

# Board meeting minutes

---

**Minutes of the meeting of the Board of Keniston Housing Association Limited held on Thursday 26<sup>th</sup> January 2017 at 6.15 p.m.at The Conference Room, 13 Artington Close, Farnborough, Kent, BR6 7UL**

**Board members in attendance** Simone Bailey  
Shehla Husain (Co-Vice Chair)  
Seema Jassi  
Barry Luhmann  
Julian Miles (Chair)  
Anthony Mills  
Sheila Sackey  
Lucy Worrall

**Also present** Vivienne Astall, Housing Services Director  
Jonathan Card, Chief Executive  
Tony Coward, Property Services Director  
Tracy Day, Minute Secretary  
Andrew Shiatis, Finance Director and Company Secretary

**Agenda Item 1 Apologies for absence, Welcome to new Board members, Declaration of interest and Health and Safety items to note**

Minute 01/17 Apologies for absence were received from Peter Voisey.

Minute 02/17 Julian Miles welcomed the two new members to the Board, Sheila Sackey and Lucy Worrall. Lucy Worrall advised the Board that she currently works as a Consultant for Altair, a specialist housing Consultancy Company. Sheila Sackey advised the Board that she currently works for Westminster Council as a Housing Revenue Account Contract and Performance Manager.

Minute 03/17 After enquiry there were no declarations of interest.

Minute 04/17 Tony Coward advised that the health & safety items were included in his Property Services Report which would be presented later in the meeting.

**Agenda item 2 Minutes of the Board meeting held 8 December 2016  
Matters arising and actions**

Minute 05/17 Lucy Worrall queried when the last Governance review had taken place. Jonathan Card advised that it had been previously agreed with the Board to defer the review until 2017 and that he would report back further at the March Board meeting. **Action: Jonathan Card to prepare a Governance Review Board paper for the March 2017 meeting.**

There were no further comments on the minutes.

**Matters Arising and Actions**

Minute 06/17 Matters arising as shown in the tracker and actions taken or to be taken were noted. There were no further points arising.

**Agenda item 3      Policy Reviews**

**Delegated Authorities**

Minute 07/17      Jonathan Card presented this document to the Board, highlighting that the main amendments had been made to items 94 and 96. Item 94 related to the removal of Board members which had been amended to better reflect paragraph D9 of the Association's Rules. In relation to item 96, which related to urgent decisions required by the Board which could not wait until the next Board meeting, it was agreed that the revised wording was more appropriate and much clearer. Lucy Worrall suggested further clarity to the wording so that it was clear that this form of authority could only be used as an exception and where it was absolutely unavoidable. She also stated that the wording should make it clear that the decision must be given in writing. It was agreed that the wording would be amended accordingly.

Minute 08/17      Lucy Worrall queried which version of the Rules had currently been adopted by the Association. It was clarified that the Association were currently following the 2011 version. Lucy Worrall stated that she felt it was good practice to use the latest 2015 version. **Action: Jonathan Card to review the necessity to adopt the 2015 rules and report back to the Board.**

Minute 09/17      With regards item 95 which related to the removal of a Board member by reason of consecutive absences from Board meetings, Julian Miles stated that he felt this should be 3 absences rather than 4. **Note: It was later clarified after the meeting that the Association's Rules (paragraph D8.5) referred to absences from 4 consecutive meetings before a Board member could be removed.**

Minute 10/17      Seema Jassi stated that items 61 and 62 were now within the remit of the newly formed Audit Committee. It was agreed that these items would be amended accordingly.

Minute 11/17      Andrew Shiatis stated that following an exchange of emails with Julian Miles and Barry Luhmann prior to the Board meeting, although following the circulation of the Board papers, the wording for item 9 required amending. This item related to the movement of money of £250,000 or more between investment and bank accounts other than "rolling over" investments. The suggested rewording was as follows: "Two authorised signatories, one of which must be a member of the Board and if not the Treasurer, should be reported to the Treasurer within one working day. The Finance Director is to report such events to the next Board meeting". The Board agreed this revised wording.

