

**HACKNEY HOMES Ltd
Board Meeting**

Monday, 29th November 2010 at 6.30pm to 8.05pm

**The Chief Executive's Conference Room, 1st Floor,
Christopher Addison House, 72 Wilton Way, Hackney E8 1BJ**

Part A Meeting (Open to the Public)

Distributed to:

Hackney Homes Board Members:

Rupert Tyson (Chair)

Alice Burke (Vice Chair)

Karen Dodds

Mervyn Jones

Linda Kelly

David Larkin

Samantha Lloyd

Pam Lockley

Jonathan McShane

Joseph Oshikoya

Alex Russell

Saleem Siddiqui

Tom Tyson

Hackney Homes Executive Team:

Charlotte Graves (Chief Executive)

Neil Isaac (Director of Finance & Resources)

Neehara Wijeyesekera (Divisional Head of Tenancy and Leasehold Services)

Judith Morrison (Head of Leasehold and Right to Buy)

Jim Paterson (Head of Building Maintenance)

Chris Tabi (Interim Head of Estate Environment)

Jonathan Oxlade (Head of Asset Management)

Hackney Homes Officers:

Sunil Desai

John Newton

Trish Hail

Odile Anderson

Stakeholder Representatives:

Karen Alcock

Tom Price

Tim Shields

Steve Douglas

Carol Hinvest

Michelle Patterson

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HACKNEY HOMES Ltd Board Meeting 59

Monday, 29th November 2010 at 6.30pm to 8.05pm

The Chief Executive's Conference Room
1st Floor, Christopher Addison House
72 Wilton Way, Hackney E8 1BJ

A AGENDA Part A (open to the public)

Item	Presenter	Subject	Pages	Status	Duration	Time
1.	Chair	Welcome/Apologies/ Introductions		Information	2 mins	6.30-6.32
2.	Chair	Declarations of Interests		Information	1 min	6.32-6.33
3.	Chair	Questions received from the public		Information	2 mins	6.33-6.35
4.	Chair	Minutes of 26th October 2010 (Part A) and Matters Arising	1-6	Decision	5 mins	6.35-6.40
5.	N. Isaac/J. Oxlade	Update on CSR, Impact for Hackney Homes, Decent Homes, HCA Consultation Paper		Presentation	30 min	6.40-7.10
6.	C. Graves	Chief Executive's Report - Strategic Overview	7-13	Information	10 mins	7.10-7.20
7.	T. Merrett	Action items for future meetings	14	Information	2 mins	7:20-7:22
8.	A. Jarosy	Q2 Board Performance Report	15-22	Information & Discussion	10 mins	7.22-7.32
9.	N. Isaac	Financial Overview and Budget Update	23-26	Information & Discussion	10 mins	7.32-7.42
10.	T. Merrett	Board Policies i) Code of Conduct ii) Board Member Investigation procedure	27-44	For Decision	10 mins	7.42-7.52

11.	T. Merrett	Board Composition	45-47	For Decision	5 mins	7.52-7.57
12.	Chair	Any Other Business		Information	5 mins	7.57-8.02

Future Board meetings.

- Monday, 17th January 2011
- Tuesday, 1st March 2011
- Tuesday, 12th April 2011



Hackney Homes Ltd

ITEM 4

Part A minutes of Board of Directors, held at Christopher Addison house, 72 Wilton Way Hackney E8 1BJ

On 26 October 2010 at 6.30 PM

Present	Board Members Rupert Tyson Alice Burke Jonathan McShane Linda Kelly Tom Tyson David Larkin Joseph Oshikoya Mervyn Jones Samantha Lloyd Pam Lockley	Hackney Homes Officers Charlotte Graves Neil Isaac Jonathan Oxlade Sunil Desai Malcolm Brewer John Newton Roy Coeyne	Stakeholder Representatives (Hackney Council) James Probert LB Hackney Matt Clack Members of the Public Eric Cato	
		Part A – Open to the Public	Action	Date
1. Board and Vice Chair Election	<p>Neil Isaac said that Rupert Tyson was the only nominee for the position of Chair of the Board and as that was the case asked the Board Members if they were satisfied to elect Rupert Tyson as Chair of the Board for 2010/2011.</p> <p>The Board Members confirmed that they were and Rupert Tyson was duly elected as Chair of the Board for 2010/2011.</p> <p>Neil Isaac then handed the meeting over to the Chair</p> <p>Rupert Tyson thanked the Board for its support over the last year for its confidence in electing him into office for a further term.</p>			

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	<p>The Chair then said that the Board had previously agreed to move from having two Vice Chairs to one Vice Chair and as Alice Burke was the only nominee asked if the Board Members were satisfied to elect Alice Burke as Vice Chair of the Board for 2010/2011. The Board Members confirmed they were and Alice Burke was duly elected as Vice Chair of the Board for 2010/2011.</p> <p>Alice Burked thanked the Board Members for their support.</p>		
<p>2. Welcome/ Introductions</p> <p>Apologies</p>	<p>The Chair welcomed everyone to the meeting and introduced the two new Board Members, Mervyn Jones and Joseph Oshikoya who were attending this meeting as observers. The Chair then announced that the new Shoreditch Board Member had tendered her resignation owing to family commitments. The Board composition and governance arrangements would be discussed at the Standard & Ethics meeting to be held on 17 November 2010.</p> <p>Samantha Lloyd said that Cllr Saleem Siddiqui and Cllr Alex Russell had been appointed as the new Councillor Board Members at the Cabinet Meeting held on 25 October 2010.</p> <p>Karen Dodds</p>		
<p>3. Declarations of Interests</p>	<p>None.</p>		
<p>4. Questions received from the public</p>	<p>The questions received from Charlene Greenwood and the responses were noted. It was also noted that the question and response were available on Hackney Homes Website.</p>		



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<p>5. Minutes of the meeting held on Monday, September 20 2010 Matters arising</p>	<p>The minutes of the meeting held on Monday September 20 2010 were agreed as a true record and signed accordingly.</p> <p>There were no matters arising.</p> <p>Item 3 on the Part B Agenda was then taken and members of the public left the room.</p>		
<p>6. Comprehensive Spending Review</p>	<p>Neil Isaac updated the Board on the recently announced Government's Comprehensive Spending Review (CSR) and highlighted the key areas which would impact on Hackney Homes, namely, RTB Receipts, ALMO Credits, Decent Homes Programme, HRA Review.</p> <p>The Board asked what action Officers were taking to ensure that Residents were kept fully informed of any delays to the Decent Homes Programme as a result of the CSR. Charlotte Graves said that as the exact details were not yet known, it was proposed that a communications strategy on this would be prepared in conjunction with the Council. The Board agreed that it was important to wait until the position was absolutely clear before issuing any communications on Decent Homes to Residents.</p> <p>The Board asked whether the HRA would continue to be ring-fenced. Neil Isaac said that he had not heard anything to the contrary. The Board expressed concern that if rents increase this would have an impact on the benefit bills. Neil Isaac agreed that benefit bills would also increase but that if rents increased this, on balance, would generate more income. The Board queried whether the Government would also take any receipts from lease extensions. Neil Isaac said that this was not yet clear.</p>		



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The Board queried why a tenant's benefit would be affected if s/he had two unemployed adults also living in the home. Neil Isaac said that some of the benefit was to cover such things as fuel and water so therefore, any other adults living in the home would be expected to contribute to these living expenses from their benefit. It was still not clear exactly how some of the benefit changes would work.

The Board asked whether, given the lack of capital monies, a bigger disposals policy with the Council would be considered. Neil Isaac said that the conversation would be had with the Council in respect of the asset management strategy but that given the current economic climate, now may not be the best time to consider large scale disposals.

The Board said that Residents would be anxious generally about the affordability of their homes and some communication should be sent to reassure Residents. Furthermore, given the changes to benefit rules, it would be important to identify the larger households and the households with single people under the age of 35 as these groups were the ones most likely to be adversely affected.

It was noted that the Housing Benefit Teams at the Council were working through all the benefit issues and it was important for Hackney Homes' Officer to work alongside the Council in this.

Charlotte Graves said that despite the HRA review, Hackney Homes was still required to make significant savings in 2012/2013 and this may in turn impact on the required savings for 2011/2012. She stressed the importance of working closely with the Council on this.



