












Berneslai Homes Board 21st July 2022

Public Agenda

10:00

- | | | |
|------------|--|--------------------|
| 1.0 | Apologies | 10:00 (1m) |
| 2.0 | Declarations of Interest | 10:01 (1m) |
| 3.0 | IT Repairs First Project - Verbal Update/Presentation by One Consulting -CONFIDENTIAL ITEM | 10:02 (10m) |
| | KS | |
| 4.0 | CEO Presentation | 10:12 (10m) |
| | <i>For Information</i> | |
| |  <i>July 2022 CEO Update.pdf</i> | <i>Page 1</i> |
| 5.0 | Governance Update | 10:22 (5m) |
| | <i>For Decision</i> | |
| |  <i>Final Governance Update inc Appendices.pdf</i> | <i>Page 8</i> |
| 6.0 | Smoke & Carbon Monoxide Alarm (Amendment) Regulations | 10:27 (5m) |
| | <i>For Decision</i> | |
| | Dan Crossley presenting | |
| |  <i>Final Carbon Monoxide and Smokes Regs.pdf</i> | <i>Page 31</i> |
| 7.0 | Risk Management Annual Report | 10:32 (5m) |
| | <i>For Decision</i> | |
| | SR | |
| |  <i>Final Risk Man Annual Report and App B.pdf</i> | <i>Page 40</i> |
| 8.0 | Communications Strategy | 10:37 (10m) |
| | <i>For Decision</i> | |
| | Amanda Bennett presenting | |
| |  <i>Final Communications Strategy inc App A.pdf</i> | <i>Page 47</i> |

9.0 Sustainability Strategy	10:47 (10m)
<i>For Decision</i>	
John Dowle presenting	
 <i>Final Sustainability Strategy 2022-27.pdf</i>	<i>Page 64</i>
Minutes of last Public Meeting held 19th May 2022	
BREAK	10:57 (5m)
CONFIDENTIAL AGENDA	11:02
10.0 DTP Review - Findings	11:02 (20m)
SR & Angela Lomax (DTP)	
 <i>Final Governance Review DTP Findings inc App.pdf</i>	<i>Not included</i>
11.0 BH Financial Performance	11:22 (5m)
<i>For Decision</i>	
KS	
 <i>Final BH Financial Performance.pdf</i>	<i>Not included</i>
 <i>Final BH Financial Performance.pdf</i>	<i>Not included</i>
12.0 Building Safety Update	11:27 (5m)
<i>For Information</i>	
Dan Crossley presenting	
 <i>Building Safety Report Q1 update final.pdf</i>	<i>Not included</i>
13.0 Health and Safety Annual Report	11:32 (5m)
<i>For Decision</i>	
SR presenting	
 <i>Final Employee Annual Health and Safety Performance report.pdf</i>	<i>Not included</i>
14.0 Minutes, Actions and Debriefs	11:37
14.1 Board Minutes and Actions 19/5/22	11:37 (5m)
<i>For Approval</i>	
Chair	

 **Board Minutes 20220519.pdf** **Not included**

 **Board Actions 20220519.pdf** **Not included**

14.2 Customer Services Committee **11:42 (2m)**
For Information

RF

 **Customer Services Debrief.pdf** **Not included**

 **Draft Customer Services Committee Minutes 20220526.pdf** **Not included**

14.3 Audit Committee **11:44 (2m)**
For Information

MJ

 **Audit Risk Committee debrief 16 Jun 2022.pdf** **Not included**

 **Draft Audit Committee Minutes 20220616.pdf** **Not included**

15.0 Risk Considerations **11:46 (1m)**

16.0 Review of Meeting **11:47 (1m)**

17.0 Date of Next Board Meeting & AGM - 29th September 2022 **11:48**

CEO UPDATE JULY 2022



*"CREATING GREAT HOMES AND COMMUNITIES WITH THE PEOPLE OF
BARN斯LEY"*

NATIONAL PERSPECTIVE

- POLICY BONANZA - SOCIAL HOUSING REGULATION BILL.....
- COST OF LIVING CRISIS V BENEFITS TO BRICKS
- LEVELLING UP AGENDA
- CIH NATIONAL CONFERENCE 2022
- NFA/LGA/ARCH RESEARCH – HOUSING REVENUE ACCOUNT
- ELECTRICAL CONSULTATION – 5 YEAR PROGRAMME & PAT



REGIONAL PERSPECTIVE

SOUTH YORKSHIRE MAYORAL COMBINED AUTHORITY – RETROFIT GROUP

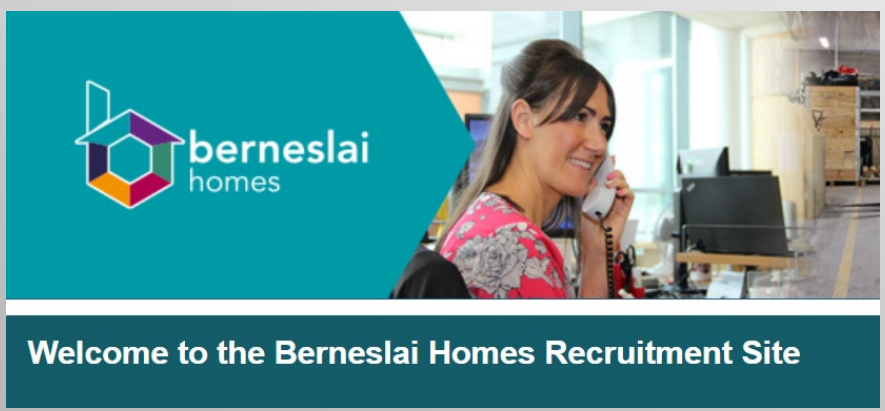
SOUTH YORKSHIRE HOUSING PARTNERSHIP

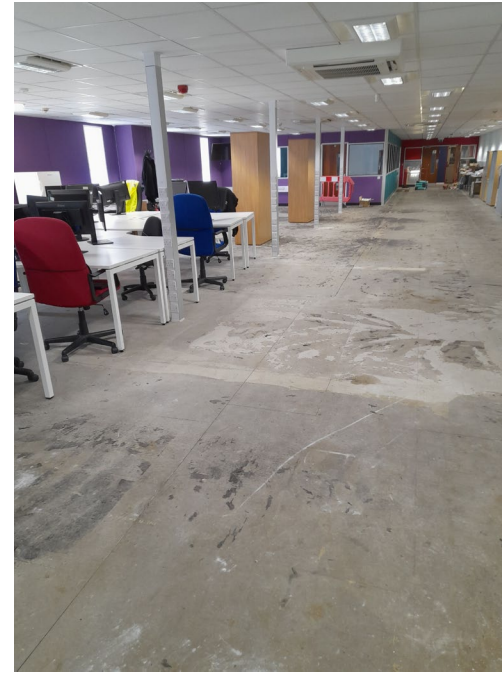


LOCAL PERSPECTIVE



BERNESLAI HOMES PERSPECTIVE





CARLTON DEPOT - REFURBISHMENT

PRIORITIES TO SEPTEMBER 2022

Recruitment of council rep for the board

VFM and efficiencies

Focus on 2023/24 targets and priorities

Workshops with Bmbc – future of council housing & budgets

Discussions regarding rent increase 2023/24



Creating great homes and communities
for the people of Barnsley

Report Title	Governance Update	Date	21st July 2022
Report To	Board	Confidential	No
Report From	Head of Governance and Strategy	Contact	samantharoebuck@berneslaihomes.co.uk

1. Purpose of report	To update Board on key governance issues.
2. Recommendation/s	<p>Board is requested to: -</p> <ul style="list-style-type: none"> • Approve the new Board Code of Conduct. • Approve the new Customer Service Committee Terms of Reference, recommended for approval by the Customer Services Committee. • Note the update on the DTP light touch review and our recruitment for a new Councillor Board member.

3. Introduction/Background

- 3.1 The purpose of this report is to provide an update to Board on a range of governance issues. This report builds on the previous reports and changes made in governance and provides an update on current Board membership recruitment.

4. Current Position

4.1 Board Code of Conduct

The Board Code of Conduct has been subject to a full review. This has included reviewing our current code of conduct against other organisations and strengthening some areas within the code. The changes are highlighted in yellow in Appendix A and Board are asked to approve the new code.

4.2 Terms of Reference

As part of our improvements in Governance the terms of reference for Board and Committee are reviewed regularly. The terms have been amended to include a paid independent member of Customer Services Committee. These were approved and recommended for approval to Board by the Customer Services Committee.

4.3 Councillor Board member

Councillor Caroline Makinson's term on the Board was extended to September 2023 at the Board meeting held in March. However, Caroline has now been appointed into the Cabinet at the council and has stepped down from the Board with immediate effect. The Chief Executive and Head of Governance and Strategy are working with the council to appoint a new Board member. The closing date for applications is 31st July 2022.

4.4 DTP Review

As reported at last Board, we have invited DTP to carry out a light touch review of our new governance arrangements and to make any further recommendations for improvement.

The light touch review is now complete, and DTP are in attendance today to present the findings from the report.

5. Options

- 5.1 Board could decide not to approve the revised Terms of Reference and Board Code of Conduct; however, this is not the recommended option. Board may wish to debate and request amendments; any amendments will be completed following Board approval.

6. Consultations

- 6.1 Consultations have taken place with the Chair of the Board and Customer Services Committee and Chairs have been consulted around the new Board Code of Conduct.

7. Customer views and feedback

- 7.1 This report is an update around the governance of the Board and therefore customer views have not been sought specifically for this report.

8. Equality and Diversity

- 8.1 The recruitment of new Board members provided an opportunity to further diversify the Board. The recruitment pack actively encourages applications from under-represented groups.

9. Data Privacy

- 9.1 This data does not involve the processing of personal data.

10. Risks: -

10.1 Financial there is limited financial impact for this report, in-house Board recruitment minimises costs.

10.2. Regulation and Compliance – Effective succession planning and Board skills and development ensures that Berneslai Homes complies with the NHF Code of Governance. The regular review of Terms of Reference of Committees and Board Code of Conduct ensures we have good governance in place.

10.3 Operations – none identified

10.4 Reputational - Excellent governance at Berneslai Homes will sustain the reputation of the company with all stakeholders. The BMBC leadership and Governance Teams are working with Berneslai Homes in our current recruitment for a Councillor Board member.

10.5 Change - The need for ongoing development and change is important to ensure we have effective governance across the organisation.

11. Financial Implications/Value for Money

11.1 There are no financial implications to this report. The recruitment will be carried out internally by the Governance Team.

12. Employee Implications

12.1 There are no employee implications arising directly from this report.

13. BMBC Strategic Alignment

13.1 The report aligns to the requirements from BMBC (Barnsley Metropolitan Borough Council) for the effective governance of Berneslai Homes.

14. Proposal

14.1 The Board are requested to: -

- Approve the new Board Code of Conduct.
- Approve the new Customer Service Committee Terms of Reference, recommended for approval by the Customer Services Committee.
- Note the update on the DTP light touch review and our recruitment for a new Councillor Board member.

15. Implications for and contributions to Zero Carbon

15.1 No specific zero carbon implications from this report

- 16. Glossary
- 16.1 N/A
- 17. List of Appendices
- 17.1 Appendix A – New Board Code of Conduct
- 17.2 Appendix B - Revised Customer Services Terms of Reference

BERNESLAI HOMES POLICIES & PLANS



**Board Code of Conduct
2022 to 2024**

1. Introduction

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The Board Code of Conduct sets out clear expectations of behaviour of all Board and Committee (inc Independent and Co-optee) Members (also referred to as Members throughout this document). It outlines the actions to be taken in the event of any breaches of the Code. It should also help Members understand their legal duties and the nature of their relationship with both Berneslai Homes Limited ('Berneslai Homes' or 'the Company') and the Executive.

This Code applies to every committee, working party or other subsidiary body of the Board. Its objective is to promote effective and well-informed company governance. It is not intended to be a definitive or authoritative statement of the law.

In addition to the Code, Members need to familiarise themselves with the following, which will be supplied to them on appointment, namely:

- the Memorandum and Articles of Association of Berneslai Homes;
- Berneslai Homes' Strategic Plan; and
- the Members' Governance Handbook.
- The Agreement of Service

A Board / Committee Member must observe this Code of Conduct whenever they conduct the business of Berneslai Homes or acts as its representative.

Members should always think carefully about potential conflicts of interest, and the impact of their behaviour on the reputation of Berneslai Homes.

It is expected that all Members will undertake their duties to the best of their abilities and will comply with the terms of the Board (Inc Independent and Co-optees) Agreement of Service.

Failure to comply with the Code of Conduct may lead to potential disciplinary action in accordance with this Disciplinary Procedure (section 7).

2. Role of the Board and Committees

The Board and Committees consist of non-executive Members who direct and oversee the affairs of Berneslai Homes. The Board / Committees ensure day-to-day management is delegated effectively and carried out properly by the Chief Executive and the staff of Berneslai Homes.

2.1 Functions

The functions of the Board / Committees are to:

- support the mission, vision and values of Berneslai Homes;
- ensure compliance with the Management Agreement between Berneslai Homes and the Council; and
- define and ensure compliance with the Strategic Plan through the agreement of:
 - policies for action;
 - budgets; and

- a framework of delegation and system control, including performance monitoring.
- ensure the affairs of Berneslai Homes are conducted lawfully, ethically and within the terms of its constitution;
- ensure arrangements are in place for urgent decisions to be made in between meetings;
- appoint the Chief Executive; and
- appoint the Company Secretary.

2.2 Exercise of Powers

The Board and Committees may only exercise the powers granted to them by Berneslai Homes' Memorandum and Articles of Association. Unless specific powers and authority have been delegated to a named Member or Committee, it will usually be the case powers can only be exercised by the full Board acting together as a body.

