

Annex 1

Housing Review Board

31 January 2008

JG/MH



Governance and the role of the Housing Review Board

Summary

This report sets out the role and purpose of the Housing Review Board, the role of Board Members, governance arrangements and some of the issues facing the Board. The report reproduces extracts from the Council's Constitution to remind members of the formal arrangements for the form and composition of the Board and the conduct of meetings. It also sets out examples of good practice in respect of governance arrangements and how the Board may develop in the future.

Recommendation

That the report is noted and the principles of good governance be adopted.

a) Reasons for Recommendation

To clarify the role of Board Members and the role and purpose of the Housing Review Board.

b) Alternative Options

Reject the governance arrangements proposed in the report.

c) Risk Considerations

That the Board do not adhere to the Council's Constitution and good governance.

d) Policy and Budgetary Considerations

Positive Impact Overall

Excellent Customer Service.

Inspirational Council.

Providing more service at less cost.

Providing same service at same cost.

e) Date for Review of Decision

There is an annual review of the work of the Board and the Constitution.

1 Introduction

- 1.1 Governance is defined as being about control and authority. This report attempts to clarify the role and responsibilities of the Housing Review Board and its members, and explain the governance arrangements which control the work of the Board. The main messages in this paper were presented to the joint meeting of the Housing Review Board and Tenant and Leaseholder Customer Panel on 17th December 2007.

- 1.2 The authority given to the Housing Review Board comes from the Council's Constitution (May 2006). This document sets out how the Council operates, how the decisions are made, and procedures we must follow to ensure that the Council is efficient, transparent and accountable to local people. The Housing Review Board was established following a recommendation from the housing stock options appraisal exercise.
- 1.3 The overall purpose of the Housing Review Board is to advise the Council's Executive Board on landlord and housing management issues, and keep under review the options for the ownership and management of the Council's housing stock. The Audit Commission report on the inspection of housing management services recommended that we "improve the capacity and focusing attention of the Housing Review Board on the key outcome targets".
- 1.4 The Council's Constitution states the precise terms of reference for the Housing Review Board – it says:

Housing Review Board (Housing Overview Committee)

Role and purpose:

- The Project Board is an Overview Committee and will consider matters relating to the Council's landlord and housing management functions. The Board will advise the Council's Executive Board on housing policy and operational practice, where this affects the Council's tenants and leaseholders.
- The Board will keep under review the housing stock options appraisal and monitor the conditions which will influence the future arrangements for the ownership and management of the Council's housing stock.

Form and composition:

- The Housing Project Board will consist of 5 Council Member representatives; 5 tenant and leaseholder representatives; and 2 independent community representatives. The non councilor members will be co-opted members and shall have the right to vote.
- Council officers and others, where appropriate, will support the work of the Board.
- The Board will meet at least 4 times a year.
- The Board will elect its own chair.
- Council Members and co-opted members on the Board will be appointed at the annual Council meeting.
- Tenant and leaseholder representatives on the Board will initially be selected by the Tenant Customer Panel and thereafter through elections, and subject to Council appointment.
- Normally Board members will serve for a maximum of five years, subject to annual reappointment by the Council, with the objective that every three years one third of the committee will stand down.

Article 7 of the Constitution sets out the role of the Housing Review Board.

The Housing Review Board will:

- Advise the Executive Board on the Council's landlord activities and functions affecting tenants and leaseholders;
- Maintain an active involvement in the on-going review of the options for the future ownership and management of Council owned homes, and make recommendations;
- Promote good practice and oversee Service improvements;
- Monitor performance on core housing management activities and report to the Executive Board;
- Assist the Executive Board monitor and prepare the Housing Revenue Account budget and the Housing Revenue Account Business Plan;
- Promote tenant and leaseholder involvement and implementation of the Tenant Compact;
- Consult with the Tenant Customer Panel who will liaise with tenant groups and representatives;
- Encourage good practice in relation to equality and diversity issues, and ensure that the needs of vulnerable tenants are satisfied;
- Advise on any other matters affecting the Council's landlord duties and responsibilities.

1.7 The Board has been set up under the Council's constitution which gives its terms of reference and enables non council members to be co-opted onto council committees. It operates similar to an Overview Committee which considers matters and makes recommendations to the Executive Board.

1.8 The Constitution also sets out a series of procedure rules for Overview Committees. Some of the relevant issues are set out below.

2. OVERVIEW PROCEDURE RULES

Arrangements for Overview Committees

2.1 The Council shall have a Corporate Overview and a Scrutiny Committee (collectively referred to as the Overview Committees) and a Housing Review Board as set out in Article 7.

Who may sit on an Overview Committee?

2.2 All Councillors except members of the Executive Board may be members of an Overview Committee. However, no member may be involved in scrutinising a decision which he/she has been directly involved.

Co-optees

2.3 The Overview and Scrutiny Committees shall be entitled to recommend to Council the appointment of up to 2 people as non-voting co-optees. The Housing Review Board may recommend to Council up to 7 co-optees (five tenant and leaseholder representatives and two independent community representatives who may vote).

Meetings of the Overview Committees

- 2.4 There shall be at least 5 ordinary meetings of the Overview and Scrutiny Committee in each year, and four of the Housing Review Board. In addition, extraordinary meetings may be called from time to time as and when appropriate. An Overview Committee meeting may be called by the chairman of the relevant Overview Committee, by any 5 members of the committee or by the Chief Executive if he considers it necessary or appropriate.

Quorum

- 2.5 The quorum for an Overview Committee shall be one quarter of the eligible membership.