**Finance policy**

Minute 12/17      Andrew Shiatis presented this policy to the Board for review. He explained that this policy was reviewed by the Board on an annual basis. It was noted that the only change being recommended was in relation to maintaining an appropriate relationship between the Association and our internal and external auditors. The amendments were agreed by the Board.

Minute 13/17      Shehla Husain asked for the section on testing the Long Term Plan to be amended to include reference to changes in government policy and that the section on reviewing value for money to refer to the value for money report which the Association produced every year.

**Risk Management and Risk Register**

Minute 14/17      Andrew Shiatis presented this policy to the Board. He explained that this

policy had now been totally re-written in conjunction with the creation of a new risk register. This followed a recommendation from the Internal Auditors that there should be a more structured approach to the reporting and recording of risks within the Association.

- Minute 15/17 It was noted that Andrew Shiatis would be responsible for updating the register and reporting to the Board twice a year. Sheila Sackey stated that in addition to the twice yearly review, if any key risks and concerns should arise then this should be brought back to the Board sooner rather than waiting for the biannual review.
- Minute 16/17 Andrew Shiatis pointed out that the section on risk appetite within the policy had not been amended from the previous policy and that the risk appetite was for the Board to decide. Lucy Worrall stated that the policy should be amended to highlight the fact that the risk appetite of the Association was the Board's responsibility. Seema Jassi stated that the risk appetite section should be expanded to set out the Board's risk appetite for various different risk areas. She stated that she had recently been working on a similar policy statement for her company and would forward a copy to Andrew Shiatis. It was agreed that this would be incorporated as part of the next review of the policy. **Action: Andrew Shiatis to expand the risk appetite section of the Risk Management policy for different risk areas.**
- Minute 17/17 With regards to the Risk Register, Andrew Shiatis highlighted that this was a summary of the full risk register and that the full risk register could be made available to Board members upon request. The summary included a graphical representation of the level of risk within the Association showing the inherent and residual risk for each process area. Andrew Shiatis highlighted the inclusion within the risk register of a summary of the last 6 years' of internal audit reviews together with the rating received which reflected the strength of the control environment and operation of the controls. It was agreed that it would be useful to include some detail of the findings from the follow up audits where the initial internal audit review had not been given a green rating.
- Minute 18/17 After discussion it was also agreed that some explanatory narrative should be included where the strength of the control environment given by the management team for a particular process area was either a moderate or a weak rating.
- Minute 19/17 Seema Jassi asked why some risk areas showed a banding within the residual risk column for particular process areas. Andrew Shiatis explained a detailed risk map had been prepared for each process area which identified a number of risks. The banding therefore represented the range of the residual risks within that particular process area. Lucy Worrall asked for the summary page to include the name of the risk owner for each process area and also the date of when each process area was last reviewed.
- Minute 20/17 Julian Miles thanked Andrew Shiatis for all his hard work in creating the risk register.
- Minute 21/17 Andrew Shiatis asked the Board if they were happy to receive the risk register in this format in the future. This was agreed subject to the points raised above. **Action: Andrew Shiatis to amend the risk register to include details of the risk owner for each process area together with the date of the last review, some explanatory narrative where the strength of the control environment was anything other than strong**

**and some detail on the outcome of follow up internal audit reviews where the initial review had not been given a green rating.**