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	<p>The Board asked if regular updates could be provided on how the CSR was working out.</p>	<p>N Isaac</p>	
<p>7. Chief Executive's Report -Strategic Overview</p>	<p>Charlotte Graves said that Officers were continuing to monitor closely the financial situation and the savings identified for this year were currently being implemented. It was important that alternative ways were considered when looking at delivering services to ensure that efficiencies and savings could be found.</p> <p>Hackney Homes was hosting the London and South East ALMO networking event this Saturday and there was a cultural event being held at Stoke Newington Town Hall on 27 October and the annual Residents Awards was taking place on 15 December.</p> <p>The strategic position with the Council was good. The Board asked Officers to ensure that the Council was kept involved in any Supply Chain Management Group matters.</p> <p>The Board noted the report.</p>		
<p>8. Board Actions yet to be implemented and not covered on this agenda</p>	<p>The Board queried the legal advice on compulsory gas safety checks for leaseholders. Charlotte Graves said that Officers had received legal advice on this but were minded to take a second opinion it had thrown up some unexpected matters. Furthermore, Hackney Homes would not necessarily take the route of compulsory gas safety checks for leaseholders as it could open up liabilities for both Hackney Homes and the Council if these failed to be enforced. The decision ultimately rested with the Council.</p> <p>The Board noted the action items for future meetings.</p>		



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On 26 October 2010 at 6.30 PM

9. Financial Overview Report	Neil Isaac introduced the report and highlighted the key areas. The Board noted the report.		
10. Update on Board Composition	Tess Merrett said that the Board and Committee membership and composition would be discussed at the Standard & Ethics Committee. The Articles of Association had not been reviewed for some time and a review would take place over the next few months.		
11. AOB	Rupert Tyson reminded all Board Members to complete the self-assessment Board Questionnaire and to return this to Debby Ounsted by Friday 29 October. Rupert Tyson asked the Governance Manager to write to Cllr Feryal Demirci as she was now no longer a Board Member to thank her for all her hard work and contribution to Hackney Homes. The Meeting closed at 7.50 pm		

Signed as a true record of this meeting _____ Chair Dated _____

Title of Report: Chief Executive's Report – Strategic Overview	
Decision Making Body: Hackney Homes Board	Date: 29th November 2010
Classification: FOR INFORMATION	Report of: Chief Executive – Charlotte Graves
Item Previously considered at: This is a monthly standing item	On Which Date: N/A
Report Author: - Charlotte Graves, Chief Executive	Appendices: N/A

If you have any questions about this report, please contact Charlotte Graves on 0208 356 3671 or email charlotte.graves@hackneyhomes.org.uk

1.0 SUMMARY OF REPORT

- 1.1 The purpose of this report is to ensure that the Board have an overview of activity, performance and strategic issues at Hackney Homes.

2.0 RECOMMENDATION

- 2.1 The Board is asked to note the contents of this report.

3.0 BACKGROUND

- 3.1 This is my regular report providing an update on key issues affecting Hackney Homes.

4.0 FINANCE & RESOURCES

4.1 Government Making Changes

The government continues to make a large number of policy changes which have the potential to change the landscape of social housing significantly. We have a presentation on the post Spending Review pointers on the agenda.

On the 22nd of November the Housing Minister published a document entitled; 'A fairer future for Social Housing'. Further detail will be available at the Board meeting but the headline key proposals are as follows:

- **Flexible tenancies** – decisions on tenancy agreements will be made locally. Currently national policy dictates that social landlords can only offer lifelong tenancies. Social homes for life are allocated to people who may have only a short-term housing crisis, which means households continue to

occupy a social home and to pay low rents, even if they no longer need this support.

- **Flexible tenancies (continued)** - Councils and housing associations will now have the flexibility to offer new social housing tenants fixed tenancies – offering minimum contracts of two years. The lifetime tenancies and succession rights of existing council and housing association tenants will not be affected. New tenants will be guaranteed on succession to a spouse or partner, with landlords free to grant further succession rights.
- **Fairer allocations** – Councils will now be able to set their own rules about who qualifies to go on the housing waiting list. At the moment anyone can apply to live in social housing, whether they need to or not. The ‘reasonable preference’ categories for those with the greatest housing needs will be kept, to ensure priority for social housing continues to go to the most vulnerable and those who need it most.
- **Greater mobility** – It will be easier for any of the eight million social tenants in England to move when their circumstances change. Only five per cent of social tenants moved home over the past year compared to almost a quarter of tenants in the private sector. Existing tenants will be removed from housing waiting lists – freeing up social landlords to work together and focus on helping those tenants wanting to move to do so. A new National Home Swap Scheme will offer tenants access to details of social homes available for swaps across the country, regardless of which home swap service they have joined – making it easier for them to move whether to a different sized property, to be closer to family, or for work.
- **Fairer provision for homeless people** – there will be a greater flexibility for councils to make decisions on how best to help people at risk of homelessness at the local level. Currently some homeless families are turning down the decent private rented accommodation they’ve been offered as a settled home, and demanding to be provided with expensive temporary accommodation, at huge costs to the taxpayer, until a social home becomes available. Councils will be able to offer flexible solutions to people at risk of homelessness. Despite tight public finances, the Government will be investing £400m to prevent homelessness and rough sleeping.
- **Affordable rents** – a new ‘Affordable Rent’ tenancy will be offered by housing associations to some new tenants of social housing from April 2011. Affordable Rent properties will be offer term tenancies at a rent higher than social rent – with landlords able to set rents at up to 80% of local market rents. This will enable landlords to raise funds to build affordable housing for those who need it. The Government is investing £4.5 billion in new affordable homes over the Spending Review period, which combined with the reform of social housing should deliver up to 15,000 new homes over the next four years.

- **New tenants power of scrutiny** – Grant Shapps has announced plans for the abolition of the Tenant Services Authority, and is instead to give England's eight million social housing tenants strengthened powers to ensure that landlords provide quality housing and are held to account when problems arise. Landlords will be expected to support tenant panels – or equivalent bodies – in order to give tenants the opportunity to scrutinize the services being offered and to be involved in resolving disputes. These changes will be made as part of the forthcoming Localism Bill.

4.2 Winter Warmer Event

Last year, hundreds of elderly and disabled residents came to a special Hackney Homes Winter Warmer event to meet friends and find out about keeping warm this winter. We are organising this again on Wednesday 19 January 2010 from 10am and residents will be treated to entertainment, lots of advice on how to keep warm, reduce bills, keep active, eat healthily and have fun.

4.3 Caring for the Elderly

With the cold winter months on the way, Hackney Homes is knocking on doors to check on elderly and vulnerable residents on our estates. In the past few weeks, a dedicated staff member in the Homerton Neighbourhood Office has knocked on over 50 elderly and vulnerable residents and signposted them to services such as luncheon clubs, repairs and maintenance, gardening assistance, flu jabs. We are also urging all residents to let us know about any elderly and vulnerable residents in their area so that we can check on them

4.4 Celebrating Our Residents' and Staff Hard Work

Vice Chair of Hackney Homes' Board, Alice Burke won the Residents Category at the Social Landlords Crime and Nuisance Group Delivering Results Awards. In addition, Wayne Hylton, Hackney Homes' Estate Safety Manager, was Highly Commended in the Tim Winter Category for exceptional performance by an employee of a SLCNG member organisation in tackling anti-social behaviour and making a real and sustained difference to an individual or a community.

4.5 Jobs for Hackney Young People

A new initiative between Hackney Homes and Job Centre Plus has seen four Hackney youngsters take up jobs with Lakehouse Construction. All approached the Hackney Job Centre enquiring about a job and they were interviewed on the spot. Two are working on sites and the other two in back office administration.

5.0 ASSET MANAGEMENT

5.1 Kitchens and Bathrooms

Residents will benefit from new kitchens and bathrooms thanks to the new Procurement 2010 contract, which has taken over the kitchens and bathrooms programmes. The size of the programme will depend on funding decisions to be taken by the HCA after Christmas.

6.0 BUILDING MAINTENANCE

6.1 Roadshow for Residents

The Gas Team arranged road shows to make residents aware of Carbon Monoxide poisoning. The roadshows took place in the Hackney Service Centre on 15th November and in the Cashiers Office on the 18th November.

The Gas Team were also invited to attend and give a presentation on awareness to the House of Lords. This was to coincide with the 5th National Carbon Monoxide Awareness week which commenced on the 15th November.

Hackney Homes was commended as an organisation for our efforts in preventing incidents by installing Carbon Monoxide detectors in all Hackney Homes properties.

7.0 ESTATE ENVIRONMENT

7.1 London in Bloom

A Silver Gilt Award was won by Estate Environment, who work in partnership with the London Borough of Hackney

7.2 Bulb Planting

Grounds Maintenance is in the process of planting a variety of bulbs throughout various estates over the borough. The bulbs will brighten our estates from January through to May.

7.3 Recycling – Follingham Court

A pilot scheme on Follingham Court to use half the chutes for recycling materials started on 27th October. This will run for an initial 3 month period and if successful it will be introduced to other suitable estates. The aim is to increase recycling and reduce residual waste. The early signs are promising with a clear reduction in waste and an increase in recycling materials.

7.4 Capital Growth Edible Estates Competition

Estate Environment was awarded first prize for “Best Estate Garden” on the Somerford and Shacklewell Estate and runner up prize for the “Collect and Create” category on the Haberdasher Estate.

Beating off competition from all across London, the estates were recognised for their dedication to improving their communal areas and for getting residents together with a shared aim to transform their estate into green havens.

On the Somerford and Shacklewell estate, residents took part in planting fruit trees on unloved grass patches and filling disused raised beds with organic seedlings. They have also taken over plots of land for themselves, covering railings with sunflowers and growing beans and peas.

On the Haberdasher estate, residents have changed the landscape with an array of flower beds and herb beds as well as a central growing pole and four vegetable growing walls. This has reaped rewards producing tomatoes, broad beans, lettuce, rocket, peas, green beans, pumpkin, baby squash, aubergines as well as mint, rosemary and thyme.

