

Cheshire West & Chester Council

Council Housing Management Board

Terms of Reference



1. Overview

The Council Housing Management Board is an Advisory Body to the Council's Executive providing:

- a. a strategic overview of the management of the Council's Housing Revenue Account (HRA) business and associated strategies and policies, including quality & performance.
- b. ensure that the regulatory framework set out in the Social Housing Regulations Act 2023 is met and that tenant's views and feedback are taken into account at all times.
- c. a key consultation mechanism and voice between the Council's Executive and Tenant/Leaseholder engagement structure on all HRA management matters including, but not exclusive to, rent setting, capital programme, service levels, repairs, customer satisfaction and complaints.
- d. put forward any key recommendations to the Council's Executive as required.

It will also influence/inform/advise how some of the budgets within the HRA will be spent, for example, the Area Estate Improvements budgets. These delegated decisions will be made in the context of the Council's Financial Regulations.

The Council Housing Management Board is to ensure that the Council's housing stock (managed by ForHousing until June 2027) meet all the requirements set out in the regulatory framework for Social Housing and is to perform a monitoring and challenge role on behalf of all tenants.

2. Main duties of the Council Housing Management Board

The Council Housing Management Board will act as an advisory body to the Council's Executive with a key role in the development and management of the HRA Business Plan and review of the Council's housing management objectives and performance.

The Council Housing Management Board will provide a channel of communication between tenants and leaseholders, officers and Executive Members of the Council. Whilst the Council Housing Management Board is without executive function its membership affords it the capacity to advise on the strategic direction that is central to facilitating an inclusive approach to service delivery.

The Housing Management Board is responsible for the following functions:

- a) Ensure that the regulatory framework set out in the Social Housing Regulations Act is met and that tenant's views and feedback are taken into account at all times.
- b) Monitoring housing service quality & performance.
- c) Providing a strategic overview on delivery of the Council's HRA Business Plan.
- d) Commenting and advising on:

- development of housing policy, the setting of housing rents and service charges;
- the Council's 30-year HRA Business Plan and Asset Management Strategy.

e) Requesting and reviewing reports on activity associated with the delivery of the business objectives.

f) Providing reports and making recommendations to the Cabinet Member for Homes, Planning and Safer Communities and the Shadow Cabinet Member for Homes, Planning and Safer Communities in relation to policy issues, consultation or areas identified in relation to performance or service development.

g) Facilitating and developing effective communication and engagement with tenants and leaseholders. This to include considering reports and issues referred from both Committee subgroups as well as other tenant/leaseholder cohorts e.g. resident associations.

2.1 Additional monitoring and scrutiny

To assist in the day-to-day monitoring and scrutiny role, the following has been set up:

- **Complaint Panel** – The purpose of which is to review complaints, consider complaint processes against complaint handling procedures and make any recommendations for improvement, oversee the implementation of agreed improvements via an action plan that the Panel monitor and sign off and finally, co-create the Annual Ombudsman Complaint Handling self-assessment with all tenant board member colleagues.

In addition to the above, the Board will instruct officers to set up:

- **Task and finish groups** - The sole purpose of which will be to review a particular service area/policy/procedure etc and gain tenant/leaseholder insight in terms of how services can be improved. All task and finish groups will have a clear objective and will report back to the Council Housing Management Board on their findings. Any task and finish group that is set up will have at least one member of the Council Housing Management Board as its chair. The Board will be responsible for deciding who will be the chair of a particular task and finish group.

The above will be required to provide updates to the Council Housing Management Board as deemed necessary.

3. Membership

In line with the Council's commitment to inclusive working and to meet the proposals set out in the Social Housing Regulations Act 2023, the Council Housing Management Board will consist of:

- Four Councillors;
- CWAC - Finance Manager

- CWAC - Contracts and Compliance Technical Officer
- Four tenant/leaseholder representatives and
- Two independent representatives.

Councillor representation will consist of:

- Cabinet Member for Homes and Planning;
- Shadow Cabinet Member for Homes, Planning and Safer Communities;
- Councillor Keith Millar – Neston Ward Member and
- Councillor Katie Kendrick – Netherpool Ward Member.

