

SCOTTISH HOUSING REGULATOR BOARD

Board Meeting 25 August 2020 by video conference

Present

George Walker (GW)	SHR Chair
Andrew Watson (AW)	SHR Board member
Helen Trouten Torres (HTT)	SHR Board member
Colin Stewart (CS)	SHR Board member
Mike Dailly (MD)	SHR Board member (item 2 – 12)
Ewan Fraser (EF)	SHR Board member
Siobhan White (SW)	SHR Board member

In attendance

Kevin Stewart MSP (KS)	Minister for Local Government, Housing & Planning (items 1 – 4)
Michael Boal (MB)	Scottish Housing Charter & Regulation Manager Scottish Government (items 1 – 4)
Michael Cameron (MC)	SHR Chief Executive
Ian Brennan (IB)	SHR Director of Regulation (items 1- 11)
Iain Muirhead (IM)	SHR Director of Digital & Business Support (items 1-11)
Roisin Harris (RH)	SHR Corporate Governance Manager (items 1- 11)
Clare Nicholson (CN)	SHR Business Manager (items 7-8)

1. Apologies and declarations of interest

GW welcomed all present and thanked everyone for participating by video. The Board noted apologies from SHR Board member Bob Gill (BG) and that SHR Board member MD would join the meeting later.

There were no declarations of interest.

2. Corporate Plan

MC presented a statement of SHR's Corporate Plan for 2019-22. He highlighted the previous Board decision to restate the plan in the light of impact of the Pandemic. MC set out that SHR's priorities and vision remain unchanged and that the key changes are around the timing of some work. The Board considered the restated proposals and discussed:

- learning, noting that SHR would report progress against the Corporate Plan including lessons learned through the annual report and other publications;
- thematic work, noting the limitations that the lockdown places on any onsite activity and that resources are currently prioritised around other regulatory work. MC also explained that SHR will want to consider if there are new emerging areas from the pandemic/recovery that would merit thematic work; and
- the toolkit for governing bodies, noting work on equalities and human rights is ongoing, but has been delayed due to the pandemic and that SHFA will also be looking to update the toolkit to reflect any new advisory guidance and amendments to SHR's Regulatory Framework.

The Board approved the restated Corporate Plan for publication in September 2020.

Action: MC to publish a restated Corporate Plan.

3. Consultation on amendments to the Regulatory Framework

IB presented the outcome of SHR's consultation on its amendments to the Regulatory Framework in response to the COVID-19 pandemic. He expressed thanks to all involved in the consultation, including SHR's stakeholders. IB highlighted that for most of the consultation questions the feedback was supportive of SHR's proposals.

IB explained stakeholders' feedback around the deadline for submission of annual assurance statements, noting the range of suggestions received, and set out a recommendation from the Management team.

The Board considered the consultation feedback around the annual assurance statement submissions and discussed:

- the impact of any extension to annual assurance statement submission, including consequential challenges for the risk assessment timescale;
- feedback from tenants and lenders and the potential impact of a longer submission date on their interests ;
- the importance of taking account of the ongoing challenges for the sector;
- the value of welcoming early submission of assurance statements from any social landlord;
- the need to keep human rights on the agenda.

The Board approved the Statement on the Regulatory Framework for publication and agreed to extend the submission of annual assurance statements by one month to the end of November 2020, and to encourage early submission wherever possible. It also agreed to delegate the finalisation of advisory guidance on Annual Assurance Statements and Business planning to MC.

Action: MC to publish SHR's response to the consultation and the statement on the Regulatory Framework and to finalise and publish advisory guidance on Annual Assurance Statements and Business Planning.

4. Discussion with the Minister

The Minister for Local Government, Housing & Planning and SHR Board discussed:

- achievements within the social housing sector during the pandemic;
- homelessness, the Unsuitable Accommodation Order and response to HARSAG recommendations;
- retaining a focus on Gypsy/Travellers;
- affordable housing targets; and
- using data and sharing positive and innovative practice.

5. Consent agenda items

The Board considered the consent agenda items.

