

**21 June 2023**

Dear Member,

The next Management Committee will be held on **Wednesday 28 June 2023 at 6PM via Teams/in house.**

	<b>AGENDA ITEM</b>	<b>LEAD</b>	<b>TIME</b>	<b>DECISION</b>
1	Welcome, Sederunt & Apologies	Chair	1min	Verbal
2	Jargon Buster			For information
3	Declarations of interest	Chair	1min	Verbal
4	Minutes Committee Meeting of 24 May 2023	Chair	2min	Approval
5	Matters arising and actions from the minutes report	Director	3min	Note
6	Loan Portfolio Return	Finance Manager	5min	Approval
7	GDPR	Finance Manager	10min	Approval
8	Information Commissioners Office(ICO)	Finance Manager	10min	Approval
9	Disability Committed Employer	Finance Manager	10min	Approval
10	Rent Arrears update.	Housing Manager	10min	Note
11	Complaints and Compliments Report	Housing Manager	10min	Note
12	Policy Reports: <ul style="list-style-type: none"> <li>Contractor in liquidation policy</li> <li>Defects policy</li> <li>Acquisitions policy</li> <li>Draft Disciplinary Policy less than 2 years service</li> <li>Protocol for Entering into Settlement Agreements</li> <li>Smoke Free Policy</li> </ul>	Governance Officer & Maintenance Manager	10min	Approval
13.	Operational update	Management Team	10min	Note
14.	AGM Planning/Venue	Governance Officer	5min	Verbal discussion and approval
15.	AOCB	Chair	2min	

**Close of Meeting: 8PM – Next Meeting 30 August 2023 at 6PM**

**Trust    Honesty    Integrity    Excellence    Accountability    Sustainability**

	<b>JARGON BUSTER – JUNE 2023</b>
<b>Terminology</b>	<b>Definition</b>
<b>Information Commissioners Office (ICO)</b>	The Information Commissioner's Office (ICO) upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
<b>General Data Protection Regulation (GDPR)</b>	The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information from individuals who live and outside of the European Union (EU).
<b>DRS</b>	Development & Regeneration Development Services
<b>FTA</b>	Former Tenant Arrears
<b>Lenders Covenant compliance</b>	A loan covenant is a condition in a commercial loan that requires the borrower to fulfill certain conditions or which forbids the borrower from undertaking certain actions, or which possibly restricts certain activities. Compliance means conditions are met in full.
<b>SDFP</b>	Strategy & Development Funding Plan – we submit this to the council with our development ambitions
<b>SHIP</b>	The purpose of the Strategic Housing Investment Plan (SHIP) is to set out the priorities for investment in housing in Glasgow over the 5-year period 2019/20 to 2023/24, and outline how the Council and its partners will deliver these priorities
<b>SuD</b> s	Strategic Urban Drainage System – measure to reduce ground water flooding
<b>Technical arrears</b>	' <b>technical arrears</b> ' – <b>arrears</b> relating to outstanding housing benefit that a landlord has <b>not</b> received
<b>Net Arrears</b>	Net Arrears is Gross Arrears minus Technical Arrears
<b>Gross Arrears</b>	Gross arrears is Net Arrears and Technical Arrears combined and would be the money owed to the association if Technical Arrears wasn't paid.

**WELLHOUSE HOUSING ASSOCIATION  
MINUTES OF THE COMMITTEE MEETING HELD  
ON 24 May 2023 AT 6PM – via Teams and in house**

**1. Welcome, Sederunt & Apologies**

**Present:**

Maureen Morris	Chair
Gordon Kerr	Committee Member
Jane Heppenstall	Committee Member
Anna Dukova	Casual Member
Michelle Harrow	Committee Member

**In Attendance:**

Martin Wilkie-McFarlane	Director
Bill Black	Assets & Maintenance Manager
James Wilson	Housing & Customer Services Manager
Robert Murray	Finance & Corporate Services Manager
Linda Logan	Minutes
John Stevenson	Service Improvement Officer (Item 6 only)

**Apologies:**

Helen Lafferty	Committee Member
Leeann Brown	Co-opted Member
Darron Brown	Committee Member

**2. Jargon Buster**

Noted for information.

**3. Declarations of Interest**

There were no declarations of Interest.

**4. Minutes of the Committee Meeting of 26 April 2023**

The minutes of the committee meeting of 26 April 2023 were proposed by Jane Heppenstall and seconded by Gordon Kerr as an accurate record of the proceedings.

**5. Matters arising from the minutes report.**

The Director noted the open action arising where the Committee had considered the value of cancelling full membership of EVH. Committee discussed and agreed in principle to remain members. The Director agreed to provide an update for discussion at the June meeting.

There were no other matters arising that were not covered by subsequent agenda items.

## 6. ARC Submission.

John Stevenson, Service Improvement Officer presented the ARC Submission for consideration and comment. He asked the committee to note that questions within the return had been checked and verified by the Senior Management Team and the Director. All members had received a copy of the ARC for their consideration prior to the meeting.

He drew committee attention and provided an overview of the ARC key comparators at appendix 1. He advised that tenant satisfaction indicators had reduced across a number of satisfaction indicators largely due to the number of neither/no responses increasing but also an increase in dissatisfaction which the consultant believes impacts on wider financial pressures on tenants' perceptions of costs and services. Gross rent arrears remained above target although performance improved and the average time to re-let properties increased during the year. Stock not meeting the SHQS remained below target but had improved, however new legal duties and access refusals had impacted on performance.

Jane Heppenstall noted and sought clarification on the SHQS reference on an increase from a 10% to 30% sample. The Maintenance Manager explained that we are required to complete a stock condition survey, he noted the costs associated in the completion of the surveys and that most housing associations complete an in-house audit of 30% per annum. He will bring a report to the committee in the next couple of months regarding the purchase of the in-house stock condition audit system. She also sought clarification on how we capture the trend for tenant satisfaction and voids. The Service Improvement Officer confirmed that we monitor and capture the reasons for refusals etc. and act upon them. The Director advised of discussion at the SFHA Board meeting where similar trends were reported. He will inform of further updates from the SFHA.

Gordon Kerr queried point 4.1 of the report and the SDM management system reported. The Service Improvement Officer acknowledged the error and that it should read HomeMaster. The report will be amended accordingly.

### **Resolution:**

**Committee noted and approved the Annual Return of the Charter for submission to the Scottish Housing Regulator, no later than 31 May 2023.**

**Gordon Kerr proposed and Anna Dukova seconded submission of the Annual Return to the Charter to the Scottish Housing Regulator no later than 31 May 2023.**

**The Service Improvement left the meeting at this time.**

## 7. 30 Year Financial Projections incorporating Five Year Financial Projection.

The Finance Manager noted that the SHR 5-year financial projections were required for submission to the SHR no later than 31 May 2023. He cited the reasons for the Return being submitted to the committee under separate cover noting required input from Curb, our development agent, and feedback from the SHR, not being available at time of writing. On the recommendation of Curb and the SHR, development assumptions were included within the return with other variables in relation to contracts and lending, which would still require clarification. The SHR has been briefed on the assumptions and will also be sent to Wellhouse lenders to comply with financial covenant requirements.



