

Report To:	Management Committee Meeting
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Agenda Item 5.1:	Minutes of Pineview Housing Association Ltd Committee Meeting held by hybrid access using MS Teams & Office on 28th April 2022
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Prepared By:	Karen Byrne, Housing Services Manager
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Date Prepared:	19th May 2022
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Meeting Date:	26th May 2022
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Minutes - Rule 62 - SFHA Charitable Model Rules (Scotland) 2013
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62. Minutes of every general meeting, Committee Meeting and sub-committee meeting must be kept. Those minutes must be presented at the next appropriate meeting and if accepted as a true record, signed by the Chairperson of the meeting at which they are presented. All Minutes signed by the Chairperson of the meeting shall be conclusive evidence that the minutes are a true record of the proceedings at the relevant meeting.

Item Details

1. Sederunt

Present: Myra Frater (MF) Josephine McGinty (JMc) Daniel Martyn (DM) David Syme (DS) Linda Devlin (LD) Rosie Stephen (RS) Victoria Phelps (VP) John Brechany (JB)	Apologies: Anna Welsh (AW) Richard Bolton (RB) Jamie Graham (JG) Joyce Orr, Director & Secretary	In Attendance: Karen Byrne (KB) – Housing Services Manager Robert Reid (RR) – Senior Housing Officer Isobel Ferguson (IF) – Finance & Corporate Services Officer Guest Speaker/Presenter(s): Dr Stewart Montgomery, Montgomery Housing & Equality Services (SM)– Item 4 Equalities Daradjeet Jagpal (DJ), DPO, Information Law Solutions– To supplement SM presentation and advise CoM re GDPR/Data Protection at Item 4 Equalities. Both left after Item 4
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The Chair welcomed everyone to the meeting and advised that Dr Stewart Montgomery and DPO Daradjeet Jagpal were also in attendance to provide advice on equalities (collecting equality data and the national guidance)

2. Declaration of Interest

The Chair reminded everyone of the importance of keeping their Register of Interest entry up to date and declaring any interests and ensuring their ongoing committee eligibility status. The Chair reminded everyone of confidentiality and collective responsibility.
Declarations – None

3. Decisions / Approvals Summary Report
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KB apologised that due to a misunderstanding the decisions / approvals summary report was not issued to CoM. Chair advised would ensure from the other paperwork available that all required decisions made.

Item Details	Action	By
4. Guest Speaker – Dr Stewart Montgomery- Collecting equality data and the National Guidance		
<p>The Chair invited Stewart Montgomery (SM) to address the meeting to order to assist the Committee decide on how to proceed with the required equalities data collection. The Chair also advised that Daradjeet Jagpal (DJ), the Association's DPO was present in order for the Committee to take any data protection advice on the matter.</p> <p>SM made a comprehensive and detailed presentation to Committee concerning 3 main headings – the recommendation for discussion by Committee, the National Guidance March 2022 (revised version) and options for consideration.</p> <p>SM reminded Committee at the start of his presentation that Committee are requested to determine how they wish the Association to proceed with the required data collection. It is of great importance that the Committee is assured that the approach decided on is best suited to our equality requirements, our business needs and the needs of or tenants, customers, staff, committee an applicants for employment.</p> <p>SM advised that the Scottish Housing Regulator (SHR) specifies that each social landlord must</p> <ul style="list-style-type: none"> • Collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. • Adhere to statutory guidance and must discuss matters with the SHR why a departure from the guidance is necessary before acting. <p>SM advised that the National Guidance 2021 states that Associations should collect data relating to each of the protected characteristics for existing tenants, new tenants, people on waiting lists, governing body members and staff. SM noted that this does not cover job applicants who he said should be covered as it is at application stage that unlawful discrimination often takes place. SM stated that the revised national guidance March 2022 now permits Associations to collect data on the protected characteristics, either anonymously or link data to individuals from the 5 groups from whom data is to be collected.</p> <p>If a decision was made not to collect data on any protected characteristic for any of the 5 groups, Committee would need to be assured that:</p> <ul style="list-style-type: none"> • All statutory and regulatory requirements remain able to be met • The rationale for the decision is set out clearly in policy documents • It is adequately equipped to prevent discrimination or demonstrate that no discrimination has occurred • It can contribute information to help identify any priority areas where action needs to be taken to improve the lives of protected groups and • It has adequate information to respond to individual needs for reasonable adjustment. 		