8.0 RESIDENT SERVICES

8.1 Question Time – Stoke Newington

Up to 50 residents recently attended the Question Time event at Stoke Newington Town Hall. It was an opportunity for tenants to pose questions to the Hackney Homes Executive Team. Hackney Homes services such as Decent Homes, Repairs, ASB and Resident Participation all held stalls to answer any specific questions tenants had.

8.2 Youth Provision and Support in North East

Hackney Homes has been successful in a joint bid of £11k for a community grant, working with a group called Skyway. Work has been completed to find out the kind of activities young people in the area want and we are working closely with TRAs to implement them. The project has been named "The Leabridge Project" and the TRAs included are Jack Watts, Beecholme, The Mount and Radley Square.

8.3 HH Youth Committee members on Hackney Youth Parliament

A formal agreement has been reached with Hackney Youth Parliament to have two members from our estate based youth committees to be members of Hackney Youth Parliament. An election will be held in the New Year to elect the young people who will represent the interests of young people living on Hackney Homes' estates.

8.4 Cultural Awareness Sessions

Well attended Cultural Awareness sessions were held for staff on the Irish Traveller Community in Hackney. These two events gave staff an

understanding of the history, culture and current issues facing the travelling community.

8.5 TSA Report

The Annual Report for tenants as required for the TSA was produced within the TSA deadline and work is progressing well on developing 'Local Offer' for Hackney.

8.6 Black History Month

In October the Robin Redmond Resource Centre celebrated Black history month by providing information and a number of activities in the half term week. Activities included:

- African Dance and drumming
- Immediate Theatre workshop
- Luncheon Club African Caribbean Food
- Hip Hop dance workshop

All activities were well attended especially the Luncheon Club – which gave away free Caribbean food to around twenty residents.

8.7 Turkish Ball

Woodberry Down's first ever Turkish Republic celebration took place on 29th October to encourage greater use of the centre by the Turkish Community. The event saw a great turn out and received a great write up in the Avrupa newspaper, a popular Turkish newspaper in London.

8.8 Visit to Paris

On the 12th October 2010, fifteen female Woodberry Down residents visited Paris traveling on the Eurostar. The trip was the result of the Well London Project on the Woodberry Down Estate called DIY happiness, which consisted of eight workshops. In the final workshop participants put forward an idea for a project that would promote well being for them and their community and chose a trip to Paris.

8.9 Closure of Pirate Radio Station

Working along side our colleagues from Estate Safety, the Housing Manager has recently been successful in arranging for the closure of a pirate radio station broadcasting from the top of Thaxted Court. This was particularly well received by the residents of the block and several wrote to thank us for our efforts.

8.10 Positive Feedback from the ASB Open Day

The Open Day was extremely well received and 86 residents' attended with all those who responded to the questionnaire finding it useful. 38 out of 52

attendees thought that this sort of event should be held, an indication of the impact of ASB on peoples' lives and their need to know how Hackney Homes is tackling the issue.

8.11 Street property Closure Order

Beginning in the early summer this year, some residents on the Regents Estate had approached staff to report ASB involving allegations of noise nuisance and prostitution at one of our properties. Staff from our Tenancy and Central ASB teams worked closely with the Police, Mental Health and Hackney Council 'Crackdown' teams and on 7th October a court hearing granted a 3 month Closure Order on the property. The Magistrate thanked the residents for taking the time to attend court for providing detailed evidence. When the Order was granted, there was jubilation from the residents who shook hands with the staff members – clearly showing their collective relief at what had been a difficult time for them over a number of months.

9.0 LEASEHOLD SERVICES

9.1 Leaseholder & Freeholder Open Day

The Leaseholder and Freeholder Open Day held on 2 November was well attended with many leaseholders participating in the range of stalls and activities provided over the course of the day. These included receiving one to one advice and assistance at a service charge surgery.

On the whole customer feedback has been positive with attendees registering their appreciation of the information provided by both Hackney Homes staff and contractors in particular the stalls run by Birchcrofts – specialist gas serving company engaged to provide this service to Hackney's tenanted properties and Gerda – specialist door provider, were kept very busy.

CHARLOTTE GRAVES
CHIEF EXECUTIVE
HACKNEY HOMES

Item 7

Board Actions yet to be implemented and not covered on this agenda

<i>Meeting</i>	<i>Action Agreed</i>	<i>Future Meeting</i>
26 April 2010	Legal advice on compulsory gas safety checks for leaseholders.	TBC
27 July 2010	<ul style="list-style-type: none"> • Benchmarking report on Complaints and Members enquiry-comparing HH and other ALMOS. • Sample analysis of why/which complaints progressed to Stage 2 could be undertaken to explain the high level of upheld Stage 2 complaints. 	17 January 2011

Title of Report: <i>Business Critical Performance Summary Quarter 2 -2010/11</i>	
Decision Making Body: <i>Hackney Homes Board</i>	Date: 29 November 2010
Classification: <i>FOR INFORMATION</i>	Report of: <i>Director of Finance & Resources- Neil Isaac</i>
Item Previously considered at: <i>Not Applicable, though full Performance Report is circulated regularly to Board Members</i>	On Which Date: <i>N/A</i>
Report Author: - <i>Alex Jarosy Extension 4001</i>	Appendix: <i>Hackney Homes Quarter 2 Performance Summary (2010/11)</i>

If you have any questions about this report, please contact Alex Jarosy on 0208 356 4001 or e-mail to Alex.Jarosy@Hackneyhomes.org.uk

1 SUMMARY

1.1 This Report highlights Hackney Homes' end of year performance against the agreed Business Critical Indicators. These include all indicators which currently form part of the Delivery Plan which is the core document through which the Council manage the performance of Hackney Homes. The full schedule of Business Critical Indicators is attached to this Report.

2 RECOMMENDATIONS

2.1 Board Members are requested to:

- i) Note the outturns against targets
- ii) Highlight areas of particular concern
- ii) Request clarification on specific service areas.

3 BACKGROUND

- 3.1 The current Hackney Homes Performance Report is circulated to Board Members on a regular basis and contains over 200 indicators. A summary of the 2010 Quarter 2 performance is attached to this Report against what are agreed Business Critical Indicators covering the core service areas of financial efficiency, repairs, tenancy management, estate environment, customer services, decent homes. The Report also summarises the position regarding core corporate indicators including human resources, customer complaints and payment of invoices.
- 3.2 The Report shows that at the end of September 2010, of the 23 core indicators, 18 areas have either hit the target or delivered outturns which are within 5 % of the target. This threshold is one which is agreed by the Council whereby performance is deemed to be on target if it either hits the target or misses the target by up to 5%. For the all important LKPI114 (rent collection), the target of 98.85% has been exceeded with an outturn of 99.25%. Additionally, for repair appointments, the quarter 2 figure of 97.78% has also exceeded the 96% target as has the Quarter 2 position for both empty property management , major works charge collection and the completion of disabled adaptations.
- 3.3 There are a total of 5 indicators where performance is has missed the target by in excess of 10%. This represents the threshold beyond which significant measures are required to address performance. These areas include the satisfaction rate amongst new tenants confirming that the fit to occupy standard has been met. In this area, whilst the year to date performance has not met the target, the month of September did achieve a 75% outturn, but performances earlier in the year have brought down the year to date figure. The Repairs Call Centre continues to experience a range of technical issues which have brought down performance of calls answered to only 80.06%. With the numbers of repairs orders having declined from September last year, further work will be needed to examine the overall call handling procedures. Of the remaining two poor performing areas, discussions are now proceeding with the Council in connection with the original 15% target for service charge collection as this is regarded as over ambitious and finally in respect of Stage 2 Complaints Upheld, further training is progressing to improve the quality of Stage 1 Complaints' responses.

4 RENTS AND SERVICE CHARGES

- 4.1 This year has seen a reduction in rent arrears to £ 3.88 million from the start of year position of £ 3.89 million. With the collection rate (LKPI 47c) having also only narrowly missed the target at 99.66% which is within the agreed permitted variance threshold. As stated above, the key indicator of LKPI 114 has exceeded the target. Despite this, the overall value of arrears (£ 3.88 million) is beyond desirable levels and Neighbourhood Partners are now evaluating carefully the areas where significant historical debts still exist and ensuring that early action is taken for low to medium level arrears.

For service charge collection, Hackney Homes collected £ 4.28 million against the annual target of £ 8.10 so performance is above target at the mid year position. For major works, £ 3.89 million has so far been collected against an annual target of £ 6.50 million so this area too is likely to hit the annual target of £ 6.50 million.

5 VOID PROPERTIES

- 5.1 Performance on void properties is performing within the 33 day target at 32 days, having recovered from poor performances in June and August. There is however an underlying problem with the high number of refusals being 85.2% of offers made. Discussions are proceeding both internally and with the Council to look at the reasons for refusal with the physical aspects of the property accounting for 24% of refusals and failure to attend viewings accounting for just over 46 % of viewings.