Gordon Kerr sought clarification on the assumptions for rental increases that assume an increase of 1% above inflation from years 2 until the 30-year period, whereas the report states that the assumptions from year 9 onwards assumes an inflation only rent increase. He also sought clarification point 5.2 on the latest stock valuations and seeking permission from RBS to borrow again. The Finance Manager agreed to revisit the narrative on rent increase assumptions and to approach RBS for approval.

Jane Heppenstall raised concern at point 5.2 on the wider impact of alternative heating systems not being costed. She acknowledged that this was a massive issue and queried when we would start to engage and build these costs into the budget. The Maintenance Manager advised that any new build from 2025 would require electric heating. He noted the costs of retrofitting at present and the requirement for the Government to provide further guidance.

**Action: The Director acknowledged Jane's concern and proposed that a report should be brought to committee in the next couple of months to focus on alternative heating systems, the challenges, maintenance and running costs, in particular for our tenants, what's happening within the sector and up to date information from the Government relating to funding and our advisors such as the SFHA.**

#### **Resolution**

**The committee noted and approved the Five-Year Financial Projections for submission to the SHR no later than 31 May 2023.**

**Gordon Kerr proposed and Anna Dukova seconded submission of the Five-Year Financial Projects to the SHR no later than 31 May 2023.**

### **8. Management Accounts to 31 March 2023**

The Finance Manager presented the report to provide members with a comparison of the budget and actual financial positions as at 31 March 2023.

He noted an overall favourable variance of £132,521 arising from:

Operational activities – favourable variance of £30,648

Net interest and other activities – favourable variance of £1,873 and;

Actual loss in pension scheme – favourable variance of £100,000

#### **Expenditure:**

He advised an underspend of £36,968 mainly due to staff being recruited at a lower pay scale and not being members of the pension scheme. He reported over and underspends of £53,649 against budget and provided an explanation with regards the reactive/cyclical and the major and planned renewals programme. The largest underspend in modifications were against the back courts and the external verandas which were completed for less than budgeted costs. Further work and consultation will take place before work on the back courts is completed. Bad debts had increased significantly due to how we report. He noted that we provide for any balance greater than £1,000 as per the auditor's recommendations.

#### **Cash flow report:**

Overall, the cash flow output report showed a deficit of £1,725 as opposed to a surplus of £647,304 in SOCI.

**Resolution:**

**Committee approved the management accounts to 31 March 2023.**

**Anna Dukova proposed and Gordon Kerr seconded the management account to 31 March 2023.**

**9. Approved list of contractors and suppliers 23/24**

The Finance Manager highlighted that the approved list of contractors and suppliers had been reviewed to ensure performance and value for money. He noted that Glasgow Private Hire would now be removed from the list of contractors due to the closure of our account and their change to terms and conditions. This information at not been available time of writing.

**Resolution.**

**The Committee approved the list of contractors and suppliers 23/24, subject to the removal of Glasgow Private Hire.**

**Jane Heppenstall proposed and Gordon Kerr seconded the approved list of contractors and suppliers 23/24.**

**10. KPI target 23/24**

The Housing Manager presented performance targets in relation to KPI's for the 23/24 financial year. He noted performance failures as highlighted within the ARC return. Rent arrears at year end was 9.06%, which remained above the internal target of 8%. Relet times were lengthier than normal at an average of 54.94 days against the internal target of 12 days which reflected the delays in the process with 8 properties carried forward from last year and the conditions of many of the properties and metering issues. He reiterated discussions in relation to tenant satisfaction indicators as highlighted within the ARC report.

Gordon Kerr queried if the re-let time indicators were realistic given the current average days against target. The Maintenance Manager recapped issues arising from the condition of void properties and metering issues. The committee discussed and approved that the internal KPI target for relet times be increased to 25 days.

**Resolution:**

**Committee approved the KPI's targets for 23/24.**

**Jane Heppenstall approved and Anna Dukova seconded the KPI target for 23/24.**

**11. Rent Arrears report.**

The Housing Manager noted progress in that auto entitlements was now operational in HomeMaster, improving the accuracy of the technical arrears calculation which was now based on payments received as opposed to what was expected to benefit entitlements.

Since the last committee update gross tenant rent arrears had increased by £13,186 however at the end of the period £1,356 of payments could not be posted from DWP without a remittance statement. During the

same period net current rent arrears decreased by £25,930 to £44,565. Former tenant arrears had decreased by £505.00.

He provided, as requested by the committee at the last meeting, a breakdown of cases and balances of those tenants over one month in rent arrears. He asked the committee to note that there were currently 17 cases in the court system.

The **Committee noted the rent arrears position.**

## **12. Policy Review Report**

The Corporate and Governance Officer advised that the Employing Army Reserves, Lone Working, Alcohol and Substance and Communications tools policies had been reviewed. She noted changes to the Employing Army Reserves and Lone working policies has outlined in bold type face within the report. There were not changes required to the Alcohol and Substance Abuse or the Communications Tools policies. She sought committee approval.

### **Resolution:**

**Committee approved the afore mentioned policies.**

**Jane Heppenstall proposed and Gordon Kerr seconded the reviewed policies.**

## **13. Operational Update**

### **Director:**

The Director noted that all items within his update had been discussed under other items within the report. A separate report applied to the development update.

### **Housing Manager:**

The Housing Manager reiterated discussion with regards the test and roll out of auto entitlement and the improvement in the calculation of technical arrears. He asked committee to note that the housing team was reviewing their rent arrears and debt management procedures and revisiting the steps taken and reflecting the move to HomeMaster.

### **Maintenance Manager:**

The Maintenance Manager informed committee that we had received a letter from Glasgow City Council with regards the Scottish Government Energy Efficient Scotland Scheme and potential funding for the fabric first approach and as such we had lodged a note of interest. We are currently surveying those properties that we think would benefit from this type of upgrade.

Tenants in the 23/24 planned maintenance programme have been lettered and addresses passed to the contractor to survey and plan the works.

We have submitted our request to Glasgow City Council for funding at £70,000 for stage 3 adaptations.

He informed committee of an unauthorised alteration carried out by a tenant without consultation with the Association. A meeting with the tenant had been arranged and an engineers report received. Temporary repairs were carried out and a formal tender was issued. Costs are considerably higher than expected to re-roof the property. The tenant has been informed that all costs associated with the works required are rechargeable.

#### **Finance Manager:**

The Finance Manager asked committee to note that internal audits on Factoring Services had been carried and the recommendations and presented by Wylie Bisset at the Audit and Risk Committee. The Senior Management Team has committed to move forward with any outstanding issues. Terms deposits had also been discussed.

Recruitment for the Finance Assistant had been successful. Stephne Moir was now in post.

Committee noted the operational update.

#### **10. AOCB**

The Chair informed committee that Graeme Wetherill has resigned from committee due to study and work commitments.

She advised that "Finance for non financials" training had been agreed with Wylie Bisset at the Audit & Risk Committee. Committee will be advised of proposed dates. She reminded committee of the Fraud training scheduled for 1 June 2023.

The Housing Manager advised of a Declaration of Interest with regards a staff member being offered a property. All relevant policies and procedures had been adhered to.

