids in the period. With 12 properties at Hamish Hardens becoming available there have been more internal transfers in Quarter One, thus creating more void properties. With further handovers in Quarter Two and Dirleton expected to handover in Quarter Three, this may put further pressure on this budget, but after that it is likely to be some considerable time before any further additions through new build.

In respect of 'Stock Condition Inspections Completed' it was advised that the 2024/25 Stock Conditions survey is currently being developed. There had been a delay caused by the company that has previously been used for this (David Adamson & Partners Ltd) going into liquidation. The business (and most of the former staff) has been acquired by Hardys, who are now being engaged with. It is expected that there should be no issue in completing the approximately 300 inspections within the 2024/25 period. The Chief Executive stated that this insolvency did not create a Notifiable Event since there has been no impact on tenants or service levels. This was noted by the Chair.

2.3 Annual General Meeting: Management Committee Membership

The Vice-Chair explained that under Rule 39.1 at least one third of the members of the Management Committee must retire. If no other members, or an insufficient number of members have indicated their intention to retire to fulfil this requirement, those with the longest period since their last election should retire.

Graham Rattray resigned from Management Committee with effect from 30 May 2024, whilst Joyce Bolan, and James Curran have indicated their intention to retire from the Management Committee at the 2024 AGM. The two other members required to retire are Katrina Hamilton and Pamela Macleod.

Under Rule 37.6, the Management Committee must satisfy itself that any Management Committee member seeking re-election after a period of continuous service of nine or more years can demonstrate their continued effectiveness. Rule 37.6 is not applicable this year as Katrina Hamilton and Pamela Macleod both have three years of continuous service each.

One new member, Maureen Batten, was Co-opted onto the Management Committee on 22 February 2024. Under Rule 39.3, Maureen must also retire, but is entitled to stand for election at this AGM.

The Vice-Chair highlighted that the Management Committee has developed its Succession Plan to ensure the right balance of experience, renewal and refreshment of the Management Committee going forwards. This includes ensuring that the proportion of Management Committee members with nine or more years' service does not normally exceed 50%. Of the current Management Committee, by the date of the 2024 AGM, seven members will have served more than nine years, or 62%.

With the retiral of Joyce Bolan and James Curran, assuming no further retirements and the appointments noted in the Management Committee Membership paper are made, five members from a Management Committee of eleven will have served more than nine years, so the percentage will drop to 45%.

The Management Committee **approved** the endorsement of the nominations for Katrina Hamilton and Pamela Macleod for re-election to the Management Committee, and to endorse the nomination of Maureen Batten to be elected to the Management Committee at the 2024 AGM.

3.0 PRIORITY ITEMS

3.1 Housing Perks Scheme

The Director of Housing explained that when the Key Tenant Scheme was introduced seven years ago, it was envisaged that additional discount schemes or similar money saving offers would be offered to participating tenants to encourage the uptake of digital services and help save them money, and an opportunity to introduce an additional Key Tenant Scheme benefit has now been identified.

Housing Perks is a free App for use by tenants and staff which is downloaded from the App Store or Google Play Store. The Association can also use it to purchase a range of vouchers for tenants, including energy vouchers at a cheaper rate than current providers (energy vouchers have a cost rather than a discount but Housing Perks issues these at the cost to themselves with no markup).

Users register with their phone number (the only personal data that Housing Perks take), select the Association's name from a drop-down list, and input their tenant reference number.

The App is used at the point of sale to obtain between a 4% to 10% discount. It includes over 100 retailers which includes all the major supermarkets and stores, for example, Argos, B&Q, and Primark. It is not a cashback paid later or loyalty points scheme, rather users get the discount instantly at the point of sale by using a voucher they download in two seconds to their phones whilst they are at the till.

Optionally, instead of taking the discounts as instant savings (which is the default position), tenants can choose to set the App to pay some or all of their savings towards their rent. This could be particularly useful in helping tenants in financial difficulties pay back any rent arrears. By using Housing Perks for their normal everyday shopping, tenants could easily pay £4 to £10 a week towards their rent with no additional cost to themselves.