Tenant/leaseholder representation will consist of:

- Antony Spurway
- Brian McGaw
- Victoria Albastroiu
- Nigel Hickmott

Independent representation will consist of:

- Jo Worthington
- Paul Doughty

Cheshire West and Chester Council Board representation will consist of:

- Holly Southern, Contract and Compliance Inspector, CWAC
- Stuart Ellis, Housing Revenue Account Finance Manager, CWAC

The following Council and ForHousing staff will attend in an advisory capacity:

- Lucy Heath, Head of Housing, CWAC.
- Allan Batty, Senior Housing Policy Officer – strategic lead Council Housing, CWAC.
- Ria Siddall-Hardwick, Contracts Manager, CWAC.
- Janet Lawton, Head of Housing Management Contract, ForHousing.
- Karen Craig, Performance Lead Officer, ForHousing

3.1 Selection of Council Housing Management Board members

Members of the Council Housing Management Board will be selected every three years via a recruitment process with applicants shortlisted and assessed. A range of bespoke paperwork to assist in the recruitment process has been developed.

3.2 Member attendance

Where a member is unable to attend a meeting, an alternative representative may be nominated to attend on their behalf. The Council Housing Management Board reserves the right to invite/co-opt other relevant people to assist with activities as appropriate. The Council Housing Management Board will be chaired by the Cabinet Member for Homes, Planning and Safer Communities with an elected tenant/leaseholder as vice chair.

Quorum will be four members to include at least one councillor and one tenant & leaseholder representative. Membership of any specific Task and Finish Group will

be determined by the Council Housing Management Board and would consist of at least one member of the Council Housing Management Board acting as the chair of the group.

3.3 Board Member appointment:

The term of office is for three years but is subject to annual review by Full Council. In accordance with the National Housing Federation's Code of Governance, Board members are not permitted to serve for longer than two consecutive terms of office (6 years) without a break in service equivalent to three years.

3.4 Time commitment:

There are typically four full Board meetings each year. The Complaints Panel will meet each quarter, and the Task and finish groups will meet as and when required. There is also an annual Board Away Day and there are likely to be ad hoc events, training sessions and working groups. We estimate that the time commitment for the role is around 1-2 days per quarter. This is likely to feel busier at the beginning with induction.

3.5 Board Member continuous professional development

Being a Board Member can be challenging but very rewarding; to support Board Members, regular training will be provided by the Council via the Tenant Participation Advisory Service (TPAS). All new Board Members will receive formal TPAS training which will cover the responsibilities required as a Board Member.

3.6 Board Member Code of Conduct

All Members of the Council Housing Management Board will be required to abide by the Code of Conduct which covers areas such as: the need for Board members to be apolitical, adopt the nine principles of public life, agree to work together constructively and not use the meetings to bring individual issues or complaints. A copy of the Code of Conduct is available at appendix A.

4. Operation of the Board

4.1 Collective recommendation making

Although the Council Housing Management Board has no decision making powers it can however make recommendations to the chair of the Board so they can put forward the Board's recommendations to the Council's Executive Cabinet. When making recommendations, Members of the Council Housing Management Board will do so on the basis of "collective recommendation making".

4.2 Accountability

The Board will ensure they provide an update of their year's activity as part of the Annual Report to be sent out to all tenants and leaseholders. The agenda and minutes of all Board meetings will be available on the Council website:

<https://www.cheshirewestandchester.gov.uk/residents/housing/council-housing/ensuring-we-deliver-what-matters-to-you>

4.3 Administration

Agendas and papers for meetings will be produced and circulated by the Council five working days prior to each meeting. A “meeting summary” detailing action points from each Council Housing Management Board meeting will be recorded and circulated to all members of the Council Housing Management Board within ten days of the meeting date. These documents will be reviewed at the beginning of each meeting. Any meetings relating to the two Committee Subgroups will be organised and minutes of meetings taken by ForHousing.

4.4 Frequency of meetings

The Board will meet at least four times a year. The Complaints Panel will also meet four times a year. The task and finish groups will meet as and when required until the specific task is completed.

5. Equal opportunities

The Board as an advisory body to the Council’s Executive will ensure that it meets the public sector equality duty namely: that the Board take account of equality as part of its work and will consider the impact of any policies on tenants who share protected characteristics.

6. Review

The Board will review its operation and terms of reference after the first year and thereafter every three years **or as required**.

