

IF YOU WOULD LIKE TO DISCUSS THESE MINUTES OR ANY OTHER COMMITTEE RELATED MATTER, PLEASE CONTACT YOUR CHAIRPERSON,

Some information has been redacted as it contains either personal data or commercially sensitive data



**West
Granton**

Housing Co-op

sustaining and championing the co-operative way

West Granton Housing Co-operative Limited

Committee of Management

Minutes of Meeting – 29th July 2020

Present: Lorna Brown (Chairperson)
Marilyn Dickson (Treasurer)
Fiona Marshall (Vice Chair)
Jon Douglas
Elizabeth Robertson
George Thomson
Donna Anderson

In attendance: Larke Adger (CEO)
Alan McKee (Deputy CEO)
Sheena Farrell (Housing Admin Assistant as minute taker)

1) APOLOGIES

Joe Moir

2) MINUTES OF MEETING 24th June 2020

Minutes approved by Lorna Brown (Chairperson)

Error on page 16 which has been amended

Approved by all Committee thereafter

3) MATTERS ARISING FROM THE MINUTES

None. All passed

4) DECLARATIONS OF INTEREST

No Declarations

5. FINANCE & ADMINISTRATION

5a) Cash in the Bank – May 2020

This has been reported to the committee.

As of 14th July 2020 WGHC, had the following amounts of cash in the bank:

RBS (immediate access)	£ 866,662
Santander (95-day notice account)	832,968
Bank of Scotland (32-day notice account)	21,146
Total cash in Bank	<u>£ 1,720,775</u>

For comparison, the June 2020 figure was £1,673,855

Committee noted the report.

5b) Appointment of new External Auditor for 2021-2023 (initial 3-year period)

Alexander Sloan have been WGHC's Financial External Auditor for seven years now.

Good practice states we should rotate Auditors at least every 7 years.

In late June 2020, 6 Accountancy Firms were invited to submit a quote for external auditing services on the Public Contracts Scotland website.

In the request for quotes, all bidders were advised that the contract would be for a 3-year contract commencing 31st March 2021.

Costs were to have a weighting of 100% and were broken down as follows:

Award Criteria	Weighting
Cost of Tender Proposal over Contract	75%
Additional Day Rate	25%

Quotations were assessed based solely on cost. The lowest quote is to be awarded the contract.

By the closing date 6th July 2020, 2 of the 6 firms had submitted a quote.

They were:

Some information has been redacted as it contains either personal data or commercially sensitive data

Each bidder was informed that their quote should be priced on the basis of allowing an adequate number of days per year, clearly indicating how many days they have allowed for and how many of these days would be required on site to carry out our audit.

The results are given on the following page.

The results were as follows:

Section 1

Cost of Tender Proposal over Contract

Some information has been redacted as it contains either personal data or commercially sensitive data

Section 2

Additional Day Rates Proposal over Contract

Some information has been redacted as it contains either personal data or commercially sensitive data

Section 3

Estimated Days over Duration of Contract

Some information has been redacted as it contains either personal data or commercially sensitive data

The CEO seeks approval from the Committee of Management that Chiene & Tait be awarded the contract to become WGHC's new External Financial Auditors for a 3 year period commencing 31st March 2021. Further to Committee approval, Chiene & Tait must formally be appointed at the 2020 AGM.

Committee approved that Chiene & Tait were awarded the contract to become WGHC's new External Financial Auditors for a 3-year period commencing 31st March 2021.

5c) The Annual Return on the Charter (the ARC) for submission to the Scottish Housing Regulator

The Scottish Housing Regulator collect data every year from RLS to see how they have performed against the outcomes in the Scottish Social Housing Charter. This is called the ARC – the Annual Return on the Charter. The ARC must be submitted to the Scottish Housing Regulator by 31st July 2020. This year, the Scottish Housing Regulator has also incorporated the EESSH Return into the ARC. The EESSH used to be a separate return.

The EESSH is the Energy Efficiency Standards for Scottish Social Housing. It largely reports on the energy efficiency of each of our properties. This is achieved by WGHC carrying out inspections of our properties using an independent assessor who then produces an Energy Performance Certificate (EPC) to WGHC for the property. These results can be seen by looking at Indicator C10 to C13. WGHC has declared that there are 3 properties which do not meet the current standard. However, the Maintenance Manager has advised that 2 out of the 3 properties failed because they did not have energy efficient light bulbs in the property. The 3rd fail we believe to be an error on the part of the inspector (having examined the EPC) and this property will be re-tested in due course.