**There was no other business. Meeting closed 8:20PM**

**Next Meeting 28 June 2023 at 6PM via Teams and in house**

## ACTIONS ARISING FROM PREVIOUS MANAGEMENT COMMITTEE MEETINGS June 2023

MINUTE REFERENCE	ACTION	OWNER	DUE BY	STATUS OPEN/ CLOSED	PROGRESS
August 2021					
Factoring Policy	Review of Factoring Policy and Factoring Process	Management Team	September 23	Open	The management team continue to review the factoring service and current charges. An improved welcome pack is being implemented. Another meeting was scheduled for 20/6/23. The Housing Manager hopes to have the Factoring policy completed by the end of August as per feedback to the Auditors and will present to the September committee meeting.
Budget 22/23	Committee discussed employee terms and conditions of employment	Director	Future Committee Meeting	Open	The Director will provide an update at the June committee meeting with regard the value of full membership of EVH for discussion and committees in principle agreement to remain members at the May committee meeting.
June 2022					
Rent Arrears		Housing Manager		Open	The Housing Manager will provide an update on the arrears position at the June committee meeting.
January 2023					
Rent Consultation update	The Director discussed and it was agreed that a report be brought to committee in the future to explore a hardship fund and a benchmarking exercise completed.	Housing Manager	August 23	Open	The Housing Manager will speak to FOI and with the Income & Advice Officer with regard the benchmarking exercise which will be brought to the August committee meeting.

23/24 budget assumptions		Finance Manager and Management Team	Future Committee meeting	<b>Open</b>	Actions required: <ul style="list-style-type: none"> <li>• A formal re-forecasting budget will be brought to the committee later in the year.</li> <li>• The Business Plan approved last year will be reviewed and a different model and scenario planning will be considered.</li> <li>• A formal budget reforecast will be brought to the October Committee meeting.</li> </ul>
May 2023					
7. 30 year financial projections including (FYFP)		Finance & Maintenance Managers	August 2023	<b>Open</b>	A report will be presented committee in the next couple of months to focus on alternative heading systems, the challenges, maintenance and running costs, in particular for our tenants, whats happening within the sector and up to date information from the Government relating to fund and our advisors such as the SFHA.

<b>Management Committee</b>	28 June 2023
<b>Agenda Item</b>	6
<b>Title of Paper</b>	Loan Portfolio Return
<b>Author</b>	Robert Murray, Finance & Corporate Services Manager
<b>Attachment(s)</b>	Annual Loan Portfolio Return Information

## FOR APPROVAL

### 1 PURPOSE

- 1.1 To provide Committee with details of the Annual Loan Portfolio Return to be submitted to Scottish Housing Regulator (SHR).

### 2 RECOMMENDATIONS

- 2.1 There are no concerns regarding any aspect of the loan portfolio return for the Association and Committee approval is requested.

### 3 BUSINESS PLAN, VISION AND VALUES

- 3.1 This Report is consistent with Wellhouse's objective to provide good governance and financial management and is relevant in respect of the following values: -

- Accountability

- 3.2 This Report also meets point 12:16 from the Operational Plan – "Five year and loan return to SHR".

### 4 BACKGROUND

- 4.1 The Housing (Scotland) Act 2010 places an obligation upon the Scottish Housing Regulator (SHR) to monitor, assess and report regularly on the financial health of registered social landlords (RSLs). They are able to achieve this by using information, which has been collected from the annual accounts, loan portfolios and financial projections provided by RSLs. Each RSL, therefore, also has an obligation to submit reports to SHR on a regular basis meeting required timescales.

- 4.2 Wellhouse is required to submit a Loan Portfolio Return annually prior to 30 June 2023. Any significant events should also be reported on an ad-hoc basis as and when they occur, via an In-Year Return. Appended to this report are extracts from the submission showing a summary of the loans and also the authorisation page.

## 5 MAIN ISSUES

5.1 The summary of loans shows a total of £7,421,443.08 (due to rounding is shown as 7421.4 in the return) and this agrees to the figures contained in the management accounts and draft statutory year-end accounts. All financial covenants have been updated to reflect the position as at March 2023 and show the latest date when financial covenants were reported to lenders. These also agree to the figures reported on in the Management Accounts at March 2023.

### 5.2 Main Points

- Approximately 17% of all housing stock is not granted as security for loan finance and remains unencumbered.
- The Association has loans with two lenders - Royal Bank of Scotland (RBS) and Clydesdale Bank.
- All facilities have been drawn down in full.
- Total loan debt at March 2023 is £7.421.4m.
- Around 86% of debt is on a fixed rate basis, this complies with the treasury management policy – “applying an appropriate hedging strategy will assist in minimising any adverse effects caused by increase in interest rates”.
- There are no issues in terms of covenant compliance subject to lenders formalising discussions to date.

5.3 The loan portfolio report shows the status with one validation error as the approval date requires to be entered after approval at the June 2023 committee meeting. Once Committee has approved this document it will be electronically Authorised and submitted to SHR and will display the status as “Approved.”

## 6. DISCUSSION

6.1 Committee is invited to discuss any of the content in this report.

## 7. REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES

7.1 There is a regulatory requirement for Wellhouse to submit various annual Returns to SHR.

7.2 Keeping accurate records of the Association’s loan balances and financial covenant’s requirements and details is consistent with the Treasury Management policy.

## 8. FINANCIAL IMPLICATIONS

8.1 None.



## 9. KEY RISKS

9.1

(a) Strategic Risks	(b) Operational Risks	(c) Project Level Risks
Failure to submit Returns to SHR on time could result in engagement being kept at a higher level than is necessary.		
<b>Mitigation</b>	<b>Mitigation</b>	<b>Mitigation</b>
Ensure that all relevant staff members are aware of deadline dates for SHR submissions and these dates are adhered to.		

## 10. EQUALITY AND DIVERSITY IMPLICATIONS

10.1 None apparent.

## 11. SUSTAINABILITY

10.1 Not applicable.

## 12. SWOT ANALYSIS

11.1 Not required.

## 13. CONCLUSION

12.1 Not applicable.

## Loan Portfolio Annual Return 2022-2023



Landlord name:	Wellhouse Housing Association Ltd
RSL Reg. No.:	281
Report generated date:	05/06/2023 13:07:36

Approval	
Date approved:	28/06/2023
Approver:	Maureen Morris
Approver job title	Chair

Submission	
Nil return	No
Date of Return	31/03/2023
Accounting year-end	March
Number of housing units owned by RSL	794
Number of housing units used for Security	657
Unencumbered housing units	137
What Percentage of unencumbered housing units in Question (7) has a Positive value?	100.00%
Does a Lender have a floating charge over the company assets?	No
Submission Comments	
N/A	

## Covenants for Loans

Covenant Sequence Number	Type of Covenant applied	How is this Covenant calculated?	Required levels	Frequency of reporting to lender	Date of last report to lender	Actual levels achieved at that date
1	Interest Cover	The covenant is based on the surplus as a percentage of the annual interest	110%	Quarterly	31/03/2023	256.88
2	Interest Cover	Operating surplus calculated as a percentage of the annual interest charge	110%	Quarterly	31/03/2023	256.88

## Facilities

Facility Reference Number	Name of Lender	Charge holder	Security Trustee in place?	Start Date	End Date	Total Facility (£'000s)	Reason for Total Facility Change	Balance of Facility Outstanding (£'000s)	Facility Undrawn (£'000s)	Next five years?	Undrawn Facility for?	Details
WELCLY002	Clydesdale Bank plc		No	27/02/2004	27/02/2029	1,000.0			354.8	0.0		
WELCLY003	Clydesdale Bank plc		No	01/10/2004	02/07/2029	1,132.4			438.3	0.0		
WELRBS011	Royal Bank of Scotland plc		No	30/09/2012	25/06/2040	2,150.0			1,484.5	0.0		
WELRBS012	Royal Bank of Scotland plc		No	31/10/2012	21/02/2033	1,375.0			670.7	0.0		
WELRBS2889	Royal Bank of Scotland plc		No	28/04/2017	28/04/2027	4,473.1			4,473.1	0.0		
Totals						10,130.5			7,421.4	0.0		