Appendix A – Code of Conduct

1. Definitions

For the purposes of this code of conduct:

‘Board’ means the Council Housing Management Board or CHMB

‘Member’ means an Independent Member or a Tenant or Leasehold Member of the Housing Board.

‘Independent Member’ means a person elected to the Board who belong to an independent organisation and have a professional standing in the Housing Sector.

‘Tenant or Leasehold Member’ means a tenant or leaseholder of xxx appointed to the Housing Board.

2. Purpose

- 2.1 The purpose of this Council Housing Management Board Code of Conduct is to provide clear guidance to Members of the Board on acceptable standards of conduct required of its members. These principles are intended to be consistent with the Council’s existing Code of Conduct for Members, set out in its Constitution. Where members of the Council sit on the CHMB they will be acting in their capacity as a Councillor and will need to adhere to the obligations set out in the existing Code of Conduct for Members.
- 2.2 All Members of the CHMB must adhere to the terms of the Housing Board Code of Conduct and Terms of Reference at all times.
- 2.3 This document should be read in conjunction with relevant aspects of the Council’s Constitution, CHMB terms of reference, and the Nolan Committee “Seven Principles of Public Life”:

Selflessness

You should take decisions solely on the basis of the values and objectives of the Association. You should not do so in order to gain financial or other material benefits for yourself, your family or friends.

Integrity

You should avoid placing yourself under any obligations, financial or otherwise, to outside individuals or organisations that might influence you in the performance of your duties.

Objectivity

You should ensure that in the delivery of services, the appointment of staff or the awarding of contracts, you maintain impartiality and base decisions on merit alone.

Accountability

You must accept accountability for your decisions and actions and submit yourself to whatever scrutiny is appropriate such as by the boards of management or trustees, residents, the providers of public funds and other stakeholders.

Openness

You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when individual or commercial confidentiality clearly so demand.

Honesty

You must declare any private interests relating to your duties and take steps to resolve any conflicts arising in a way that is lawful and protects the reputation, values and mission of the Association.

Leadership

You must promote and support these principles by leadership and example.

- 2.4 This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the role as CHMB Member or attend your first meeting as a member and continues to apply to you until you cease to be a Board Member.
- 2.5 This Code applies to all forms of communication and interaction, including:
- At face-to-face meetings
 - At online or telephone meetings
 - In written communication
 - In verbal communication
 - In non-verbal communication
 - In electronic and social media communication, posts, statements, and comments.
- 2.6 Board Members agree to work constructively with other members, staff, Councillors and tenants and leaseholders of Cheshire West and Chester Council to oversee the Council's role as a Registered Provider of Social Housing. This does not prevent the Board or Board Members being critical of a service or services as part of their work.
- 2.7 Members will not use the Board or its meetings to pursue individual complaints or queries.
- 2.8 Should any member breach the terms of this code of conduct they may be removed from their position by the Chair of the CHMB in consultation with the Council's Strategic Lead for Council Housing and/or the Council's Head of Housing.

3. General Conduct

3.1 *Respect*

- 3.1.1 All Members will treat fellow Members, other tenants and leaseholders, staff and Councillors with dignity and respect, regardless of their age, disability, gender, race, religion or belief, sexual orientation or gender identity; and respect the role each Member plays on the Board.
- 3.1.2 No Member shall bully or harass any person or discriminate on any grounds against any other member of the Board, other tenants, staff or Councillors. Members will not use discriminatory or offensive language in any of the Board's discussions.

3.2 *Impartiality and Confidentiality*

- 3.2.1 Members shall not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Council. Officers work for the Council as a whole and must be politically neutral. They should not be coerced or persuaded to act in a way that would undermine their neutrality.
- 3.2.2 Members shall not disclose information given to them in confidence by anyone or acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature.
- 3.2.3 Members shall not improperly use knowledge gained solely as a result of their role as a Board member for the advancement of themselves, their friends, their family members, their employer or their business interests.
- 3.2.4 Members should use their knowledge and experience to fulfil their roles and adhere to the code of conduct and in doing so:
 - Tenant/leaseholder members should not discuss personal issues; their role is not to represent the individual cases of other tenants/leaseholders; and
 - Independent members should not seek to use the Board for professional advantage.