2.3 Delegation

Members should be aware that when they delegate any of their duties to others, including the Company Secretary and Committees, the responsibility and liability for fulfilling those duties remains with Members.

3. Principles

You must fulfil your duties and obligations responsibly, acting at all times in good faith and the best interests of the company, its residents and other service users.

3.1 Conflicts of interests

You must take all reasonable steps to ensure that no undeclared conflict arises, or could reasonably be perceived to arise, between your duties and your personal interests, financial or otherwise.

3.2 Bribery, gifts and hospitality

You must not offer, seek or accept bribes or inducements to act improperly or corruptly. You must not seek or accept gifts, hospitality or other benefits from individuals or organisations that might reasonably be seen to compromise your judgment or integrity or place you under an obligation to those individuals or organisations. Gifts which are of a modest kind (i.e. under £10 retail value), and which can be regarded as in the nature of advertising matter, can be accepted. All other gifts must be politely but firmly refused.

Meals or refreshments which are connected with a public or semi-public occasion, such as an opening ceremony associated with new premises, in which Berneslai Homes have an interest such as owners or partners in the scheme and where the Member attends in an official capacity as representative of Berneslai Homes can be accepted.

An important role of a Board / Committee member may involve attendance at corporate functions which have a social element as well as networking and company

promotion. Attendance at such events should be proportionate and not excessive with checks in place to ensure probity is upheld and disclosure documented

If a Member is unsure about accepting a gift or attendance at any function then they are able to seek clarity from the Chair or Chief Executive.

All offers of gifts or hospitality must be recorded in the Register of Hospitality and Gifts using a Notification of an Offer form available from the Governance Team.

3.3 Funds and resources

Members should not place themselves under any financial or other obligation to others who might seek to influence them in the performance of their role.

You must not misuse the company's funds or resources for yourself, your family, your friends or the company.

3.4 Confidentiality

In carrying out your role, you have access to confidential information. You must handle information in accordance with the law and the company's policies and procedures, ensuring confidential material is handled sensitively, appropriately and with due care.

3.5 Disclosure and Sharing Information

Berneslai Homes regards compliance with the UK GDPR and Data Protection Act (DPA) 2018, and any future update along with information security standards, as a matter of the utmost importance. All Board members are required to respect individual's privacy at all times and are required to comply with current and any future UK data protection laws. Non-compliance may result in individuals being prosecuted under section 170 of the DPA, 2018 and Computer Misuse Act 1990 if there is no business reason to handle or share personal information of other board members, employees, contractors, suppliers, customers and members of the public to non-authorised individuals or organisations or to their own personal devices.

3.6 Health, safety and security

Your conduct must not endanger the health, safety or security of yourself or others.

3.7 Conduct at meetings

Your conduct at board / Committee and other meetings must meet a high standard of integrity, commitment and courtesy.

3.8 Representing the company

Members also have a legal duty to promote the success of Berneslai Homes. You should therefore consider yourself as an ambassador for the Company, and act accordingly.

You should not conduct yourself in a manner, which could reasonably be regarded as bringing the office of the Board or Berneslai Homes into disrepute.

In representing the company at external events and in dealings with outside bodies, you must uphold and promote the company's values, objectives and policies.

3.9 Reporting concerns

You must report any reasonable and honest suspicions you may have about possible wrongdoing.

You must report any behaviour by another Member you reasonably believe involves a failure to comply with the Code of Conduct in accordance with the procedure set out in section 7.

3.10 Performance

The Board has ultimate responsibility for the governance of Berneslai Homes and should have a diverse range of skills, competencies, experience and knowledge. It is important that the Board rigorously appraises its performance and that of individual members on a regular basis. Where performance falls below expectations and the required competency for a Member, the Board will actively deal with this.

The appraisal process may highlight areas of poor performance, whether through matters of competency, behavioural issues, poor attendance or lack of preparation for meetings. There may also be specific instances of inappropriate behaviour or conduct which need to be dealt with during the year.

You should ensure you:

- exercise reasonable care and skill in carrying out your functions. A higher standard of care will be expected of those who have particular skills or qualifications, such as an accountant or a solicitor;
- In partnership with the company, take responsibility for your own learning and development, regularly updating and refreshing your skills and knowledge.
- prepare for Board meetings by reading all the papers.

3.11 Accountability

Members are part of a team and should act as such. You are accountable for your actions to each other, to Berneslai Homes and to its stakeholders.

In particular, you:

- have a duty to comply with the law on all occasions in order to preserve public confidence in Berneslai Homes;
- must support publicly the collective decisions made by the Board / Committee;
- are accountable for your decisions and actions to the public, funders and service users;
- must submit yourself to the level of scrutiny appropriate to your role;
- must ensure resources are not used for political purposes;
- must have proper regard to any relevant advice provided to you by the Chief Executive, Director of Corporate Services, Company Secretary and professional advisers to Berneslai Homes;

- must exercise independent judgement in making decisions; and
- should have a high level of attendance at Board / Committee meetings so they can perform the function properly and effectively.

3.12 Respect for others

It is essential that Members have knowledge of current Equalities legislation and can apply this in governing the organisation. Members must at all times display the agreed Board Behaviours and promote the values of Berneslai Homes. You must treat others with respect. Failure to do so may impact on the reputation and wellbeing of the Board and Berneslai Homes.

Accordingly, Members should:

- promote equality, and not harass or discriminate;
- treat others and their views with respect and courtesy;
- promote and support the principles of leadership by example;
- not do anything that may, or does, compromise the impartiality of those who work for, or on behalf of the Company; and
- respect the role of the Chair, the Chief Executive and the employees of Berneslai Homes.

3.13 Objectivity

Members should ensure decisions are made solely on merit and should set aside personal preferences. At all times you should look to the greater good of Berneslai Homes. In making decisions, you should:

- ask appropriate questions; and
- come to your own conclusions, weighing up carefully the views expressed and the advice given.

This duty of objectivity extends to making appointments, awarding contracts, recommending individuals for rewards and benefits and transacting other business.

3.14 Openness

You must be open about your decisions and actions, giving reasons for them where appropriate.

3.15 Relationships and team working

Members must maintain a constructive, professional relationship based on a sound understanding of the respective roles of board / Committee members, staff and involved residents.

You should:

- develop positive working relationships with the Chief Executive and the Executive Management Team;
- maintain the highest standards of professionalism, fairness and courtesy in all your dealings with residents and other service users;
- recognise their primary role is one of strategic direction, and not day-to-day operational matters; and

- avoid becoming involved in individual staffing and tenant matters.

3.16 In addition, the Companies Act 2006 requires Board / Committee Members to consider the following:

- the long-term impact of their decisions;
- the interests of the company's employees;
- the impact of decisions on customers and suppliers;
- the impact on the community and the environment; and
- the desirability of maintaining a reputation for high standards of business practice.

4. Prohibitions on acting as a Board / Committee Member

The Companies Act 2006 excludes the following from being directors:

- undischarged bankrupts;
- people under the age of sixteen; and
- people disqualified under the Company Director's Disqualification Act 1986

Further restrictions may be imposed by Berneslai Homes' Memorandum and Articles of Association.

5. Conflicts of Interest

The obligations of Members to Berneslai Homes must not clash with obligations they owe to others.

Members should therefore:

- be aware of their duty to declare any interest relating to their role, and take steps to resolve any conflicts that may arise;
- resolve any conflicts in favour of their role as a Board / Committee Member and not in accordance with their private interests; and
- make relevant declarations of interest in relation to their role at Berneslai Homes and in relation to any role they may perform externally.

5.1 Statutory Requirements

The Companies Act 2006 contains three basic requirements concerning conflicts:

- a general duty to avoid a conflict of interest;
- a duty not to accept benefits from third parties; and
- a duty to declare an interest the director may have in a proposed transaction or arrangement with the company.

5.2 Membership of Other Bodies

A Board / Committee Member may be a member of a Tenants and Residents Association.

However, to avoid any conflict of interest, a Board / Committee Member must **not** be a member of the Tenant Voice Panel, Executive or Management Committee, or any similar body from time to time established by the Federation.

6. Complaints against Board / Committee Members

This part of the Code provides:

- a transparent, fair and consistent process for dealing with allegations of misconduct by Members;
- a means to address inappropriate behaviour; and
- a form of appeal for Members in relation to disciplinary action taken against them.

It is recognised that:

- challenge and differences of opinion are positive; and
- Members bring a variety of skills and views to the table.

This is healthy and can add materially to the quality of the debate and the outcomes from it. Accordingly, legitimate disagreement and respectful appropriate challenge of either the Executive or other Board / Committee members are **not** grounds for action.

However, disagreement for the sake of it and inappropriate challenge are not behaviours that are expected of Members at Berneslai Homes.

The procedure set out below applies to all Board / Committee Members equally.

6.1 Grievances and Disputes

- a) It is hoped that Member disputes and grievances can be handled through candid discussions informally, outside of Board meetings.
- b) If a Member has a dispute with another Member that they cannot resolve informally or would like to raise a grievance, they may do so by contacting the Senior Independent Director (SID). If the grievance is regarding the SID, the Chair shall be contacted directly.
- c) The SID will arrange a formal meeting with the member to discuss the matter. The SID will be supported by the Chair, or the Chair of the Audit Committee if the grievance relates to the Chair. The Company Secretary and/or Chief Executive will provide governance advice, as appropriate.
- d) Following the meeting, a letter outlining the concerns and actions agreed will be provided by the SID to the member raising the grievance.
- e) If the matter is not successfully resolved, the SID will refer the matter and will appoint a Panel consisting of three Board Members (excluding those involved). The Panel will hear from both the SID and the members concerned. Following the meeting, the SID, or appointed Chair, will send a letter to the members raising the grievance outlining the concerns and the actions agreed. This action plan will be final with no further appeals or review.

- f) Should the recommendation of Panel be the removal of the members concerned, the Removal of Board Members Procedure will be followed.
- g) The process should conclude in a timely fashion.

6.2 Breaches

Any allegations of breaches should be raised and dealt with promptly and meetings / decisions should not be unreasonably delayed. Any allegations of breaches should be dealt with consistently, particularly in terms of being classed as either an informal or formal process and actioned in line with the appropriate procedure set out in section 7.

6.3 Types of Breach

Grounds where action may be taken include, but are not limited to, the following:

- a breach of this Code of Conduct.
- a breach of Berneslai Homes' equality and diversity policy.
- abuse of other Members of the Board / Committees, employees of Berneslai Homes or stakeholders to whom the company is responsible.
- failure to accept the principle of collective responsibility for Board / Committee decisions.
- making false statements.
- a breach of the duty of confidentiality.
- acting against the interests, aims and objectives of Berneslai Homes; and
- bringing Berneslai Homes into disrepute.

6.4 Taking Action

Action may be taken under the procedure set out below (section 7) where:

- the matter is so serious as to warrant it; or
- the Member has failed to remedy a matter reasonably promptly after a request from the Chair of the Board to do so; or
- there have been a series of breaches of a lesser nature.

7. Disciplinary Procedure

- 7.1 Any allegation of misconduct or complaint about a Board / Committee Member should be reported to the Chair of the Board (or the Chief Executive, if the complaint is about the Chair).
- 7.2 The Chair is to notify the Chief Executive promptly of any allegation or complaint to him/her.
- 7.3 The Chief Executive will, in the first instance, ask the complainant to provide written details of the breach. The Board / Committee Member against whom the allegation has been made will be provided with a copy of those details and be given the opportunity to respond.

7.4 The Chair, the Chief Executive and HR colleague as appropriate will agree whether informal or formal action should be taken depending on the severity and nature of the issue.

7.5 Informal Action

- a) Instances of minor misconduct or failure to fulfil responsibilities will be dealt with informally by the Chair (or the SID and Chair of the Remuneration Committee or Chair of the Audit & Risk Committee if the breach is committed by the Chair) usually taking place through direct discussions at a meeting between the Member, Chair and Chief Executive as appropriate.
- b) Examples of minor misconduct could include poor timekeeping or attendance, minor breach of company policy / procedure, poor performance.
- c) Any recommended action such as training, coaching or additional support will be agreed. The discussion will refer to the relevant part of this Code, detail the breach it is alleged has occurred and will be confirmed in writing.
- d) The Member will be advised of potential consequences / sanctions if there is a failure to improve over a reasonable timeframe as appropriate to the matter.
- e) The Member will be notified in writing of the informal discussion and any action recommended / taken. The Company Secretary will be notified in order to record the minor breach and action taken.
- f) If, within six months following notification of action taken, it is believed that a further act of misconduct may have occurred, the procedure may be repeated or referred by the Chair and Chief Executive to a formal procedure.

7.6 Formal Action

- a) If the matter cannot be resolved informally, the Chief Executive will then appoint an independent person to undertake an initial investigation.
- b) On completion of the initial investigation, the Chief Executive will appoint a Panel consisting of three Board Members (excluding the complainant). The Panel will hear the allegations made against the Board / Committee Member, review the findings of the initial investigation and allow the Member to state his or her case.
- c) Unless the Chair (or the Chief Executive, where the complaint is against the Chair) considers the circumstances are so serious to merit otherwise, no action will be taken against the Member until the Panel has heard the complaint.
- d) If, however, the Chair (or, where appropriate, the Chief Executive) does consider the circumstances are such to merit it, the Member may be suspended from office pending the Panel hearing.
- e) Prior to any hearing, the Board / Committee Member will be:

- informed of the facts of the allegation at least ten working days in advance (unless a shorter period is agreed with him/her);
- advised of his/her right to be heard;
- asked if he/she wishes to be represented at the hearing, and if so, by whom; and
- given a copy of the findings from the initial investigation.

f) At the Panel hearing:

- the Chief Executive (or his/her representative) will present the findings of the initial investigation;
- if appropriate, the evidence of witnesses will be given;
- the Panel and the Member will have the opportunity to question the witnesses;
- the Member will have the opportunity to present his/her case, calling witnesses (if appropriate) in defence of the allegations or complaint;
- the Panel will have the opportunity to question the witnesses and/or the Member; and
- the Panel will ask the Chief Executive and the Member (or their respective representatives) to make any final submissions.