**Selection and Allocations**

- Minute 22/17 Vivienne Astall presented this policy to the Board; she explained that this item was to discuss and agree some amendments which were required to the policy rather than a formal review of the whole policy. The most significant amendment related to changing the eligible age for a person to be able to apply for Keniston sheltered housing from 55 to the pensionable age. She stated that the qualifying age had recently been reduced as there had historically been a problem letting these flats but that this was no longer the case. She clarified that the Association would honour those people below the pensionable age who were currently already on the waiting list.
- Minute 23/17 Simone Bailey asked for the pensionable age to be clarified as the State Pensionable Age. Julian Miles questioned if we can change the age due to equality and diversity. **Note: following the Board meeting, it was noted that since the pensionable age for men and women is not currently the same, for equality reasons the minimum eligible age should be set at 62 for both and that this should be reviewed as the pensionable aged changes.**
- Minute 24/17 It was noted that the reference to key workers had been removed. Vivienne Astall explained that in practice this was no longer applicable.
- Minute 25/17 Vivienne Astall clarified that the Association did not provide extra bedrooms for an estranged partner where that person was not responsible for a child under 16 for the majority of the week and also was not in receipt of child benefit. She explained that all sheltered schemes had a guest room which could be used by these residents.
- Minute 26/17 Lucy Worrell asked for clarification that the granting of a mutual exchange involving a secure tenant could not be unreasonably withheld.
- Anti-Social Behaviour**
- Minute 27/17 Vivienne Astall presented this policy to the Board; she advised that most of the amendments were due to new legislation and new definitions. She highlighted the amendments which had been made with regards the section on Support of Complainants and Witnesses, to reflect the actual procedure carried out. Keniston now use professional witnesses. She also highlighted that reference had also been made regarding anti-social behaviour towards staff in line with the Association's harassment policy.
- Minute 28/17 Shehla Husain stated that cases involving the use of drugs should also be included as part of the definition of high risk within the policy. Vivienne Astall agreed and will amend accordingly.
- Minute 29/17 It was noted that this policy was reviewed every 3 years. After discussion it was agreed that the policy should be amended and reviewed sooner if there were any relevant changes in legislature or regulations.
- Starter Tenancy**
- Minute 30/17 Vivienne Astall presented this policy to the Board; she advised that she had amended one paragraph which related to the Association seeking possession in cases of rent arrears for a starter tenant where there had not been any engagement from the tenant.

- Disabled Adaptations**
- Minute 31/17 Tony Coward presented this policy to the Board; the policy amendments facilitate a level of discretion of the Management Team to consider making a contribution in the event of a shortfall in grant availability. He explained the arrangements the Association currently has in place to work with local authorities to provide safe and adapted homes for tenants. Under these arrangements, Local Authorities may be able to fund part or all of the adaptations required by residents, but where grant is not available Keniston may be asked to contribute. He explained that the current policy left Keniston exposed as no monetary limits had been set per claim or per tenant.
- Minute 32/17 Simone Bailey questioned if providing the cost of accommodation was appropriate, Julian Miles explained that it wasn't unusual for temporary accommodation to be offered to residents when works are carried out to their properties but he agreed that limits should be set. Simone Bailey suggested that the wording be amended so that it was clear that temporary accommodation would only be offered at the discretion of the Management Team and where necessary or essential.
- Approval of the above policies**
- Minute 33/17 Shehla Husain proposed that all the above policies be approved subject to the comments made. This was seconded by Simone Bailey and unanimously agreed
- Agenda item 4 Under Occupancy Report**
- Minute 34/17 Vivienne Astall presented this report stating that its purpose was to help facilitate discussion by the Board regarding whether the Association should adopt a tenant's incentive scheme to reduce the occurrence of under occupancy and what the possible nature of such a scheme might be.
- Minute 35/17 Vivienne Astall explained that at present Keniston have 215 under occupiers of which the majority are over working age of 62. She also explained that it seemed that most other associations have some form of an incentive scheme. She stated that in general most tenants over 62 did not want to move from their properties and that 19 of the tenants under the pensionable age are self-payers. It was noted that the key thrust of any incentive scheme is that it should be aimed at those tenants suffering increasing rent arrears due to bedroom tax.
- Minute 36/17 Vivienne Astall said that from the residents she had spoken to, the majority had stated that the key thing they would appreciate was help and assistance in moving; things like disconnection and reconnection of washing machines etc.
- Minute 37/17 Shehla Husain asked if there was a possibility of writing off rent arrears as an incentive for tenants wishing to downsize. After discussion it was decided that this might not be entirely appropriate as it might create a perverse incentive to downsize. The Board asked Vivienne Astall what her recommendation would be. She replied that she thought that having some incentive limit per tenant might work which could be used to help reduce rent arrears or to cover moving costs as appropriate. Julian Miles asked if there were any other options available like mutual exchange.