The cost to the Association is an annual licence at £1 per property managed per year. The total cost would therefore be £1,380 plus VAT, provision for which has been made in the Tenancy Sustainment budget.

It is recommended that the Housing Perks App is offered to all Bronze, Gold and Platinum Key Tenants for an initial period of one year, with the Association monitoring its success on a quarterly basis through the Audit & Assurance Committee, to assess whether savings outweigh costs.

The Association intends to carry out a full review of the Key Tenant Scheme at the end of this trial when an Equality Impact Assessment will be carried out and will include Housing Perks if it is a success.

The Chief Executive added that this seemed a good way to add more value to tenants. Jim Curran questioned whether the scheme could be abused by tenants sharing access with others. The Director of Housing confirmed that Housing Perks do review individual use of the scheme and can withdraw access if they feel it is not being used properly.

The Management Committee **approved** a one-year trial of Housing Perks, and that all Bronze, Gold and Platinum Key Tenants are given access to the service.

4.0 POLICIES

4.1 Equality and Human Rights Strategy Review

The Director of Housing reminded Management Committee that the Association's first Equality and Human Rights Strategy was approved by the Management Committee in August 2023 with a recommendation that it be reviewed after the first year of operation.

A review of the Strategy has highlighted the need for some minor updates, which are fairly self-explanatory.

The Strategy was set to an initial one-year review to ensure that the Association achieved its regulatory requirements to collect Equality Data, and be assured that it is working towards using the data to take account of equality and human rights issues in its decisions, policy-making and day-to-day service delivery. The Assurance Statement sent to the Scottish Housing Regulator in May 2024 confirmed this, and it is recommended that the Strategy now moves to a five-yearly review cycle in line with most other policy and strategy documents.

The Director of Housing added that depending on the view of the report from Altair, there may be subsequent changes to the governance approach.

The Management Committee **approved** the revised Equality and Human Rights Strategy.

4.2 **Procurement & Value for Money Strategy Review**

The Director of Finance & Corporate Services advised that he was seeking approval of the annual report and updated action plan to the Procurement & Value for Money (VFM) strategy. There was nothing to add to the paper, as with ELHA's self-delivery model, regulated procurement is very infrequent.

The positive outcomes of the Continuous Improvement Programme for Procurement (CIPP) are worth highlighting in Section 3.0, and this ensures the Association complies with the conditions of grant funding for new build.

Section 5.0 poses something for consideration around completion of a strategy going forward. ELHA spend could sit below the £5m threshold which means it would not be mandatory for the strategy to be prepared. However, it is considered useful to have, in demonstrating procurement improvements for any future CIPP programmes.

The Management Committee **approved** the Annual Report and the updated Action Plan for the Procurement & Value for Money Strategy.

4.3 **Procurement & Value for Money Policy Review**

The Director of Finance & Corporate Services advised that he was seeking approval of the proposed changes to the Procurement & Value for Money Policy. There was nothing to add to the paper other than to highlight the key changes, being:

- Section 5.0 – Given the infrequent nature of regulated procurement within the group, a consultant will be used to support these tenders through the Public Contracts Scotland (PCS) process.
- Section 7.1.1 – Future regulated procurement to include requirements and assessments around Health & Safety, living wage payments, insurance levels, Terms & Conditions of employment, equal opportunities and complaints procedures and data sharing agreements.
- Section 14.0 – the creation of a procurement project plan before the regulated tender process is commenced to set out expectations and outcomes from the beginning.

The Director of Finance & Corporate Services commented that the policy is very detailed, covers a lot of the procurement regulations, possibly beyond what is required, but is a useful reference for staff in understanding the procurement and regulatory environment that the Association operates in.

The Management Committee **approved** the Procurement & Value for Money Policy.