- g) The Panel will then retire to consider the matter. This will be on the basis the burden of proof is the balance of probabilities.
- h) The Panel will decide by a simple majority whether or not the allegation or complaint has been substantiated. In the event of a tie, the Chair of the Panel will have a casting vote.
- i) If the allegation or complaint has been substantiated, the Panel will also decide the appropriate sanction or sanctions to impose.
- j) This decision is to be made by a simple majority, with the Chair of the Panel having a casting vote in the event of a tie.
- k) The Panel may either deliver its decision immediately following the hearing, or postpone doing so to such later date as it may consider reasonable.
- l) In either event, the Panel will ensure the Member is notified in writing of the outcome of its deliberations no more than three working days after having reached its decision. The written notification is to include details of the right of appeal to the Board.

To note: A Board Member is liable to disqualification under the Company Directors Disqualification Act 1986 if found to be unfit to act as a Board Member. Further details can be found at <https://www.gov.uk/government/publications/company-directors-disqualification-act-1986-and-failed-companies>

7.7 Sanctions

If the Panel decides the allegation or complaint has been substantiated it will impose such sanction or sanctions set out below as it believes appropriate.

In reaching its decision concerning the sanction(s) to impose, the Panel will have regard to the gravity of the misconduct, any previously proven misconduct and the general record of conduct of the Member.

The sanctions that may be imposed by the Panel are:

- a single written warning;
- a removal (or suspension for such period determined by the Panel) from any Committee or specific responsibility on the Board;
- a suspension of Board / Committee remuneration for such period determined by the Panel;
- a suspension from serving on the Board / Committee for such period determined by the Panel;
- a recommendation to the Board for the Member to be removed from office; and
- such other sanction as the Panel may consider reasonably appropriate in the circumstances.

Any written warning will remain on the Member's record for such period as the Panel may determine.

If the sanction is a recommendation for removal, the matter will be referred to the Board for consideration in accordance with the terms of the Company's Memorandum and Articles from time to time.

7.8 Resignation

The ideal outcome is that the Member recognises that the relationship with Berneslai Homes is not working out and the Chair and Member mutually agree that the Member will resign. The resignation will be reported to the next Board meeting and the Services Agreement will be terminated forthwith.

7.9 Removal

If the above conciliatory approach does not work, then the following approach should be taken:

- The Chair will advise the Board of the performance issue with the Member concerned and that removal of the Member is the appropriate outcome for the Board;
- At the next Board meeting the Chair will propose removal of the Member from the Board, which will require a majority decision in line with the Memorandum and Articles of Association (Article 20);
- The Services Agreement will be terminated at this stage.

7.10 Notification of Decisions

Notice of the result of disciplinary action against a Board / Committee Member will be given to the Council, as sole Member of the Company and the following:-

- in the case of a Tenant Board Member, to the Tenant's Voice Panel; and
- in the case of a Council Board Member, to the Council's Chief Executive.

7.11 Appeals

A Board / Committee Member has the right to appeal a decision of the Panel to the Board. The appeal must be put in writing and lodged with the Chief Executive within ten working days of the decision. The notice is to specify the decision being appealed against, and the grounds for the appeal.

The Chief Executive will fix a date for the appeal, notify the Member of it and “convene a meeting of the Board excluding the original hearing panel, the appellant and the complainant”. The chair of the hearing panel will present the case and the appeal will be conducted, so far as possible, in accordance with the procedure set out in paragraph 9 above. The Board will have power to:

- reject the decision of the Panel and over-turn the sanction; or
- ratify the decision of the Panel and the sanction imposed; or
- ratify the decision of the Panel, but impose either a different sanction (higher or lower) or no sanction at all.

Following the decision of the Board, the Member has no further right of appeal.

7. Acceptance of Code

All Board / Committee (inc Co-optes) Members must accept and sign a copy of this Code to show they have understood the responsibilities they are undertaking.

Signed:

Date:

TERMS OF REFERENCE FOR CUSTOMER SERVICES COMMITTEE

1. Constitutional Authority and Purpose	<p>1.1 The Customer Services Committee (the “Committee”) is a sub-committee of the board of Berneslai Homes.</p> <p>1.2 The overall purpose of the Customer Services Committee is to ensure that we engage effectively with our customers and focus on enhancing the delivery of our customer experience, including to:</p> <ul style="list-style-type: none"> • Oversee the delivery of customer services across Berneslai Homes • Ensure that all residents are provided with opportunity to engage with us effectively • Support the effectiveness of the Tenant Voice Panel to enable customers to scrutinise the services we provide
2. Composition	<p>2.1 For further avoidance of doubt, the Board Chair may not serve as the Committee Chair.</p> <p>2.2 One Independent Committee Member who is not part of Berneslai Homes Board may be appointed to the Committee. The Independent committee member will be remunerated for the role, and may serve as Committee Chair, if proposed and approved by the Committee and the Board.</p> <p>2.3 Employees of Berneslai Homes are not eligible to serve on this Committee.</p> <p>2.4 The Committee will have a membership of at least 3, comprising 3 Board members and as required up to one Independent members (one of which will be the Committee Chair).</p> <p>2.5 Specialists may be co-opted to provide particular expertise as and when required, to be approved by the Board. Co-optees will not be remunerated but will be able to claim travel expenses.</p> <p>2.6 The Committee will invite the Tenants Voice Panel to nominate two of its members to attend the Committee. The Tenants Voice Panel members will have neither voting rights nor be remunerated but will be able to claim travel expenses.</p> <p>2.7 Membership of the committee and its chair will be reviewed by Chair of the Board from time to time to ensure that the relevant skills and competency are present.</p>



	<p>2.8 If the Committee Chair is not present at a quorate meeting of the Committee, the Committee Members present shall elect one of their number to chair that meeting.</p>
<p>3. Meetings and Quorum</p>	<p>3.1 The quorum for a Committee meeting shall be two, of which both must be a non-executive member of the Board.</p> <p>3.2 The Committee must meet at least four times a year and its proceedings and decisions shall be reported to the Board.</p> <p>3.3 The Committee shall abide by all the rules relating to the calling of meetings and the conduct of business contained in the rules of Berneslai Homes and in respect of contract standing orders, policies and code of conduct relating to boards and board members.</p> <p>3.4 Other Board members and officers have the right to attend the Committee meetings if invited by the Committee.</p> <p>3.5 The Executive Director of Customer and Estate Services and Executive Director of Property Services or their nominee will attend the meetings.</p> <p>3.6 A Customer Services Committee Member who:</p> <ul style="list-style-type: none"> misses three consecutive meetings of the Customer Services Committee: or is absent from at least 20% of the meetings of the Customer Services Committee in any period of 12 months (i.e., attendance level of 80%) without the permission of the Customer Services Committee Members, will if the Board so resolve, be removed as a Customer Services Committee Member. <p>3.7 At least five working days' notice of all meetings of the Committee will be given to each Committee Member and to the Chair of the Board unless any two members of the Committee certify in writing that, because of special circumstances which are set out in the certificate, the meeting ought to be called as a matter of extreme urgency.</p> <p>3.8 Resolutions of the Customer Services Committee are to be decided by a majority of votes and each Customer Services Committee Member present in person shall be entitled to one vote. A written resolution signed by all the members of the Customer Services Committee (provided that they would constitute a quorum of the Customer Services Committee) is as valid as if it had been passed at a meeting of the Customer Services Committee and may consist</p>

	<p>of several documents in similar form each signed by one or more of the Customer Services Committee.</p> <p>3.9 If there is an equality of votes, the Chair is not entitled to a second or casting vote. Resolutions which fail to secure a majority in favour are to be lost.</p>
4. Duties and Responsibilities	<p>4.1 The principal duties of the Committee are:</p> <ul style="list-style-type: none"> • To oversee and make recommendations on service delivery models, policies and business plans across all functions of the organisation. • To ensure all sources of customer feedback including petitions, complaints and compliments are considered to inform future service delivery and to raise customer satisfaction levels. • To refer to the Board any instances where a petition organiser is dissatisfied with the response in order to provide a “right of appeal”. • To compare and benchmark services with other organisations noted for good practice. • To monitor key service standards and appropriate key performance indicators through exception reporting and ensuring they remain relevant and embedded in our services and that findings are used to support continuous service improvement. • To ensure effective tenant led scrutiny arrangements are in place. • To scrutinise a range of key service areas and areas of housing need. • To act as the Board’s critical friend in relation to compliance with the regulatory framework. • To oversee the implementation of the Involvement Agreement, including supporting and promoting tenant groups. • To ensure that Resident Involvement activities have an effective mechanism to feed into Board. • To ensure equality and diversity issues are embedded within service delivery with an emphasis on access to services. • To review and make recommendations on area-based regeneration projects and partnership deals. <p>More specific responsibilities of the Committee are detailed in sections below:</p>
4.1 Strategy	<ul style="list-style-type: none"> • To set service delivery strategy for Berneslai Homes. For the avoidance of doubt and because of the financial implications, rent setting is reserved to the Board. • To set, monitor and review operational policies in line with the policy approval arrangements set by the Board. • To set, monitor and review operational service standards.



	<ul style="list-style-type: none"> • Within the budget and scope set by the Board, to take asset management decisions relating to housing and regeneration investment, disinvestment and development. • To evaluate the service delivery environment and advise the Board on key issues and opportunities. • To ensure there is a rigorous approach to service improvement.
4.2 Performance Monitoring	<ul style="list-style-type: none"> • To ensure that the core service is delivered consistently across the housing stock. • To set and monitor challenging customer service performance targets. • To review the outputs of the scrutiny process and oversee the implementation of recommended improvements. • To monitor value for money in operational service delivery.
4.3 Risk & Compliance	<ul style="list-style-type: none"> • To oversee the business assurance framework in place for the identification, management and reporting of risk relating to housing operational activities. • To review and monitor relevant strategic risks and operational risks as delegated from Board. • To monitor compliance with the regulator's consumer standards. • To monitor landlord health and safety compliance.
4.4 Relationship with tenants and other stakeholders	<ul style="list-style-type: none"> • To encourage the involvement and ownership of tenants in service delivery and continuous improvement. • To ensure that positive and constructive relationships are developed with the stakeholders.
5. General Authority and Scope	<p>5.1 The Committee is authorised to investigate any activity of Berneslai Homes within its terms of reference and in accordance with any advice or guidance from the Regulator. It is authorised to seek any information it requires from any employee, and all employees are directed to co-operate with any reasonable request made by the committee.</p> <p>5.2 Following prior consultation with the Chair of the Board and, where appropriate, the Chief Executive, the Committee is authorised to obtain legal or other professional advice, which is relevant to its purpose, as it deems necessary and within the relevant budget allocation (if any) allowed for those costs in each year. However, it may incur direct expenditure of £5000 without the prior approval of the Board.</p> <p>5.3 The Committee shall in its decision making, give due regard to any relevant legal or regulatory requirements, and associated best practice guidance, as well as to the risk and reputation implications of its decisions, referring to the Decision-Making Framework for clarification.</p>



6. Review	<p>The Board has approved these Terms of Reference and they will bind the Committee from 19th May 2022</p> <p>6.1 At least every two years, the Committee shall review its structure, delegated responsibilities, reporting arrangements, terms of reference and effectiveness and report its conclusions to the Board, including any recommendations for changes.</p>
7. Conflicts of interest	<p>7.1 Any Committee Member having an interest (which shall include interests of Family members) in any arrangement between the Company and another person or body shall disclose that interest to the meeting before the matter is discussed by the Committee. Unless the interest is of the type specified in Sections 7.2 and 7.3 the Committee Member concerned shall not remain present during the discussion of that item unless requested to do so by the remaining members of the Committee. Unless permitted by Sections 7.2.1 and 7.2.2 the Committee Member concerned may not vote on the matter in question, but no decision of the Audit Committee shall be invalidated by the subsequent discovery of an interest which should have been declared.</p> <p>7.2 Provided the interest has been properly disclosed pursuant to Section 7.1 a Committee Member may remain present during the discussion and may vote on the matter under discussion where the interest arises because:</p> <p>7.2.1. the Committee Member is a Tenant Representative so long as the matter in question affects all or a substantial group of the Tenants; or</p> <p>7.2.2. the Committee Member is a director or other officer of a company or body which is a parent, subsidiary, or associate of the Company; or</p> <p>7.2.3. the Committee Member is an official or elected member of any statutory body.</p> <p>7.3 A Committee Member shall not be treated as having an interest of which the Committee Member has no knowledge and of which it is unreasonable to expect him to have knowledge.</p>
8. Reporting procedures	<p>8.1 The Board will obtain assurance on the Committee's work via minutes and regular verbal feedback from the Committee Chair on all the Committee meetings.</p> <p>8.2 The Chair of the Committee will ensure that key issues are promptly brought to the attention of the Board.</p> <p>8.3 The Committee will report formally on its work to the Board on an annual basis.</p>



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	<p>8.4 Minutes of each Committee meeting (which record the salient points of the discussions which take place and all decisions which are taken) must be kept and must be produced promptly after the relevant meeting both to that Committee and to the Board.</p> <p>8.5 Minutes of each committee meeting must where possible be circulated to all Board Members in advance of the next Board Meeting. Consideration of these minutes must form an agenda item at that Board Meeting.</p> <p>8.6 The Committee will submit any reports it considers necessary to the Board.</p>
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Creating great homes and communities
for the people of Barnsley

Report Title	Smoke & Carbon Monoxide Alarm (Amendment) Regs	Date	21 July 2022
Report To	Board	Confidential	No
Report From	Executive Director Property Services	Contact	arturogulla@berneslaihomes.co.uk

1. Purpose of report	<p>The purpose of this report is:</p> <ul style="list-style-type: none"> To update Board on our intended approach to meet the requirements of the Smoke & Carbon Monoxide Alarm (Amendment) Regulations 2022 by the enforcement date of October 2022. To set out a clear installation and cost plan to ensure compliance by October 2022.
2. Recommendation/s	<p>Board is recommended to:</p> <ul style="list-style-type: none"> Approve the installation of Smoke & Carbon Monoxide Alarms through a planned programme at an estimated cost of £2.83m by October 2022. Approve £1.33m funding from the Housing Growth Reserves to contribute to the installation costs.