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<p>SM recommended that equality data should be collected in respect of all of the 5 groups plus job applicants in order to ensure comprehensiveness, consistency as well as regulatory compliance. SM outlined the main reasons for collecting equality data and explained these to Committee:</p> <ul style="list-style-type: none"> • To meet the public sector equality duty • To meet other statutory duties e.g. making reasonable adjustments for disabled people • To consider and develop positive action initiatives • To conduct effective equality impact assessments and • To use equality data to enhance organisational practices and services. <p>SM explained data protection implications to Committee:</p> <ul style="list-style-type: none"> • Data protection law does not prevent the Association from processing personal data for the purposes of the general or specific duties however, it is important that any processing is in line with the 6 data protection principles. • Processing personal data must fulfil at least one of the lawful bases under Article 6 of the GDPR as well as at least one of the Article 9 exemptions. <p>DJ was asked to provide comment / input at this point. He agreed / confirmed what SM had advised Committee and stated that the key if we are collecting data is that it complies with the 6 principles, the most important being:</p> <ul style="list-style-type: none"> • That the data collection is lawful, clear and transparent. It is important that the Association provides sufficient information on what, how and why data is being collected from individuals i.e. not just say it is for legal compliance. • Ensure data security - access needs to be restricted within the Association. DJ advised in his experience other organisations have found trying to lock data down sufficiently to be a tough task. <p>SM concluded his presentation by going over the options for Committee to consider:</p> <ol style="list-style-type: none"> 1. Proceed with equality data collection on the basis that it is linked to individuals. 2. Proceed with equality data using anonymised data only. 3. Proceed with option 1 and review this in the light of actual practice as the equality data collection evolves. SM advised Committee of what activities would require to be followed / aligned to this option. <p>SM also illustrated key procedural tips relating to the data collection process.</p> <p>KB and RR also updated Committee on recent SHR, SFHA /GWSF webinars they had attended on equalities data collection.</p> <p>Committee considered and discussed the decision requested within the Director's covering report for this item.</p>		

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<p>Following discussion Committee agreed that further information was required in order for a decision to be made. It was requested that a report be provided on various scenarios i.e. what data to be collected, from what groups and what the data was to be used for.</p> <p>Committee confirmed all matters noted and no additional queries to raise. The Chair thanked SM and DJ on behalf of the Committee and advised that they were welcome to stay for the rest of the meeting or leave – SM and DJ left the meeting.</p> <p>Decisions Made: Report to be provided to Committee demonstrating current data collection, proposed collection and data usage examples for each of the 5 groups .</p>	JO	26/05/2022
5. Minutes of Previous Meeting(s) / Matters Arising		
<p>5.1 Minute of the Management Committee Meeting of 31st March 2022 noted, with no changes requested.</p> <p>5.2 Previous Minutes Decisions Action Implementation Report – Committee noted progress and updates on outstanding / due matters.</p> <p>Decisions Made: 5.1 - Minute approved - proposed by MF, seconded by DM. Minute to be signed by Chair. 5.2 – Approved changes requested in respect of Risk Management Policy review timing, and virement item.</p>	DM JO	
6. Items Requiring Decision / Approval		
<p>6.1 Business Plan General Report: The meeting Chair introduced the report and asked KB to present for required decisions. KB advised 2 decisions within report. Committee noted 2022/23 Governance KPI outcomes. KB explained the recommendations for the proposed 2022/23 non-finance KPIs and the proposed reduction in the governance KPIs of the sickness absence rate target to <=4.5% for 2022/23. Equalities decision taken and minuted under Agenda item 4. Committee noted that all other matters in the report were for update, confirmed all matters noted and no queries to raise.</p> <p>Decisions Made: 6.1.2 Non-Financial KPIs 2022/23– approved.</p> <p>6.2 2021/2022 Write Off Report: The meeting Chair introduced report and asked KB to present for required decisions. KB advised no comments on Decision Time and explained the report contents. Committee noted the reduction in credit cases. Committee requested to be updated on the budget bad debt write off figure.</p> <p>Decisions Made: - Former tenant debts totalling £22,028.40 and former tenant credit of £150.62 approved for write off. - Advise of budget bad debt write off figure for next meeting</p>	JO KB KB	26/05/22 30/04/22 26/05/22