The Board agreed to note and approve the consent items consisting of the:

- matters arising update;
- minutes from the 16 July 2020 Board meeting;
- Chair's report & member activity; and
- Chief Executive's report.

6. Operating Plan

MC presented an operating plan for the remainder of 2020/21. He explained the approach taken in quarter one and highlighted that the plan has been formed to allow for the

prioritising of work in an agile way in response to circumstances and available resources. The Board considered the plan and discussed:

- how work has been prioritised in the plan;
- the challenges of continued remote working for SHR, noting that SHR is aligned to Scottish Government advice and no dates are in place for a return to the office;
- the challenges of engaging with regulated organisations remotely;
- the importance of being able to flex the plan to changes to circumstances, such as a second wave of the pandemic;
- plans for refreshing How We Work series, agreeing that priority should be given to the edition on how we intervene, if capacity allows;
- the type of work SHR, does noting the outward-facing regulatory products and the behind the scenes corporate work and the complexities involved in prioritising these;
- how SHR anticipates risk in the sector, noting the approach to the forthcoming risk assessment will be proposed to it during the Autumn and what this may have to mean for SHR's risk tolerance; and
- dates for tenant-related conferences and engagement opportunities.

MC updated the Board on engagement with Glasgow City Council and plans to publish the findings of the inquiry work carried out earlier in the year . The Board noted the update.

The Board approved the operating plan for 2020/21 and noted a summary will be published during September 2020.

Actions: MC to implement the 2020/21 Operating plan, give priority if capacity allows to the How We Work edition on intervention and publish a summary of the operating plan during September 2020.

7. Quarter One Corporate Performance Report & Risk Report

MC presented the corporate performance report for Q1 2020/21. He highlighted the increase in the level of casework and that staff are finding that engagement is taking longer due to pandemic-related restrictions. The Board considered the report and discussed:

- how average absence figures are calculated, noting this involved an addition of both the long and short term absences and this will be made clearer in future reports;
- the resource impact of an increase in individual and repetitive contact from the public;
- the relationship between the baseline data that SHR collected from landlords in April and the monthly dashboard; and
- engagement with local authorities on homelessness and breaches of the Unsuited Accommodation Order and work with Scottish Government.

The Board noted the quarter one corporate performance report.

8. Budget report – to end of June 2020/21

CN presented an update on SHR's budget position to the end of June 2020. She highlighted the projected overspend and that there is no further update from Scottish Government around SHR's status as an area of known budget pressure. CN explained how costs related to the pandemic are being monitored and that some additional costs are being offset by lower expenditure in other budget lines. CN also explained the vacancies that are currently in SHR's structure and the budget implications.

The Board considered the update and discussed the implications of an overspend. It noted that this would be the first time that SHR has projected an overspend and that Scottish Government is aware of the position. CN explained the impact of additional pension costs

from last year onwards on SHR's budget. GW reported he and MC would be discussing SHR budget again in September with senior Scottish Government colleagues.

The Board noted the update and asked CN to keep it updated on headline projections.

Action: CN to continue to update the Board on headline budget projections.

9. AOB

IB confirmed that SHR would include examples of practice gained through consultation in the forthcoming advisory guidance on business planning.

GW confirmed that new public appointments are paused and that SHR would begin discussions with Scottish Government early in 2021 around vacancies on SHR's Board. He also reported that he will be discussing reappointment proposals with individual members who are due to end their first terms.

10. Effectiveness of meeting and papers.

The Board agreed to continue with video conference-based meetings and that it would start to welcome back staff observers from September.

11. Agenda planner, meeting dates 2021 and DONM

15 September 2020.

The Board noted that GW is participating in a session open to all SHR staff on 27 August and agreed it was keen to find opportunities to engage with the staff team.

12. Private session

The Board held a private session with the Chief Executive.

Post meeting notes

Between 25 August and 15 September the Board was briefed on:

- adjustments to SHR's regulatory approach to respond to the Covid-a9 pandemic; and
- information on visits to SHR's website.