- Minute 38/17 Shehla Husain stated that the underlying objective of such an incentive scheme was that it helped reduce rent arrears by providing more affordable housing for those unable to afford the bedroom tax and that this is where the priority should be given.
- Minute 39/17 Sheila Sackey stated that she knew of some schemes which helped provide accommodation near the coast and that she would send Vivienne Astall some details on this.
- Minute 40/17 Vivienne Astall thanked the Board for their input. **Action: Vivienne Astall to take these discussion points away and draft a policy to bring back to the Board at a later date.**

#### **Agenda item 5 Chief Executive's Report**

- Minute 41/17 Jonathan Card presented his report to the Board; in particular he updated the Board on the various development and stock acquisition opportunities which were available to the Association.
- Minute 42/17 He advised that Keniston along with two other Associations had made an indicative offer to Lambeth with regards their out of borough stock and that he was in the process of trying to progress this opportunity further. He explained that with regards the development at Hurstwood Avenue, Orbit were anticipating to hear from the planning department by March. With regards to the Hornsey Road development – Keniston were exploring the possibility of seeking political support and advice before considering whether to appeal the refusal of planning permission.
- Minute 43/17 With regards IT, Jonathan Card explained that Keniston were limited in further development as they cannot currently access high speed internet services, this would be greatly increased once fibre optic cabling is introduced into the area.
- Minute 44/17 With regards Jonathan Card's section on "Going the extra mile", the Board thanked Tony Coward for his input and help during the Silver Court power failure on the 20<sup>th</sup> of December 2016.

#### **Agenda Item 6 Finance Director's Report**

- Minute 45/17 Andrew Shiatis presented the Finance Director's report which included the results for the nine months to 31 December 2016. In summary, the total turnover and surplus were ahead of budget and the key financial performance indicators and banking covenants were all being met.
- Minute 46/17 In particular, he highlighted the 36 month cash flow forecast explaining that this included the potential Lambeth Stock acquisition, the potential Hurstwood development with Orbit and a speculative 5 unit infill development.
- Minute 47/17 Andrew Shiatis commented that the underlying cash position remained healthy.
- Minute 48/17 In line with the Association's delegated authorities, Andrew Shiatis reported two significant cash transactions to the Board. The first related to the movement of £510,000 from the NatWest account to the Association's new

Nationwide account. The second related to the movement of £350,000 from HSBC to Nationwide. Both transactions had been authorised by Julian Miles and Barry Luhmann via email and that the purpose of the transactions was to help Keniston take advantage of the more favourable rates being offered by Nationwide.

**Agenda item 7     Housing Services Director's Report**

- Minute 49/17     Vivienne Astall presented this report to the Board, she ran through the table on page 2 updating the authorised evictions. Simone Bailey asked if there were any triggers in place for the rent income team to ask for an eviction. Vivienne Astall explained that there were procedures in place for this; when tenants fall short of their court order they are given 3 opportunities to pay, if they are still not paying, the next stage is for the housing officer to apply for permission for a warrant. The process for applying for a warrant has recently changed and the new procedures have added 3 months onto the process. Vienne Astall said that she was hoping that this would speed up once the process had had time to settle down.
- Minute 50/17     Vivienne Astall advised that Keniston had started using a new debt collection agency; so far two arrear balances had been recovered through this service.
- Minute 51/17     Vivienne Astall described Keniston's rent income collection service, she said that there had been very good customer service feedback on the service provide which was due to the hard work of the team.
- Minute 52/17     Simone Bailey asked if Keniston had any plans to provide single room accommodation with a shared communal area for younger people, and whether she knew of any other Housing Association which might be looking into this. Vivienne Astall advised that she had not heard of any other Associations providing this type of accommodation.
- Minute 53/17     Vivienne Astall asked the Board for authorisation to write off a former tenant arrear. This debt was for rental of the Ground Floor unit 3 at 21 Artington Close, tenancy ceased in 1998 when the tenant had surgery following a heart-attack; this had unfortunately led to the loss of his business. Originally the debt was £2,139.50; currently the tenant owes £879.90. The tenant is now 71 years of age and is in receipt of benefits, no payments have been received since 2008 and any further payments are unlikely. After discussion the Board agreed to write off the arrear.
- Minute 54/17     Vivienne Astall asked the Board for authorisation to evict three tenants. The first ref 802107; the tenant is not working and receives Universal Credit; the current arrears are £2,994.74. The tenant does engage and the payments are always late and most often short.
- Minute 55/17     The second tenant ref 802121 is currently £3,727.59 in arrears; she has been referred to various agencies but has refused to engage with these. The tenant has been on benefits since the beginning of her tenancy; in October 2014 her benefits were stopped due to the lack of evidence. The income officer worked closely with the local authority to re-instate the benefits and backdate the shortfall. Again in July 2015 the benefits stopped due to lack of evidence from the tenant and the income officer again managed to get the local authority to make a large backdated payment. This happened once again in May 2016, again due to lack of evidence from