## Facilities

Facility Reference Number	Name of Lender	Funds Committed?	Fees - Arrangement	Fees - Non-utilisation	Fees - Other	Fees - Details	All lenders within this syndicate	Linked to ESG Credentials?	Facility Comments
WELCLY002	Clydesdale Bank plc		Yes	No	Yes	Legal		No	
WELCLY003	Clydesdale Bank plc		No	No	Yes	Legal & Valuation		No	
WELRBS011	Royal Bank of Scotland plc		No	No	Yes	Legal		No	
WELRBS012	Royal Bank of Scotland plc		No	No	Yes	Legal		No	
WELRBS2889	Royal Bank of Scotland plc		Yes	No	No			No	

## Loans

Facility Reference Number	Loan Reference Number	Loan Type	Purpose of Loan	Loan Purpose Details	Total Loan Amt (£'000s)	Balance O/S (£'000s)	Repmnt Terms	Ref Int Rate	Margin Over Ref Int Rate (%)	'All in' Fixed Rate (%)	First Cap Repmnt Date	Final Cap Repmnt Date	First Int Pmnt Date	Interest is being
WELCLY002	CLYVAR7665	Variable Rate Loan	Refinancing		589.2	354.8	Fully Amortising	SONIA	0.4500%		28/03/2019	27/03/2029	28/03/2019	Paid
WELCLY002 Total					589.2	354.8								
WELCLY003	CLYVAR003	Variable Rate Loan	Affordable Housing Development		1,132.4	438.3	Converted to loan	SONIA	0.4500%		01/10/2004	02/07/2029	01/10/2004	Paid
WELCLY003 Total					1,132.4	438.3								
WELRBS011	RBSFIXED011	Fixed Rate Loan	Refinancing		2,150.0	1,484.5	Converted to loan	Fixed Rate Percentage		4.2500%	31/12/2012	25/06/2040	31/12/2012	Paid
WELRBS011 Total					2,150.0	1,484.5								
WELRBS012	RBSFIXED013	Fixed Rate Loan	Refinancing		1,341.4	670.7	Converted to loan	Fixed Rate Percentage		4.0900%	21/02/2013	21/02/2033	21/02/2013	Paid
WELRBS012 Total					1,341.4	670.7								
WELRBS2889	RBSFIXED3462	Fixed Rate Loan	Affordable Housing Development		4,473.1	4,473.1	Interest only - Bullet repayment at end of term from refinancing	Fixed Rate Percentage		1.5000%		28/04/2027	28/07/2017	Paid
WELRBS2889 Total					4,473.1	4,473.1								
Totals					9,686.1	7,421.4								

## Loans

Facility Reference Number	Loan Reference Number	Start Date	Fin cap Rep Date Ind	Current deal expiry date	Forward fixes neg with Lender?	Fees - Arrangement	Fees - Non-utilisation	Fees - Other	Fees - Details	Percentage of Security provided by Social Housing assets (%)	Value of Security provided by Social Housing units (£'000s)	Basis of valuation	Date of valuation	Loan Comments
WELCLY002	CLYVAR7665	27/02/2019	Yes			No	No	Yes	Legal & Valuation	100.00%	2,100.0	EUV-SH without sales	02/12/2020	
WELCLY003	CLYVAR003	01/10/2004	Yes			No	No	Yes	Legal & Valuation	100.00%	2,100.0	EUV-SH without sales	02/12/2020	
WELRBS011	RBSFIXED011	31/10/2012	No	28/06/2040	No	No	No	Yes	Legal	100.00%	8,270.0	EUV-SH without sales	08/04/2021	
WELRBS012	RBSFIXED013	31/10/2012	Yes			No	No	Yes	Legal	100.00%	1,550.0	EUV-SH without sales	08/04/2021	
WELRBS2889	RBSFIXED3462	28/04/2017	Yes			Yes	No	No		100.00%	10,640.0	EUV-SH without sales	08/04/2021	

## Loans Covenants

Facility Reference Number	Loan Reference Number	Covenant Sequence Number	Type of Covenant applied	How is this Covenant calculated?	Required levels	Frequency of reporting to lender	Actual levels achieved at that date
WELCLY002	CLYVAR7665	2	Interest Cover	Operating surplus calculated as a percentage of the annual interest charge	110%	Quarterly	256.88



# Embedded Interest Rate Derivatives

Facility Reference Number	Loan Reference Number	Sequence Number	Derivative Type	Amount (£'000s)	Date From	Date To	Margin Over Ref Int Rate (%)	'All in' Fixed Rate (%)
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## IGF Lend

Sequence Number	Name of the organisation that the funding is provided to	Relationship to RSL	Amount Provided (£'000s)	Balance O/S (£'000s)	Purpose of loan	Details	Duration of funding arrangement (months)	Start Date	End Date	First repayment date	Is Funding Provided Part of Funds Borrowed?	Loan Reference Number	Lender aware of on Lending Arrangement?
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## IGF Lend

Sequence Number	Name of the organisation that the funding is provided to	Security taken?	Type of Security	Type of Security details	Value of Security (£'000s)	Loan Agreement in Place?	Loan Type	Repayment Period (months)	Repayment terms	Reference Interest Rate	Margin Over Ref Int Rate (%)	'All in' Fixed Rate (%)	IGF Lend Comments
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## IGF Borrow

Sequence Number	Name of organisation that the funding is provided from	Relationship to RSL	Amount Received (£'000s)	Balance O/S (£'000s)	Purpose of loan	Details	Duration of funding arrangement (months)	Start Date	End Date	First repayment date
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## IGF Borrow

Sequence Number	Name of organisation that the funding is provided from	Security taken?	Type of security	Details	Value of security (£'000s)	Loan Agreement in place?	Loan Type	Repayment period (months)	Repayment terms	Reference Interest Rate	Margin Over Ref Int Rate (%)	'All in' Fixed Rate (%)	IGF Borrow Comments
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## ISDAs

Sequence Number	Name of Lender	Amount (£'000s)	Start Date	End Date	Reference Interest Rate	Margin Over Ref Int Rate (%)	'All in' Fixed Rate (%)	Mark to Market Threshold before collateral calls (£'000s)	Mark to Market Value (£'000s)	Date of Mark to Market Valuation	Implied loss or gain on Mark to Market Valuation (£'000s)	Type of collateral calls	Under which method are they marked?	Frequency of Call	ISDA Comments
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## ISDA Covenants

ISDA Sequence Number	Sequence Number	Type of covenant applied	How is this Covenant calculated?	Required levels	Frequency of reporting to lender	Date of last report to lender	Actual levels achieved at that date
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<b>Audit &amp; Risk Management Committee</b>	28 June 2023
<b>Agenda Item</b>	7
<b>Title of Paper</b>	General Data Protection Regulations
<b>Author</b>	Robert Murray, Finance & Corporate Services Manager
<b>Attachment</b>	GDPR Breach register

## FOR DECISION

### 1 PURPOSE

- 1.1 To provide the committee with an update on GDPR and any breaches that have occurred.

