

MINUTES: PLYMOUTH COMMUNITY HOMES SHADOW BOARD

Item

Action To Be Taken By

Present: Shadow Board Members: Peter Ebsworth (Chair), Zilpah Leahy, William Lean, Elaine Pellow, Nigel Warn, Christine Watts

Staff/Advisors : Nick Jackson, Linda Litchfield, Diana McCarthy, Belinda Pascoe, Helen Ryan, James Savage, Georgina Savill, Gary Seabourne, Clive Turner, Annie Walker, Colin Walker

Tenant Services Authority: Steve Fox

Apologies: Ken Foster, Sue McDonald, Eddie Rennie, Jack Thompson

1 Minutes of Meeting 7 April 2009

Agreed

2 Matters Arising from 7 April 2009

None

3 Chair's Urgent Business

AW circulated the Draft TUPE Protocol.

- The TUPE Protocol described the process that determined which posts would go on the transfer list.
- Both sets of legal advisors had been involved in preparing the document.
- The general principle was that a post would transfer if at least 50% of the duties related to housing associated work.
- The TUPE process entailed a commitment to minimizing redundancy.
- Ring fenced interviews linked with the process should occur pre-transfer.
- AW would seek advice on the possibility of PCH proceeding with a recruitment if it appeared that no comparable post would be on the transfer list.
- It was expected that 500-550 posts would feature on the TUPE list.
- For the majority of posts it was relatively straightforward to determine whether they would feature on the list; in these instances the mechanism could be described as a 'pick up and drop' process.

- It was somewhat more difficult to identify support service posts which would transfer (because these posts provided support across several services).
- The main body of the document had been sent to the trade unions for feedback and they had been asked to submit their comments by mid-May.
- It was anticipated that PCH would have admitted body status in the Devon Pension Scheme.
- PCC had committed to providing a provisional TUPE list by 31 July 2009.

PE thanked AW for the presentation.

The Shadow Board resolved: **to note the protocol.**

3 Committee Minutes/Recommendations

HR and Staffing Committee

The minutes (6 April 2009) were circulated with the Board papers as a matter of record.

Customer Focus Committee

The Customer Focus Committee had met on 20 April 2009 to consider the following policies:

- Caretaking and Estate Management
- Vulnerable persons
- Hate crime and Harassment
- Anti-Social Behaviour
- Domestic Abuse
- Void Management
- Resident Involvement
- Tenancy Management
- Allocations, including Mutual Exchange, Assignment and Succession
- Rent Collection and Rent Arrears

The committee recommended that the Shadow Board adopt these policies subject to the amendments below:

- Hate Crime and Harassment to include for attacks on staff,
- Void Management to give new tenants the option to retain carpets and curtains, if left.

The Shadow Board resolved: **to approve (subject to the amendments above) the policies recommended by the Customer Focus Committee.**

4 Project Update:

In addition to the written report circulated with the Board papers, BP gave a verbal update on the latest developments.

Registration and Negotiations with Plymouth City Council

- The health check of the DLO had started on 30 April 2009.
- Some SLAs would be subject to further discussions about TUPE.
- Taxis would not be the subject of an SLA; BP would determine which contracts list contained taxis.
- Work on establishing the manufacturing subsidiary would start shortly; the Board of the manufacturing subsidiary was not expected to meet until August 2009.
- The target date for registration had been moved to 19 October 2009. This was not due to slippage/delay, but was solely a consequence of the fact that the date of Full Council had itself been changed to fit in with the dates of the political party conference season.

BP

Business Plan:

- The Business Plan had been amended to include the job evaluation results released on 1 May 2009.
- SH to begin preparing the text for the Business Plan.
- Initial draft of the DLO Business Plan received.

Human Resources

- PCC had agreed to PCH recruiting the two remaining director posts.
- Feedback from Devon Pensions Service expected by the end of May 2009.
- Martin Snell had been appointed as Director of Property Services on 27 April 2009.

Governance

- The Board away day would be held on 12 May 2009 at Seymour House.
- The advertisement for an independent Board member had been published.

ICT

- Second draft of the SLA for ICT received.
- Procurement of the finance system on track.

Assets:

- PCC response to asset schedules expected shortly.