3. Executive Summary

The government have now approved the amendments to the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.

The amendment regulations will mean:

- Social landlords will be required to provide a smoke alarm on every storey of their properties where there is a room used wholly or partly as living accommodation.
- Both social and private landlords will be required to provide carbon monoxide alarms in any room of their properties used wholly or partly as living accommodation where a fixed combustion appliance is present (excluding gas cookers).
- There will be a new obligation on all landlords to repair or replace any alarm which is found to be faulty during the period of a tenancy, and landlords will be required to repair or replace alarms as soon as reasonably practicable.

Social Landlords will need to ensure compliance by October 2022

Berneslai Homes current position is as follows:

	Already installed	To install (additional storey)	Total once installed
Smoke Alarms	18,167 (one alarm)	18,167	36,334
Carbon Monoxide Alarms	3,200	13,300	16,500
TOTAL	21,367	31,467	52,834

In order to comply with the new regulations Berneslai Homes will have to work at speed to install the remaining Smoke alarms and Carbon Monoxide alarms by October 2022.

The installation proposal is to include:

- Gas Servicing – Between now and October a further 5,000 properties will have a gas service and additional Smoke and Carbon Monoxide alarms will be installed.
- Supplementary Programme (including Voids & Barnsley Home Standard)–
- For the remaining properties, PRIP partners will visit every property.

Financial Implications

	Budget required	Existing Budgets in place
Budget required	£2.83m	
Existing revenue budget in place over 2 years but brought forward		£1.5m
Gap funding from Housing Growth Reserves		£1.33m
Total	£2.83m	£2.83m

The cost to complete this work is £2.83m. We already have a revenue budget allocation of £1.5m over financial years 22/23 and 23/24. This will be brought forward to this financial year. An additional £1.33m will be required to complete the works. It is proposed that the additional £1.33m will be funded from the Housing Growth reserves previously identified for Berneslai Close which is now no longer going ahead.

4. Introduction/Background

4.1 In 2015, it became a statutory requirement for Private Landlords to have Smoke & CO Alarms installed in their properties.

More recently following the tragic events of Grenfell and the focus on Building Safety, between November 2020 and January 2021 the UK Government has held a consultation on the proposal to extend the requirements for smoke alarms & CO alarms into the social housing sector in line with Scotland.

In late 2021, the Government (Department for Levelling Up, Housing & Communities) published their response to the Smoke & CO Alarm consultation, and there are some key changes that will affect social housing providers.

They were:

- Smoke alarms will be mandatory in all social rented homes.
- Carbon monoxide alarms will be mandatory in rooms with a fixed combustion appliance (excluding gas cookers) in both private and social rented homes.
- Carbon monoxide alarms will also be mandatory upon installation of any heating appliance (excluding gas cookers) in all tenures through building regulations.
- Landlords will be expected to repair or replace alarms once informed that they are faulty.
- New requirements will commence as soon as practicable after the legislation is made. Whilst we do acknowledge that a phased approach could help landlords to implement the changes, we are concerned that any delay could impact on resident safety.

The consultation also suggests that more information should be provided on the siting of alarms and that the guidance will signpost towards the relevant British Standards for installation. Any alarms used should be 3rd party certified to the relevant British Standards:

- BS EN 14604 for Smoke alarms
- BS EN 50291 for Carbon Monoxide alarms

The full response is available to view via the link below:

<https://www.gov.uk/government/consultations/domestic-smoke-and-carbon-monoxide-alarms/outcome/domestic-smoke-and-carbon-monoxide-alarms-proposals-to-extend-regulations-government-response>

4.2 On the **9th March 2022** a letter was sent to every landlord by Minister Hughes outlining below which caused much concern and confusion in the industry which compliance experts have been working with the Government to understand better:

"We are working at pace to bring these changes in, which could be as soon as Autumn 2022. I will write to you again in the coming months once the regulations have been laid, to provide clarity on the exact date they will come into force"

It also stated:

"It is important that I make you aware that, should the legislation be approved by Parliament, any landlord found to be in breach could be fined up to £5,000. As such, it is vital that your organisation prepares for these changes now."

- 4.3 On the **11th May 2022** an updated letter was sent to landlords by Minister Hughes as below:

"Today, The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 were laid in draft before Parliament. The House of Commons and the House of Lords will now debate the regulations, and if both Houses approve them, they will come into force on 1 October 2022."

- 4.4 On **25th May 2022** we received confirmation from leading compliance experts Corgi and the ASCP stating that they had been in correspondence with the Department for Levelling Up, Housing & Communities which have confirmed **there will be no grace period upon the implementation of these amended regulations.**

4.5 **Summary of the Regulation & Standards**

To meet the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, it stipulates the two main changes are ensuring that all rooms with combustible appliance (except gas cookers) require carbon monoxide alarms and the inclusion of social landlords in the regulations.

The regulation for smoke alarms is that there shall be a smoke alarm on each storey within the property. All alarms must be fitted and working during the tenancy. This regulation is not new, it is just now required by Social Housing providers.

Therefore, any landlord is required to meet the above. It does not advise on any standards to work to however BS 5839-6 is generally the industry best practice guide for fire alarm detectors in dwellings. This does not cover carbon monoxide alarms which is covered by BS EN 50292.

So, initially we can install battery operated smoke alarms on each storey (has always been landing / hallway historically) to meet the regulation by 1st October deadline, but then with the data we will have gathered can work towards achieving the British Standard (BS 5839-6) via hardwire on Capital Investment schemes.

5. Current Position

5.1 Current Position - Carbon Monoxide Alarms

After budget was agreed (1 April 2022), we began to install CO alarms at the same time as the annual gas service was carried out. This approach was agreed as it was deemed the most cost-effective way to install the alarms.

Since 01/04/2022 there have been approx. 3,000 gas services completed where CO alarms have been installed, and we have collated the required data on smoke alarms in our stock management system.

Between 1st June and 15th September (all Gas services released to partners that will expire before 1st October deadline), ***there will be a further 5,000 services raised where on attendance a CO alarm will be installed.***

5.2 Current Position - Smoke Alarms

Smoke alarms were not currently being installed as part of the gas service, we were just collating the required information. The plan was to complete this in year 2 of the programme.

6. Options to be compliant by October 2022

6.1 Our approach to install smoke alarms and a CO alarm into our current domestic housing stock of 18,176 by the 1st October deadline (16 weeks from 13th June to 1st October) is in two fundamental streams:

1. ***Gas Servicing*** – We will continue to install CO alarms as we have been doing on Gas Servicing, but in addition, will also install smoke alarms where required on this visit. We will however have to re-visit a proportion of the 3,000 Services completed between 1st April and 1st June to upgrade smoke alarms where required (the previous plan was to collect the data in year 1, and install smoke alarms in year 2). This will then give us 8,000 compliant properties.
2. ***Supplementary Programme*** – PRIP Contract Partners Construction Services and Wates will visit every property based on their geographical location within the contract where a Gas Service has not taken place since April 2022 or will not take place before 15th September 2022. This figure will include ASHP / Electric Heating. This equates to 13,500 visits.

Alongside the two main streams highlighted above, we will be targeting properties via:

- ***Voids*** - Construction Services & Wates will now be installing a CO alarm and smoke alarms where required in all void properties going forward.
- ***Boiler Installations*** - Any new gas boiler installation will have a CO alarm and smoke alarms installed as per regulations.

- ***Barnsley Homes Standard*** – Any properties where we will carry out BHS works before the 1st October deadline will have a CO alarm and smoke alarms installed.

6.2 **Resources** - Construction Services and Wates have confirmed they have resources available to ensure the Gas Servicing programme is completed as normal, and to allocate a dedicated team of operatives who will be trained and assigned to this important task starting on W/C 13th June 2022.

6.3 **Cost / Funding**

As part of the Annual Gas Service from 1st June 2022 will see an increase of the GMP due to the additional required smoke alarms.

Initial estimates provided by Construction Services indicate this will require an uplift of £89.90 per visit.

This figure would be approx. £450k uplift on the GMP (Revenue Spend).

The cost to complete this work is £2.83m. We already have a revenue budget allocation of £1.5m over financial years 22/23 and 23/24. This will be brought forward to this financial year. An additional £1.33m will be required to complete the works. It is proposed that the additional £1.33m will be funded from the Housing Growth reserves previously identified for Berneslai Close which is now no longer going ahead.

The supplementary programme of 13,300 will be Capital spend.

7. **Consultations**

7.1 We have consulted with BMBC Director of Finance, Housing Service Director and the Head of Strategic Housing, Sustainability and Climate Change.

8. **Customer views and feedback**

As part of the ongoing Communications Strategy, a meeting was held on Thursday 9th June 2022 with members of the Tenants Voice Panel and our Communications Manager to agree how we will communicate the important changes to our customers and promote access.

A social media campaign will be run with key messages going out periodically, keeping the focus very much on safety.

Also, key people in the Contact Centre have been made aware of the imminent works so they can best advise customers who contact.

9. **Equality and Diversity**

9.1 All customers will receive the appropriate Smoke alarm and Carbon Monoxide Alarm.

10. Data Privacy

The works will form part of existing data privacy arrangements already in place with our partner contractors .

11. Risks:-

11.1 Financial

Any landlord found to be in breach could be fined up to £5,000 per property. There is a possibility of further fines should an unfortunate fire/smoke/ CO2 related incident occur in one of our properties.

11.2. Regulation and Compliance Failure to meet the Regulator of Social Housing Home Standard. Reputational risks due to not complying with the Smoke Alarm and Carbon Monoxide Alarm (amendment) Regulations 2022.

11.3 Operations – Contractors have confirmed that they should be able to meet the installation but there is a risk due to increase in sickness such as(Covid-19).

11.4 Reputational – The reputation of the organisation would be severely affected should we not comply with this legislation. This would include negative media coverage.

11.5 Change N/A

12. Financial Implications/Value for Money

12.1 Financial implications are attached at Appendix A.

13. Employee Implications

13.1 There are no employee implications arising directly from this report).

14. BMBC Strategic Alignment

14.1 The contents of this paper meets the objectives as set out in Berneslai Homes Strategic Plan of Keeping Tenants Safe and BMBC Strategic Plan of a Healthy Barnsley.

15. Proposal

- **Approve the installation of Smoke & Carbon Monoxide Alarms through a planned programme at an estimated cost of £2.83m by October 2022.**
- **Approve £1.33m funding from the Housing Growth Reserves to contribute to the installation costs.**

16. Implications for and contributions to Zero Carbon

- 16.1 By mobilising a planned coordinated approach to installations this will reduce operative fuel consumption.

17. Glossary

- 17.1 GMP- Guaranteed Maximum Price
BMBC – Barnsley Metropolitan Borough Council

18. Appendix

Appendix A – Financial Implications

APPENDIX 'A'

Report of the Executive Director of Property Services

TITLE OF REPORT

Smoke and Carbon Monoxide Alarm (Amendment)
Regulations

FINANCIAL IMPLICATIONS:

BH Capital Expenditure

2022/23
£

2023/24
£

2024/25
£

Later
Years
£

Works and Fees

0	0	0	0
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To be financed from:

BH Revenue Effects

2022/23
£

2023/24
£

2024/25
£

Later
Years
£

Contribution to programme

1,330,000

1,330,000	0	0	0
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To be financed from:

Berneslai Homes Reserves (Housing Growth Earmarking
for Berneslai Close development now no longer required)

HRA Revenue Effects

2022/23
£

2023/24
£

2024/25
£

Later
Years
£

Contribution to programme

0	0	0	0
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To be financed from:

2023/24 Budget brought forward into 2022/23

AGREED BY:
EXECUTIVE DIRECTOR OF CORPORATE SERVICES

11/07/2022



Creating great homes and communities
for the people of Barnsley

Report Title	Risk Management Annual Report 2022	Date	21 st July 2022
Report To	Board	Confidential	No
Report From	Head of Governance and Strategy	Contact	Claire Denson Risk and Governance Manager clairedenson@berneslaihomes.co.uk

1. Purpose of Report	To provide Board with a reflection on the risk management operations in 2021-22, which was reviewed and recommended for Board approval at Audit Committee in June 2022.
2. Recommendation/s	<p>Audit Committee recommended that:</p> <ul style="list-style-type: none"> i. The Risk Management Annual Report for 2021-22 be approved. ii. The proposed 2022-23 Action Plan at Section 11 be approved. iii. The refreshed Risk Management Strategy, including Risk Appetite Statement, be approved to Board. iv. Board agree they feel sufficiently informed about risk management.

3. Introduction/Background

- 3.1 This annual risk management report provides information on how Berneslai Homes managed its most significant strategic risks in 2021-22.
- 3.2 The Board and the Chief Executive have overall responsibility for risk management. The Head of Governance and Strategy, supported by the Risk and Governance Manager, is responsible for the management and promotion of risk management within Berneslai Homes.

4. **Risk Management Framework Strategy**

- 4.1 Berneslai Homes manages risk through the Risk Management Framework Strategy, which has undergone its two-year refresh. Whilst the document has been updated to ensure it remains dynamic, no procedures have been revised. Board is asked to approve the revised Strategy (**Appendix A**).
- 4.2 The Risk Appetite Statement forms part of the Risk Management Framework Strategy (**Appendix A**). The Statement was undertaken by EMT, and Board in September 2020 led by DTP. Board is asked to review the Appetite Statement. The Statement will undergo a full refresh during 2022-23 by EMT and Board.

