

EAST LOTHIAN HOUSING ASSOCIATION

A meeting of the **Management Committee** was held on Thursday 22 February 2024 at 7.00pm, in the Hayman Room at ELHA Head Office, Haddington with Peter Ewart joining via Microsoft Teams

Present:	Brian Logan	(3/3)	Peter Ewart	(3/3)
	Iain Atkinson	(2/3)	Katrina Hamilton	(3/3)
	Joyce Bolan	(2/3)	Paul Hillard	(3/3)
	Shirley Evans	(2/3)	Eileen Shand	(1/3)

In attendance: Martin Pollhammer, Chief Executive
 Gary Alison, Director of Finance & Corporate Services
 Charlie Cooley, Director of R3 & Asset Management
 Eric Stoddart, Executive Support Officer (Minutes)

1.0 GENERAL

1.1 Apologies

Alan Forsyth (2/3), Pamela Macleod (2/3), Graham Rattray (1/3), David Rose (2/3), Jim Curran (2/3) & Karen Barry, Director of Housing.

1.2 Declarations of Interest by Management Committee Members

There were no Declarations of Interest.

1.3 Minutes of Meeting 25 November 2023

The Minutes were **approved** by the Management Committee. They were proposed by Shirley Evans and seconded by Iain Atkinson.

1.4 Action List

The Management Committee noted the report.

1.5 Matters Arising

There were no matters arising.

2.0 GOVERNANCE

2.1 Secretary's Report

The Management Committee **approved** the Membership application.

2.2 Key Performance Indicators 2023/24

The Chief Executive advised that a small number of targets had been missed, but where this has happened, this was not significant.

Mention was made of the Unit Reactive Maintenance Costs, and in part, this overspend is because the budget for repairs has been set lower than previous years actuals. The budget for 2024/25 has been set in line with current spend.

In respect of the missing targets for Bronze & Gold Key Tenants, the recent Rent Increase Consultation process had generated a number of responses from tenants that they intend to upgrade if Rent Discount levels are increased, so this could have a positive effect on both these measures.

Paul Hillard queried how the low void loss reported in relation to 'Voids as % of rental income' did not correlate with the report at Section 2.1 which noted void costs being over budget. The Chief Executive said that these issues were not necessarily directly linked, but that he would investigate further.

Eileen Shand noticed that there was one KPI (Number of evictions carried out) that had 'no target' but had a 'smiley face' shown under 'Status' and wondered if this was correct. There was also a separate KPI (Number of accidents reported to HSE) which had a target of zero, but also displayed a 'smiley face'. The Chief Executive said that the eviction status was incorrect and there should be no status shown, but the HSE one was correct as performance is on target.

Finally, the Chair noted that the KPI targets for attendance at Management Committee and Audit & Assurance had been missed, and undertook to raise this with Management Committee members as part of their appraisal review process.

The Management Committee noted the report for information.

3.0 PRIORITY ITEMS

3.1 Care & Repair Budget 2023/24

The Chief Executive advised that for the last seven years the Association has been awarded funding of £329.9k to deliver the Care & Repair Service. East Lothian Council have confirmed that the funding for 2024/25 will continue at this rate, however there still remains some uncertainty, as although the figure has been confirmed, it is still subject to a review of the Care & Repair Service by the Council in 2024/25.

The Management Committee noted the report for information.

4.0 POLICIES

4.1 Unacceptable Customer Behaviour Policy Review

In the absence of the Director of Housing, the Chief Executive advised that the changes made to this policy are in line with the latest advice from the Scottish Public Services Ombudsman (SPSO).

The Chief Executive drew the Management Committee's attention to the Equality Impact Assessment (EIA), and the resultant changes made to the Policy at Section 5.0. EIAs are now a regular feature of policy review, and the Business Plan Action Plan going forwards identifies all policies where an EIA will be required as part of the policy review process.

It is important not to try and conduct EIAs by committee, therefore only the outcomes of the EIA will be reported to Management Committee, but the full documents will be available to the Governing Standards Working Group for consideration as part of the annual update of the Evidence Bank to support the development of the Annual Assurance Statement.

Shirley Evans raised a few points, and highlighted that ‘The Equalities Act (2010)’ referred to under Section 6.1, should be ‘The Equality Act (2010)’. Shirley also asked what the proposed changes were trying to achieve, and felt that some of the language was ‘too loose’. An example of this was under 7.5.4 where it would be easier to say ‘we will not accept’, rather than ‘we are not able to accept’.