### 2. RECOMMENDATIONS

- 2.1 That the committee notes the details of the register and any lessons learned.

### 3 BACKGROUND

- 3.1 Wellhouse Housing Association have a duty under General Data Protection Regulations (GDPR) to safeguard personal data obtained in the ordinary course of business and retained by the association.
- 3.2 Where a breach occurs it's the responsibility of the Data controller to assess the severity of the breach and follow the guidance to be followed as contained on the ICO website.
- 3.3 The ICO recommends that a register of breaches are kept and any recommendations or changes are implemented immediately.

### 4 OBJECTIVES

#### Wellhouse Business Plan, Vision and Values

- 4.1 The production of this report is integral to all business activity and our ethos and is therefore consistent with:
- Our vision and;
  - Our values of Honesty, Integrity and Accountability

### 5 MAIN CHANGES

- 5.1 This is the first time for several years this information has been reported but will be reported annually going forward.



## 6. REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES

Using guidance from the ICO website and TC Young our solicitors the attached breach register has been created of known breaches in the past 2 years. This register is a live register and will be updated as required.

## 7. FINANCIAL IMPLICATIONS

Staff time and associated costs notifying any stakeholder impacted by a data breach. There may also be additional costs in training staff.

## 8. KEY RISKS

(a) Strategic Risks	(b) Operational Risks	(c) Project Level Risks
	Data breaches have a reputational damage and potential financial costs	
Mitigation	Mitigation	Mitigation
	Ensure staff are fully aware of GDPR requirements and lessons that can be learned from any data breach	

## 7. EQUALITY AND DIVERSITY

7.1 None

## 8. SUSTAINABILITY

No impact

## 9. SWOT ANALYSIS

Not required as no new business activity proposed.

## 10. CONCLUSIONS

10.1 The provision of the information annually ensures that the committee are informed of the number of data breaches and any subsequent lessons or action taken.

No.	Breach Details						Consequences of breach	Measures taken						
	Date of breach	No. people affected	Nature of breach	Description of breach	How we became aware of breach	Description of data loss		All clients and staff informed?	Remedial action taken	All Regulators informed	ICO Notification Date	Case Closed Date	Data Category	Near Miss
1	06/05/2021	1	Disclosed in error	incorrect email address copied down, human error	Staff member notices	personal details	Potential: identity theft	yes	ICO helpline consulted	Not required / Non 'serious breach'	07.05.21 ICO advised no action required		Person Information	Yes
2						Name, address, tenancy start date; phone no; gender	Potential: identity theft	Email identified as sent to another trusted contractor: email and all attachments permanently deleted. Advice taken from TC Young. All info recorded on file dated 08.12.21	Discussion with staff member - basic human error; refresher training set up; email reminder to all staff.	Not required - no risk presented to customers: see email advice from TC Young	Not required - no detrimental impact/ no risks presented	12/05/2021		
3	03/12/2021	over 800	Disclosed in error	Email containing details sent to wrong recipient	contractor advised us							08/12/2021	Person Information	Yes
	27/04/2023	10	disclosed in error	Email containing sensitive date sent to IT partner in error	staff member noticed	DOB of committee members	Potential: identity theft	Email identified contained DOB of Committee members. IT partner asked to delete from their servers	ICO website assessment portal used. Discussed with staff member - basic human error	Not required/low risk presented to committee members	Not required- no detrimental impact	05/06/2023	personal information	yes

<b>Audit &amp; Risk Management Committee</b>	28 June 2023
<b>Agenda Item</b>	8
<b>Title of Paper</b>	Scottish Information Commissioner statistics
<b>Author</b>	Robert Murray, Finance & Corporate Services Manager
<b>Attachment</b>	Scottish Information Commissioner statistics 2022-23

## FOR DECISION

### 1 PURPOSE

- 1.1 To provide the statistics on the Freedom of Information requests made during the year 2022-23

### 2. RECOMMENDATIONS

- 2.1 That the committee notes the details of the quarterly returns submitted to the Scottish Information Commissioner.

### 3 BACKGROUND

- 3.1 Since November 2019 all registered social landlords have been required to comply with the Freedom of Information (Scotland) Act 2002
- 3.2 It is a requirement to provide on a quarterly basis information to Scottish Information Commissioner
- 3.3 The report on a quarterly basis requires a number of specific questions/criteria to be answered.
- 3.4 The attach report benchmarks the requests that Wellhouse Housing Association have received against other members of EHRA for the year 1 April 2022 to 31 March 2023. During the year 6 FOISA requests and 1 EIR were responded to by Wellhouse Housing Association. We had the highest number of request of all EHRA members.

### 4 OBJECTIVES

#### Wellhouse Business Plan, Vision and Values

- 4.1 The production of this report is integral to all business activity and our ethos and is therefore consistent with:
- All of our strategic objectives;
  - Our vision and;
  - Our values of Integrity and Accountability

## 5 MAIN CHANGES

- 5.1 This is the first time for several years this information has been reported but will be reported annually going forward.

## 6. REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES

Required to comply with requirements of Scottish Information Commissioner and Freedom of Information (Scotland) Act 2002

## 7 FINANCIAL IMPLICATIONS

None.

## 8 KEY RISKS

(a) Strategic Risks	(b) Operational Risks	(c) Project Level Risks
	Quarterly returns are not submitted to Scottish Information Commissioner	
<b>Mitigation</b>	<b>Mitigation</b>	<b>Mitigation</b>
	Ensure returns are submitted on time by DP officer	

## 7. EQUALITY AND DIVERSITY

- 7.1 All returns made by Wellhouse Housing Association must comply with our equality and diversity obligations and objectives.

## 8. SUSTAINABILITY

No impact

## 9. SWOT ANALYSIS

Not required as no new business activity proposed.

## 10. CONCLUSIONS

- 10.1 The provision of the information annually ensures that the committee are informed of the information being provided to the Scottish Information Commissioner.