4.4 Customer Care Policy Review

The Director of Housing advised that the periodic review of the Customer Care Policy is due, and that the proposed changes are about format, and to bring in line with other policies.

Iain Atkinson referred to Section 13 'When We Get Things Wrong' and specifically Section 13.3 where it states 'we will always signpost ...', and suggested that it might be better to replace this phrase with 'we will always strive to signpost ...'. The Director of Housing agreed.

Subject to that amendment, the Management Committee **approved** the revised Customer Care Policy.

4.5 Risk Management Framework

The Chief Executive reminded Management Committee that they had reviewed the existing Risk Management Strategy in March 2023, and had agreed that a fundamental review of the Association's approach to Risk Management was required.

Given that the current software used to record and manage risks is no longer supported, this developed into a wider exercise, linked to the Governance Review, and through this, appropriate software has been purchased that supports the identification and management of risks as set out in the paper.

The Chief Executive highlighted the considerable work done by Paul Hillard and Maureen Batten, in developing the new Risk Management Framework, and thanked them for their efforts.

The Decision Time software requires configuration to suit the Association's approach, but it is proposed that the Framework should be adopted from September 2024. It is considered important that the Association starts to use the Framework in practice, and then consider changes once it has been in use for a while.

Iain Atkinson noted that the proposed next review date for the Framework was not until August 2029, and challenged whether the review should be earlier. The Chief Executive advised that it is expected that the Framework itself will be fine, but some minor tweaks may be anticipated to how it works in practice.

Paul Hillard added that the original is based on a generic template, which Maureen Batten has improved significantly. However, it is recognised that the Association should not be a slave to this, and will look to make amendments to this, as and when areas for improvement are identified.

The Vice-Chair stated that it is important that pragmatism is retained when using the Framework, and thanked all involved for the amount of work that has gone into developing the Framework.

The Management Committee **approved** the Risk Management Framework.

4.6 **Employee Expenses Policy Review**

The Chief Executive explained that the Expenses Policy was due its periodic review, and confirmed that it had been reviewed by the JCC.

A review of the Policy has been carried out by the Executive Support Officer (HR) and the proposed changes are all in line with EVH's model policy. The only exception to this is the addition of wording at Section 2.4, to cover the Electric Vehicle Allowance.

The Management Committee **approved** the revised Employee Expenses Policy.

4.7 **Settlement Agreements Policy**

The Chief Executive explained that the Settlement Agreements Policy was due its periodic review, and confirmed that it had been reviewed by the JCC.

A review of the Policy has been carried out by the Executive Support Officer (HR) and although some minor changes were required, these are all in line with EVH's model policy.

However, EVH have since carried out a further review of the model policy since the JCC carried out their review, and they have recommended building flexibility into the wording regarding the sum to be paid under a Settlement Agreement (referred to in tracked changes under Section 3.2). EVH have explained that although it is unlikely any payment would exceed the maximum amounts under the redundancy entitlements, it could be the case for employees with shorter periods of service, which is why this update has been made.

Maureen Batton queried if employment practices liability insurance was in place in the event of a claim arising from a settlement agreement. The Director of Finance & Corporate Services noted ELHA has equivalent cover under its Legal Expenses policy. This cover is for Employment disputes and Employment Compensation awards. The limit of indemnity is £500,000 with no excess. The Chief Executive noted that this policy allowed the use of the Association's solicitors.

The Management Committee **approved** the revised Settlement Agreements Policy.

4.8 **Whistleblowing Policy**

The Chief Executive explained that the Whistleblowing Policy was due its periodic review, and confirmed that it had been reviewed by the JCC.

A review of the Policy has been carried out by the Executive Support Officer (HR) in line with EVH's model policy and some minor changes were required.

A more significant change can be seen at Section 8.2 of the policy, which details the addition of an internal appeals process prior to an external appeal for individuals dissatisfied with the action taken on their concerns.