North Prospect:

- PCH could not achieve registration until a solution had been found for North Prospect.
- Levitt Bernstein, Stuf and Savills were due to report their initial findings to senior officers of PCC and PCH on 11 May 2009.
- This study has been jointly funded by PCC and the Homes and Communities Agency.
- The suggested solutions were likely to require a substantial HCA grant.
- CT suggested that the June Board meeting should discuss North Prospect.

Appendix 1 Strategic Risk Register

- The report circulated with the minutes listed the risks in descending order.

The Shadow Board resolved :

- 1 to note the progress outlined in the report and verbal update,**
- 2 to note the contents of the project strategic risk register.**

5 Section 25 Budget

- The comments in future Section 25 reports would provide additional information/interpretation.

6 Registration Assessment Process

- Steve Fox (Tenant Services Authority) noted that it was important for PCH to ensure that it had a strong finance directorate in place prior to transfer.

7 Branding

Diana McCarthy (IPB Communications) reported on the result of the work on branding undertaken in conjunction with tenants, leaseholders and staff.

- The objective was to position PCH as a trusted provider of Social Housing.

- To make a new visual start.
- To create a clear unambiguous image consistent with that of an organization managing a multi million pound improvement programme.
- It was important to 'police' the identity and that it should be ready on day one.
- IPB recommended that PCH should commission a new set of photographic images.

The Shadow Board resolved to: **approve the branding option proposed.**

8 Accommodation

- The formal consultation on the Accommodation Strategy had ended, but the strategy had not been brought back for adoption because the Board needed to consider a couple of matters that might necessitate updating the strategy.
- The HSE had advised that they would oppose a Princess Court size development on the Prince Rock depot site.
- Current use at Prince Rock can continue, but they will not agree to changes.
- JS had informed PCC of this advice from the HSE and was awaiting a response from PCC.
- The Board needed to decide on the location of its administrative base.
- It was proposed that PCH lease another floor at Princess Court and that Princess Court should become its head office for the first years after transfer.
- Another floor at Princess Court could accommodate another 50-60 staff.
- Princess Court was fully DDA compliant.
- In addition, it was suggested that PCH negotiate to keep Capital Programmes and Housing Records at Windsor for up to the next two years.
- SF noted that an important element of the registration process was the capacity of association to demonstrate its independence from the local authority. Separate premises were seen as contributing to the perception of independence.

The Shadow Board resolved:

- 1 that PCH would lease additional space at Princess Court establishing a Head Office for the association with a view to occupying the space for the first five years post transfer,**
- 2 that JS would report back to PE, JT and CT,**

- 3 that PE and JT would have delegated authority to approve and sign the new lease agreement on behalf of PCH.**

9 Assured Tenancy Agreement

- The Assured Shorthold Tenancy Agreement for new tenants of Plymouth Community Homes fulfilled a promise within the Offer Document to create a starter tenancy.
- The document had been drafted by Trowers and was based on the Assured Tenancy agreement.
- Three minor amendments were proposed to the agreement in order to assist PCH to manage its homes effectively and efficiently and at same time to benefit the local community and its residents.
- The proposals were supported by Trowers.
- Tolerated trespassers would not be entitled to an assured tenancy.
- Aids and adaptation needs would be viewed sympathetically.

The Shadow Board resolved:

- 1 to approve the Assured Shorthold Tenancy Agreement for new (unprotected) tenants of PCH,**
- 2 that the proposed amendments to that agreement be adopted by PCH,**
- 3 that the Assured Shorthold Tenancy Agreement acts as the basis for the Assured Tenancy Agreement.**

10 Board Protocols

- The Code of Conduct was a revision (using slightly plainer English) of the document approved by the Board.
- The Board Conduct Policy dealt with misconduct issues.
- The Board Member Protocol addressed relations between Board members and employees.
- The Guidance on Declaring an interest covered any circumstances where an individual or his/her close relative could in theory receive a personal or business benefit (other than expenses) as a consequence of any PCH activity.

The Shadow Board resolved to:

- 1 approve and note the revised Board Member Code of Conduct,**
- 2 approve and note the Board Conduct Policy,**
- 3 approve and note the Board Member Protocol,**

4 approve and note the Guidance on Declaring an Interest.

11 Date of Next Meeting

5.00pm, Tuesday 2 June 2009, Board Room, Princess Court

Signature

Name

Date