Scottish Information Commissioner Return Statistics 2022-23

	WHA	PHA	LPHA	GHA	EPHA	CHA	BHA
FOISA requests	6	4	1	0	4	3	1
FOISA closed - unclear	0	0	0	0	0	0	0
FOISA closed - withdrawn	0	0	0	0	1	0	0
FOISA fees notice	0	0	0	0	0	0	0
FOISA fees paid	0	0	0	0	0	0	0
FOISA response on time	6	4	1	2	2	3	1
FOISA response late	0	0	0	0	0	0	0
FOISA failure to respond	0	0	0	0	0	0	0
FOISA refused cost	0	0	0	0	0	0	0
FOISA vexatious	0	0	0	0	0	0	0
FOISA repeated	0	0	0	0	0	0	0
FOISA full release	6	3	1	2	2	3	0
FOISA none released	0	0	0	0	0	0	0
FOISA some released	0	0	0	0	0	0	0
FOISA none held	0	0	0	0	0	0	0
FOISA no confirm/deny	0	0	0	0	0	0	0
EIR requests	1	0	0	0	0	1	0
EIR closed - unclear	0	0	0	0	0	0	0
EIR closed - withdrawn	0	0	0	0	0	0	0
EIR - fees notice	0	0	0	0	0	0	0
EIR - fees paid	0	0	0	0	0	0	0
EIR - Response on time	0	0	0	0	0	1	0
EIR - response late	0	0	0	0	0	0	0
EIR - failure to respond	0	0	0	0	0	0	0
EIR - timescale extended	0	0	0	0	0	0	0
EIR refused - cost	0	0	0	0	0	0	0
EIR - manifestly unreasonable	0	0	0	0	0	0	0
EIR - full release	0	0	0	0	0	0	0
EIR - none released	0	0	0	0	0	0	0
EIR - some released	1	0	0	0	0	1	0
EIR - none held	1	0	0	0	0	0	0
EIR - no confirm/deny	0	0	0	0	0	0	0
Subject Access Requests	0	1	0	0	0	1	0
FOISA reviews	0	0	0	0	0	0	0
FOISA review - on time	0	0	0	0	0	0	0
FOISA reviews - late response	0	0	0	0	0	0	0
FOISA reviews - failure to respond	0	0	0	0	0	0	0
FOISA reviews - wholly/partial	0	1	0	0	0	0	0
FOISA review - substituted decision	0	0	0	0	0	0	0
FOISA review - decision reached	0	0	0	0	0	0	0
EIR reviews	0	0	0	0	0	0	0
EIR review - on time	0	0	0	0	0	0	0
EIR review - late response	0	0	0	0	0	0	0
EIR review - failure to respond	0	0	0	0	0	0	0
EIR review - upheld	0	0	0	0	0	0	0
EIR review - not upheld	0	0	0	0	0	0	0

Scottish Information Commissioner Return Statistics 2022-23

	WHA	PHA	LPHA	GHA	EPHA	CHA	BHA
Otherwise accessible	0	0	0	0	0	0	0
Publication scheme	0	0	0	0	0	0	0
Disclosure prohibited: enactment	0	0	0	0	0	0	0
Disclosure prohibited: EU obligation	0	0	0	0	0	0	0
Disclosure prohibited: contempt	0	0	0	0	0	0	0
Future publication: 12 weeks	0	0	0	0	0	0	0
Future publication: programme	0	0	0	0	0	0	0
Substantial prejudice to UK relations	0	0	0	0	0	0	0
Formulation/development of government policy	0	0	0	0	0	0	0
Ministerial communications	0	0	0	0	0	0	0
Advice by Law Officers	0	0	0	0	0	0	0
Operation of Ministerial private offices	0	0	0	0	0	0	0
Substantial prejudice to collection of taxes	0	0	0	0	0	0	0
Substantial inhibition to free access to information	0	0	0	0	0	0	0
Substantial inhibition to free access to information	0	0	0	0	0	0	0
Substantial prejudice to effective operation of government	0	0	0	0	0	0	0
National security	0	0	0	0	0	0	0
Substantial prejudice to defence	0	0	0	0	0	0	0
Substantial prejudice to international relations	0	0	0	0	0	0	0
Confidential information obtained from a confidential source	0	0	0	0	0	0	0
Trade secret	0	0	0	0	0	0	0
Substantial prejudice to commercial interests	0	0	0	0	0	0	0
Substantial prejudice to the economic interests of the UK	0	0	0	0	0	0	0
Substantial prejudice to the financial interests of the UK	0	0	0	0	0	0	0
Information held for the purpose of law enforcement	0	0	0	0	0	0	0
Information held for ongoing Foreign and Commonwealth Office operations	0	0	0	0	0	0	0
Information held regarding casualties	0	0	0	0	0	0	0
Information relating to the obtaining of visas	0	0	0	0	0	0	0
Information held for purposes of the UK's international obligations	0	0	0	0	0	0	0
Substantial prejudice to prevention of crime	0	0	0	0	0	0	0
Substantial prejudice to apprehension of criminals	0	0	0	0	0	0	0
Substantial prejudice to administration of justice	0	0	0	0	0	0	0
Substantial prejudice to assessment of risk	0	0	0	0	0	0	0
Substantial prejudice to operation of the UK's legal system	0	0	0	0	0	0	0
Substantial prejudice to maintenance of the rule of law	0	0	0	0	0	0	0
Substantial prejudice to the exercise of the UK's international obligations	0	0	0	0	0	0	0
Substantial prejudice to civil peace and order	0	0	0	0	0	0	0
Confidentiality of communications	0	0	0	0	0	0	0
Actionable breach of confidentiality	0	0	0	0	0	0	0
Court records	0	0	0	0	0	0	0
Court records: inquiry or arbitration	0	0	0	0	0	0	0
Personal data of the applicant	0	0	0	0	0	0	0
Third party personal data	0	0	0	0	0	0	0
Personal census information	0	0	0	0	0	0	0
Deceased person's health records	0	0	0	0	0	0	0
Endangerment to health or safety	0	0	0	0	0	0	0

Scottish Information Commissioner Return Statistics 2022-23

	WHA	PHA	LPHA	GHA	EPHA	CHA	BHA
Environmental information	0	0	0	0	0	0	0
Substantial prejudice to audit	0	0	0	0	0	0	0
Communications with the Royal	0	0	0	0	0	0	0
Material in the course of comp	0	0	0	0	0	0	0
Internal communications	0	0	0	0	0	0	0
Substantial prejudice to intern	0	0	0	0	0	0	0
Substantial prejudice to course	0	0	0	0	0	0	0
Substantial prejudice to intelle	0	0	0	0	0	0	0
Substantial prejudice to confid	0	0	0	0	0	0	0
Substantial prejudice to confidentiality of commercial	0	0	0	0	0	0	0
Substantial prejudice to the interests of a third party	0	0	0	0	0	0	0
Substantial prejudice to the protection of the	0	0	0	0	0	0	0
Neither confirm nor deny whether environmental	0	0	0	0	0	0	0
Personal data of applicant	0	0	0	0	0	0	0
Third party personal data.	0	0	0	0	0	0	0
Neither confirm nor deny whether personal data held	0	0	0	0	0	0	0

<b>Audit &amp; Risk Management Committee</b>	28 June 2023
<b>Agenda Item</b>	9
<b>Title of Paper</b>	Disability Confident- Committed level 1
<b>Author</b>	Robert Murray, Finance & Corporate Services Manager
<b>Attachment</b>	1. Disability confident level 1 2. Disability confident certificate

## FOR DECISION

### 1 PURPOSE

- 1.1 To provide the committee with details of the Disability Confident Scheme and Wellhouse Housing Associations commitments

### 2. RECOMMENDATIONS

- 2.1 That the committee notes the details of the scheme and the timescales of progression through the scheme's levels.

### 3 BACKGROUND

- 3.1 Wellhouse Housing Association previously signed up to the scheme.
- 3.2 Due to lockdown and staff changes the progression of the scheme requirements were not within the timescales of the scheme and therefore the registration of the scheme was withdrawn. We have now registered on the scheme at level 1.
- 3.3 There are 5 key commitments of the scheme:
- Ensure your recruitment process is inclusive and accessible.
  - Communicate and promote vacancies.
  - Offer an interview to disabled people.
  - Anticipate and provide reasonable adjustments as required.
  - Support any existing employee who acquires a disability.
- 3.4 As a committed employer Wellhouse Housing association have also agreed to:
- Provide work experience to disabled people.
  - Enable work trials for disabled people.