5. **Managing Risk**

- 5.1 The Strategic Issues and Concerns register is reviewed quarterly by EMT, with full details to Audit & Risk Committee oversight by Board quarterley. Every two years, a complete zero-based review of the corporate issues and concerns is also undertaken, this session is due in 2022.
- 5.2 A new Risk Management System on SharePoint has been built and is currently being tested by SMT and EMT. Once testing is complete, it will be rolled out to relevant managers. It will enable managers to better monitor and review their own risks, with ongoing support and monitoring by the Risk and Governance Manager. Board members have been given access to the system effective from this report (linked in Background papers), ensuring access to live risk information. Should Board require a demonstration on the system this can be provided.
- 5.3 There are currently 20 active strategic issues and concerns, which were discussed in detail at Audit Committee in June 2022. The Summary of issues and concerns are attached (**Appendix B**). Changes of note since the last review by Board in May:
 - 5.3.1 **New concerns:**
 - i) Financial overspend on the repairs and maintenance budgets. The financial year 2021-22 saw an outturn overspend of £2.3m for revenue and £3.3m for capital. However, the overall HRA budget with BMBC was underspent.
 - ii) The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 mandate smoke and carbon monoxide alarms in social homes.
 - 5.3.2 **Removed concern:**
 - i) The concern around Covid-19 has been reduced and is therefore no longer a priority concern. Ongoing monitoring of the situation may result in the concern being re-added later.
 - 5.3.3 **Revisions to existing issues and concerns:**
 - i) We are less concerned that we do not retain knowledge within the Board, due to ineffective succession and recruitment planning, as we have commenced a successful succession plan with our new Audit Chair and Tenant Board member.
 - ii) We are more concerned about our vulnerability of in-house and third-party systems to cyber-attack. As a public sector organisation, we are more at

risk from the current situation in Ukraine and the increased cyber-attacks in general. No evidence of increased attacks currently.

- 5.4 All issues and concerns have been cross-referenced to the RSH's latest Sector Risk Profile 2021.
- 5.5 Each Directorate has a separate operational issues and concerns register, covering the day-to-day management of services. They are monitored and reviewed quarterly by the respective SMT/EMT member and managers. EMT monitor the 'critical response' issues and concerns from each of the operational registers.

6. **Raising Awareness**

- 6.1 All risk champions will receive training on use of the new Risk Management System. It will be presented to the Leadership Forum and added to the Team Brief during 2022-23.
- 6.2 Raising awareness of risk and the various procedures to mitigate risk have continued through advice and guidance, training, and company-wide communications.
- 6.3 Risk management is included within the Health and Safety staff induction training. It is an interactive session and highlights our zero tolerance to fraud.
- 6.4 Risk management is evaluated as part of the Core Competencies process and leaders are required to 'proactively manage and monitor risks' ensuring they 'fully risk assess complex decisions and issues and take well considered risks.

7. **Assurance**

- 7.1 Executive Directors provide an Annual Assurance Statement on the effectiveness of risk management processes and internal controls within their service areas as part of the Annual Governance Statement report.
- 7.2 Assurance on the effectiveness of risk management processes and controls over key risks is also provided by the work of Internal and External Audit. Internal Audit are currently undertaking a review of the risk management framework.
- 7.3 Internal Audit monitors the implementation of their audit recommendations and reports quarterly to Audit & Risk Committee.

8. **Governance**

- 8.1 Risk is a key consideration throughout the planning process, when preparing financial forecasts, allocating resources during the budget process, and determining the earmarking of any unallocated reserves.
- 8.2 The monitoring of the company's approach to risk is delegated to the Audit & Risk Committee, by the Board. The Board and Committee report template includes a mandatory section on risk implications.

9. **Fraud and Corruption**

- 9.1 The review of the relevant Anti-Fraud and Corruption Policy documents is undertaken in line with the Annual Governance Statement to Audit & Risk Committee.
- 9.2 To ensure we have an ongoing programme of fraud awareness, Board, EMT, Leaders and staff have undertaken training in 2022, with e-learning being rolled out to staff during 2022-23.
- 9.3 The Fraud Issues and Concerns register is reviewed regularly by relevant managers, Heads of Service and EMT, this is available to review on the new risk system.

10. **Health and Safety**

- 10.1 The two-year review by BMBC of the company's health and safety management systems, including Construction Services', was undertaken in 2020-21, with 100% scores. They are due again during 2022-23.
- 10.2 The two-yearly health and safety management questionnaires to managers were completed in April 2022. There were no areas of concern raised, with actions centred around ongoing communications. The actions will be monitored via the quarterly Employee Health and Safety performance report to EMT.
- 10.3 Berneslai Homes works to the same format as Barnsley Council for its Resilience and Continuity arrangements, whilst also having more detailed plans in accordance with the services provided to tenants.

11. **Action Plans**

- 11.1 The actions from the 2021-22 risk management report were successfully undertaken, with one delayed action for the implementation of the new Risk Management System.
- 11.2 Development in the following areas is now planned for 2022-23 to build on the work to date:

Actions	Target	Responsible
New Risk Management System on SharePoint, with training and awareness	December 2022	Risk and Governance Manager
Risk Appetite Statement – full refresh	March 2023	Head of Governance and Strategy/Risk and Governance Manager
The Fraud Awareness E-Learning	December 2022	Risk and Governance Manager
Full zero-based review of Strategic and Operational risk registers	December 2022	Risk and Governance Manager
Provide advice and guidance on risk management topics for Board Members, managers and partners as required	Ongoing	Risk and Governance Manager

12. Proposals

- 12.1 The Risk Management Annual Report for 2021-22 be approved.
- 12.2 The 2022-23 Action Plan at Section 11 be approved.
- 12.3 The refreshed Risk Management Strategy, including Risk Appetite Statement, be approved to Board.
- 12.4 Board agree they feel sufficiently informed about risk management.

13. Consultations

- 13.1 Strategic risks are reviewed by SMT and EMT, and any action required is discussed and planned.

14. Equality and Diversity

- 14.1 An Equality Impact Assessment (EIA) has been undertaken for the Risk Management Framework. No equality issues were raised.

15. Data Privacy

- 15.1 The new risk framework should further strengthen compliance with data protection requirements.

16. Risks

- 16.1 There is a risk that the Board, Audit & Risk Committee and management do not appreciate Berneslai Homes' key vulnerabilities and take appropriate action to manage them. The Risk Management Framework ensures that effective mechanisms are in place for the management of risk.
- 16.2 The purpose of risk management updates is to monitor the company's performance against the Risk Management Framework. This ensures the company is managing risk effectively, which should reduce the level of risk to the organisation and improve decision-making. This will ensure the effective management of key risk areas relating to:
 - Financial sustainability, loss, or gain.
 - Non-compliance with regulation, legislation.
 - People, proposes, system products, services, delivery.
 - Loss in confidence from key stakeholders.
 - Change externally or internally.

17. Financial Implications/Value for Money

- 17.1 There are no financial implications arising directly from this report.

18. Employee Implications

- 18.1 The risk management framework requires ongoing risk-related communications and training for all staff.

19. BMBC Strategic Alignment

19.1 Agreement of the Council is not required and there is no divergence from the Strategic Plan.

20. Customer Views and Feedback

20.1 The aim of the risk update is to scrutinise strategic and operational risk management and therefore customer views are not sought for this report.

21. Glossary

21.1 Not applicable.

22. List of Appendices

22.1 Appendix A – [Risk Management Framework Strategy inc Risk Appetite Statement](#) (Decision Time Resources).

22.2 Appendix B – Strategic Issues and Concerns Register – Headline Summary (Attached).

23. Background Papers (Decision Time Resource Section)

23.1 [RSH Sector Risk Profile 2021](#) – Governance Handbook Section.

23.2 [Full Strategic Risk Register \(live risk system\)](#) – filter to Strategic Risks.

23.3 [Fraud Issues and Concerns register \(live risk system\)](#) – filter to Fraud Risks.

Appendix B - Headline Strategic Issues and Concerns

Governance Domain (High level risk areas)	Title of Concern/Issue/Focus	Issue/Concern Owner	Directorate	RSH Sector Risk profile 2021	Response Rating	Level of Concern since previous review
Asset Management (Estates and non-IT equipment)	Loss of stock through RTB & demolitions & ability to influence growth through new build & acquisition for social rent	Executive Director of Property Services	Property Services	Existing Stock Quality	Requires Attention	Same Concerned >
Financial Management	Increasing number of tenants on Universal Credit	Executive Director of Customer and Estate Services	Customer and Estate Services	Rental Income and Arrears	Critical	Same Concerned >
Financial Management	Reduction in income to HRA leading to reduction in management fee and/or service provision	Executive Director of Customer and Estate Services	Customer and Estate Services	Rental Income and Arrears	Important	Same Concerned >
Financial Management	Insufficient funds in HRA and longer term financial plan	Executive Management Team	The Company	Costs and inflation	Critical	Same Concerned >
Financial Management	Financial overspend on Repairs and Maintenance budgets	Executive Director of Property Services	Property Services	Costs and inflation	Critical	Same Concerned >
Governance / Decision making Arrangements	We don't retain knowledge within the board due to ineffective succession and recruitment planning in line with the 6-year terms of office (NHF)	Head of Governance and Strategy	Corporate Services	Delivering against expectations	Important	Less Concerned ∇
Health and Safety	Personal safety of staff	Executive Management Team	The Company	Health and Safety	Important	Same Concerned >
Information Governance/Security	Volume and extent of data we collect and how we retain it.	Executive Director of Corporate Services	Corporate Services	Data Integrity	Critical	Same Concerned >
Information Governance/Security	Vulnerability of in-house and third party systems to cyber attack	Executive Director of Corporate Services	Corporate Services	Data Security	Critical	More Concerned ^
Information Systems Management	Customers unable to access repairs services online effectively	Executive Management Team	The Company	Delivering Services to Tenants	Critical	Same Concerned >
Performance Management and Data Quality	Ability to meet statutory duties and tenant expectations as a result contact centre performance	Executive Director of Customer and Estate Services	Customer and Estate Services	Delivering Services to Tenants	Critical	Same Concerned >
Performance Management and Data Quality	Reputational concerns due to new Regulatory approaches by the Housing Ombudsman and the Regulator for Social Housing	Executive Director of Customer and Estate Services	Customer and Estate Services	Delivering against expectations	Important	Same Concerned >
Procurement, Commissioning and Contract Management	PRIP Contract - Ability of Construction Services to deliver the PRIP contract.	Managing Director of Construction Services	Construction Services	Costs and inflation	Important	Same Concerned >
Procurement, Commissioning and Contract Management	Failure to deliver the priorities within the Strategic Plan	Chief Executive	The Company	Delivering against expectations	Important	Same Concerned >
Procurement, Commissioning and Contract Management	Ability to source material/products in a timely manner to ensure projects /work is not delayed (Brexit/COVID)	Managing Director of Construction Services	The Company	Construction process risk	Important	Same Concerned >
Regulatory Compliance	Failure to meet statutory requirements in respect of property/assets including Building Safety	Executive Director of Property Services	Property Services	Health and Safety	Critical	Same Concerned >
Regulatory Compliance	Upcoming regulations to mandate smoke and carbon monoxide alarms in social homes	Executive Director of Property Services	Property Services	Health and Safety	Important	Same Concerned >
Safeguarding (Children and Adults)	Insufficient resources to support vulnerable tenants and applicants	Executive Director of Customer and Estate Services	Customer and Estate Services	Delivering Services to Tenants	Important	Same Concerned >
Workforce/HR Management	We fail to embed EDI effectively so that it becomes part of the company DNA	Executive Director of Corporate Services	Corporate Services	Delivering Services to Tenants	Important	Same Concerned >
Workforce/HR Management	Struggling to recruit staff throughout the whole organisation	Executive Management Team	The Company	Delivering Services to Tenants	Important	Same Concerned >



Creating great homes and communities
with the people of Barnsley

Report Title	Communications Strategy 2022 to 2025	Date	21 July 2022
Report To	Board	Confidential	No
Report From	Executive Director of Corporate Services	Contact	Amanda Bennett Head of HR & OD

1. Purpose of Report	To seek approval for the Communications Strategy 2022 to 2025.
2. Recommendation/s	That Board approves the Communications Strategy 2022 to 2025.

3. Introduction/Background

- 3.1 The previous Communications Strategy was dated 2016-18 and needed updating to make sure it continues to support our Strategic Plan and its priorities, our partnership working for Barnsley 2030, and the changing needs of our customers, employees, and other key audiences.
- 3.2 The digital landscape has changed significantly in the last four years and a new strategy was needed to make best use of modern communication methods and best practice in the sector.

4. Current Position

- 4.1 A new three-year Communications Strategy has been developed following extensive consultations.
- 4.2 It has been structured in a simple format with meaningful actions, so that it is:
 - a concise and eye-catching document with clear objectives that are easy to understand
 - supported by a one-year action plan, allowing us to respond to an ever-changing, fast paced environment, with communication methods that are modern and effective.

- 4.3 The action plan can be reviewed on an annual basis or as and when required to take into account any changing priorities or emerging channels.

5. Options

- 5.1 This report does not outline various options to the Board. The Communications Strategy is essential for promoting the work of Berneslai Homes and managing its reputation, helping the communications team to use its resources for the priorities that are most important to our audiences. However, the option remains for the Board to discuss and recommend alternative actions, milestones and success measures that it feels appropriate in support of the Strategic Plan and how we contribute to the delivery of Barnsley 2030.