Committee approved the Charter Return Submission to the Scottish Housing Regulator for 31st July 2020

5d) Rent Arrears and COVID-19

Universal Credit (UC) and Rent Arrears

- **April 2020**

In April, Committee were advised that 42 WGHC tenants were claiming Universal Credit. 26 out of these 42 tenants were in rent arrears. The total amount of their rent arrears amounted to £8,745.

- **May 2020**

As of 11th May 2020, there were 23 tenants who were claiming Universal Credit and who also had rent arrears. The total level of their arrears amounted to £9,323.

- **June 2020**

As of 7th June 2020, there were 51 tenants claiming Universal Credit, 23 of these also had rent arrears. The total level of their arrears amounted to £8,191.92. We received direct payments of Universal Credit for 13 tenants, the rest received UC payments directly into their own bank accounts.

- **July 2020**

As of 5 July 2020, we had 54 tenants claiming Universal Credit, 25 of whom had rent arrears. The total level of arrears for these tenants amounted to £9,082.45. We received direct payments of Universal Credit for 13 tenants, the rest received UC payments directly into their own bank accounts.

Overall Non-Technical Arrears Figures – 5th July 2020

Non-technical arrears are arrears which are owed directly by the tenants and not expected to be paid by Housing Benefit payments.

The total number of WGHC tenants in rent arrears as of 5th July 2020 was 63 tenants (down from 74 in June). This includes the 23 tenants who are claiming UC and are in rent arrears. The total arrears for the 63 tenants amounted to £16,152.76.

The arrears level remains largely unchanged since the last report in June (£16,241.97)

The Housing Management Team continue to monitor and manage all rent arrears cases on a weekly basis. Tenants are now being offered access to the Welfare Rights Adviser service provided in partnership with PoLHA with the service starting for WGHC in early August 2020.

Rent Arrears and Legal Action Cases

We have 3 arrears cases within the Court system. Unfortunately, the cases did not call on their original calling date due to the Covid -19 shutdown and were sisted. We have been advised there will now be a cost of £120+VAT per case to recall these cases.

We are in regular contact with all 3 tenants (2 of whom are now claiming Universal Credit) and are closely monitoring payments so will not yet be requesting new calling dates.

Committee will be kept updated each month on WGHC arrears figures, given the current lockdown restrictions and how this is having an impact on tenants' incomes, and ultimately WGHC's rental income/cash flow.

Committee noted the report

5e) Deferred Pay Award

EVH has entered into discussions on pay with UNITE the Union at their recent Joint Negotiating Committee (JNC) meetings.

In short, EVH have asked UNITE to defer the pay award due in April 2021 for twelve months. EVH have done this for several reasons and all to do with the effects of COVID-19. Firstly, perception: they feel that since many people will be losing their jobs over the next few months due to the pandemic it would not appear fair for EVH staff to enjoy a pay increase in April 2021.

Furthermore, the EVH think that many RSLs as employers, will have other unforeseen costs to pay out for and all related to COVID-19.

Both sides of the JNC can see some positives in this, though obviously some downsides too.

Final discussions on this will take place at the next JNC meeting in late July.

Committee and staff will be kept updated.

Committee noted the report

6) Governance

6a) Joint Statements from EVH and UNITE Union on re-opening of offices

Both EVH and Unite expect the health, safety, and wellbeing of staff to be considered as paramount in any plans to re-open offices and make a return to normal activities.

Employers should take account of the following points:

- The re-opening of workplaces should not be considered before Phase 3 unless you are classed as an essential service, in which case you will currently be open.
- Those planning to re-open workplaces within Phase 3 should do the following:
 - Carry out a full and thorough risk assessment assessing all potential risks for staff related to COVID-19 and put in place all appropriate measures to minimise risks.
 - Provide training to staff on all risk measures adopted to ensure they are fully aware of their responsibilities and implement these accordingly.
 - Consider support options for staff to prepare them for a return to office working, this may include structured sessions or more informal support.
- **During Phase 3, remote working will remain the default position for those who can do so.**

In regard to the above:

- ✓ **both the CEO and Depute CEO have had risk assessment training with ACS Risk Consultancy**
- ✓ **The Depute CEO will be designing the risk assessment sheets to be used by line managers for their staff**

All staff have attended two virtual support sessions as a group on returning to work during the pandemic with the Rowan Consultancy Group

Committee noted the report

6b) 30th Annual General Meeting and adoption of the new 2020 Model Rules for RSLs (Membership Rules)

WGHC must hold an AGM every year.