### 4 OBJECTIVES

#### Wellhouse Business Plan, Vision and Values

- 4.1 The production of this report is integral to all business activity and our ethos and is therefore consistent with:
- Our vision and;
  - Our values of Honesty, Integrity, Excellence and Accountability



## 5 ACTIONS REQUIRED

- 5.1 Consideration of where vacancies are advertised may require changes to ensure we demonstrate our commitment to the scheme.
- 5.2 To progress through the scheme levels, it is essential the commitments and progression is reviewed regularly.
- 5.3 An update on progress will be brought to the committee annually.

## 6. REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES

There are no legal or regulatory requirements to be part of the scheme but the participation within the scheme helps demonstrate a commitment to promoting equality and diversity.

## 7 FINANCIAL IMPLICATIONS

None

## 8 KEY RISKS

(a) Strategic Risks	(b) Operational Risks	(c) Project Level Risks
	Someone with a disability could challenge our approach to recruiting, training and supporting staff with a disability	
Mitigation	Mitigation	Mitigation
	Participating within the scheme sets clear requirements and milestones to progress through levels of commitment and awareness	

## 7. EQUALITY AND DIVERSITY

- 7.1 This initiative further demonstrates our commitment to promoting Equality and diversity for employees.

## 8. SUSTAINABILITY

No impact

## 9. SWOT ANALYSIS

Not required as no new business activity proposed.

## **10. CONCLUSIONS**

- 10.1** The participation within the scheme demonstrates a commitment to promoting equality and diversity within the workforce of Wellhouse Housing Association.

# Disability Confident – COMMITTED

## LEVEL 1



Hiring **good people**  
is good business



# Disability Confident – COMMITTED

## Contents

Ministerial foreword

Introduction ..... 1

Getting started ..... 2

The Disability Confident commitments..... 3

Activity that will make a difference for disabled people..... 8

What happens next? ..... 11

Definition of disability ..... 12

This guidance explains how to become a **Disability Confident Committed** employer at level 1 of the Disability Confident scheme. More information about the scheme can be found on our website at [www.gov.uk/disability-confident](http://www.gov.uk/disability-confident).

September 2019

# Disability Confident – COMMITTED

## Ministerial foreword

Thank you for taking this step on your Disability Confident journey. Disability Confident can help you recruit, retain and develop disabled people who will help your business to succeed. The Disability Confident badge will also show disabled people that you recognise the value they can bring to your business - putting you ahead in the search for talent.

Every business trying to stay ahead of their competitors should aim to take advantage of the huge amount of talent disabled people can bring. I say that as an employer myself, not just as a Minister. Before I became an MP, my own business benefited from the confidence to recruit disabled people, and the confidence, where necessary, to make often small changes to enable them to thrive at work.

Wherever there is a barrier, Government is absolutely committed to removing it. We want a system that works for everyone, including small businesses that are the backbone of our economy. That is why Disability Confident is so important. It was deliberately designed to be easy for small businesses to access at level 1 and 2, whilst being flexible enough to also help the very biggest businesses to improve.

With disabled employment at an all-time high we are heading in the right direction, but we are ambitious to do more. With your help we can ensure that every disabled person has the opportunity to succeed at work and every business has the opportunity to prosper.

**Minister of State for Disabled People, Health and Work**

# Disability Confident – COMMITTED

## Introduction

Disability Confident is creating a movement of change, encouraging employers to think differently about disability and take action to improve how they recruit, retain and develop disabled people. Being Disability Confident is a unique opportunity to lead the way in your community, and you might just discover someone your business cannot do without.

It was developed by employers and disabled people's representatives to make it rigorous but easily accessible – particularly for smaller businesses. The scheme is voluntary and access to the guidance, self-assessments and resources is **completely free**.

The 3 levels are designed to support you on your Disability Confident journey. The 3 levels are:

- Disability Confident Committed employer (Level 1)
- Disability Confident Employer (Level 2)
- Disability Confident leader (Level 3)

**You must complete each level before moving on to the next.**

Accreditation for a Disability Confident Committed employer lasts for 3 years. If during that period, you have progressed to a higher level then the 3-year period will restart at the new level. If you reach the end of the 3-year period without progressing, you will be able to renew your accreditation.

Your journey starts with:

- reading this pack
- providing your contact details on [our website](#)
- signing up to the Disability Confident commitments
- identifying at least one action that you will do
- Once you have read this guidance, sign up to become [Disability Confident Committed](#) on our website at [www.gov.uk/disability-confident](http://www.gov.uk/disability-confident).



[See how your business can benefit from being Disability Confident.](#)

**disability-confident-committed-level-1-pack V2.1 Sept 19 Clean**

**Page | 1**

# Disability Confident – COMMITTED

## Getting started

To help you progress through the Disability Confident scheme we have provided a wide range of guidance and support. We have also added case studies and videos to bring the Disability Confident journey to life. These materials are indicated through the icons shown below.



Information



Case study



Guidance



Video

We will continually add to and update the resources behind them. We are always interested in material employers have found helpful in their own Disability Confident journey.

### More information



Remploy - A practical guide for employers on the most common disabilities and long-term conditions.



Mencap Good for Business - The benefits of employing a people with a learning disability.



Acas: UK Workplace experts



Acas Getting more disabled people into work



The Recruitment Industry Disability Initiative (RIDi) We help recruiters and employers to become **disability** confident and offer more job opportunities to people with **disabilities**.



Chartwells Independent have recruited, trained and supported Steven, who has autism. He has become a highly regarded member of the catering team at Old Swinford Hospital School in Stourbridge.

# Disability Confident – COMMITTED

## The Disability Confident commitments

To become a **Disability Confident Committed employer** and start your Disability Confident journey, you will need to consider the 5 commitments below and then sign up on the [Disability Confident registration page \(www.gov.uk/disability-confident\)](http://www.gov.uk/disability-confident). In addition, you will also commit to carry out at least one activity from the 9 in the additional list that will make a difference to disabled people. You should deliver on these commitments over the period of your accreditation.

### 1. Ensure your recruitment process is inclusive and accessible

By:

- ensuring against discrimination
- making job adverts accessible
- providing information in accessible formats (for example, large print)
- accepting applications in alternative formats (for example, electronically)

#### More information

 [Recruitment and disabled people about disability and health](#)  [Accessible communication formats](#)  [Recruitment – asking questions](#)



[Access to Work guide for employers](#)



# Disability Confident – COMMITTED

## 2. Communicate and promote vacancies

By:

- advertising vacancies through a range of channels, and use your Disability Confident badge to make sure potential applicants know you are an inclusive employer
- getting advice and support from Jobcentre Plus, Work and Health Programme providers, (if you're in Scotland contact Fair Start Scotland) recruiters and/or your local disabled people's user led organisations (DPULOs)
- reviewing current recruitment processes

### More information



Range of communication channels to reach disabled people



What is a disabled people's user led organisations

# Disability Confidential – COMMITTED

## 3. Offer an interview to disabled people

Encourage applications by offering an interview to an applicant who declares they have a disability.

This does not mean that all disabled people are entitled to an interview. They must meet the minimum criteria (for example, sometimes shown as desirable skills) for a job as defined by the employer.

The aim of this commitment is to encourage **positive action**, encouraging disabled people to apply for jobs and provide an opportunity to demonstrate their skills, talent and abilities at the interview stage.

An employer can take steps to help or encourage certain groups of people with different needs, or who are disadvantaged in some way, to access work or training. Positive Action is lawful under the Equality Act.