6. Consultations

- 6.1 Extensive consultation has been undertaken with:

- Tenants Communications Strategy Workshop
- Trade Unions presentation to TU liaison meeting
- Staff - internal survey and presentation to Leadership Forum
- Board Communications Strategy Workshop
- Executive Management Team and Senior Management Team and subsequently on the resulting draft document

- 6.2 As a result of this consultation, some additional key themes emerged and are reflected in the strategy:

- The importance of 'listening' to customers and colleagues – more than just being heard: meaningful two-way conversation where feedback is responded to, drawing on lived experiences of real people.
- Value for money - developing a self-serve model where the communications team support and empower other teams to be able to communicate effectively, getting best value from the resources available to us.
- The key role that communications plays in reinforcing best practice in EDI through accessibility, inclusivity, and representation.

7. Customer Views and Feedback

- 7.1 Sought as part of the consultation and reflected within the strategy.

8. Equality and Diversity

- 8.1 There are no adverse equality and diversity implications arising from this proposal.

- 8.2 The strategy underpins the key role of communications in championing EDI, producing communications that are accessible and inclusive, and representative of the local community and our workforce.

9. Data Privacy

- 9.1 The Communications Strategy 2022 to 2025 does not involve the processing of personal data.

10. Risks

10.1 Financial

The Strategy prioritises the work of the communications team and provides a self-serve model for staff, so that we can deliver best value for money with the resources available to us. A 'digital by default' approach reduces printing costs.

10.2. Regulation and Compliance

The Strategy supports compliance with GDPR. It also supports our commitment to best practice in EDI through accessible communications for our audiences.

10.3 Operations

Our modern approach to Communications will make sure we deliver our Customer First approach to providing excellent services. The Strategy makes provision for staff to feel empowered and self-serve where appropriate.

10.4 Reputational

This Strategy will help manage our reputation both formally with the press and media and our management of the brand, and informally through our style and tone of delivery and by guiding everything that we share on behalf of the organisation. The Strategy makes provision for staff to promote Berneslai Homes as champions and ambassadors. It supports our ambition to be a beacon of good practice within the sector.

10.5 Change

The new Communications Strategy recognises the need for modern, future proof communications that make the best use of digital channels including social media. The document is also designed to enable it to be agile and can be amended to take into account any changing priorities. Our new campaign framework enables us to priorities and take a more proactive, less reactive approach which will in turn allow for creative and innovative ideas.

11. Financial Implications/Value for Money

- 11.1 None arising directly from this report.

12. Employee Implications

- 12.1 The new Communications Strategy sets out five promises for the organisation including effective internal communications and meaningful two-way conversations. This will shape effective communication, which is essential for successful, engaged individuals.

13. BMBC Strategic Alignment

- 13.1 The outcomes of this Communications Strategy and the contributions it makes to the wider economy are aligned to the Barnsley 2030 objectives.

14. Proposal

- 14.1 That the Board approves the draft Communications Strategy 2022 to 2025.
- 14.2 In developing a new Strategy and a more modern approach to Communications it was recognised that existing performance data measures were no longer fit for purpose. To utilise this information to help define the success measures would not be revealing or assist with setting challenging targets.

Consequently, it is proposed during year one, new metrics and benchmarks/ targets are established in a number of areas. For example:

- New specific questions included in the STAR survey regarding social media, ebuletin, and website content supported by social media insights and website analytics.
- Additional specific questions added to the Staff Satisfaction Survey.
- Utilise known benchmarks on social media engagement rates (Source: Rival IQ Social Media Industry Benchmark Report 2022).

15. Implications for and contributions to Zero Carbon

- 15.1 Embedding a 'digital by default' culture will contribute the zero-carbon agenda e.g. reduction in printed materials, waste and making best use of digital channels. The campaign priority supporting zero carbon will also proactively encourage colleagues and tenants to take steps to reduce their carbon footprint and environmental impact at home and at work.

16. Glossary

- 16.1 None.

17. List of Appendices

- 17.1 Appendix A – Draft Communications Strategy 2022 to 2025.

18. Background Papers

- 18.1 None.



Effective communication is at the heart of every successful organisation.

- Communicate with a wide range of audiences
- Promote the excellent work we do and to tell the stories of our homes, communities, and people
- Guide the activities of the communications team

Our three-year strategy will take into account:

Our Strategic Plan 2021-31 - achieving our ambitions and how we can make positive change as individuals.



Barnsley 2030 - where our activity links to Barnsley 2030, we'll promote Barnsley Homes within the four themes.



OUR VISION AND VALUES

Our vision is clear:

**Creating great homes and communities
with the people of Barnsley.**

Our mission supports our vision:

Great place, great people, great company.

Creating and developing vibrant neighbourhoods where diverse communities thrive and develop; attracting and retaining talented people, serviced by a diverse organisation.

Everyone who works for Berneslai Homes will embrace these values and make them relevant to their role.

Customer first

Our communications activity will be intelligence-led, proactive, and positive: putting our customers at the heart of what we do.

Can do attitude

We will work hard to give the right information, to the right people, at the right time - creating real impact.

Curious

We will keep up-to-date with digital communication channels including social media, follow best practice in the sector, and apply our learning to continually improve.

BEST PRACTICE PRINCIPLES

The following principles underpin our communications activity:

- simple language for clear communication
- accessible, inclusive, and representative
- professional and informative
- consistent and timely
- reliable and honest
- friendly and conversational
- positive and aspirational



OUR PROMISES



Effective internal communications

Colleagues feel informed, engaged, and proud to work for us.



Reputation management

Berneslai Homes has a good reputation locally, regionally, and nationally.



Excellent customer service

Customers can easily access the right information at the right time.



Meaningful two-way conversations

We listen to and act on feedback from our tenants and colleagues.



Champions of positive change

We reach the hearts and minds of our audiences to achieve positive behaviour change.



EFFECTIVE INTERNAL COMMUNICATIONS

- Understand internal audiences and their communication needs and preferences, tailoring the approach for different groups.
- Champion and support high quality internal communications.
- Support services to be champions and ambassadors for Berneslai Homes, showcasing their work effectively and able to 'self-serve' where possible.
- Celebrate successes and reflect on achievements and learning.



Support



Understand



Celebrate



REPUTATION MANAGEMENT

- Storytelling approach to communications – sharing lived experiences of real people.
- Custodians and champions of the brand.
- High quality external communications.
- Effective working relationships with partners, stakeholders, and media.
- Raise the profile of Berneslai Homes as a beacon of best communication practice in the sector.





EXCELLENT CUSTOMER SERVICE

- Understand our customers and their communication needs and preferences.
- Proactive communications that are timely and relevant.
- Website content is reviewed and improved regularly based on analytics.
- Social media channels are reviewed and improved regularly based on insights.
- Digital by default; promote and support channel shift.
- Reliable, honest, and trustworthy communication.





MEANINGFUL TWO-WAY CONVERSATIONS

- Proactive approach to asking for feedback, both good and bad.
- Listen to the customer voice: act and respond to it.
- Seek feedback from colleagues with a view to identifying improvements in communication.
- Encourage colleague involvement in communications as champions and ambassadors.
- Explore further opportunities for collaboration with tenants.
- Identify ways to communicate with different audiences including hard-to-reach groups.





CHAMPIONS OF POSITIVE CHANGE

- Proactive and planned campaign-based approach to communications.
- Clear calls to action – the audience knows what to do and how to do it.
- Support and promote Equality, Diversity, and Inclusion, and health and wellbeing to make a positive difference to people's lives, inspire others and act as a beacon of good practice.
- Storytelling that reaches the hearts and minds of our audience, putting lived experiences front and centre of communication.
- Modern, future proof communications including digital channels.



SUCCESS MEASURES

- Increased open rate and engagement with internal comms.*
- Increased use of self-serve options by Berneslai Homes teams.*
- Recognition of quality of communication through achievement of awards and accreditations.
- Tenant communication methods and preferences kept up-to-date.
- Increased staff satisfaction with internal communications*. (Staff Satisfaction Survey)
- Increased customer satisfaction with external communications.* (STAR survey)
- Established communications champions.
- EDI is embedded across all communications activity.
- Embedded campaign planning framework with evaluation that demonstrates positive change and real impact. (Social media insights, website analytics, Staff Satisfaction Survey, STAR survey)

* Additional metrics and benchmarks/targets to be established during year one.



YEAR ONE ACTION PLAN (AUGUST 2022 – JULY 2023)

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Effective internal communications

Launch and embed news 'app' for craft and construction colleagues.

Develop intranet section to include communications and marketing self-serve options and support.

Review current employee engagement methods and implement new model.

Develop new 'Innovation Hub' on the intranet to showcase continuous improvements and projects.



Reputation management

Review and refresh media protocol.

Attend and contribute to Barnsley 2030 Comms Group.

Identify opportunities for recognition and accreditation.

Review and update brand guidelines and best practice protocols.



Excellent customer service

Complete website 'lift and shift' to Umbraco content management system.

Deliver proactive, planned campaign linked to our Strategic Plan: Keeping tenants safe.

Support accurate and fit-for-purpose data capture.



Meaningful two-way conversations

Improve collaboration with tenants (for example through quarterly comms meeting, Annual Report working group, planned repairs and maintenance comms).

Deliver proactive, planned campaign linked to our Strategic Plan: Hearing customers.

Act and respond to 2021/22 staff feedback.



Champions of positive change

Develop and embed new campaign planning framework.

Deliver proactive, planned campaign linked to our Strategic Plan: Zero carbon.

Launch a new Instagram social media channel to tell stories of the 'People of Berneslai'.

New fully responsive website.

Develop metrics and agree benchmarks/targets for all promises.



www.berneslaihomes.co.uk

Berneslai Homes Limited is a company controlled by Barnsley Metropolitan Borough Council. A company limited by guarantee, registered in England and Wales, number 4548803. Registered office: 10th floor, Gateway Plaza, Off Sackville Street, BARNSELEY, South Yorkshire S70 2RD.

July 2022



**Creating great homes and communities
with the people of Barnsley**

Report Title	BH Sustainability Strategy 2022-27	Date	21 July 2022
Report To	Board	Confidential	No
Report From	Executive Director of Property Services – Arturo Gulla	Contact	Head of Asset Management John Dowle johndowle@berneslaihomes.co.uk

1. Purpose of report	To seek approval of the Sustainability Strategy 2022-27
2. Recommendation/s	That the Board approve the Sustainability Strategy 2022-27

3.0 Introduction/Background

- 3.1 Within Berneslai Homes Strategic Plan 2021-31 zero carbon is one of the key priorities as an organisation we have agreed to focus on in the future. To support our ambitions on zero carbon it was agreed a suitable sustainability strategy would be developed.
- 3.2 Berneslai Homes recently commissioned Savills to carry out a zero carbon study of the Council housing stock and a corporate decarbonisation assessment. This work has provided our estimated baseline emissions position and key interventions which have been incorporated into the new strategy.
- 3.3 Savills carried out presentations of the zero carbon study to Berneslai Homes Executive Management Team, Berneslai Homes Board and the Council. This has provided input that has also assisted with developing the strategy.

4.0 Current Position

- 4.1 A new 5-year Sustainability Strategy 2022-27 has been developed following consultation.

4.2 The strategy focuses on.

- Addressing emissions across our organisation, from our operational activities through to the homes we manage.
- A focus on delivering better quality, higher performing homes that help our tenants save on fuel costs whilst also reducing their carbon emissions.
- Making sure that our plan feeds into the Councils wider ambition to become net carbon zero by 2045.

4.3 To support the strategy, a roadmap, annual plan 2022/23 and success measures 2027 has been included to provide clear milestones and objectives.

4.4 The document has been designed to ensure it is concise and easy to understand by varied audiences.

5.0 Options

5.1 This report does not provide options for the Board. The developed sustainability strategy and zero carbon plan provides Berneslai Homes with an effective approach to reducing carbon emissions and helping to limit the effects of climate change, through our operational activities and the Council homes across Barnsley.

6. Consultations

6.1 As part of the consultation process, the strategy has been shared with key officers from Berneslai Homes and Barnsley Council for comments and feedback to be provided. Consultation has also been undertaken with customers via our tenant's voice panel (TVP).

7. Customer views and feedback

7.1 Customer views and feedback sought from the consultation exercise have been fed into the strategy where applicable.

8. Equality and Diversity

8.1 There are no equality and diversity implications arising from this report.

9. Data Privacy

9.1 The Sustainability Strategy 2022-27 does not involve the processing of personal data.

10. Risks

10.1 Financial - the strategy provides estimated programme costs to bring the housing stock to net zero carbon by the 2045 target. The substantial additional funding required is not currently included in the Councils HRA business plan.

- 10.2. Regulation and Compliance - the Councils ambition is Berneslai Homes will become net zero carbon by 2045, or earlier if possible, and the government has set a target for social housing providers to attain a minimum rating of Energy Performance Certificate (EPC) C for homes by 2030. The sustainability strategy provide a roadmap for improving the energy performance of the housing stock to achieving local and national targets.
- 10.3 Operations – the agreed strategy will mean we must endeavour to adapt our approach to delivering services to customers as individuals and an organisation to drive our ambitions.
- 10.4 Reputational - the strategy will positively enhance our credibility and brand reputation as an organisation. It will give us the ability to increase stakeholder confidence with us setting out a plan towards achieving net zero carbon.
- 10.5 Change – the strategy can have the ability to influence cultural and behavioural change towards sustainability for individuals and the organisation. This can be achieved through the embedding of the strategy with staff, customers and other stakeholders.
- 11. Financial Implications/Value for Money
- 11.1 None arising directly from the report.
- 12. Employee Implications
- 12.1 There are no employee implications arising directly from this report.
- 13. BMBC Strategic Alignment
- 13.1 The Sustainability Strategy aligns with Councils 2030 vision and the key theme of a Sustainable Barnsley and its ambitions, to reduce carbon emissions of the Council and borough wide.
- 14. Proposal
- 14.1 That the board approves the Sustainability Strategy 2022-27
- 15. Implications for and contributions to Zero Carbon
- 15.1 The Sustainability Strategy ultimately drives Berneslai Homes ambitions in reducing its carbon footprint of its operational activities and the emissions of the homes we manage on behalf of the Council.
- 16. Glossary
- 16.1 None.
- 17. List of Appendices
- 17.1 Appendix A – Sustainability Strategy 2022-27

18. Background Papers

18.1 None



SUSTAINABILITY STRATEGY

Here at Berneslai Homes we recognise that we have a responsibility to protect future generations by reducing carbon emissions and helping to limit the effects of climate change.