6 PROPERTY SERVICES

- 6.1 The Repairs Service continues to perform well against core indicators. Repair appointments, emergency repairs and major adaptations done within target time are performing well and above target. There have also been improvements in resident satisfaction with the quality of work done, though there do remain challenges with regards the call answering at the Repairs Contact Centre and with the overall satisfaction levels with the repairs service (currently 75% according to the last Status Survey).

Finally, with regards gas servicing, Hackney Homes ended the second quarter with 98. 82% of servicing complete. Work continues through the Courts to gain access to cases of persistent refusal or access denial.

7 ESTATE ENVIRONMENT

- 7.1 Performance against both indicators of cleaning and grounds maintenance have very nearly hit the 96 % target with year to date outturns of 94.58 % and 95.61% respectively. It is anticipated that in this area, the end of year targets will be met.

8 DECENT HOMES

- 8.1 The Decent Homes Programme has been progressing well with 15,299 homes made decent since the Programme began and of the current year's budget of £ 34.629 million, almost 62 per cent has been committed to actual work completed.

9 COMPLAINTS

- 9.1 Responses to Stage 1 complaints have narrowly missed the target at 85.76% of responses having been delivered on time. For Councillors' Enquiries performance is still expected to hit the end of year target of 90%, though the year to date performance has missed the target at 81.44% in part caused by poorer performance earlier in the year around the time of the local authority elections.

10 OTHER CORPORATE INDICATORS

- 10.1 Performance on managing staff absence is currently a cause for concern with an end of year position of 10.05 average days absence against a target of 9.90. Whilst the worsening position during the course of the year will need to be addressed, the current performance is not significantly worse than either the Council or comparable ALMO s. Senior managers and Service Heads are reviewing individual cases robustly to ensure the necessary action is taken promptly after each absence as well as reviewing long term sickness cases whose absences remain within the performance data for the whole year.

Finally with regards invoice payments, there has been a significant improvement since April of this year (almost 10%) and whilst there has been a slight dip in performance in September, the October figure will be showing an improvement of almost 6 % to 94.63%.

11 IMPACT UPON THE HACKNEY HOMES STRATEGIC PLAN

- 11.1 The Business Critical Indicators are set out in the Hackney Strategic Plan.

12 IMPACT UPON THE HACKNEY HOMES RISK REGISTER

N/A

13 THE HACKNEY HOMES SINGLE EQUALITY SCHEME 2010 – 2013

- 13.1 The performance indicators measure the efficacy of services delivered to service users with a high number of BME, women headed household and persons who may be vulnerable or facing disadvantage.

14 CONSULTATION PROCESS & FINDINGS

- 14.1 The full Performance Report is circulated to Board Members, Lead Councillors, Tenants and Residents Groups and placed on the Hackney Homes Website.

15 ICT IMPLICATIONS

N/A

16 HUMAN RESOURCES IMPLICATIONS

- 16.1 Staff absence performance is covered in the Report

17 FINANCIAL IMPLICATIONS

- 17.1 A number of financial indicators are included in the Report. These include rents and service charges.

18 LEGAL IMPLICATIONS / ADVICE

N/A

19 OTHER RELATED DECISIONS / GUIDANCE

N/A

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Hackney Homes Ltd - Performance Report		HACKNEY HOMES PERFORMANCE SUMMARY - Business Critical PIs												End of September 2010					
KEY	PERFORMANCE AGAINST ANNUAL TARGET 2009/10	DATA MONTH												YTD	TARGET	FORECAST	EOY 09/10	Frequency of reporting	
		QTR 3				QTR 4			QTR 1			QTR 2							SEP
	THE VARIANCE FOR THIS PI IS BETWEEN 0% AND <5% OF TARGET	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD	TARGET	Perf Against Annual Target (PAAT)	EOY 09/10	Frequency of reporting
	THE VARIANCE FOR THIS PI IS BETWEEN 5% AND <10% OF TARGET																		
	THE VARIANCE FOR THIS PI IS GREATER >= 10% OF TARGET																		
	OUTTURN PENDING																		
RENT COLLECTION & ARREARS	LKPI 48 Total Value of Rent Arrears (YTD - £M) - Note this PI uses profiled monthly targets	£4.43 M	£4.41 M	£4.33 M	£4.39 M	£4.28 M	£4.10 M	£3.89 M	£3.99 M	£3.93 M	£3.99 M	£3.90 M	£3.92 M	£3.88 M	£3.88 M	£3.32 M		£3.99 M	M
	LKPI 47c YTD Total Collection as % of Rent Debt	99.84%	99.83%	99.84%	99.81%	99.94%	100.09%	100.25%	97.68%	99.26%	99.81%	99.56%	99.53%	99.66%	99.66%	100.30%		100.25%	M
BVPI RENT COLLECTION INDICATORS	LKPI 114 (Ex-BVPI 66a), KOI 8 - YTD Total Collection as % of Rent-arrears brought forward from previous years	98.94%	N/A	N/A	99.09%	N/A	N/A	99.24%	N/A	N/A	99.25%	N/A	N/A	99.25%	99.25%	98.85%		99.24%	Q
EMPTY PROPERTY MANAGEMENT	LKPI 123 (Ex-BVPI 212) Average re-let time	35	42	35	24	32	25	27	32	31	36	33	35	28	32	33		34	M
	LKPI 67 Percentage all new tenants stating the property met the standard promised	74.50%	N/A	N/A	71.43%	N/A	N/A	40.27%	N/A	N/A	62.50%	N/A	N/A	75.00%	67.31%	76.00%		61.50%	Q
WORKLESSNESS	LKPI 151: Percentage of residents referred to the ways into work programme - Note this PI uses profiled monthly targets	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	31.50%	N/A	N/A	40.95%	35.96%	50.00%		N/A	Q
REPAIRS	APPOINTMENTS LKPI 08 % of Responsive Repairs Appointments Kept	97.25%	95.75%	96.82%	96.18%	97.05%	96.82%	96.03%	97.31%	97.98%	97.63%	98.15%	99.70%	97.73%	97.78%	96.00%		96.11%	M
	EMERGENCY LKPI 02 (GNPI 18) % of Emergency Repairs jobs completed within target (24 hours)	91.94%	87.26%	85.63%	89.08%	79.72%	95.60%	83.47%	85.63%	91.33%	92.21%	90.83%	87.95%	98.46%	91.05%	92.00%		86.48%	M
	MAJOR ADAPTATIONS LKPI 70: Percentage of MAJOR Adaptations completed in 28 weeks (referral - job done)	91.67%	78.57%	92.31%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	98.11%	91.00%		87.11%	M
	SATISFACTION LKPI 106: All tenants satisfaction with the landlord's responsive repair service (STATUS)															72.00%	N/A	68%	A
	LKPI 11 Resident Satisfaction with quality of work	95.39%	N/A	N/A	81.23%	N/A	N/A	80.83%	N/A	N/A	89.47%	N/A	N/A	87.65%	88.55%	90.00%		82.77%	M
CALL CENTRE	LKPI 9 Repairs Call Centre. % of Calls answered	95.50%	93.05%	78.99%	75.98%	68.03%	61.42%	61.49%	93.30%	95.67%	71.42%	70.84%	80.86%	72.88%	80.06%	94.00%		83.63%	M
CLEANING	LKPI 7A Total % of Inspections (% Pass)	92.00%	92.90%	96.10%	95.80%	95.40%	95.19%	93.46%	93.90%	94.60%	93.10%	93.90%	96.20%	95.50%	94.58%	96.00%		94.31%	M
GROUNDS MAINTENANCE	LKPI 8A Total % of Inspections (% Pass)	95.90%	94.10%	95.80%	96.60%	97.90%	98.71%	98.77%	97.20%	95.30%	95.20%	94.20%	95.90%	95.80%	95.61%	96.00%		96.26%	M
LEASEHOLD & RTB	LKPI 16: Service Charge arrears as % Invoices raised	24.68%	23.88%	21.99%	21.72%	26.30%	25.94%	25.02%	24.00%	23.90%	23.48%	23.05%	22.47%	27.28%	27.28%	15.00%		25.02%	M
	LKPI 107: Leaseholder major works charges collected as a percentage of invoices raised	69.82%	67.23%	66.35%	71.15%	76.10%	92.28%	90.70%	40.75%	43.03%	60.26%	63.01%	65.83%	72.55%	72.55%	66.00%		90.70%	M
COMPLAINTS	LKPI 25a % of Formal Stages 1 Complaint Responses completed within target time	92.39%	93.02%	88.07%	84.35%	82.80%	96.67%	89.28%	89.90%	82.35%	81.40%	76.84%	94.69%	99.90%	85.76%	91.00%		88.95%	M
	LKPI 59: Stage 2 complaints upheld	27.27%	33.33%	55.56%	14.29%	50.00%	70.00%	70.00%	100.00%	50.00%	66.67%	90.00%	63.16%	40.00%	61.54%	30.00%		42.45%	M
	LKPI 23 Members Enquires	98.46%	91.18%	98.18%	88.52%	87.10%	84.68%	79.74%	86.59%	85.96%	62.96%	82.89%	85.71%	75.00%	81.44%	90.00%		85.66%	M
HUMAN RESOURCES	LKPI 113 (Ex-BVPI 12) Annualised YTD Avg Sickness Days								9.15	8.03	8.41	8.75	9.16	10.05	10.05	9.90		11.71	M
INVOICE PAYMENTS	LKPI 112 (Ex-BVPI 08) Monthly % of undisputed invoices paid on time (30 calendar days)(Ind LBH non-delegated)	75.90%	91.96%	90.25%	90.17%	84.75%	89.17%	88.00%	80.90%	84.93%	86.21%	86.64%	92.02%	88.91%	86.47%	90.00%		83.43%	M
ASB	LKPI 61A Tenant Satisfaction with how ASB complaint was dealt with	43.34%	N/A	N/A	58.14%	N/A	N/A	46.34%	N/A	N/A	60.00%	N/A	N/A	47.06%	50.00%	55.00%		52.21%	Q
PROPERTY SERVICES Moving towards Decent Homes	LKPI 121 (NI 158) (Ex-BVPI 184a) Proportion of homes non-decent - current FY	38.96%	N/A	N/A	37.04%	N/A	N/A	34.80%	N/A	N/A	34.43%	N/A	N/A	32.70%	32.70%	28.00%		34.80%	Q
	LKPI 77 (KOI 1) Total number of homes made decent in period - Note this PI uses profiled monthly targets	372	N/A	N/A	439	N/A	N/A	198	N/A	N/A	129	N/A	N/A	347	476	1545		1439	Q