the tenant and was not reinstated until September 2016. The tenant is currently in work and is in receipt of housing benefit, however she has failed to pay enough to cover the shortfall and the arrears are increasing every month.

Minute 56/17      The third tenant ref 917330 is currently £2,790.56 in arrears; the tenant works as a temp and their income varies from month to month. The tenant has paid erratically but has failed to pay their shortfall and their arrears have continued to increase. The tenant is currently working but the temporary contract is soon to come to an end. The income officer confirmed that there is a direct debit in place; however this has been refused on a number of occasions.

Minute 57/17      After discussion the Board agreed to all three evictions. The Board asked Vivienne Astall to include on her summary reports for each proposed eviction as to whether in her opinion benefit change or welfare reform were the main contributor to the tenant's arrears. It was agreed that this would be added to future reports.

#### **Agenda item 8      Property Services Director's Report**

Minute 58/17      Tony Coward presented this report to the Board. He confirmed that the stock reinvestment projects are all going well. The repairs service performance is consistent and there have been 270 fewer orders raised in this period compared to the same period last year. As previously mentioned in the Finance Directors report repair expenditure is significant lower than the budget.

Minute 59/17      It is recommended that a Periodic Compliance electrical testing report is carried out every 5 years and not more than 10 in a domestic property. Tony Coward confirmed that there were currently 40 properties over 5 years to be tested and 10 over 10 years. Unfortunately there are no enforcement powers available to gain access. The letter sent to tenants has recently been reworded and Keniston are now getting a better response. Tony Coward also explained that the terms of tenancy say that tenants should allow access. After discussion the Board said that it was unacceptable for tenants not to allow access and that legal advice should be sort. **Action: Tony Coward to seek legal advice on gaining access to tenant properties for electrical testing.**

Minute 60/17      Asbestos compliance – Tony Coward advised that there are a number of requirements where action is required by the Association in relation to Asbestos management. During a recent internal audit it was established that there were 3 properties where Keniston did not hold Asbestos information, these have now been included in a future program of surveys. Tony Coward advised that information leaflets on Asbestos had been sent out to every tenant.

Minute 61/17      Tony Coward advised that the recent Health & Safety audit had now been carried out, there were only minimal observations made. The reports will be ready for the next Board meeting.

#### **Agenda item 9      Performance Dashboard**



Minute 62/17      Andrew Shiatis presented the performance dashboard to the Board. He explained that the key points had already been raised as part of earlier reports and as such the dashboard report was taken as read. There were no questions raised on the dashboard.

**Agenda item 10    Bank Mandates**

Minute 63/17      Andrew Shiatis advised that the requests to change the mandates for Keniston's investment accounts had all been submitted, the only bank left to confirm the amendments was Barclays.

**Agenda item 11    2017 Management Team Walkabout dates (to note)**

Minute 64/17      The walkabout dates were noted – everyone is welcome to attend the walkabouts.

**Agenda item 12    Company Seal**

Minute 65/17      There were no company seals.

**Agenda item 13    Any Other Business**

Minute 66/17      Anthony Miles had e-mailed an item to be included in any other business on changes in the benefit system. Prior to the meeting the Chair decided that this will now be discussed as an agenda item in the March Board meeting.

**Agenda item 14    Date of next meeting**

Minute 67/17      The next meeting will be the Audit Committee Meeting. This will be held on Thursday 23<sup>rd</sup> February 2017 starting at 6.15 pm.

The next Board meeting will be held on Thursday 23<sup>rd</sup> March 2017 starting at 6.15pm.

Minute 68/17      The meeting ended at 9.00pm