Apart from appointing the financial auditors for the forthcoming year, all the members of the Committee of Management are elected or re-elected. The AGM must be held within 6 months of the year end. Our year end is 31st March. This means we need to host an AGM by 30th September each year.

The current proposed date for our AGM is 2nd September.

It is currently booked to be held in the Prentice Centre.

However because of COVID-19 and current Scottish Government guidelines as at 10th July 2020, it would be considered illegal for WGHC to plan an event such as an AGM in a physical space and we must minimise the opportunity for COVID-19 to spread from one person to another. Any update to this guidance will only be reviewed by the Scottish Government on 30th July.

The next Committee Meeting is not until 19th August.

Rule 18.1 of the WGHC Rules state that a notice for the AGM must be sent out to all members at least 14 days before the AGM takes place.

Our AGM is scheduled to take place on 2nd September.

This means all AGM papers **must** be posted out to each member by Monday 17th August 2020 at the latest as Rule 18.2 states that *“each communication sent to a Member by post, addressed to his or her registered address, shall be deemed to have arrived forty eight hours after being posted”*.

In addition, both the Scottish Housing Regulator and the Scottish Federation of Housing Associations (SFHA) are **now formally recommending all RSLs seek to hold their AGM virtually by 30th September 2020.**

It is therefore **proposed that WGHC host a virtual AGM** on Wednesday 2nd September 2020 and this be done through the use of “Zoom”. In addition, WGHC should also try to maximise the use of proxy attendance this year to ensure that a quorum of 28 members is achieved. Committee will need to decide on the time of this virtual meeting. Should it be at 7pm as usual or can it now be held during the daytime. Alexander Sloan, WGHC’s Auditor, will also have to attend the virtual meeting to present the 2020 Financial Audited Accounts before these can be submitted to the Scottish Housing Regulator, the Financial Conduct Authority and our lender, the Nationwide Building Society.

The Corporate Insolvency and Governance Bill gained Royal Assent on 25th June 2020 and includes some key provisions regarding AGMs that impact on Social Landlords like WGHC.

Most significantly, the legislation allows:

- for virtual AGMs to take place up until 30 September 2020, even if not provided for in the constitution, offering a means for members to vote but not physically attend or participate further in the meeting

WGHC’s constitution allows for proxies to count towards the quorum.

This is a sensible method of achieving a quorum with fewer people required to virtually attend. This may also be particularly helpful where a member does not

have access to the necessary technology to participate, or if there is a capacity limit in terms of the RSL's technology. It is therefore proposed that WGHC should also try to maximise the use of proxy attendance this year to ensure that a quorum of 28 members is achieved. As a reminder the maximum number of proxy votes that may be cast by any one person is 10. This means in theory, that the quorum of 28 could be achieved with just 3 individuals virtually attending. This method of achieving quorum should only be used to deal with the completely exceptional current circumstances this year and we should still invite all members to attend the virtual AGM to ensure they have the opportunity to be included.

In proposing a virtual AGM, the CEO recommends that this year we limit the business of the AGM to only the core functions of:

- present the accounts, balance sheet and auditor's report.
- select Committee Members.
- appoint the auditor for the following year.
- instead of opening up the floor to consider any other business, all members should be given the opportunity to ask questions in advance of the meeting. Such questions should be received by WGHC's CEO by Friday, 31st August 2020 and these can be then addressed at the virtual meeting.

In addition to the virtual AGM, the SFHA have also published the new Model Rules which are to be adopted by all RSLs. In order for the new Model Rules to be adopted (which means we are updating our constitution) it requires a Special General Meeting to be called. The Special General Meeting would normally be held straight after the AGM. In addition, there is also a process which needs to be followed when carrying out amendments to rules and this is something which would not be easily facilitated this year due to the impact COVID-19 has had on the day to day operations of WGHC.

The Scottish Housing Regulator has asked all RSLs to adopt the new Model Rules as soon as practically possible. Further advice has suggested that this may mean that most RSLs may not be able to adopt the new Model Rules until the 2021 AGM (i.e. next year). Some information has been redacted as it contains either personal data or commercially sensitive data.

~~This includes advice from the SFHA on 8th June 2020 who have stated: "Furthermore Michael Cameron (Head of the SHR) stated at an SFHA webinar on 28 April that it would be fine to adopt in 2021, and that under the current circumstances "this is not something that (the SHR) will make a big deal out of."~~

In addition, the Scottish Housing Regulator Advisory Governance Guidance from April states:

"Clearly your focus during the Coronavirus pandemic is on continuing to deliver services in these very challenging circumstances and this may impact on your capacity and ability to update your constitution to comply with the new Regulatory Framework. We recognise that it may not be possible for you to update your constitution at this year's AGM. Please let us know if you are unable to do so and when you think you will be able to make the necessary changes to your constitution."

The CEO therefore proposes to Committee that WGHC proceed to work on the basis that it will adopt the new model rules at the AGM in 2021. This would mean the Committee giving their approval for this to happen and giving their consent for the CEO to submit a Notifiable Event to the Scottish Housing Regulator to advise that due to the exceptional circumstances of COVID-19 this year, that WGHC proposes to adopt the new Model Rules at a Special General Meeting immediately following the AGM in 2021.

Committee approved for WGHC to host a virtual AGM on Wednesday 2nd September

Committee decided the time of virtual AGM will be 7.00pm

Committee approved that the business of the 2020 AGM should be limited to.

- **Present the accounts, balance sheets and Auditor's report**
- **Select Committee Members**
- **Appoint the auditor for the following year**
- **Instead of opening up the floor to consider any other business, all members should be given the opportunity to ask questions in advance of the meeting. Such questions should be received by WGHC's CEO by Friday 31st August 2020 and these can be addressed at the virtual meeting.**

Also, Committee Approved:

- **that the Model Rules 2020 be adopted at the 2021 AGM**
- **that the CEO to submit a Notifiable Event to the Scottish Housing Regulator stating that due to the exceptional circumstances caused by the COVID-19 pandemic, WGHC plan to only adopt the New Model Rules 2020 at a Special General Meeting immediately following the AGM in September 2021.**

6c) Letter from Kevin Stewart MSP – Minister for Local Government, Housing and Planning

On 2nd July 2020 Kevin Stewart MSP (Minister for Local Government, Housing and Planning) wrote to all CEOs of Scottish RSLs.

The content of his letter is summarised below:

- **Fire and Carbon Monoxide Detector Standards**
A landlord should aim to fully meet the requirements by 1 February 2021
[Committee are advised that RB Grant Ltd will be recommencing the upgrading works to WGHC properties smoke detectors on 10th August 2020.](#)

- **Energy Efficiency Standard for Social Housing (ESSH) by 31 December 2020**
89% of stock should meet this standard by 31st December 2020.
Committee are advised that 99.2% of WGHC stock already meet this standard.
- **Scottish Housing Quality Standard**
In a similar manner, work needed to keep houses compliant with the SHQS should be taken forward to the best of landlords' ability in the context of the current restrictions.
Committee are advised that currently 89.52% of WGHC meet the standard. Committee are reminded that the majority of stock which fails to meet the standard is due to the lack of cupboard space in the kitchens in Area 1. When these properties were built WGHC tenants were given the option to have some cupboard spaces removed to allow the fitting of additional white goods like a dishwasher, etc
- **Electrical Safety**
Guidance states that electrical safety inspections should be carried out at intervals of no more than 5 years. Full compliance of this standard should be achieved by all RSLs by 31st March 2022.
Committee are advised that WGHC are currently progressing with a tender which is due to be advertised late Summer, for a contractor to carry out a rolling programme of electrical inspections each year so that WGHC will achieve this standard.

Committee noted the report

6d) Privacy Notice for Committee Members

WGHC's Data Protection Officer, David Mills of RGDP, is currently working through WGHC's Data Protection Action Plan with the CEO and Depute CEO. The purpose of the Action Plan is to ensure a methodical approach towards getting WGHC complaint with the Data Protection and Freedom of Information requirements and the General Data Protection Regulations.

Part of this work involves preparing and issuing Privacy Notices for Committee Members, WGHC Tenants and WGHC Staff.

Included with these papers is the Privacy Notices for Committee Members- Appendix 2.

Members are asked to read the enclosed Privacy Notice and be made aware of what personal information WGHC will collect and hold about Committee

Members and how this information will be used. These notices will be reviewed regularly. Members will be presented with revised notices periodically.

Committee noted the report

6e) Letters being sent out to all WGHC Tenants

Committee are advised that in the week beginning 20th July the following information will be sent out to all WGHC tenants:

- **A letter to tenants about the resumption of certain WGHC services including routine repairs, allocations, and membership applications**
- **A Tenant Privacy Notice**
- **A flyer publicising the new Welfare Rights Advisory Service (through a joint ARCHIE partnership between Port of Leith Housing Association and WGHC) commencing early August 2020**
- **A letter from the Scottish Government to all RSL Tenants about COVID-19**

Committee noted the report

6f) Memberships

There have been no new memberships since the last report.

There has been one termination of a sole membership following the death of a tenant and one new membership as a household member succeeds the tenancy.

The details are as follows:

Some information has been redacted as it contains either personal data or commercially sensitive data

Committee noted the report

6g) Health and Safety Report

There have been no incidents or accidents since the last report during this period of COVID-19.

Committee noted the report

6h) Health & Safety Report

There have been no incidents or accidents since the last report during this period of COVID-19.

Committee noted the report

7) Maintenance Report

- **Gas Safety Checks we have done since 01.04.20**
 - 93 completed
- **Gas Safety Checks overdue- action we are taking/have taken**
 - Two properties overdue - both completed now.
- **Planned Maintenance update**
 - Works listed below as previous month currently with F3 surveyors who are preparing tender documents.**
 - External painting area one (Granton Mains) 143 properties painting of fascia boards and metal railings. Plan to start late Summer 2020.
 - Replacement of smoke detector heads area six (Forthquarter) 45 flats and common stairs.
 - Energy performance cert, estate wide. Surveys to be carried out in 100 properties.
 - DEICR electric safety testing, estate wide, rolling program of 90 properties per year.
 - Gas boiler replacement. Area four- 72 properties.
 - **Cyclical Maintenance update.**
 - Works listed below as previous month currently with F3 surveyors who are preparing tender documents.**
 - Gas safety and maintenance of gas appliances, estate wide. Current contractor has been doing this for a number of years, should put out to tender now to ensure continuing value for money
 - Fire alarm systems, area six and five Forthquarter and West Pilton Bank. **Some information has been redacted as it contains either personal data or commercially sensitive data**
 -
- **Upgrading of smoke alarms**
 - New laws came into force meaning that we are required to upgrade the smoke alarms in WGHC properties. 327 properties require to be upgraded. Work started on January 2020 and 132 properties were completed by March 2020. Contractor has now planned dates for the remaining properties. General letter to go out 22/07/20 and contractor will contact directly with dates.

- **Repairs service**

- Nearly all contractors are currently back and providing the usual service for our tenants.
- We are currently working through a backlog of minor repairs that were reported during lockdown.

Committee noted the report.

8) Housing Management

Anti-social Behaviour (ASB)

We received 2 reports of ASB in April and 6 reports in May.

In June, we received reports of 5 incidents, 2 relating to an ongoing case. We are still pursuing Social Work to host a multi-agency Case Conference but meanwhile have secured external tenancy support for one of the tenants.

3 reports related to one incident in a stair concerning drunken behaviour. We were unable to prove the involvement of the alleged perpetrator. All cases reported in the quarter were resolved within our 20-working day timescale.

Estate Management

Although we are not in a position to carry out regular Estate Management Inspections at this stage, we are able to react to reports of dumped items, untidy gardens etc reported by staff, neighbours, or contractors. Menco are on site carrying out their regular contract work.

Allocations

We had keys returned for a property that was being illegally occupied by a family member following the death of a tenant.

We have restarted our Allocations process prioritising Internal Transfers in the first instance. Key to Choice (Edindex) have also started re-advertising empty homes available to let.

Committee noted the report

9) APPEAL Update

Following Committee's decision at the June Meeting to uphold staff's decision to refuse to transfer a WGHC tenancy to a deceased tenant's son, the CEO confirmed the son has now returned the keys to WGHC and the property is now back in the possession of the Co-op.

This meant that no legal action had to be raised to remove the son for illegal occupation.

This property is now being prepared for relet to an Internal Transfer Applicant in need of a 2 Bed family home.

Committee noted report

10) Donations – Thank you's received

Donation 1: Thank You

At the June Meeting, Committee agreed to donate £250 to the West Pilton Neighbourhood Centre towards the production and distribution of an 8-page COVID-19 Newsletter for the local community.

Some information has been redacted as it contains either personal data or commercially sensitive data

Donation 2: Thank you

Following Committee's decision to agree to donate £400 to the Pilton Youth & Children's Project, WGHC received two thank you emails as follows:

Some information has been redacted as it contains either personal data or commercially sensitive data

AND this second email:

Some information has been redacted as it contains either personal data or commercially sensitive data

Committee noted report

11)AOCB

No other business

**12) DATE OF NEXT MEETING – Wednesday 19th August 2020 at the
Prentice Centre**

Committee approved

Signed **Some information has been redacted as it contains either personal data
or commercially sensitive data**

Date: 19.08.20

Chairperson