Who Chairs Overview Committee meetings?

- 2.6 The chairman for each meeting shall be:

- the Chairman of the Committee appointed by Council at the Council's Annual Meeting; or
- in the absence of the Chairman, the Vice Chairman of the Committee appointed by Council at the Council's Annual Meeting;
- a member elected by the meeting in the absence of both the Chairman and Vice Chairman; or
- In the case of the Housing Review Board a Chairman appointed by the Meeting.

The Chairman and Vice Chairman shall work together to ensure the proper conduct of the Overview Committee.

Work Programme

- 2.7 The Overview Committees/sub-committees will be responsible for setting their own work programme, and in doing so they shall take into account the wishes of members on that Committee who are not members of the largest political group on the Council.

Agenda items

- 2.8 Any member of an Overview Committee shall be entitled to require an item to be included on the agenda for the next available meeting of the Committee of which he is a member and such other Overview Committee with the permission of the Chairman of that Committee.

3. Future issues for the Board

- 3.1 The Board held its first meeting in June 2006 and has been a powerful influence on housing management policy and practice since its establishment. All recommendations to date have been approved by the Executive Board.
- 3.2 The Board in some respects deliberately mirrors a housing association board of management and a consideration in establishing the Board was that it would be useful to have a shadow Board in advance of any future stock transfer. Housing association boards operate to strict governance principles and some of these are worth considering as our Board develops its capacity.
- 3.3 Most of the factors below are issues that the Housing Corporation would look for when regulating Registered Social Landlord.
- 3.4 Good governance includes:

- Having a Board that provides effective leadership and maintains control of strategic direction;
- Having a Board and senior management who are clear about organisational goals and work towards them effectively;
- Having Board members who are tenants, not tenants who are Board members;
- Board members having the confidence and ability to challenge reports and proposals, and add value to decisions;
- Taking collective responsibility for decisions made by the Board and working cohesively and in a committed way;
- Board members who have a clear understanding of their role and responsibilities;
- The Board regularly appraising its own performance;
- Having a Board of an appropriate size and having the necessary range of skills, experience, gender, age and ethnicity;
- Having a Board familiar with adequate risk management, probity and procurement controls;
- A Board aware of diversity and equality requirements;
- A Board supportive of resident involvement, consultation and information sharing.

3.5 The Council operates to a set of standards which applies to members of the Housing Review Board. All Board members are briefed on these standards prior to becoming a co-opted member of the Board. The standards govern probity and good practice and aim to ensure that standards of behaviour are appropriate, including issues such as the declaration of interests.

3.6 Some tenants have been concerned about the lack of clarity in respect of their role as a Board Member. My view is that tenant Board members should represent tenants as a whole, not the Tenant and Leaseholder Customer Panel or their own particular interests. This may become clearer when we move to an electoral system for tenant Board members. As indicated above the best housing association and Arms Length Management Organisations operate when they have - *Board members who are tenants, not where tenants are Board members.*

3.7 There are a number of ways in which we can improve the operation and effectiveness of the Board, and the recent Audit Commission inspection helpfully assists. Ideas include:

- Better agenda management – maintain and develop the Forward Plan, focus on what matters most and key outcomes, shorter reports, shorter agendas;
- More training to build the capacity and confidence of the Board;
- Circulation of items outside the meeting timetable;
- Better use of Board Member Champions;
- Promoting the meetings, question and answer session and informal meetings more widely;
- More visits and tours;

- Use of and 'buddying' with a mentor organisation.

- 3.8 In terms of reporting arrangements I expect officers to use their judgement as to the need and extent of consultation required prior to reporting to the Board. Some reports require no consultation (factual performance reports, government guidance etc.), and others will benefit from drawing upon existing consultation with service users or specific consultation on an issue. Some reports may come to the Board prior to any consultation and the Board will be invited to give a view prior to consultation.
- 3.9 Reports should draw attention to the need for consultation with service users and officers will be encouraged to complete the consultation section of the standard report template more thoroughly in the future. Consultation may be through the Tenant and Leaseholder Customer Panel, Interested Tenants Group, Service Review Group or the whole tenant body (for example the secure tenancy agreement). Again the report should identify the recommended consultation approach.
- 3.10 The Tenant and Leaseholder Customer Panel should be presented with a regular report on the work of the Housing Review Board. I would suggest that this is given by a Board Member who is a tenant. The Tenant and Leaseholder Customer Panel may also request that a report is presented to the Housing Review Board. This request should go through the Chairman of the Housing Review Board. The Housing Review Board agenda for each meeting will be sent to the Chair of the Tenant and Leaseholder Customer Panel.
- 3.11 The Housing Review Board involves a considerable amount of officer time to organise and service, and Board member time given to the role. We must always be conscious of value for money considerations and the best use of the time, resources and skills available. We should also ensure that we meet the Audit Commission recommendations and this report should contribute towards this aim.
- 3.12 In conclusion, the establishment of the Housing Review Board has been an innovative move and one where we are seeing the rewards through good governance and greater tenant involvement in decision making. The Board necessarily operates within the constraints of the Council's Constitution, but it has been given considerable scope to influence the operation of the Council's landlord function. If we work to the principles of good governance I see the Board going from strength to strength.

Legal Implications

No comments.

Financial Implications

There are no financial implications.

Consultation on Reports to the Executive

This report has been considered by a joint meeting of the Housing Review Board and Tenant and Leaseholder Customer Panel.

Background Papers

- Housing Corporation governance good practice guide.
- East Devon District Council Constitution.

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