3.3 *Declaring Interests and Conflicts of Interest*

- 3.3.1 Members of the Board must act in the best interests of the Council's tenants and leaseholders and do their best to avoid conflicts of interest.
- 3.3.2 Board members will disclose any interest whether personal or on behalf of any group they represent or belong to where this may affect or influence their approach to the matter under discussion.
- 3.3.3 Members will not use their position to obtain any financial gain, preferential treatment, professional or other advantage from Cheshire West and Chester Council.

- 3.3.4 The Board is to ensure that it is a-political in practice and can provide a consistent focus on the Council's responsibilities as a registered provider of social housing, including during periods of political change.
Tenant/leaseholders and independent members may be affiliated to/or be members of a political party but they may not represent a political party in their role as a member of the Board.
- 3.3.5 Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with the interests of tenants and leaseholders generally.
- 3.3.6 Tenant, leaseholder and independent members of the board must make a declaration at each meeting if they have an interest in any item of business on the agenda which would affect them personally or professionally more than tenants or residents affected generally.
- 3.3.7 Tenant, leaseholder and independent members of the Board should consider whether any interests that they have in an item are so significant that they should not participate in the consideration of that item.

3.4 ***Disrepute, use of position and resources***

- 3.4.1 As a Board member, you are trusted to make recommendations and give assurance on behalf of all Council housing tenants and leaseholders and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public.
- 3.4.2 You should be aware that your actions might have an adverse impact on you, other members, the Housing service and the Council and may lower the confidence in you or the service and the Council's ability to discharge its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the housing service and Council into disrepute.
- 3.4.3 You are able to hold the Housing service and local authority to account and are able to constructively challenge and express concern about recommendations and processes undertaken whilst continuing to adhere to other aspects of this Code of Conduct.
- 3.4.4 Your position as a Member of the Board provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.
- 3.4.5 You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a member. Examples include:
- Office support
 - Stationery
 - Equipment such as phones, and computers

- Transport
- Access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

4. Role of the chair

- 4.1 The role of the chair is to impartially control the proceedings of meetings of the Board in accordance with this code of conduct, the Board's terms of reference and the agenda for the meeting. The chair will remind members of the Board of their obligations when this is necessary, and the Board may vote to exclude a member of the Board for all or part of the remainder of a meeting if any failure to meet those obligations continues.
- 4.2 As well as performing this formal role, the chair is able to participate in the consideration of matters at meetings of the Board in the same way as other Board members. The chair should ensure that these two elements do not conflict with each other.
- 4.3 The chair, or vice-chair, of the Board has the right to address the Cabinet to present the Board's comments and recommendations. Where appropriate the chair will act as spokesperson for the Board.

5. Conduct (including behaviour at meetings)

- 5.1 All members will:
 - a) Show respect and be courteous to each other and support and assist other members in seeking the best possible solution to problems being discussed.
 - b) Allow each other the opportunity to speak and comment.
 - c) Follow the guidance of the Chair in the conduct of the meetings.
 - d) Raise questions during meetings through the Chair.
 - e) Follow the agenda at meetings and help each other reach effective recommendations and assurance.
 - f) Bear in mind the rights of individual tenants and leaseholders and the duties of staff when proposing solutions to problems.
 - g) Only speak or write on behalf of the Board with prior agreement of the Chair.
 - h) Make available to all members any correspondence sent on its behalf.
 - i) Only request reports, data and information in line with agreed protocol and forward agenda plans.
- 5.2 Any CHMB member who appears to be under the influence of alcohol or illegal drugs/substances or who causes disruption during any Board meeting will be asked to leave the meeting and may have their membership ended.

6. Attendance and Performance

- 6.1 Members of the Board will make every effort to attend meetings; where they are unable to attend, they will send apologies in advance of the meeting.
- 6.2 Board members will be expected to prepare for meetings.
- 6.3 Members who regularly miss Board meetings and/or fail to prepare for meetings will have their membership reviewed at any time and may be removed from the Board, in line with the terms of reference.

7. Acceptance and Signature

- 7.1 I have read and understood the terms of this Code of Conduct and I agree to uphold its requirements in all my activities as a member of our Board. I am aware that I must declare and manage any personal interests. I understand that, if I am found to have breached this Code of Conduct, action will be taken by the Board which could result in my removal.

Signed:

Print name:

Date: