



Minutes of Berneslai Homes Board held 28th September 2023 at 4.00pm
Gateway Plaza

Present:

- Mark Johnson - Interim Chair (joined Virtually)
- Richard Fryer - Board Member
- Adam Hutchinson - Board Member
- Kevin Osborne - Board Member
- Adriana Rrustemi - Board Member
- Eric Smith - Board Member
- Jo Sugden - Board Member
- Sarah Tattersall - Board Member
- Mahara Haque - Independent Member and Chair of Customer Services Committee (Board observer)

In attendance

- Amanda Garrard - CEO
- Dave Fullen - Executive Director, Customer & Estate Services
- Arturo Gulla - Executive Director, Property Services
- Lee Winterbottom - Managing Director Construction Services
- Kulvinder Sihota - Executive Director, Corporate Services
- Sam Roebuck - Head of Governance and Strategy and Company Secretary
- Sarah Clyde - Head of Strategic Housing BMBC
- Maria Gbadamosi - Observer

Before the meeting commenced, MJ informed the meeting that as he has had to join Board virtually it would not be practical for him to Chair. Therefore following correct procedures he requested a vote be undertaken for a Chair to be chosen for this meeting. AGa nominated RF, Board unanimously agreed.

MG (observing the public meeting) was welcomed.

	ACTION
<u>Item 1 – Apologies</u>	
Kathy McArdle – Service Director (BMBC).	

Item 2 – Declarations of Interest

None were declared.

Item 3 – CEO Presentation

Before presenting the information AGa outlined the proposed new format for future meetings. This will hopefully commence at the December or February meeting. Instead of the CEO presentation taking place as the first item on the public agenda, this will be replaced by an item which hears the tenants voice incorporating a story/video. The CEO presentation will then be discussed on the confidential agenda.

The CEO presentation was then summarised covering national, regional, local and Berneslai Homes issues and priorities.

At a national level, Board's attention was drawn to the significant activity taking place relating to the Social Housing Regulation Act, moving from reactive to proactive. A link has been included on the slides showing the history behind the changes. Work is taking place on the consumer standard consultation and a Customer Panel took place last week on this. AGa thanked those Board members who attended.

The Building Social Campaign, launched by Inside Housing was highlighted. The meeting acknowledged the potential change in government at the next general elections. Therefore, the importance of influencing at a local and national level is vital and there will be opportunities for getting voices heard over the next few months as the conference season takes places.

At the National Housing Federation Conference the Shadow Housing Minister gave a positive speech about social housing, net positive and replacing the 14000 homes lost under the Right to Buy each year.

At a more regional level AGa advised of a good document produced by the NHC on net zero challenges in the north which is worth reading. Also noted the draft Housing Strategy developed by SC (BMBC) and her team.

Locally, reference was made to the new build at St. Michaels and the massive transformation plan for Goldthorpe. Board were advised that the net zero carbon homes at Billingley View are also progressing well and awaiting handover

From a Berneslai Homes perspective, the Remuneration Committee considered the IIP report, which will be uploaded into the Resources Section on Decision Time for Board to view. Although the result has moved from Gold to silver, there are positives, taken in the context of a major restructure taking place when the questionnaire was issued. The report contains some fantastic comments and shows the culture change, people feeling empowered and the 3 C's coming through. A reassessment is being undertaken in March 2024, until then the Gold accreditation is retained.

<p>The Housemark complaints accreditation award to Berneslai Homes was brought to Board's attention. This shows that the correct processes are in place. Work now is required on behavioural change. With regard to tenant satisfaction measures, a separate session has been arranged in the next few weeks.</p> <p>BH are proud of the new Tenants Annual report.</p> <p>The priorities were summarised.</p> <p>Resolved:</p> <p>Board received the update and thanked AGA for the useful and comprehensive presentation.</p>	
<p><u>Item 4 – Annual Governance Statement</u></p> <p>SR presented the report and highlighted the key areas.</p> <p>This has already been considered in detail at the last Audit and Risk Committee. AH confirmed they were sufficiently assured with the comprehensive information provided.</p> <p>Resolved:</p> <ul style="list-style-type: none"> • Board were satisfied that with the assurance provided in this report, in relation to internal control arrangements, is sound and forms a satisfactory basis for the Statement attached as Appendix A for inclusion in the 2022-23 Accounts. • Board noted the proposed 2023-24 Plan for improving the robustness of the system of internal control. • Board approved the Modern Slavery Statement 2022-23 for signature by the Interim Board Chair. • Board approved the Senior Information Risk Owner Annual Report 2022-23. 	
<p><u>Item 5 – Berneslai Homes Ltd Report and Accounts to the end of March 2023</u></p> <p>KS presented. These have already been considered by Audit and Risk Committee who recommended to Board for approval. The main changes since last year were outlined and the key issues within the report summarised, making reference to the financial statements, cash flows etc. Board's attention was drawn to the positive gain on pensions this year, due to interest rates and inflation. The reduction on reserves was also noted and the council's contingency of £2.5M.</p> <p>The key risks were outlined and include damp, mould and condensation and the cost of living, Board were reminded of the Hardship fund.</p> <p>AH fed back from Audit Committee that on considering the accounts they took assurance from External Audit who were in attendance to talk through</p>	

the changes and their methods of achieving assurance. Committee also discussed the pension situation and reserves and were confident that BH comply with the policy in this area.

Board referred to rent arrears and the reduction in reserves in relation to the cost of living increases and asked if consideration was being given to building in arrears increasing.

DF advised that since the beginning of the year rent collection has been behind target. However, Since the end of Q1 improvement has been seen. He referred to the hardship fund, of which around £120,000 had been allocated in grants to tenants. Demand in winter for this will increase, but funds are still available. The Tenants First Team continue to support tenants in gaining benefits and grants and so far have worked with 470 households, totalling around £0.5M. A Service Level Agreement remains in place for the Citizen Advice Bureau worker who has worked with 90 households, equating to £340K of debt. All this work will continue. In the medium term software options are being considered which will sit above the housing management system, using artificial intelligence and automation, enabling officers to deal with more complex cases.

Board were advised that the collection rate target is 97%. If this is not met the pressures would not fall directly to Berneslai Homes, but to BMBC as they are responsible for the HRA and 30 year Business Plan.

Board were interested in understanding uncollected rent in cash terms. DF said his would be approximately £3.2M. However, when arrears are looked at in more detail a lot relates to Universal Credit, particularly around the time lag and delays in receiving payments. Berneslai Homes are maximising the alternative payment arrangements that exist under the framework. Although this can take time, these arrears will be paid by DWP.

DF also referred to the agreed escalation policy in place which ultimately progresses to eviction in some instances.

Board stressed the importance of being mindful of the diminishing reserves and being prudent to ensure the appropriate level is maintained.

The Chair thanked KS and the team for their hard work.

Resolved:-

- 1. Board approved the Berneslai Homes Ltd Annual Report and Accounts for the period ended 31 March 2023 be approved;**
- 2. The Financial Statement were signed by the Interim Chair and the Chair of Audit Committee;**
- 3. Board noted the report of the External Auditor;**
- 4. Board approved the letter of representation be approved; and**

<p>5. The letter of representation was signed by the nominated Chair on behalf of the Board</p>	
<p><u>Item 6 – Risk Management Annual Report</u></p> <p>SR presented the report which reflects on the risk operations in 2022-23. It was reviewed by Audit and risk Committee in August 2023. The key points were highlighted.</p> <p>The Risk Management Framework Strategy has undergone a mid-year review, however this still remains dynamic. The Risk Management Statement was reviewed by EMT and Board in February. The overall objective is to ensure that there is a clear and robust approach managing risk and that all relevant laws, regulations are complied with to successfully achieve our Strategic Plan.</p> <p>AH referred to the responsibility of Audit and Risk of overseeing the framework, however he stressed that it is the responsibility of the Board to support and collectively decide the level of risk.</p> <p>A concern was raised in relation to damp and mould worsening in the winter months as tenants may worry about the costs of heating their homes and asked about the work BH are doing on this. AGu advised the work is taking place with council colleagues; a task group meets on a regular basis which also has tenant representation. Tenants are also referred to the hardship fund. Information is being collected on properties as part of the stock condition survey and this will identify those properties with no ventilation; if there are fans missing, these will be installed. Board were advised that a process is in place for dealing with all aspects of damp, mould and condensation. There are works identified that are bigger jobs, for example tanking, insulation and these have to be planned in. He acknowledges that the situation will be exacerbated in the winter, but provided assurance that Berneslai Homes are and will continue doing as much as they can to assist tenants.</p> <p>Resolved:-</p> <ol style="list-style-type: none"> 1. Board approved the Risk Management Annual Report for 2022-23. 2. Board approved the 2023-24 Action Plan at Section 11 3. Board agreed they felt sufficiently informed about risk management. 	
<p><u>Item 7 – Quarterly Performance Report for Q1</u></p> <p>DF presented the report, advising that this had been considered in detail at the Customer Services Committee. It has also been discussed at the ALMO Strategic Liaison meeting. He summarised the main focus areas of committee:-</p>	

- Rent collection and how this is being managed which has been covered in Item 5.
- Contact Centre – He was pleased to report on the significant improvements made and that performance continues to be maintained; service standards are being met. Board expressed their satisfaction with this positive trajectory and asked that their thanks be extended.
- Building Safety – There is strong compliance in this area, with the exception of lifts. AGu advised that since the report, lifts are now 100% compliant and provide an explanation of why delays had occurred.
- Void rent loss – The HRA Business Plan target is 1.05%, performance was significantly higher in Q1 and equates to a loss of around £250K. There is still significant work to do to ensure the right budgets are in place to release works. This will continue to be a focus area for Customer Services Committee.
- Staff sickness – This is a key focus area for EMT and SMT. Board suggested that as this is an area of concern Remuneration Committee consider in more detail (spotlight area), also taking into consideration Construction Services attendance in relation to their surplus contributing to reserves.
- Complaints handling and response times – Following the challenge from Board to improve, targets have been revised and improvements are being seen. Housemark accreditation for complaint handling has been awarded which is significant but BH acknowledges there is more work to do.
- Ombudsman Maladministration – DF advised that since the end of Q1 there has been 2 Ombudsman maladministration findings against Berneslai Homes. These are in relation to delays in carrying out repairs and the level/standard of communication with customers. Board were assured that lessons have been learned.
- Waiting list/lettings policy review – The team are working in assessing applications against the new criteria. Currently the number of applicants on the housing register is around 4,300, previously 9,500.

KS

MJ referred to the appraisal process and the opportunity for Board members to observe other Committees which has occurred and is still an option.

Resolved:

2.1 Board considered and commented on Berneslai Homes' quarter one performance.

2.2 Where performance targets have not been Board were satisfied with the explanations provided and that there are adequate controls and actions in place to address under performance.

2.3 Board agreed the areas identified by CSC for more detailed consideration.

Item 8 – Disrepair Annual Report

AGu presented the report and highlighted the key areas.

Statutory requirements are being met and the disrepair protocol is being followed.

Board’s attention was drawn to the Table in the Executive Summary of the report. As can be seen the total number of disrepair claims is 147 and equates to a significant amount of money being paid £400K.

There are 58 ongoing live claims, however some are dormant. Every effort is made to deal with them as quickly as possible. The main areas of disrepair are around damp and mould, ill-fitting doors and general repairs.

He referred to solicitors targeting tenants and the advice they are giving them with regard to denying access. BH are working with the Council’s legal team and are also in the process of introducing a disrepair policy. Board agreed this was vital to be clear on the steps due to the procedural nature. They also stressed the importance of cases being dealt with speedily, using detailed data/evidence and taking an aggressive/robust approach with the solicitors. It was noted that compared to Sheffield and Rotherham, Barnsley are in a much better position.

Recruitment is taking place for a damp and mould dedicated team with 2 disrepair surveyors being appointed. The Manager post is going out to advert again using a recruitment agency.

Board welcomed the measures that have been put in place.

Resolved:

Board noted the current disrepair position.

Item 9 – Building Safety Update

AGu presented the update, focussing particularly on RAAC . Berneslai Homes have taken a risk based approach and looked at buildings that could potentially have RAAC. This has resulted in 25 blocks being identified Structural Engineers have been commissioned to investigate and report back on their findings. BH are not overly concerned. Further updates will be provided as the situation evolves.

For information Board were also advised that the 3 high rise buildings have been registered as a requirement of the Building Safety Act.

Resolved:

- **Board were brought up to date on the situation and the associated risks of RAAC**

AGu

<ul style="list-style-type: none"> • Board acknowledged appropriate action has been taken to develop a suitable plan for the identification of RAAC materials within the Council housing stock. 	
<p><u>Item 10 – Resource Information Paper</u></p> <p><u>10.1 Sustainability Strategy Actions- Annual Update</u></p> <p>Resolved:-</p> <p>The update report was received.</p>	