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<p>6.3 Membership and Committee Report: The meeting Chair and introduced report and asked IF to present for required decisions. IF advised no decisions required. Committee noted that all matters in the report were for update, confirmed all matters noted and no queries to raise.</p> <p>6.4 Housing Services Report: The meeting Chair introduced report and asked KB to present for required decisions. KB referred to update notes on Decision Time regarding the gutter cleaning start date, funding application for welfare benefits service being actioned by Community Links Scotland, staff resignations and 2 tender outcomes. KB confirmed that Research Resource to be awarded Resident Satisfaction Survey 2022 and Idverde to be awarded Druncog Grounds Maintenance contract. KB confirmed to committee that both contracts within budget costs. In response to Committee queries regarding the grounds maintenance contact KB advised that other tender received was significantly higher and also that additional KPIs were in place to monitor performance. KB advised of a decision requested regarding recruitment of a Housing Assistant and referred to notes on Decision Time which recommended to recruit from the last round of Housing Assistant applications. This adhered to EVH advice and the Association's data retention policy. Committee confirmed all other matters noted and no additional queries. <u>Decisions Made:</u> Housing Assistant Recruitment – Committee approved recruitment from applications received for the previous Housing Assistant post in the first instance.</p> <p>6.5 Complaints and Compliments – year-end report The meeting Chair introduced report and asked IF to present for required decisions. IF advised the report was for noting and learning outcomes, No notes / queries on Decision Time. that all matters in the report were for update, confirmed all matters noted and no queries to raise.</p> <p>6.6 Policy Reviews</p> <p>6.6.1 – G.04 Disaster Recovery Plan Committee considered review proposal from IF. No queries raised in Decision Time. <u>Decisions Made:</u> Approved adoption of revised Policy.</p> <p>6.6.2 – G010 Committee Member Recruitment Policy Committee considered review proposal from IF on behalf of JO. No queries raised in Decision Time. <u>Decisions Made:</u> Approved adoption of revised Policy.</p>	<p>KB</p> <p>IF</p> <p>JO</p>	<p>26/05/22</p> <p>26/05/22</p> <p>26/05/2022</p>

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<p>6.6.3 – G.14 Governing Body Members Guide Committee considered review proposal from IF on behalf of JO. No queries raised in Decision Time. <u>Decisions Made:</u> Approved adoption of revised Policy.</p>	JO	26/05/22
<p>6.6.4 – G.13 Committee Succession Planning Committee considered review proposal from IF on behalf of JO. No queries raised in Decision Time. <u>Decisions Made:</u> Approved adoption of revised Policy.</p>	JO	26/05/22
<p>6.6.5 – H.13a Tenant/Customer Participation Policy Action Plan Committee considered review proposal from KB. Committee noted positive Customer Forum feedback regarding the consideration of more community ‘in person’ events etc. No queries raised in Decision Time. <u>Decisions Made:</u> Approved adoption of revised Policy.</p>	KB	26/05/22
<p>6.6.6 – Donations & Wider Action Policy Committee considered review proposal KB. No queries raised in Decision Time. Committee requested an amendment to the policy to clarify position that donations can only be made to registered Charities although wider role activities can be funded in partnership and also through Drumcog etc. e.g. local constituted groups being considered for donations under Drumcog, similar to the request made by the Asian Forum. <u>Decisions Made:</u> Approved adoption of revised Policy subject to an amendment to the policy to clarify position that donations can only be made to registered Charities although wider role activities can be funded in partnership and also through Drumcog etc.</p>	KB	26/05/22
<p>6.6.7 – S.12 Health & Safety Policy Committee considered review report from IF. No queries raised in Decision Time. <u>Decisions Made:</u> Annual updates to Health & Safety Control Manual noted</p>		
<p>6.6.8 – S.20 Smoke Free Policy Committee considered review proposal from IF. No queries raised in Decision Time. <u>Decisions Made:</u> Approved adoption of revised Policy.</p>	IF	26/05/22
<p>7. Items For Update</p>		
<p>The Chair reminded members these item reports are for updating and should simply be noted unless staff have any additional updates and/or members require more information/clarification.</p>		

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<p>7.2 Staffing & Health & Safety Report: The meeting Chair introduced report, no updates in Decision. Committee noted that although the days lost had increased but the Association now had greater staff numbers. The downward trend illustrated in the charts was noted. Committee confirmed all matters noted and no additional queries.</p> <p>7.2 Gifts, Donations and Hospitality Report: The meeting Chair introduced report and advised no queries in Decision Time. Chair asked if any queries at meeting - Committee confirmed all matters noted and no additional queries.</p>		
<p>8. Correspondence</p>		
<p>No additional correspondence to that issued throughout month.</p>		
<p>9. A.O.C.B</p>		
<p>There being no other business, the meeting closed at 7.40pm.</p>		

Minute Approved by: Linda Devlin

Seconded by: Josephine McGinty

Signed by Chairperson: Daniel Martyn

Date: 26 May 2022