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Title of Report: FINANCIAL OVERVIEW REPORT	
Decision Making Body: HACKNEY HOMES BOARD	Date: Monday 29th November 2010
Classification: For Information	Report of: Director of Finance & Resources
Item Previously considered at: N/A	On Which Date: N/A
Report Author: - Sunil Desai, Head of Finance	Appendices: None
<p>Report Outline:</p> <ul style="list-style-type: none"> • Paragraph: 1 – Summary of Report; • Paragraph: 2 – Recommendations; • Paragraph: 3 – Background; • Paragraph: 4 – Budget Monitoring 2010/11 and Budget 2011/12; • Paragraph: 5 – Impact Upon The Hackney Homes Strategic Plan; • Paragraph: 6 – Impact Upon The Hackney Homes Risk Register; • Paragraph: 7 – Consideration of the Hackney Homes Single Equality Scheme 2010 – 2013; • Paragraph: 8 – Consultation Process & Findings; • Paragraph: 9 – ICT Implications; • Paragraph: 10 – Human Resources Implications; • Paragraph: 11 – Financial Implications; • Paragraph: 12 – Legal Implications / Advice; • Paragraph: 13 – Other Related Decisions / Guidance. 	

If you have any questions about this report, please contact Sunil Desai on telephone number 0208 356 3429 or email sunil.desai@hackneyhomes.org.uk.

1 SUMMARY

- 1.1 This report highlights the budget monitoring position for 2010/11 as at end of October 2010. Currently, the revenue forecast is for an underspend for £248k on Hackney Homes (HH) own budgets and an overspend of £152k on HH delegated budgets.
- 1.2 The main cause of the delegated budget overspend is due Repairs & Maintenance (+£595k). There is a risk that this may increase up to £2m should sufficient Capital resources not be available to capitalise major work voids / high value repairs as demand is greater than expected. Work is currently underway to identify and agree these resources.
- 1.3 A verbal update will be provided to the Board meeting of the recent announcements from the Government affecting HH, especially in relation to the Comprehensive Spending Review and HCA Decent Homes consultation paper.

2 RECOMMENDATIONS

- 2.1 That the Board notes the 2010/11 budget monitoring position for Hackney Homes for its own budgets and delegated budgets.

3 BACKGROUND

- 3.1 Budget Managers within each of the three directorates are expected to use their local knowledge and current performance levels of activity in their area to forecast spend to the year end.
- 3.2 Budget monitoring is part of the performance management process for HH and the Council.
- 3.3 Regular budget monitoring and budget plans are reported to the Audit & Finance (A & F) Committee. At the last meeting on Monday 4th October 2010 a detailed report was produced on HRA Repairs & Maintenance.

4 BUDGET MONITORING 2010/11

- 4.1 The forecast year end position for HH is an underspend of £248k which is a small increase of approx £50k from the figure previously reported. This is primarily due lower staffing costs than expected. In particular there are a number of vacancies that are not covered by agency staff.

- 4.2 The HH delegated budgets are showing a projected overspend of £152k which is a reduction of approx £350 from the figure previously reported. Although there are a number of compensating under / overspends the main focus is on HRA Repairs & Maintenance (R & M).
- 4.3 The overall HRA R&M budget is expected to overspend to budget (+£636k). There are pressures on individual R&M budgets particularly relating to reactive repairs and voids. There is a risk that this may increase up to £2m should sufficient Capital resources not be available to capitalise major work voids / high value repairs as demand is greater than expected.
- 4.4 The A & F Committee of 4/10/10 commented that although the HRA R & M budgets were felt to be under resourced as there have been year on year pressures on the repairs budgets, however HH must ensure that expenditure is contained within the available cash limits. Council and Hackney Homes' Officers are awaiting the details the HRA review which may give both Hackney Homes and the Council the opportunity to re-base the budget and work up a 30 year business plan. The detail from the government is now expected in January 2011.
- 4.5 The other main areas which still need to be monitored closely are –
- Ensuring identified savings for 2010/11 are realised.
 - Utility costs, this is a risk as the budget is £0.2m under the outturn for 2009/10. HH finance is working closely with relevant budget managers and the Council (Energy Management Unit) to resolve these issues and ensure that a correct year end projection is made of these costs.
 - Reduced rental income due to higher levels of voids or increased levels of arrears.
- 4.6 The Council's Director of Finance and Resources has requested that a full review is undertaken of both LBH and HH Capital commitments for the remaining period of the year. Therefore no new commitments will be made until this review has been completed.
- 4.7 HH total Capital Programme for this year is £85m and the current monitoring shows (prior to the review mentioned above) that we anticipate an underspend of £300k, as a result of small underspends on planned maintenance schemes. A verbal update will be given on the value of schemes on hold and the potential impact on the end of year position.

5 IMPACT UPON HACKNEY HOMES STRATEGIC PLAN

- 5.1 A balanced budget and budget monitoring is fundamental to the achievement of HH business objectives. Regular budget monitoring reports are submitted to the A & F Committee. The process outlined in this report will allow the Board to understand the budget process so that the budget will be set to best deliver the business objectives.

6 IMPACT UPON THE HACKNEY HOMES RISK REGISTER

- 6.1 The HH risk register includes the risk of not having a balanced budget and robust budget monitoring. The mitigating action includes robust budget planning and budget monitoring, undertaken by the Executive team and the A & F Committee and the Board.

7 THE HACKNEY HOMES SINGLE EQUALITY SCHEME 2010 – 2013

- 7.1 The delivery of the scheme is dependant as least in part on adequate resourcing. Good financial planning, it's monitoring and Board input will ensure that resources are allocated to priority areas.

8 CONSULTATION PROCESS & FINDINGS

- 8.1 Key stakeholders are consulted on budget proposals, as will residents as part of the rent consultation process. In addition HH will work closely with the Council to ensure that proposals made by HH will allow the Council to deliver its priorities.

9 ICT IMPLICATIONS

- 9.1 There are no specific IT implications arising from this report.

10 HUMAN RESOURCES IMPLICATIONS

- 10.1 Any adjustments in the HH Management fee may impact upon staffing and therefore HH will have to manage this process through proper consultation and with regards to the Organisational Change Policy.

11 FINANCIAL IMPLICATIONS

- 11.1 These have been included in the body of this report.

12 LEGAL IMPLICATIONS / ADVICE

N/A

13 OTHER RELATED DECISIONS / GUIDANCE

N/A

Title of Report: Board Member Code of Conduct and Investigation Procedure for Alleged Breaches under the Code	
Decision Making Body: Board	Date: 29 November 2010
Classification: For Decision	Report of: Director of Finance & Resources -Neil Isaac
Item Previously considered at: Standard & Ethics Committee	On Which Date: 16 November 2010
Report Author: Tess Merrett Ext 3432	Appendices: Appendix 1: Code of Conduct Appendix 2: Investigation Procedure

Report Outline:

- **Paragraph: 1.0 - Summary of Report;**
- **Paragraph: 2.0 - Recommendation(s) to the Board**
- **Paragraph: 3.0 – Background;**

If you have any questions about this report, please contact Neil Isaac on 020 8356 3432 or email tess.merrett@hackneyhomes.org.uk

1.0 SUMMARY

1.1 Following two investigations under the Board Member Code of Conduct, the Code has been reviewed and updated as has the Board Member Investigation Process for alleged breaches of the Code. The Code now includes the Corporate Governance Principles, the Media Protocols and is generally more explicit about the behaviour expected of Hackney Homes' Board Members. The Investigation Process now includes timescales for the investigation, how breaches of the Code will be investigated for Board Members who are also Councillors and following on from the last investigation, includes powers of immediate suspension from office pending the investigation.