Working alongside Barnsley Council, we have developed our ambitious new Sustainability Strategy and Zero Carbon plan for Council homes across Barnsley.

Key pillars of our strategy include:

- Addressing emissions across our organisation, from our operational activities through to the homes we manage.
- A focus on delivering better quality, higher performing homes that help our tenants save on fuel costs whilst also reducing their carbon emissions.
- Making sure that our plan feeds into the Council's wider ambition to become net carbon zero by 2045.



WHO WE ARE

We are Berneslai Homes, working in partnership with Barnsley Council as their local housing company.

Our values: everyone who works for Berneslai Homes will embrace these values and make them relevant to their role.

Our vision is clear:

Creating great homes and communities with the people of Barnsley.

Our mission supports our vision:

Great place, great people, great company.

Creating and developing vibrant neighbourhoods where diverse communities thrive and develop; attracting and retaining talented people, serviced by a diverse organisation.

Customer first

focus on residents being included on the zero-carbon journey.

Can do attitude

work purposefully to achieve zero-carbon objectives.

Curious

explore zero-carbon innovative solutions.



OUR AMBITIONS

Our new Strategic Plan focuses on how we can build for the future.

How will we measure our success?



Use of own vehicles to travel to work and mileage claims reduced by **50%**.



Fleet **100%** electric.



100% success rate in obtaining Social Housing Decarbonisation Funding up to 2030.



100% EPC 'C' for all properties.



HRA business plan **100%** funded with additional income for zero carbon work.



25% tenant heating replaced with green alternatives – air/ground sourced or hydrogen.

ZERO CARBON OUR AMBITION

Zero carbon - our ten year ambition

Meeting the targets locally and nationally by changing the way we work and investing in homes. We will:

- Work closely with the council to maximise the success of the decarbonisation and future zero carbon initiatives.
- Align with Barnsley 2019-2033 Active Travel Strategy and the targets within this.
- Have a modern and effective energy performance certificate process in place.



What we are doing now

- Utilising different funding mechanisms and opportunities available to deliver "retrofit" energy efficiency measures to homes.
- Supporting Construction Services route to PAS2030 accreditation.
- Collaborating with the Council on tree planting initiatives.
- Increasing our stock condition and energy performance data.
- Partnering with the Council and Energise Barnsley to install new renewable technology to homes.
- Networking with sector peers on decarbonisation through various forums.

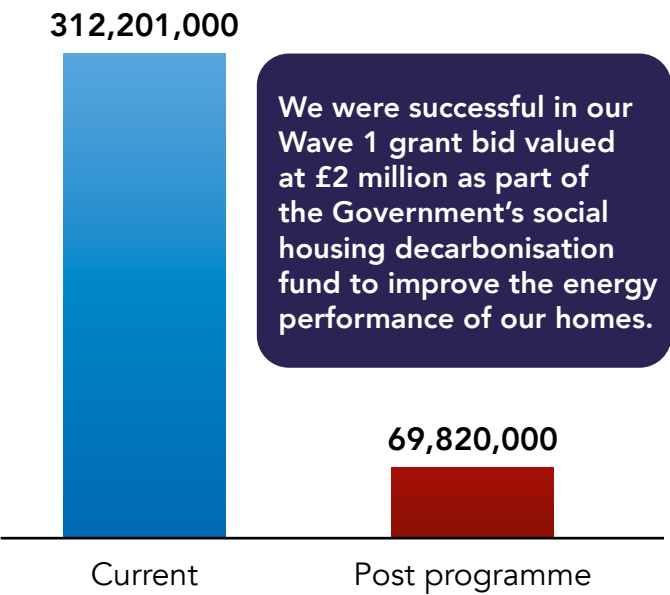
OUR AMBITION FOR COUNCIL HOMES

Our aim: we will:

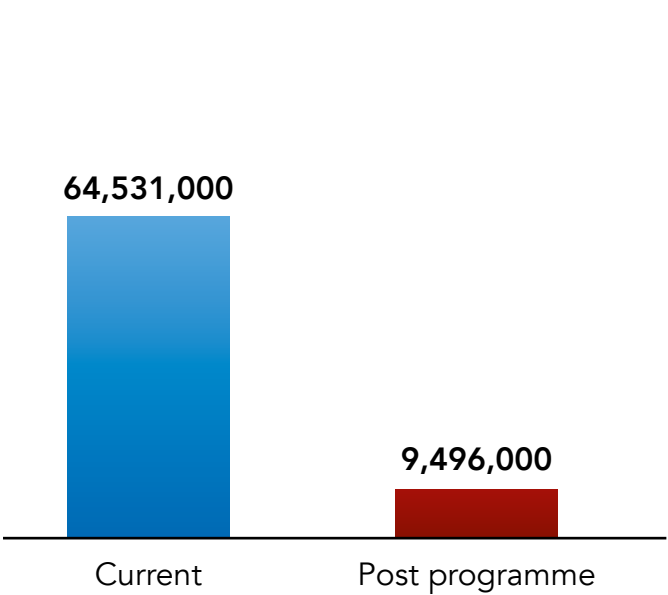
- Use information on the stock to develop improvement programmes by 2045.
- Evaluate asset performance (financial and social) and undertake options appraisals where necessary.
- Engage with our customers on how to get maximum benefit from the investment we make.
- Reduce energy consumption to homes to minimise energy costs to customers.

Current position of stock vs reduction needed to be on track for net zero target.

Energy consumption (kWh/yr)



CO₂ emissions (kg CO₂/yr)



COUNCIL HOMES DECARBONISATION STRATEGY

Planning: we will...

- Engage and consult with our customers as part of our plans.
- Enhance data we hold to improve energy efficiency and reduce emissions.
- Target homes with lowest EPC bandings first where we can.
- Align to existing investment plans to achieve value for money and minimise disruption.

Fabric first: we will...

- Improve the building fabric to reduce heat loss and demand for heat.
- Focus on “quick wins” measures , which when actioned are cost effective and provide relatively large benefits.
- Consider renewable technology solutions when fabric improvements aren’t possible.



Low-carbon heating: we will:

- Monitor and trial new heating technologies as we move towards no new gas boilers from 2035.
- Work with our customers to understand new technologies.
- Select technologies offering affordable warmth, carbon reduction, suitability and affordability.
- Prioritise investment according to energy performance subject to cost benefit analysis.

PROGRAMME COSTS

The estimated costs to become 'net zero carbon' is **£630m**, equating to **£28,673** per dwelling. The 2045 target brings additional cost due to the need to offset the residual CO2 via solar PV.

Programme costs	2045
Total Net Zero Carbon	£630.5m
30 year capital programme deduction	£111.4m
Indicative Net Zero Carbon Costs	£519.1m
Average Net Cost per dwelling	£28,673
Indicative cost per year from 2025	£25.96m

BERNESLAI HOMES' CARBON FOOTPRINT

What is a carbon footprint?

A carbon footprint is a measure of the total greenhouse gas emissions (GHG) generated both directly and indirectly by an organisation:



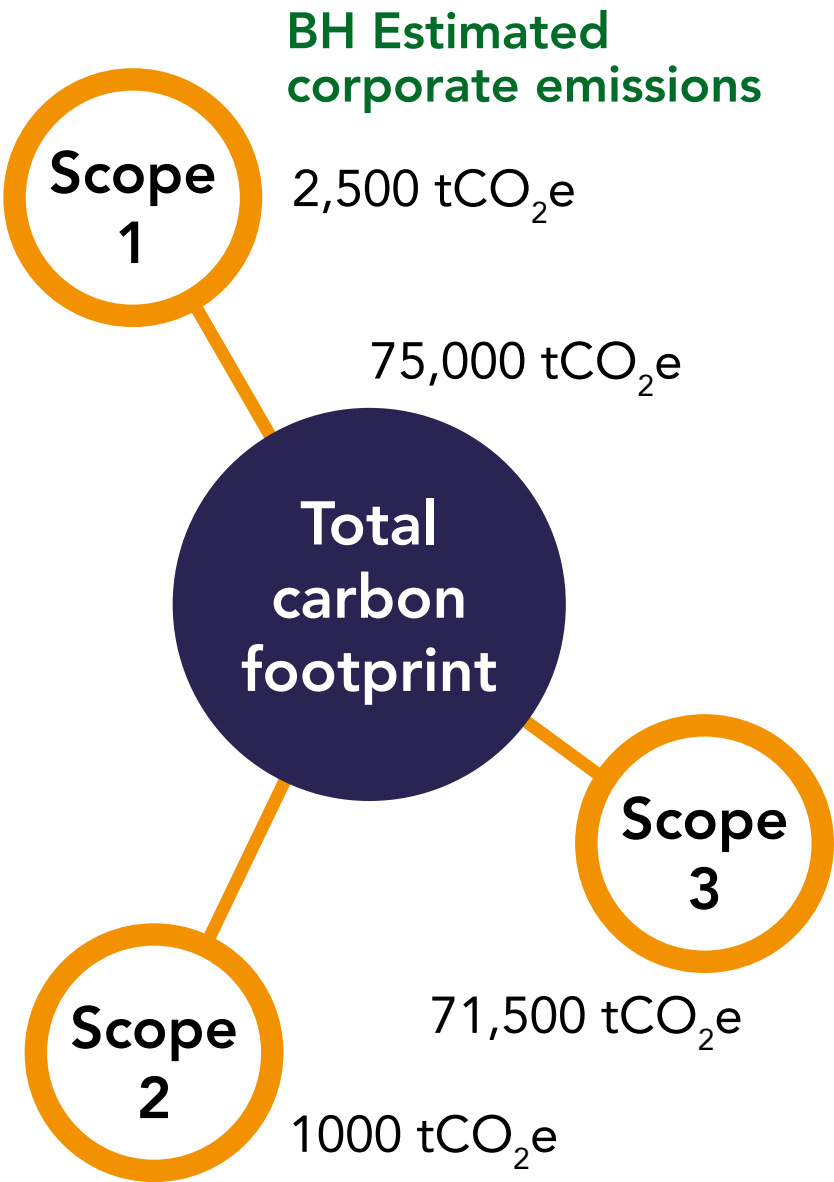
Scope 1: Emissions associated with fuels.



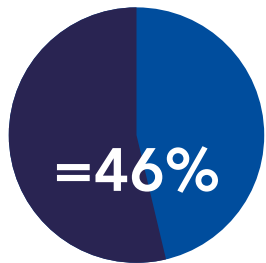
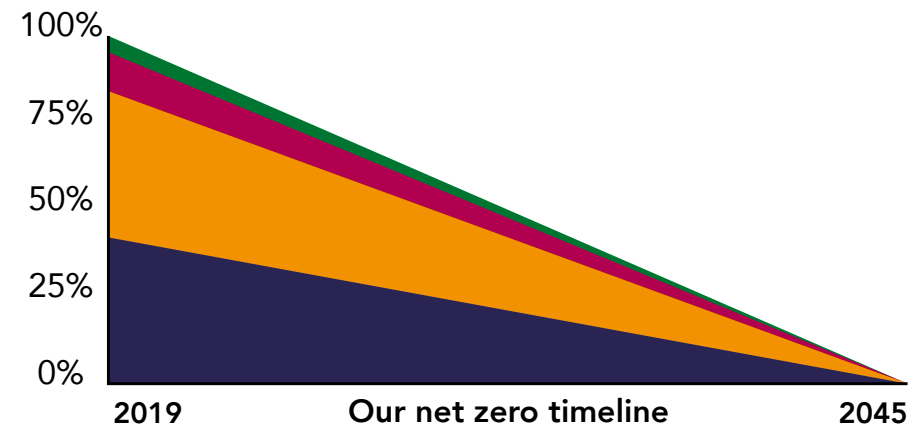
Scope 2: Emissions associated with fuels that are consumed indirectly, such as heating and cooling.



Scope 3: Emissions associated with activity in your value chain.

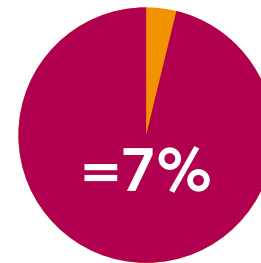


BERNESLAI HOMES MOVING TO NET ZERO



Procurement and capital expenditure

- Continue engaging with our most significant suppliers.
- Ensure more proactive net zero procurement initiatives.
- Review minimum environmental standards for all our contractors to meet.

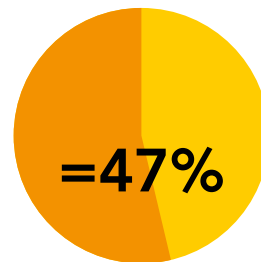


Business travel and commuting

- Introduce a staff sacrifice scheme for electric vehicles.
- Introduction of electric vehicles for fleet use.
- Installation of EV charging facilities to buildings.

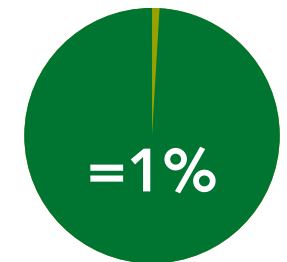
Corporate building energy

- Ensure smart meters are installed across all our buildings.
- continue educating all officers, customers and other stakeholders on climate change through carbon literacy training.
- Continue fitting solar panels and green heating to our properties.



Waste and water

- Review waste and water contracts and consolidate them.
- Review zero waste to landfill targets.
- Review waste minimisation strategy.



