

If you would like to discuss these minutes or any other Committee related matter, please contact your chairperson,

COLIN FRASER ON REDACTED INFORMATION



WGHC

Our tenants are paramount in everything we do

Committee of Management

Minutes of Meeting – 18th December 2024

Present:

Colin Fraser	(Chair)
Wendy Riordan	(Vice Chair)
Jim Hemphill	(Vice Chair)
George Thomson	
Alan Lamont	
Liz Robertson	
Scott Cavers	
Lynn Jameson	
Stephanie Wilson	
Cameron Durance	
Elizabeth Stewart	

In attendance:

Larke Adger	(CEO)
David Mills	(COO)

The meeting was opened by the Chair at 6.15pm.

1. APOLOGIES

Jon Douglas, Morag Orr, Amanda Aitchison

2. MOTION TO APPROVE MINUTES, 13th November 2024

Members were asked to approve the minutes for the meeting 13th November 2024.

- **JH Proposed / SW Seconded / Committee approved the minutes**

3. MATTERS ARISING FROM THE MINUTES

There were NIL matters arising from the minutes.

4. DECLARATIONS or NOTES OF INTEREST

There were NIL declarations of Interest recorded or notified.

5. GUESTS, VISITORS, OBSERVERS

None

6. STAFFING / HR UPDATE

Committee were updated further on the CEO's absence and since the writing of the report had returned to work but on a phased return only. In accordance with SHR guidance, WGHC Rules, WGHC Governance and Standing Orders Policy and advice from TC Young Solicitors, Committee were asked to approve that the COO temporarily deputises for the CEO in her absence/until she resumes normal working hours.

Separately, Committee were given an update on the number of staff sickness absences from 01.04.24 to 06.12.24; and that the Corporate Services Assistant had commenced her CIH Level 3 course in Housing Management.

- **Committee approved the COO to temporarily deputise for the CEO until she resumes normal working hours.**
- **Committee noted the report**

7. CASH IN BANK, INFLATION & INTEREST RATES

All cash balances across the 5 x WGHC bank accounts were presented by the COO and a summary total provided, which stood at £651,756. This was an increase of £73,239 from the figure reported at the November meeting.

Inflation was reported at 2.3% (2.2% in the previous month) and interest rates had reduced to 4.75% (5% in the previous month). As requested by Committee, the CEO presented information on interest paid and balances of the 5 loans WGHC has with the Nationwide Building Society.

- **Committee noted the report.**

8. Amended Cash Flow Forecast – Appendix 1

Committee were asked to disregard Appendix 1, as since the writing of the report, the CEO/COO had been made aware by Jones Lang LaSalle (the company who conducted the valuations on our stock for the purpose of our loan with CAF Bank) – that the cladding on all 45 flats at the Forthquarter Development would require an assessment to establish if any remedial works needed to be carried out. Committee were further advised that this was in accordance with the Housing (Cladding Remediation) (Scotland) Act 2024, which was coming into effect on 6th January 2025.

In the period between the report being written up and the date of the Committee Meeting, the COO had engaged with a Building Surveyor (Phil Diamond) who had carried out a brief visual inspection and estimated that it may be that WGHC are facing remediation works between £1m and £2m. Committee were further advised that until a full Single Building Assessment had been undertaken the exact works and costs would not be known. The COO informed Committee that a Notifiable Event had been submitted to the Scottish Housing Regulator, as is required.

Committee asked 9 questions in relation to this item.

Their questions and responses from the COO are minuted below:-

JH: What are the implications for our tenants?

COO: Phill Diamond (Building Surveyor) advised that nothing needs to be done intermittently and unlike in England, Fire Risk Assessments are not a requirement in Scotland.

The COO then went on to explain what a Single Building Assessment is and what it involves.

The COO advised that to date, the Surveyor had advised that from his visual assessment, He believed that the exterior wooden cladding panels would have to be removed and that the balconies (made from glass fibre) would have to be replaced.

JH: Can Phil Diamond (Building Surveyor) attend a Committee Meeting to explain the details to them as the governing body?

COO: Yes, we can arrange for a Building Surveyor to attend a Committee Meeting but depending on which quote Committee accept (we need two), then this would determine which Surveyor would attend.

AL: Is any of our other stock affected?

COO: No – just the flats at the Forthquarter

CF: Is the Developer or Builder not liable for these works/costs?

COO: No, because under the Scottish Government legislative guidance, small and medium enterprises (SME) should be protected to avoid them going insolvent. Cruden was the developer for these flats and because of its profit, is regarded as an SME.

WR: How will the costs of £1.5 million affect WGHC, if it is found that we have to pay for these costs?

COO: We will have to re-model all our financial projections with Paul McNeill (our Financial Advisor) and report back to Committee in due course.

AL: If there are any risks to our tenants, do we not need to inform them?

COO: Yes, and we will have to devise a Communication Strategy, involving us writing out to tenants and also holding a Tenants Meeting, but until we need more information first before we do this as we need to manage tenants' expectations, questions, concerns appropriately and ensure that we are providing them with facts, and not just assumptions.

GT: Is it worthwhile contacting the Scottish Fire Service to ask if they can assist with the assessment?

COO: No, the Fire Service do not have the technical skills or knowledge to be able to carry out the Assessments. Whilst they will come out to advise on fire risk in stairwells, in general, the Single Building Assessment is very specialised and therefore we need a Government Approved, qualified Assessor to carry this out for us (for example, Phil Diamond – Building Surveyor).

CF: What timescales are we looking at in terms of finding out what remediation works needs to take place and the costs we are facing?

COO: These are unknown at the moment, as we are still carrying out an evaluation exercise ourselves to establish what is required under the new legislation. We are currently reaching out to other agencies (like the Scottish Government) and also the Wheatley Group (who own the adjoining 45 flats to ours at the Forthquarter. Committee will be kept updated monthly.

- **Committee noted:**
The cladding issue revealed by JLL and the steps the CEO/COO are currently undertaking to ensure accurate reporting back to Committee and to continue to act in the best interests of tenants' health and safety.

- **Committee approved:**
In light of the potential cladding remedial works and costs, approved that a new financial forecast need to be produced for Committee to consider.

9. CAF BANK LOAN APPLICATION UPDATE

Committee were advised that WGHC's CAF Bank credit application was approved by the CAF Bank Sanctioning Team on 27th November 2024. Email evidence was presented to Committee from CAF Bank confirming the approval. CAF Bank advised that they contact the COO the following week to confirm the next steps to be actioned.

Question:

JH: How long until we can sign the application now it has been approved?

COO: We are not sure of the exact timeline because we have to wait until both CAF Bank's lawyers and our lawyers (TC Young) have looked over the forms before we sign them and additionally, the longest part of the process is registering our properties as security for the loan which can take up to 12 weeks to complete. So as a guide, we are probably talking about mid-end of March 2025.

- **Committee noted the report**

10. COMMITTEE WRITTEN RESOLUTION RE: CAF BANK LOAN TERMS

Following the Committee Meeting of 13th November, CAF Bank confirmed their 3 Loan Repayment Options for the proposed loan of £1.5 million. As was previously discussed with Committee, CAF Bank would need to know which repayment option was required by WGHC, before they could proceed with the loan process.

Given that this decision needed to be made by Committee prior to the 18th December Committee Meeting, the CEO had emailed all governing body members asking them to vote on their preferred option from the following:

Option	Repayment Options	Monthly Payment	Thereafter monthly payments of
1.	25 years of Capital and Interest repayments	£9,816.62 in year 1	£9,816.62 in years 2-25
2.	12 months interest only followed by 24 years of Capital and Interest repayments	£7,687.50 in year 1	£9990.11 in years 2-25
3.	24 months interest only followed by 23 years of Capital and Interest repayments	£7,688.25 in year 1 & 2	£10,181.45 in years 3-25

10 out of the 14 Committee Members voted and all chose Option 2.

Under Rule 51 of the WGHC Registered Rules, any written resolution needs to be agreed by $\frac{3}{4}$ (10 Members of the Committee).

Committee were asked to ratify the written resolution.

- **Committee ratified and approved the written resolution for Repayment Option 2 (to pay the first 12 months interest only followed by 24 years of capital and interest repayments).**

11. CLOSURE TO SHR NOTIFIABLE EVENT NE30190

Committee were reminded that the Scottish Housing Regulator requested a notifiable event to be raised on their portal in connection with the additional funding loan application with CAF Bank. This was opened on 08.10.24.

On 1st November, Craig Heron (WGHC's Regulation Manager) emailed the CEO to advised that following receipt of an update from her from the November Committee Meeting (20.11.24), they would look to close down this notifiable event.

Committee were informed that on 29th November, the Regulator closed down this notifiable event, having been satisfied with the assurances they had received through the minutes of the Committee Meeting dated 20th November 2024.

- **Committee noted the report.**

12. RENT INCREASE

Committee had been presented with a paper asking them to consider the rent increase options to be put out for tenant consultation (for 2025/26 rents). However, given that it was agreed that further financial modelling needed to be carried out following the news regarding the cladding issue (see Item 8 of these minutes). The CEO advised that the new financial plans would be presented to the Committee at the January 2025 Meeting.

Committee were reminded that due to the exceptional circumstances (cladding, having to remodel financial plans), that tenants would be given up until Friday, 14th February by which to return their consultation forms. Committee were further reminded that WGHC is legally required to give all tenants at least 28 days written notice to advise of any changes to their rent.

- **Committee noted the report**

13. DRAFT DIGNITY AT WORK POLICY

The COO presented WGHC's draft Dignity at Work Policy for approval. Committee were informed that the the Worker Protection Act 2023 (Amendment of the Equality Act 2010) came into force on 26th October 2024. This placed a new mandatory duty on employers to proactively establish preventative and reasonable steps to prevent sexual harassment in the workplace.

The COO proceeded to explain to Committee the legal duty placed on them as employers, under the terms of the new Act.

Question:

WR: What happens if it is a Committee Member who acts in appropriately with a Staff Member

CEO: The procedure for a Route B – Breach of the Code of Conduct under the Governing Body Code of Conduct would immediately take effect.

- **Committee approved the draft Dignity at Work Policy**

14. HACT FUNDING UPDATE

Committee were informed that WGHC, through HACT Funding, had been able to assist 40 tenants with a total of £11,700 of energy credit and that many tenants had received the maximum of £294 in credit to apply to their meters.

Questions:

WR: What happens if a tenant is working, but is still living on the breadline – do they receive assistance?

CEO: We don't means test our tenants for this funding. Those who present as being in need are given assistance.

CF: Is the HACT Funds for Fuel Assistance publicised to tenants in our Newsletter?

COO: No, but this information is available on the WGHC Website under "I need help with..." in addition, the Housing Management Team have targeted those tenants with rent arrears and who are on a low income. However, we have also been applying for any tenant who meet HACT's qualifying criteria.

GT: Is this just a one off fund from HACT?

CEO: HACT is a UK wide scheme and they send us an email when there is funding available to apply for; sometimes it is twice year. As HACT are themselves a charity, it all depends on when they receive funding. The Housing Manager always applies for funding each time we are notified. The fund is now temporarily closed and will re-open again in mid-January 2025. WGHC will continue to provide assistance to tenants.

- **Committee noted the report**

15. FIRE AND SMOKE ALARMS- COMMITTEE ASSURANCE

At the November Committee Meeting, a Member raised concern that WGHC had fitted heat alarms in kitchens, and not a smoke alarm. The COO had advised that this was done in accordance with Scottish Government legislation. The COO presented the statement from the Scottish Government website stating that the requirements for all homes in Scotland to have interlinked alarms and that a heat alarm must be fitted in the kitchen.

- **Committee noted the report**

16. GOVERNANCE, COMPLIANCE, HEALTH & SAFETY

The COO confirmed since the last meeting there had been:

- no FOISA requests
- no requests under the Environmental Information Regulations,
- no Subject Access request
- no known Information Data Breaches
- one open Notifiable Event with SHR concerning the CEO being hospitalised

The COO presented to Committee the renewed Data Protection Registration Certificate with the Information Commissioner; expiring 10th December 2025.

Committee were advised that there had been one Health & Safety incident involving broken shower glass cubicle in one of our properties. WGHC have made arrangements for a suitable shower cubicle replacement.

The COO informed Committee that the since the new Planned Maintenance Officer had joined WGHC on 23rd September 2024, he had carried out 68 Asset Management Visits, exceeding the Benchmark of 16 visits per month.

Questions:

SW: How do we know that the 68 visits have been carried out?

COO: All asset management visits are carried out using a piece of software called I-Auditor. This records and date stamps all the inspection forms. Additionally, a

spreadsheet is used to record the details of all properties inspected, including the date of each visit.

ES: What happens if tenants won't let you in to do the survey?

COO: We would always try to work with tenants and explain that the inspection is about the condition of our stock and not about their personal living circumstances of how they live. Additionally, it is written into their Scottish Secure Tenancy Agreement that we have the right to enter the property to inspect it at reasonable times, having given the tenant at least 24 hours notice. If all attempts at engagement had failed then WGHC has the option to ask a Sheriff to grant WGHC a Specific Implement for the sole purpose of entering the tenancy to inspect it; but this is considered extreme action and we would always try and work/engage with the tenant to avoid such an action.

AL: If you are taking photographs or 360 degree images using I-Auditor and the tenant is unhappy that the staff member is taking photos or images of their personal belongings, e.g family or personal photos, etc

COO: The tenant has the right to make a Subject Access Request to ask to see what details or images we hold on file. There should be no photos or images of personal belongings as the purpose of the visit is to photograph cracks in walls, damaged or worn kitchen units, etc. The COO went on to explain that one tenant had stated she was unhappy with all the photographs being taken of her home. The COO sent all the photographs held on file to the tenant and she was invited to tell us any photographs she objected to us having. This satisfied the tenant that none of her personal belongings had been captured.

SW: How are tenants informed about the visits?

COO: All tenants are sent a letter explaining the purpose of the visit and an appointment date/time is arranged between the tenant and the Planned Maintenance Officer.

JH: It is important to state to tenants in that Appointment letter that the purpose of the visit is to inspect the property and not to judge how they are living as everyone has different lifestyles.

COO: We can place additional wording into the Appointment letters giving tenants this assurance.

SW: What if it is found that a tenant is under-occupying their property?

CEO: The purpose of the visit is not to assess under-occupancy. Each year, tenants are asked to complete and return an updated Household Details Form. There is no provision under the Housing (Scotland) Act or within the Scottish Secure Tenancy

Agreement to force a tenant to move just because they are under-occupying. If a tenant wished to move by applying for an Internal Transfer then we would give some priority to that application, but that is all we can do. If Committee wished to encourage those tenants who are under-occupying to move, we could implement an Incentive Scheme.

- **Committee noted the report**

17. MEMBERSHIP AND USE OF COMPANY SEAL

Committee were advised there had been one new membership commencement since the November meeting:

Membership No: 806
Commenced; 6th December 2024

18. ROLLING ACTIONS LIST

Committee were updated on the cutting down of the Leylandii trees; most trees had now been cut down and there were just a small number to be felled and this would be completed early in the New Year. The COO explained to Committee that TC Young were still trying to receive some clarity from the City of Edinburgh Council about responsibility for the maintenance of the strips, but had advised that WGHC should budget for these grass areas themselves, moving forward.

All other items were still on hold and explanations were provided.

- **Committee noted the report**

19. ANY OTHER COMPETENT BUSINESS

Question

AL: How does a person or agency apply to WGHC for a donation or sponsorship payment?

CEO: The person or agency simply needs to submit a written request and WGHC will send out an application Form to be completed and returned. The application would then be presented to Committee for consideration, at their next meeting.

- **Committee noted the question and response.**

19. DATE OF NEXT COMMITTEE MEETING

The December Report stated that the next meeting would be Wednesday, 19th February 2025.

The CEO advised that given a new financial model would have to be presented to Committee before they could approve any proposed rent increase to go out for tenant consultation, there would now have to be a January Committee Meeting (to ensure that all responses received were considered at the February Meeting so that WGHC could give the minimum 28 days' notice required for any changes in rent).

It was therefore proposed the next meeting be held on Wednesday 22nd January 2025 at 6.15pm. Doors will open at 6.00pm for Committee to chat / network and have refreshments prior to the formal meeting start.

Committee approved the next Committee Meeting to be held on Wednesday 22nd January 2025 @ 6.15pm

Signed

REDACTED INFORMATION

Chairperson Date: 22nd January 2025

NB: Committee Board Papers available upon request, contact our office. Although extreme care and effort are taken with the production of papers and minutes, there may be some grammatical and/or spelling errors. Apologies are extended in these rare circumstances.