1.2 The Standard & Ethics Committee considered both these documents at its meeting on 16th November. The Committee agreed some amendments to Paragraph 8, Financial Obligations and Paragraph 19, Registration of Gifts and

Hospitality and is recommending the adoption of both the revised Board Member Code of Conduct and the Board Member Investigation Procedure for alleged breaches of the Code by the Board

2 RECOMMENDATIONS

- 2.1 That the Board adopts the revised Board member Code of Conduct and the revised Board Member investigation process for alleged breaches under the Code.

3 BACKGROUND

Board Members' Code of Conduct

- 3.1 The original Code of Conduct was drawn up when the ALMO first came into existence and was based on the Council's Code of Conduct for Members. The purpose of the document is to guide and assist Board Members in their roles and duties as Directors of Hackney Homes.
- 3.2 In the past two years, two investigations were carried out following complaints regarding a Board Member's behaviour which was deemed to be in breach of the Code. The provisions of the Code had not been tested before these particular investigations and during the investigation process, Board Members and Officers considered that the Code could be made more explicit and could also include the Corporate Governance Principles which had been identified by the Cadbury Report in 1992, the Nolan Committee in 1995 and the Relevant Authorities (General Principles) Order 2001. Officers have therefore kept the basis of the original Code which was drawn up using the same principles as the Council's Code of Conduct for Members but have included the Corporate Governance Principles, Hackney Homes' Media Protocols and generally made it easier to follow.

Investigation Procedure for alleged breaches by Board Members of the Code of Conduct

- 3.3 As with the Board Members' Code of Conduct, until the recent investigations, the procedure had not been tested. The procedure has now been revised and amended so that the process has clear timescales attached, provides for immediate suspension of the Board Member, in question if necessary pending the investigation and sets out how breaches of financial obligations will be dealt with.



CODE OF CONDUCT
Issue date:
Review Date:
Responsible Officer: Governance Manager

CODE OF CONDUCT FOR BOARD MEMBERS

The Code of Conduct for Board Members reflects various best practice guidance across the sector.

Board Members will be required to sign a Code of Conduct within 28 Days of becoming a Board Member, and will be required to sign Hackney Homes' Code of Conduct each year to reconfirm their role as a Hackney Homes' Board Member. If Board Members fail to sign the Code within 28 days of becoming a Board Member, they will be unable to take up their duties.

This Code of Conduct applies to all Board Members

Part 1

GENERAL PROVISIONS

Scope

1. A Board Member must observe the Hackney Homes' Code of Conduct at all times and especially when they
 - Conduct the business of Hackney Homes
 - Conduct the business of the office to which he or she has been nominated elected or appointed; or
 - Act, appear to act or could be perceived to be acting as a representative of Hackney Homes.

General Obligations

2. Hackney Homes is responsible for large sums of public money and valuable assets and the housing and care of large numbers of people. Therefore, the Board is committed to ensure that the conduct of the Board Members gives customers,



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partners and regulators confidence in the integrity of their activities at all times and that Board Members avoid any suggestion of influence by improper motives.

The following Corporate Governance Principles with which Board Members are required to comply were identified in the Cadbury Report in 1992, by the Nolan Committee in 1995 and by the Relevant Authorities (General Principles) Order 2001

- **Selflessness** - Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
- **Honesty & Integrity** – Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour
- **Objectivity** - Members should make decisions on merit including when making appointments, awarding contracts, or recommending individuals for rewards or benefits
- **Accountability** Members should be accountable to the public for their actions and manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office
- **Openness** – Members should be as open as possible about their actions and those of Hackney Homes and should be prepared to give reasons for those actions
- **Personal Judgement** – Members may take account of the views of others but should reach their own conclusions on the issues before them and act in accordance with those issues
- **Respect for Others** - Members should promote equality by not discriminating unlawfully against any person and by treating people with respect regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of Hackney Homes' Officers and employees
- **Duty to Uphold the Law** - Members should uphold the law and, on all occasions, act in accordance with the trust that the public has placed in them
- **Stewardship** - Members should do whatever they are able to do to ensure that Hackney Homes use their resources prudently and in accordance with the law
- **Leadership** - Members should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.



3. A Board Member must not:-
- (a) disclose information relating to Hackney Homes or its residents acquired by way of his/her position as a Board Member for any reason other than the promotion of the objectives of the Board, Committee or Hackney Homes lest a conflict of interest should arise
 - (b) disclose information given to him or her in confidence by anyone, or information acquired which he or she believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so; nor
 - (c) prevent another person from gaining access to information to which that person is entitled by law.
 - (d) Under no circumstances must a Board Member use or disclose any information during their work as a Board Member for their personal gain or benefit for themselves or others associated with them including other community groups in which the Board member may be involved.
 - (e) disclose information from Part B Board or Committee Meetings.
4. A Board Member must not in their official capacity, or any other circumstance, conduct himself/herself in a manner which could reasonably be regarded as bringing his/her office or Hackney Homes into disrepute.
5. A Board Member:-
- (a) must not in their official capacity, or any other circumstance, use their position as a Board Member improperly to confer on or secure for himself/herself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of Hackney Homes: act in accordance with Hackney Homes' requirements; and ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of Hackney Homes or of the office to which the Board Member has been elected or appointed.
 - (c) A Board Member must not hold him/herself out as acting on behalf of, or representing the views or concerns of the Board and/or Committee or Hackney Homes in part or in whole to any third party unless a resolution



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has been passed by the Board or relevant Committee that they should do so or they have been requested in writing by an Executive Director of Hackney Homes to do so.

6. A Board Member must when reaching decisions have regard to any relevant advice provided to him/her by: - Hackney Homes' Chief Executive, Company Secretary, Director of Finance and Legal Adviser or their nominated representatives acting in pursuance of their duties.
7. A Board Member must, if they become aware of any conduct by another Board Member which they reasonably believe involves a failure to comply with Hackney Homes' Code of Conduct, make a written allegation to that effect to the Chief Executive of Hackney Homes as soon as it is practicable for them to do so.

8. Financial Obligations

Board Members of Hackney Homes cannot be in arrears of rent, service charge or Council Tax or any other arrears. If Board Members do fall into any such arrears then they must inform the Company Secretary immediately and put arrangements in place to set up a satisfactory agreement to clear such arrears. If such arrangements are not put in place within an agreed timetable and if the Board Member in question fails to keep the Company Secretary informed of how matters are progressing, then the Board Member in question will be subject to a Standard & Ethics Committee investigation which may result in the Board Member ceasing to remain eligible to sit on the Board. Officers will regularly review Board Members' rent, service charge and council tax accounts. . It should be stressed that repayment agreements must be agreed by the relevant Director of Head of Service

9. **Statutory obligations**

The Companies Act 2006 sets out certain statutory duties for Board Members as directors of a company. Board Members must comply with these statutory duties which are as follows:

- The duty to act within powers,
- The duty to promote the success of the company,



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- The duty to exercise independent judgement,
- The duty to exercise reasonable skill and care,
- The duty to avoid conflicts of interest,
- The duty not to accept benefits from third parties (save as permitted under Part 3 paragraph 19 of this Code of Conduct),
- The duty to declare an interest in a proposed transaction or arrangement with Hackney Homes.

Part 2

INTERESTS

Personal Interests

9. (1) A Board Member must regard himself/herself as having a personal interest in any matter if the matter relates to an interest in respect of which notification must be given under paragraphs 15 and 16 below or if a decision upon it might reasonably be regarded as affecting the well-being or financial position of himself/herself, a relative or a friend or
- (a) any employment or business carried on by such persons;
 - (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of more than 2% of the issued share capital in a company
 - (d) any body listed in sub-paragraphs (a) to (e) of paragraph 14 below in which such persons hold a position of general control or management.
- (2) In this paragraph:-
- (a) "relative" means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and
 - (b) "partner" in sub-paragraph (2)(a) above means a Board Member of a couple who live together.



Disclosure of Personal Interests

10. A Board Member with a personal interest in a matter who attends a meeting of Hackney Homes at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Prejudicial Interests

11. (1) Subject to sub-paragraph (2) below, a Board Member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a tenant of Hackney Council as covered by the Management Agreement or a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Board Member's judgement of the public interest.
- (2) A Board Member may regard himself/herself as not having a prejudicial interest in a matter if that matter relates to -
- (a) another relevant organisation of which they are a member;
 - (b) another public organisation in which they hold a position of general control or management;
 - (c) a body to which they have been appointed or nominated by Hackney Homes as its representative;
 - (d) where a Board Member holds a tenancy or lease with a relevant organisation, provided that they do not have arrears of rent with that relevant organisation of more than two months, and provided that those functions do not relate particularly to the Board Member's tenancy or lease.

Participation in Relation to Disclosed Interests

12. A Board Member with a prejudicial interest in any matter must -
- (a) withdraw from the room where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he/she has obtained a dispensation from Hackney Homes' Company Secretary. If a Board Member is likely to have a prejudicial interest on a recurring basis that Member should offer to resign as this will be considered as a cause of action by the Board
 - (b) not seek improperly to influence a decision about that matter.
 - (c) Not exercise executive functions in relation to that matter;



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- (d) Board Members who are residents of Hackney Homes should regard matters specifically concerning their personal interests as a prejudicial interest; matters affecting residents more generally need only be declared where they create a specific conflict of interest.

13. For the purposes of this Part, "meeting" means any meeting of -

- (a) Hackney Homes or
- (b) any of the Hackney Homes' Boards or Committees, joint committees, or advisory committees.

PART 3

THE REGISTER OF BOARD MEMBERS' INTERESTS

Registration of Financial and Other Interests

14. Within 28 days of the provisions of Hackney Homes' Code of Conduct being adopted or within 28 days of his/her election, nomination or appointment to office (if that is later), a Board Member must register their financial interests (see clauses 25 -27 of the Articles of Association) in Hackney Homes' register maintained by the Governance Manager by providing written notification to the Governance Manager of Hackney Homes' of -

- (a) any employment or business carried on by him/her;
- (b) the name of the person who employs or has appointed him/her, the name of any firm in which he/she is a partner, and the name of any company for which he/she is a remunerated director;
- (c) the name of any person, other than a relevant organisation, who has made a payment to him/her in respect of election or any expenses incurred by him/her in carrying out his duties;
- (d) the name of any corporate body which has a place of business or land in Hackney Homes' area, and in which the Board Member has a beneficial interest in a class of securities of that body that exceeds the nominal value of not more than 2% of the issued share capital in the company
- (e) a description of any contract for goods, services or works made between Hackney Homes and himself/herself or a firm in which he/she is a partner, a company of which he/she is a remunerated director, or a body of the description specified in sub-paragraph (d) above;



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- (f) the address or other description (sufficient to identify the location) of any land in which he/she has a beneficial interest and which is in the area of Hackney Homes;
 - (g) the address or other description (sufficient to identify the location) of any land where the landlord is Hackney Homes and the tenant is a firm in which he is a partner, a company of which he is a remunerated director, or a body of the description specified in sub-paragraph (d) above; and
 - (h) the address or other description (sufficient to identify the location) of any land in the Hackney Homes' area in which he has a licence (alone or jointly with others) to occupy for 28 days or longer.
- 15.** Within 28 days of the provisions of Hackney Homes' Code of Conduct being adopted or within 28 days of his/her taking up the position of Board Member (if that is later), a Board Member must register his/her other interests in Hackney Homes' register maintained by the Governance Manager by providing written notification to Hackney Homes' Company Secretary his/her membership of or position of general control or management in any -
- (a) body to which he/she has been appointed or nominated by Hackney Homes as its representative;
 - (b) public organisation or body exercising functions of a public nature;
 - (c) company, industrial and provident society, charity, or body directed to charitable purposes;
 - (d) body whose principal purposes include the influence of public opinion or policy;
 - (e) private club, and
 - (f) trade union or professional association.
- 16.** A Board Member must within 28 days of becoming aware of any changes to the interests specified under paragraphs 13 and 14 above, provide written notification to the Governance Manager of that change.
- 17.** A Board Member must not knowingly employ, in a private capacity, any contractor engaged by Hackney Homes without first seeking the advice of the Company Secretary and registering the nature and value of such contract with the Governance Manager




Registration of Gifts and Hospitality

- 18,** Giving and receiving of gifts from customers, consultants or contractors creates a relationship which could be seen to influence Board Members' judgements. Therefore the following process should be followed.
- 19** Gifts of a value over £25 should not normally be accepted and hospitality of a value over £50 should not normally be accepted. Board Members should advise the Company Secretary of any variation to this. Gifts of a negligible value e.g. pens, diaries, calendars etc may be accepted. As a matter of good practice, Board Members must within 28 days of receiving any gift of hospitality regardless of whether the value is negligible provide written notification to Hackney Homes' Governance Manager of the existence and nature of that gift or hospitality. Every notification received will be recorded by the Governance Manager in a register which is open for public inspection
- 20** Normally, visits to exhibitions, demonstrations, conferences, business meals, social functions by Board Members in connection with their official duties will be at Hackney Homes' expense to avoid jeopardizing the integrity of subsequent purchasing decisions.
- 21** On no account should a Board Member accept financial payment or other inducement from any person, persons or organisation e.g. contractors, developers, consultants etc.
- 22** Board Members should not give hospitality that could be seen as lavish or as a way of exerting improper influence over the decision of another person or organisation. Occasional and modest hospitality will be allowed but only with the prior approval of the Chief Executive and/or the Board Chair. All hospitality offered should be formally recorded with the Governance Manager.
- 23** If a Board Member is in any doubt in respect of the receipt or giving of any gift or hospitality, advice should be sought from the Company Secretary.



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PART 4

RELATIONSHIPS

24 Relationships with Employees

Mutual respect between Board Members and employees is essential to good working relationships and organisational effectiveness. Personal relationships should not be allowed to adversely affect the conduct of Hackney Homes' business. Board Members must not use their position to bring undue pressure to bear on employees to undertake activities outside their remit or which are against Hackney Homes' policies. Nor should Board Members be directly instructing employees in the course of their day to day duties.

25 Relationships with Residents

Board Members must not allow any personal relationship with a resident to conflict with their best interests by bringing undue pressure to bear in matters concerning their rights as a resident. Board Members must not allow themselves to be compromised by or take advantage of their relationship with residents.

PART 5

HACKNEY HOMES' MEDIA RELATIONS PROCEDURES & PROTOCOLS

26 Board Members will not normally be involved in making press releases. The two key things to remember when dealing with media enquiries are



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- a. Do not make a comment to a journalist – even off the record
- b. Contact the Communications Team immediately (020 8356 3877 or 3522)

The following basic principles cover most situations:

- No Board Member of Hackney Homes should speak directly to the media without prior consultation with the Communications Team
- The main spokespeople for Hackney Homes are the Chair of Hackney Homes' Board, the Chief Executive and for political matters the Deputy Mayor and Cabinet Advisor for Hackney Homes.
- Board Member of Hackney Homes should not proactively write and/or disseminate information intended for publication on behalf of or claiming to be representing Hackney Homes without prior consultation with the Communication Team.
- All Board Members must refer any media contact to the Communications Team.
- If there are any matters being debated by the Board which will soon be in the public domain and which are controversial or are really positive for Hackney Homes, do not make any comment directly to the media but allow the Communications Team to deal with it.
- If in doubt, ask the Communications Team.



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APPENDIX II

PROCEDURE FOR DEALING WITH INVESTIGATIONS OF BOARD MEMBERS UNDER THE CODE OF CONDUCT

<i>Issue date:</i>

<i>Review Date:</i>

<i>Responsible Officer: Complaints Team/Governance Manager</i>
--

Stage 1 – Pre-investigation

1. When a complaint is received, the complaint will be acknowledged within 10 working days of its receipt. The acknowledgement should also set out what happens in the preliminary pre-investigation work.
2. The Company Secretary ('DF&R') will consider whether the complaint appears to relate to a potential breach of the Code of Conduct for Board Members ('the Code').
3. DF&R will ask for background information via the Governance Team. E.g. has the Board Member in question received and signed for the Code.
4. DF&R will initially explore the options (if appropriate) for resolving the complaint informally either by direct discussion with the Board Member and complainant (if applicable) or through another Officer carrying out these discussions on his behalf.
5. In the case of complaints which are not submitted in writing, these will not generally be accepted. A written complaint may be in the form of a letter, an email or a report of an alleged incident. However, if a non written complaint or allegation is received where the allegation relates to possible financial impropriety or breach of the guidelines regarding Board Members' interests, the DF & R may resolve to refer matters for a full investigation. In any event, the Board Chair and Board Member shall be advised of receipt of the Complaint or allegation.

6. If the DF&R decides that there may be a breach of the Code of Conduct which cannot be resolved informally or which is significant, then an investigation will commence. The investigation should be concluded within 6 weeks of all parties having been notified of it. If any party involved is unwilling to take part in the investigation, this will be noted in the report but the investigation will still proceed. If the DF&R when deciding that there may be a breach of the Code of Conduct, deems this breach to be of sufficient magnitude to warrant an immediate suspension of the Board Member in question pending the investigation, then in conjunction with the Chair of the Board, the Board Member in question will be suspended from all Hackney Homes' duties until the investigation has been concluded and the matter resolved by the Standards & Ethics Committee.

7. **Councillor Board Members**

Councillor Board Members are bound by both the Council's Code of Conduct for Councillors and Hackney Homes' Code of Conduct. If a Councillor Board Member has breached the London Borough of Hackney's Code for Councillors, then this breach will be investigated under the Council's procedures. The DF&R will consult with the Investigator at the Council to ascertain whether the Councillor Board Member in question should remain on Hackney Homes' Board or be suspended until the conclusion of the Council's investigation process which may in turn result in the permanent exclusion of the Councillor Board member from Hackney Homes.

8. If the Councillor Board Member has breached Hackney Homes' Board Member Code of Conduct, the D&FR again will consult with the London Borough of Hackney as to the best way forward in dealing with the matter.

Breach of Financial Obligations

9. In the event that a Board Member's financial obligations are breached (see paragraph 8 of the Code of Conduct) the Board Member must set up a satisfactory arrangement within an agreed timetable to resolve the matter. If the Board Member does not set up an arrangement or fails to maintain the arrangement, the Board Member will be subject to a Standard & Ethics Investigation which may result in removal from the Board.