The Chief Executive also highlighted that when carrying out the desktop review, it was found that Sections 5.1.4 to 5.1.7 had been removed from the EVH model policy. A discussion took place at the JCC meeting regarding whether the Staff Representatives felt it was beneficial for these to remain in the policy or if they should be removed. It was agreed that they should remain, and the Management Committee representatives on JCC also agreed, therefore these sections have been retained.

The Vice-Chair queried whether under Section 5.2.3 it was only a trade union representative that could accompany an individual, or whether anyone could accompany them, and the Chief Executive clarified that this relates to the right to be accompanied by a trade union representative if the employee has one. If they do not, then there is no right to be accompanied.

The Management Committee **approved** the revised Whistleblowing Policy.

4.9 **Privacy Policy Review**

The Director of Housing advised that alongside the first phase of the Wyser Project, it was agreed that the Association's solicitors, Anderson Strathern, should review ELHA's Privacy Policy.

The proposed changes are self-explanatory, mainly for clarity and were tracked on the Policy Document, but the key changes include:

- Section 3.1.2 – Sets out all special categories of personal data
- Sections 4.3.2 and 13.1.1 – Has been changed to state that anyone requesting information about their personal data can do so verbally as well as in writing
- Appendix 1, Fair Processing Notice – A bullet point has been added to the Sharing of Your Information section to state that ELHA will share information with Wyser
- Appendices 2 and 3 have been added and are Fair Processing Notices used for staff, and by Care & Repair
- Appendices 4 & 5 are explicit consent forms which are required to be signed by the data subject to give consent for the collection and sharing of Special Category Data

The Management Committee **approved** the revised Privacy Policy.

4.10 **Authorisations and Standard Charges / Allowances Policy Review**

The Director of Finance & Corporate Services advised that he was seeking approval of some narrative change in the policy around rent account adjustments, and had nothing else to add to the report.

The Management Committee **approved** the narrative change in the Authorisations and Standard Charges / Allowances Policy.

5.0 BUSINESS MANAGEMENT

5.1 Equality and Diversity Action Plan 2024/25

The Director of Housing highlighted that an Equality and Human Rights Strategy, and an Equality and Diversity Policy were approved by the Management Committee in August 2023, both of which are supported by an Equality and Diversity Action Plan also approved at that time. This Plan is reviewed each year by the Management Committee with approval sought for the coming years Action Plan.

The Action Plan used to be reviewed in March of each year as part of the business planning process and to ensure adequate budgetary resources, however the annual review is currently out of step because of the introduction of the new Equality & Human Rights Strategy in August 2023 and the review of the Equality & Diversity Policy at the same time. It is therefore recommended that the annual review of the Action Plan is brought back into line with the business planning timetable and reviewed in March of each year.

Katrina Hamilton pointed out that the tenant data collected highlighted that around 13% of tenants have some sort of neurodiversity challenge. It was therefore felt important that consideration be given to how the Association can develop some sort of approach to show that the Association is considering how they deal with the potential implications based on the data collected.

The Director of Housing agreed that this should be included within the Action Plan. It was agreed she will draft something on this, and check it with Katrina, including the outcome in the meeting Action Note.

Iain Atkinson queried about the percentage of different ethnic groups recorded, and wondered how this reflected to the general population in the county. The Director of Housing advised that these results were very reflective of Census Data, and the Vice-Chair suggested that it might be useful to highlight, when the data is presented in the future, any comparisons with Census data.

The Management Committee

- (a) **Approved** the Equality and Diversity Action Plan 2024/254, and
- (b) **Agreed** to the Action Plan being reviewed in March of each year

6.0 ANY OTHER BUSINESS

There was no other business, and the meeting closed at 7.38 pm.

DATE OF NEXT MEETING

AGM: Thursday 26 September 2024 at Maitlandfield House Hotel, Haddington

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**ADOPTION OF THESE MINUTES APPROVED AT THE MEETING ON
26 SEPTEMBER 2024**

Signed *Signature* (Chair)