OUR PLANS FOR MOVING TO NET ZERO

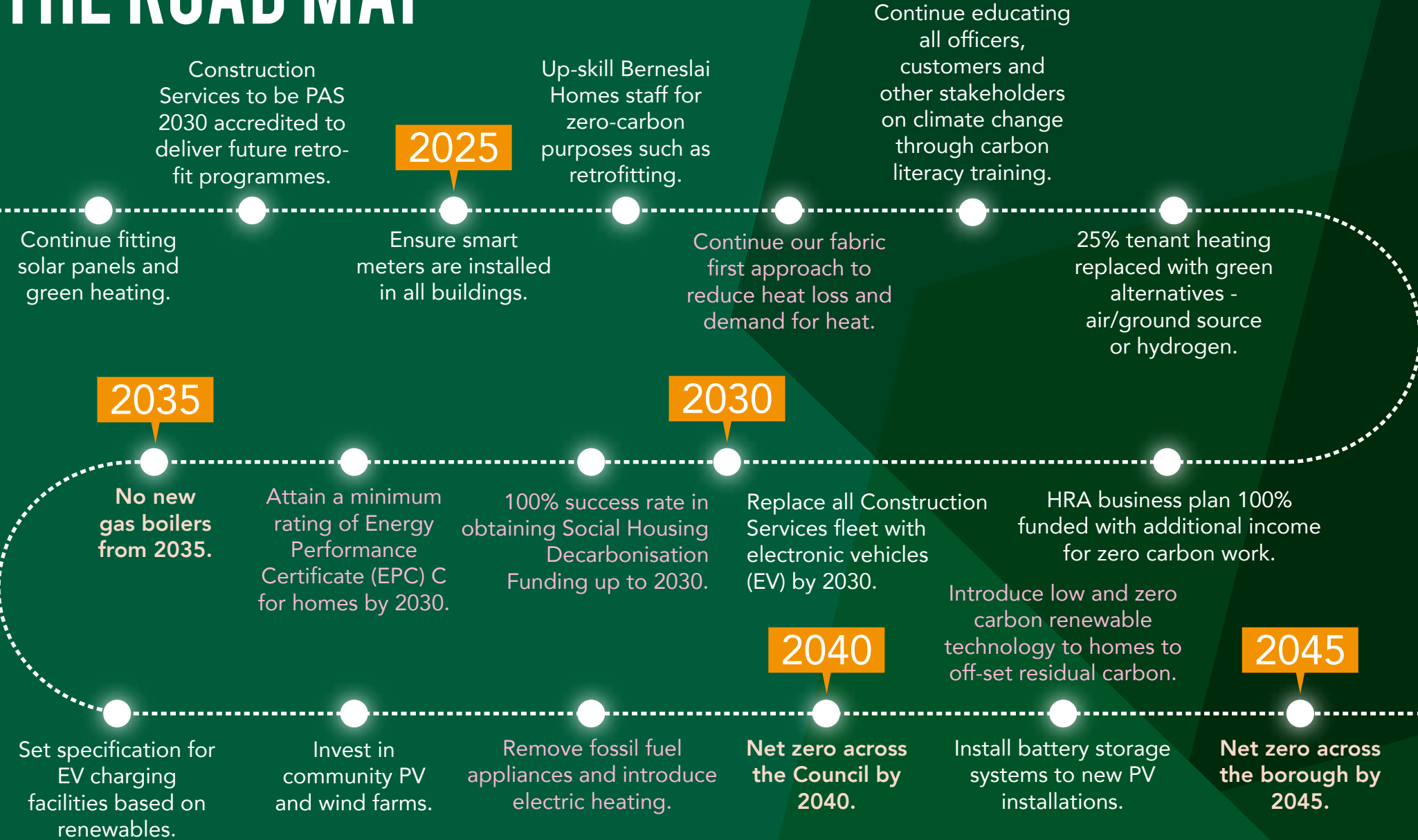
Our other plans

We will:

- review our policies to ensure support for cycling and walking.
- continue working to identify other ways that emissions can be reduced through effective management of the fleet.
- look to widen our search for sustainable suppliers. We will find the correct balance between supporting local business and procuring sustainably for our homes to meet our customers needs.
- reduce waste disposal and water consumption at our buildings to increase efficiency.



THE ROAD MAP



SUCCESS MEASURES 2027

- 100% Energy Performance Certificates (EPC) in place for all Council Homes.
- Successful with 100% funding through SHDF.
- HRA funded programme to retrofit/decarbonise homes.
- No homes with an EPC lower than 'D' rated.
- Customer behavioural change to the use of low carbon heating technologies.
- Measured reduction of BH corporate green house gas emissions.
- Continued partnership working with Council and Energise Barnsley to deliver sustainability initiatives to homes.
- Use of own vehicles to travel to work and mileage claims is reduced by 50%.
- On track for 25% of heating through renewable sources in homes.
- Construction Services fleet 65% electric vehicles (EV).



ANNUAL PLAN 2022/23

- Deliver LAD2 and SHDF Wave 1 “Retrofit” programmes to approx. 250 Council Homes.
- Work with the Council on SHDF Wave 2 bid submission for funding for further retrofit programmes.
- Berneslai Homes sign up to the Councils Affordable Warmth Charter.
- Consult with our Tenants Voice Panel to understand the approach to future decarbonisation.
- Complete Retrofit Pilot with Construction Services and Wates.
- Construction Services to be accredited to PAS2030.
- Carbon Literacy eLearning to be completed by staff.
- Green upskilling of staff.
- Review Voids Standard to increase energy efficiency of homes through suitable measures.
- Collaborate with Council in its Tiny Forests Tree planting initiatives.
- Liaise with Wates to plant 500 trees.
- Partner with the Council and Energise Barnsley to install 1000 Solar PV systems to Council Homes.
- Continue to network and share best practice.





www.berneslaihomes.co.uk

Berneslai Homes Limited is a company controlled by Barnsley Metropolitan Borough Council. A company limited by guarantee, registered in England and Wales, number 4548803. Registered office: 10th floor, Gateway Plaza, Off Sackville Street, BARNSELEY, South Yorkshire S70 2RD.

July 2022



Minutes of Berneslai Homes Board 19th May 2022

Virtual

Present:

- | | |
|-------------------|--|
| Sinead Butters | - Chair |
| Liana Khachatryan | - Board Member |
| Jo Sugden | - Board Member |
| Sarah Tattersall | - Board Member |
| Mark Johnson | - Board Member |
| Richard Fryer | - Board Member |
| Mahara Haque | - Co-optee of Customer Services Committee (Board observer) |

In attendance

- | | |
|------------------|---|
| Amanda Garrard | - Chief Executive |
| Arturo Gulla | - Exec Director of Property Services |
| Lee Winterbottom | - Managing Director Construction Services |
| Faye Williams | - Head of Finance |
| Samantha Roebuck | - Head of Governance & Strategy and Company Secretary |
| Chris Brownley | - Head of Performance and Improvement |
| Kathy McArdle | - Service Director Regeneration & Culture BMBC |

Observers

- | | |
|-----------------|---|
| Eric Smith | - Newly appointed Tenant Board Member (from September 2022) |
| Adam Hutchinson | - Newly appointed Chair of Audit & Risk Committee (from September 2022) |
| Angela Lomax | - DTP (carrying out the Governance Review follow up) |
| John Doyle | - Observing the Public Agenda only for a learning experience |

The Chair opened the meeting and welcomed the observers. Introductions followed.

<u>Item 1 - Apologies</u> Apologies were received from Dave Fullen, Exec Director, Customer and Estate Services; Alison Rusdale, Exec Director Corporate Services; Gary Ellis, Board Director, Caroline Makinson, Board Director and Adriana Rrustemi, Board Director.	
<u>Item 2 - Declarations of Interest</u> None declared	

Item 3 – CEO Presentation

AGa presented, highlighting the key issues.

Regulatory legislation changes – Board noted the significance for Berneslai Homes. Customer Services Committee will be monitoring closely. Chair of CSC asked if the Executive could give some thought to how engagement will take place with the Board at the appropriate time. It was agreed to arrange a policy briefing session or alternatively do as part of the Board Away Day later in the year.

AGa

Nottingham City Homes – Taken back in house as a result of their administration of the HRA and Management Fee. BH looking at lessons learned. Report to be brought to a future Board meeting providing clarity and assurance to Board on the use of reserves.

AGa

Local Elections – KMcA reported on the key changes. Councillor Lamb has been appointed as the new Deputy Leader. Councillor Higginbottom appointed to Cabinet Spokesperson for Environment and Transport and Caroline Makinson to Cabinet Spokesperson for Public Health and Communities. Councillor Robert Frost has replaced Tim Cheetham as Cabinet Spokesperson for Regeneration and Culture.

Following discussions at BMBC regarding Caroline Makinson and any conflict with her role on the Board, KMcA advised it could continue as it is felt the conflict of interest is minimal.

Awards – Pleased to report that Kerry Storrar won the Women in Fire Safety National Award.

Staff Conference – Thanks were extended to those Board members who attended this year's event.

Recruitment – Interim Executive Director of Corporate Services has been appointed.

Item 4 – Year End Performance

CB Presented, highlighting key issues. He brought to the attention those KPI's where BH failed, but asked it to be noted that these were not major failures and, in some cases, positive.

Board made the following observations/comments: -

STAR surveys and how information is collected was raised – Noted mainly postal. Response rates to be provided.

CB

Board raised the importance of the staff voice being captured and a suggestion made for some staffing KPI's to be included regarding sickness, turnover etc – dashboard to be developed.

CB

<p>KPI BH2 (satisfaction living in a safe/secure home) – concern expressed that 17% do not feel this is the case. Board were assured that safety campaigns are taking place and will continue.</p> <p>Compliance positive.</p> <p>It was felt it would be helpful for Board to refer to the Strategic Plan Some of the operational KPI information is pertinent but there may be other reporting streams relevant such as progress against key projects etc. Board were advised the new reporting framework to be used from April does link to the Strategic Plan.</p> <p>Benchmarking against other similar organisations' performance was suggested</p> <p>Board asked their thanks be extended to all staff involved in performance delivery.</p> <p>Resolved:</p> <p>Board commented and noted on the performance information presented for 21/22.</p>	
<p><u>Item 5 – Employment and Skills Plan 2022-2025</u></p> <p>AGa presented the report, produced by AR. The key areas were highlighted. Board were advised of the key risk in relation to staffing resources. EMT are discussing the requirements to deliver to the Strategic Plan and what can be achieved with existing resources.</p> <p>KMcA added that she was pleased with the plan, referring to its alignment with the 'More and Better Jobs' initiative. She also acknowledged BH's track record of supporting apprenticeships. ESF funding will shortly be ending, however a Share Prosperity Fund may present further funding opportunities. The Council are looking at how anchor organisations are able to access this funding which will be managed by the Combined Authority. It is also hoped that an appropriate framework can be found to support a dedicated officer.</p> <p>With regard to apprenticeships, it was felt Berneslai Homes could be more ambitious on the PRIP contract. Board were advised that the PRIP contract specifies 1 Apprentice per £1M turnover so do have more than 14.</p> <p>Board referred to the importance of Stakeholder mapping and a holistic collaborative approach to make this plan successful. The importance of visibility was also highlighted. A suggestion was made to discuss at the next review.</p> <p>Board thanked the Executive for a well written comprehensive plan.</p>	<p>AGu/LW</p>

<p>Resolved: -</p> <p>Board approved the Employment and Skills Plan 2022-25.</p>	
<p><u>Item 6 – Contributions to Council Housing Supply through Acquisitions, New Build and Conversions</u></p> <p>AGu presented and highlighted the key areas.</p> <p>Board acknowledged the gap in requirements but noted that housing growth and new build is the responsibility of the Council. However, BH are keen to support/work in partnership with them to increase numbers.</p> <p>Details of the S106 programme was outlined by KMCA. She advised that S106 Panel is in place that track developer contributions. This Panel will be producing a planning document which will pick up on the impact of the ending of S106's. Information will be brought to a future Board meeting.</p> <p>Carbon zero initiatives in new builds was raised. AGu confirmed this has been happening in recent developments and BH are involved in the specification and maintenance. .</p> <p>KMCA felt it would be beneficial for Board to receive an update/ presentation on the work that is currently underway, which the Board welcomed.</p> <p>Resolved:</p> <p>Board reviewed the various programmes and considered the context, together with the progress made.</p>	<p>KMCA</p> <p>KMCA</p>
<p><u>Item 7 – Governance Update Report</u></p> <p>SR presented the report highlighting the key areas.</p> <p>It was felt part of the skills matrix was unclear. SR clarified that the document illustrates what is required and confirmed that currently Board requirements are satisfactory. However, if a Board member leaves it could clearly be seen what skills were missing. It was requested that a comparator be provided, including the highlighting of skills that already exist. SR advised that the skills matrix would be picked up as part of the PDR process and not completed as an individual. The Chair and SR to discuss any suggested changes and how to progress this.</p> <p>KMCA referred to proficiency scoring/benchmarking with other organisations. DTP may be able to assist.</p>	<p>SR</p> <p>SR/SB</p> <p>SR</p>

<p>An observation was made on the Remuneration Committee and the lack of HR expertise which could be of benefit. JS offered to assist as required and this was accepted.</p> <p>Resolved:-</p> <ul style="list-style-type: none"> - Board approved the appointments of two new Board members in principle before the appointment at the AGM in September - Board requested further work on the skills matrix - Board approved the new Board Member Expenses Policy - Board approved the revised Terms of Reference for the Remuneration Committee. 	SR
<p><u>Item 8 - RESOURCES PAPERS</u></p> <p><u>Serious Incident Protocol</u></p> <p>AGa advised the protocol had been produced following a recent incident and discussions that followed on lessons learned. The protocol sets out the roles and responsibilities of everyone involved and has been approved by the Executive.</p>	