Stage 2 – Investigation

- 10 The subject of the complaint, the complainant, the Chief Executive and the members of the Standards and Ethics Committee will be informed on a confidential basis that an investigation is to be conducted and will be told: -

- the name of the person against whom the complaint is made;

- the identity of the person making the allegation (unless identification of the complainant might prejudice the investigation or put the complainant at risk); and,
 - a copy of the complaint will be sent to the subject of the complaint (subject to the approval of the complainant)
- 11 DF&R is adviser to the Standards and Ethics Committee and the primary contact for Board members who have enquiries on conduct issues. That role may be incompatible with personally undertaking the investigator role, which may involve presenting an investigation report at a hearing, so DF&R may need to appoint another person to undertake the investigation.
 - 12 The investigator will be required to produce a report setting out the facts and recommendations as to whether or not the member in question failed to comply with the Code.
 - 13 As DF&R acts as the principal adviser to individual members on conduct issues, this could give rise to conflicts of interests which prevent the DF&R from acting as adviser to the Committee. Alternative arrangements will be made by the Head of HR if necessary.
 - 14 The investigator will contact the subject of the complaint and the complainant for their comments and to identify any persons who (s)he should interview and any evidence which (s)he should examine.
 - 15 The investigator will conduct such interviews as appear to him/her to be necessary for the proper investigation of the issues concerned
 - 16 The investigator will forward the full draft report to the Director who is the subject of the complaint and the complainant together with relevant extracts to any person who has provided evidence and allow all parties 10 days for comments or suggested corrections on matters of fact.
 - 17 The investigator will produce a final report, taking account of suggested amendments and corrections and send it to DF&R.
 - 18 Where the investigator concludes that there has not been a breach of the Code, (s)he will report to the Standards and Ethics Committee which if necessary will be specially convened.. The Standards and Ethics Committee will consider the report and any representations from the subject of the complaint and will either accept the investigator's conclusions and take no further action, or refer the matter to a formal hearing without pre-judging the issue.
 - 19 It is essential that the Standards and Ethics Committee is clear in its role at this point i.e. it can only accept the conclusions or refer the matter to a formal hearing. If any member of the Committee tries to impose or recommend sanctions, the process will be invalidated and an independent panel comprising board members who are not members of

the Standards & Ethics Committee will have to be convened to consider the report afresh.

- 20 Where the investigator concludes that there has been a breach of the Code of Conduct the matter must be referred to a formal hearing without any preliminary consideration by the Standards and Ethics Committee.
- 21 In order to prevent any prejudice to the Standards and Ethics Committee's role in eventually determining the complaint, members of the Standards and Ethics Committee will not be advised of the progress of the investigation, until they receive the agenda and papers, including the investigator's report, for the meeting which is to consider that report. Furthermore, if any member of the Standards & Ethics Committee has been cited as a witness in the matter in question, s/he will not be involved in the Standards & Ethics Committee meeting considering the case nor will s/he receive any of the papers.
- 22 If the Board Member under investigation is a member of the Standards & Ethics Committee, then the Governance Manager will find a replacement Board Member to preside on the Committee for that particular case and the Board Member under investigation will not attend the Committee and will not be sent papers for that Standards & Ethics Committee hearing the complaint.

Stage 3 - Hearing

- 23 The hearing should be completed within two months of the date on which the investigator presents his/her report to DF&R. If this is not possible, the Board Chair should be advised of reasons and a new timetable agreed.

Procedure for Hearing

- 24 Papers will be dispatched to Members of the Ethics Committee or the independent panel whichever has been convened 7 days in advance of the meeting. The Board Member concerned will also be advised of the date of the meeting and time at which he or she should attend. S/he will also be able to bring a representative along to the hearing should s/he wish
- 25 The Officer carrying out the Investigation shall present his or her Report with the Board Member present. Members of the Ethics Committee/Panel as well as the Board Member will be able to ask questions of the Investigator on matters of fact alone.
- 26 After the Report has been presented as outlined in (18), the Board Member will leave the Hearing for the Members of the Ethics Committee/Panel to consider the Report.

Sanctions Available

- 27 The sanctions available to the Standards and Ethics Committee/Panel can be any one, or combination of the following: -
- censure
 - restriction of access to company premises or use of company resources for up to three months
 - a requirement to give a written apology
 - a requirement to undergo training
 - a requirement to undertake conciliation
 - suspension for up to three months
 - suspension until the member undertakes training or conciliation or provides a written apology;
 - any other reasonable sanction(s) as appear necessary in the circumstances of the case.
- 28 If the Committee/Panel feels a breach is so serious as to justify permanent exclusion, it would recommend permanent exclusion to the Board and the Council as sole Member of the Company would be informed
- 29 If, in the course of a hearing, the Standards and Ethics Committee/Panel feels that it needs additional evidence, it can adjourn and request DF&R to provide further information or undertake further investigation, but the Committee/Panel can only do so once on any one matter.

Title of Report: Board Composition	
Decision Making Body: Board	Date: 29.11.10
Classification: For Decision	Report of: Director of Finance & Resources- Neil Isaac
Item Previously Considered at: Standard & Ethics Committee	On Which Date: 16 November 2010
Report Author: Tess Merrett Ext 3432	Appendix: Current Board & Committee Composition

Report Outline:

- Paragraph: 1.0 - Summary of Report;
- Paragraph: 2.0 – Committee Composition
- Paragraph: 3.0 – Recommendation
-

If you have any questions about this report, please contact Tess Merrett on 0208 356 3432 or email tess.merrett@hackneyhomes.org.uk

2.0 SUMMARY

- 1.1 Attached to this report is an appendix setting out the current Board & Committee composition. There are currently 13 Board members and 3 vacancies; 2 Resident vacancies and one Independent vacancy. The two Resident position vacancies are as a result of two recent resignations – one Joel Gordon, the leaseholder board member and the other the resident member from Shoreditch. Given that the elections in Shoreditch took place in July and that Audrey Villas came second in the election by only 47 votes, the most pragmatic and cost effective way forward would be to invite Audrey Villas back on to the Board. Officers are taking legal advice on whether this is an option either as a permanent Board Member or as a Board Member to fill a casual vacancy until the next AGM as set out in the Articles.
- 1.2 The election processes for the Central Hackney and North East Hackney residents will start in March/April 2011 and follow the normal current rotation rules for Board Members. The recruitment process for an independent Board member due to step down under the rotation rules will start at the same time.
- 1.3 Officers will be reviewing the Articles of Associations over the course of the next few months and have had initial discussions with our lawyers. In the spring discussions will be had with the Board about Board

composition e.g. should the numbers remain the same in which case, we would look to recruit two independent board members alongside the Central & North East elections together with an election for a leaseholder board member.

3.0 COMMITTEE COMPOSITION

3.1 Members will see from the appendix setting out the current committee composition that the HR Committee is no longer quorate – 3 members are required on all committees for a quorum but each Committee should have preferably a minimum of 5 members with a maximum of 6. In an ideal structure, all Board members would sit on one Committee with no Board Member serving on more than two. The current terms of reference for all the Committees have a minimum of 6 members with a maximum of 8 which with the current number of Board members will be difficult to achieve. Officers are therefore proposing to amend the membership numbers down from a minimum of 6 to a minimum of 5. I shall be writing to all Board members who are not currently assigned a Committee to ensure that the Committees have enough members to operate.

3.2 The Standard & Ethics Committee discussed how the Committee Chairs are appointed. The options discussed were

- The Committees elect the Chair from one of their number
- The Board appoints the Chairs
- The Chair of the Board appoints the Chair with ratification from the Board

The Committee also considered whether the term of office for Committee Chairs should be time limited to 2 years. The Committee decided that the method of appointing Committee Chairs and whether the appointment should be time limited should be brought to Board for decision.

4. RECOMMENDATION

The Committee is asked to:

- Approve the reduction of the minimum number of Committee members from 6 to 5
- Note that advice is being sought around the options for the vacancy in Shoreditch and a further report will be made next time.
- Decide on how the Committees should appoint their chairs and whether the appointment should be time limited.

Item 11 Appendix
Board Composition as at 16 November 2010

Rupert Tyson (Chair)	Resident
Alice Burke (Vice-Chair)	Resident
David Larkin	Resident
Joseph Oshikoya	Resident

Vacancies
Specific Leaseholder position
Shoreditch Resident

Pam Lockley	Independent
Karen Dodds	Independent
Tom Tyson	Independent
Mervyn Jones	Independent

1 Independent Vacancy

Jonathan McShane	Councillor
Linda Kelly	Councillor
Samantha Lloyd	Councillor
Saleem Siddiqui	Councillor
Alex Russell	Councillor

Committee Membership as at 16 November 2010

HR

Alice Burke (Chair)
Rupert Tyson

A&F

Samantha Lloyd (Chair)
David Larkin
Mervyn Jones
Alice Burke

Standards & Ethics

Linda Kelly
Rupert Tyson
Jonathan McShane
Karen Dodds
Alice Burke

HHJC

Samantha Lloyd (Chair)
Alice Burke
Rupert Tyson