Katrina Hamilton also raised a few points, including a typo at 4.1 ‘start’ should be ‘staff’. Katrina also mentioned at 8.7, whether it was correct to have ‘no’ review, and perhaps ensure there is still some sort of review possible, whilst recognising the paragraph exists to try and avoid inflaming a situation.

Eileen Shand also suggested that some of the language used was a bit ‘ad-hoc’. An example of this was when referring to ensuring the safety of staff, but no mention of contractors, or Management Committee members. Also, as a general point, it was felt the policy could ‘flow’ better.

The Chair also mentioned the general tone of the policy, and although recognising the difficulty in reviewing a document with so many tracked changes, felt it needed a further review, and then to be re-presented to the Management Committee.

It was agreed that in the absence of the Director of Housing, the initial changes in the Policy Document should be accepted, and then circulated to Management Committee members for further comment. The policy will then be reviewed again and re-presented to Management Committee in March 2024.

4.2 Maintenance Policy Review

The Director of R3 & Asset Management explained that the policy has been reviewed, and as there are no material changes recommended, there was no need to consult tenants.

The key points to note are:

Section 2.0, Legal & Regulatory Framework has been added, which updates the Charter, gives recognition to Building Safety and key areas of importance identified in relation to this, provides details of other associated policies and a clear Equalities Statement.

Section 5.3 now refers to Empty Homes, removing the term ‘Void’ and is linked to ELHA’s Empty Homes Management Policy. It also provides signposting to the Procurement Policy for the appointment of Consultants and Contractors.

Section 9.0 has been updated in line with the Association’s Procurement Policy.

Section 11.0, Chargeable Repairs has been updated to reflect recent changes made to the Chargeable Repairs Policy.

Sections 12.0 Alteration & Improvements, and Section 13.0, tenants Right to Repair have been updated to reflect the requirements set out in Housing (Scotland) Act 2001.

Section 19.0 has been added so that tenants know how to complain about any aspect of the maintenance service.

It was also noted that, in line with the Equalities and Diversity Policy, an Equality Impact Assessment (EIA) of this Policy has been carried out, with one change recommended at Section 3.0 to clearly state that the Association will consider accessibility issues when designing and delivering maintenance services.

Iain Atkinson queried under Section 10.1 why the Association would allow Consultants or Contractors who did not have an Equality & Diversity Policy to elect to adopt ours. Should they not be expected to have one themselves?

The Chief Executive acknowledged this comment, but explained that the reality was that some of the Association's Consultants or Contractors are small companies or in some cases sole traders. The Director of R3 & Asset Management added that in many cases it was better to use ELHA's anyway, as this ensured it was to the correct standards. It was also noted that the Association is currently undertaking a review of Contractors & Consultants on the Approved List, to ensure appropriate agreements and documentation is in place.

Katrina Hamilton queried whether tenants should be consulted to see if they want changes.

The Chief Executive explained that it was very much a question of balance, and that when a material change is proposed, then consultation with tenants will take place.

Katrina suggested that any changes in respect of two critical areas, maintenance and allocation services, should automatically go for consultation with tenants, even if this resulted in no feedback. The Chief Executive acknowledged this for future reviews.

Katrina also raised a query regarding the definition of 'emergency repairs' (Section 6.1), and felt that this should include something to consider the needs of the tenant. An example might be something which is not considered an emergency repair for a non-disabled tenant, but might be considered as such, for a tenant with disabilities or particular needs. The Chief Executive agreed that some additional wording here would be useful and would note this in the meeting Action List.

Katrina referred to Section 9.1, and asked if the process described in the Policy had been followed in connection with recent work at Writer's Court.

The Chief Executive confirmed that the Procurement Policy had been followed in relation to these works, but noted that the Maintenance Policy needed a minor adjustment to this section to bring it in line with the Association's Procurement Policy and this had not been picked up. He would note this amendment through the Action List.

Katrina referred to Section 13.1, where it indicated that the Association will tell the tenant if a repair they have reported, qualifies under the Right to Repair, and asked if that happens automatically through 'My Home'. The Chief Executive said he was confident this did happen, but would check and report back through the Action List.

Shirley Evans highlighted a required change under Section 2.1 from 'Equalities Act 2010' to 'Equality Act 2010'. This was noted and agreed.

Shirley also pointed out (under Section 2.6) that instead of 'We will not discriminate unreasonably' it should read 'We will not discriminate unlawfully'. This was noted and agreed.

Under Section 11.3, Shirley queried whether the consideration of charging tenants was reflected in the Tenancy Agreement, whether this was above and beyond the scope of the Tenancy Agreement, and whether this might need to be referred to TC Young for legal advice. The Chief Executive agreed to check this point with the Director of Housing on their return.

4.3 **Communication Strategy Review**

In the absence of the Director of Housing, the Chief Executive advised that tenants were invited to take part in the review through the e-news, however no responses were received. Staff were also invited to participate and provide feedback, and all managers held awareness sessions with their teams.

A number of changes to the Strategy are recommended, but these are minor in nature, and self-explanatory.

Paul Hillard referred to the Social Media Policy (Appendix 1), and felt that the thrust of this was about promotion by the Association, and there did not seem to be anything referenced here about tenants trying to contact the Association via Social Media.

Paul also mentioned Linked-In, and that the Association seemed to be stepping back from its use. Paul felt that in light of possible promotion of recent developments within the Association and R3, that Linked-In might be a useful promotional tool, and therefore its use should be kept under review.

The Chief Executive explained that the main Social Media platform used by the Association is Facebook, and this is regularly kept up to date, along with the news feed on elha.com. Environmental monitoring of all main channels is undertaken to check for any mentions of ELHA or R3, and gave an example of picking up an emergency repair over the Christmas period in 2022, when the tenant put the problems they were experiencing on social media rather than using the emergency repair line.

Iain Atkinson indicated that there are 'aggregators', which can be utilised to ensure content is consistent over various Social Media platforms.

The Chair noted that as an overall comment, the focus of the Social Media strategy seemed to be on what the Association has done, and what it is doing, but not so much on what the Association is planning to do.

The Chief Executive noted that the Association has more followers on Facebook, than it has tenants, but that maintaining social media channels requires considerable resources. In any case, the Association does need to maintain a relatively low profile, as it is difficult to deal with the interest in the various innovations and projects the Association has.

It was recognised that there is something of a generational split between what Social Media platforms are used, with Facebook generally being used by an older generation, and this in part was driving the proposal to consider using Instagram more widely.

Subject to these comments, which the Director of Housing will be asked to consider further, the Management Committee **approved** the Communication Strategy.

4.4 **Rent & Service Charge Policy Amendment**

In the absence of the Director of Housing, the Chief Executive explained that SCS are a landscape maintenance contractor, who carry out regular grass cutting, shrub bed maintenance and litter picking. The costs involved in this have been passed on to tenants through a Service Charge (which is Housing Benefit / Universal Credit Housing Costs eligible).

SCS have recently advised the Association that they intend to significantly increase their maintenance costs by 18% from 1 April 2024. In order to protect existing tenants from such hefty increases in the future, it is proposed to add the new cost to the rent on 1 April 2024 and remove the Service Charge. Thereafter increases will only ever be in line with the annual rent increase. A tenant consultation is currently underway regarding this proposal, and the results so far suggest that respondents affected by the increase are in favour of the change.

However, to ensure a consistent approach going forward, and to avoid having to apply similar Service Charges at future new developments, it is proposed that between 1 to 4 points are awarded for communal garden maintenance when setting the rents in new build properties. The number of points awarded will be dependent on the work required and the expected costs of maintenance. This would require only a minor amendment to Appendix 1 of the Policy Document.

Eileen Shand raised a question about any general implications of this change, and whether this meant costs are being pooled, and was also concerned in case the change opened a 'Pandora's Box'.

The Chief Executive explained that this only impacts a very small number of tenants, principally those flats with private communal gardens requiring maintenance. Also, the proposal to award extra points to reflect any communal garden maintenance will offset any costs.

Shirley Evans queried what was meant by a “private communal area”. The Chief Executive replied that this was, for example, a shared garden or drying area that was private to the residents of just one block in a wider development that might have other communal areas accessible by all residents.

The Management Committee **approved** the amendment to the Rent & Service Charge Policy.

5.0 BUSINESS MANAGEMENT

There were no matters arising under Business Management

6.0 ANY OTHER BUSINESS

There was no other business, and the meeting closed at 7.50pm.

DATE OF NEXT MEETING

Thursday 21 March 2024 at ELHA Head Office, Haddington at 7.00pm.

**ADOPTION OF THESE MINUTES APPROVED AT THE MEETING ON
21 MARCH 2024**

Signed *Signature* (Chair)