**It is important to note** that there may be occasions where it is not practicable or appropriate to interview all disabled people that meet the minimum criteria for the job. **For example:** in certain recruitment situations such as high number of applications, seasonal and high-peak times, the employer may wish to limit the overall numbers of interviews offered to both disabled people and non-disabled people.

In these circumstances the employer could select the disabled candidates who **best** meet the minimum criteria for the job rather than **all** of those that meet the minimum criteria, as they would do for non-disabled applicants.



Employing disabled people and people with health conditions



Positive Action - What do I need to know

# Disability Confident – COMMITTED

## 4. Anticipate and provide reasonable adjustments as required

Employers have a duty under the Equality Act 2010 to make 'reasonable adjustments' in the workplace where a disabled person would otherwise be put at a substantial disadvantage compared with their colleagues.

Whether or not an adjustment has to be made depends on how 'reasonable' it is - and that's something that will hinge on the individual circumstances of each case, and the resources of the employer. What is seen as reasonable for a large multi-national company might not be seen as reasonable for a very small employer.

Please note this is general advice only and cannot by its nature deal with all circumstances. It is always best to seek your own, independent legal advice if you are unsure of your obligations in specific circumstances.

### How

By:

Making reasonable adjustments (such as changes to working patterns, adaptations to premises or equipment and provision of support packages) will ensure disabled workers are not disadvantaged when applying for and doing their jobs. This includes contract workers, trainees, apprentices and business partners.

Many adjustments are straightforward and easy to carry out - particularly if there's been a little lateral thinking about how an accommodation can be reached. Often these adjustments will cost nothing or very little.

### More information



[EHRC guidance Employing people: workplace adjustments](#)



[Reasonable adjustments are often straightforward \(Acas guide\)](#)

# Disability Confident – COMMITTED

## 5. Support any existing employee who acquires a disability or long term health condition, enabling them to stay in work

By:

Retaining an employee who has become disabled, thus keeping their valuable skills and experience and saving on the cost of recruiting a replacement. **More information**



[Access to Work guide for employers](#)



[CIPD and MIND Supporting mental health at work](#)



[Mind - Mental Health at Work gateway](#)



[Business in the Community Mental Health Toolkit for employers](#)



[Musculoskeletal health in the work place tool kit](#)



[EY](#) talk about their approach to recruiting talented disabled people and how they support staff who acquired a disability during their career.



[IMG Productions \(IMG\)](#) is one of the world's leading television production companies. Their journey to becoming Disability Confident began when producer Simon Birri acquired a disability following a brain aneurysm.

# Disability Confidential – COMMITTED

## Activity that will make a difference for disabled people

To become Disability Confidential Committed, you must also commit to offering disabled people **at least one** of the following. Tick each of the activities, so that you have a record of what you have committed to.

### 1 Work experience

This is usually a fixed period of time that a person spends with your business, when they can learn about working life and the working environment.

**More information**



[Employer guides to work experience](#)



[Minimum wage: work experience and internships](#)

### 2 Work trials

This is a way of trying out a potential employee before offering them a job. This can be informal or can be by agreement with Jobcentre Plus. If this is agreed with Jobcentre Plus, an employer can offer a work trial if the job it may lead to is for 16 hours or more a week and lasts for at least 13 weeks. The work trial can last for up to 30 days.

**More information**



[Jobcentre Plus help for recruiters: work trials](#)

### 3 Paid employment (permanent or fixed term)

Jobcentre Plus offers a range of recruitment services that can help you as an employer.

**More information**



[Jobcentre Plus help for recruiters](#)



[Recruiting disabled people](#)

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# Disability Confident – COMMITTED

## 4 Apprenticeships

These are for new and current employees. They combine working with studying for a work-based qualification. If your business is based in England, you may get a grant or funding to employ an apprentice.

### More information



[Apprenticeships](#)



[Employ an apprentice](#)

## 5 Job shadowing opportunities

These positions:

- offer potential employees experience of a workplace and occupational skills that are different from what they are used to
- are usually limited to observation only, are non-paid and don't give direct work experience, responsibility or skills
- ideally last between half a day and 2 days

### More information



[What is job shadowing?](#)

## 6 Traineeships

These help young people who want to get an apprenticeship or job but don't yet have the right skills or experience.

### More information



[Traineeships](#)



[Traineeships: employers](#)

disability-confident-committed-level-1-pack V2.1 Sept 19 Clean

# Disability Confident – COMMITTED

## 7 Paid internships and supported internships

This is a period of paid work experience lasting between 1 and 4 months, usually taking place during the summer. A supported internship is aimed at disabled people still in education who are seeking work experience.

### More information

 [Advertise an internship](#)

 [Leonard Cheshire Change100](#)

 [Providing quality internships: guidance for employers](#)

## 8 Student placements

These are university or college qualifications. They are usually for a set period of time, between 4 to 6 months.

## 9 Sector-based work academy placements

These help you fill vacancies more effectively. They are available through Jobcentre Plus. They provide sector-based training, work experience and a guaranteed job interview.

### More information

 [Sector-based work academies: employer guide](#)

 [Recruiting disabled people](#)

# Disability Confident – COMMITTED

## What happens next?

When you have read this pack and agreed to the commitments and at least one action from the activities list, you will need to sign up as a Disability Confident Committed employer on our website ([www.gov.uk/disability-confident](http://www.gov.uk/disability-confident)). You need to do this before you can move on to the next stage. You will be asked to:

- provide your contact details
- sign up to the Disability Confident commitments
- identify at least one action that you will commit to do

### In return we will send you:

- a confirmation email with links to a welcome pack and additional resources
- a **certificate in recognition of your achievement** as a Disability Confident Committed employer
- a **Disability Confident Committed badge** that you can use in your own business stationery, social media and communications for 3 years
- information on taking the next step to become a Disability Confident Employer.

As a Disability Confident Committed employer we will include your business name, town, postcode and DC status in a list of all businesses signed-up to the scheme on [our website](#).

## Disability Confident Branding Guidelines:

You can find a copy of the Disability Confident branding guidelines on the DC website.

If you require a copy of your DC badge in a different format please email the Disability Confident Team ([disabilityconfident.scheme@dwp.gov.uk](mailto:disabilityconfident.scheme@dwp.gov.uk)).



# Disability Confident – COMMITTED

## Definition of disability

Someone is disabled under the Equality Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long-term' adverse effect on their ability to carry out normal day-to-day activities. This means that, in general, the:

- person must have an impairment that is either physical or mental
- impairment must have adverse effects that are substantial
- substantial adverse effects must be long-term, generally taken to mean for longer than 12 months
- long-term substantial adverse effects must be effects on normal day-to-day activities, such as a breathing condition that impedes walking or moving around or a mental health condition that impedes interacting with other people. A condition that impeded participation in high level competitive sport, or that prevented playing a musical instrument to concert level performance but that still allowed normal day to day activities would generally not be seen as a disability under the Equality Act.



Guidance for employers about their responsibilities under the Equality Act 2010

## Long-term health conditions

Examples of long-term conditions include:

- high blood pressure
- depression
- dementia
- arthritis

Long-term conditions can affect many parts of a person's life, from their ability to work and have relationships, to their housing needs and educational attainment.

# Disability Committed – COMMITTED

## Mental health conditions

A mental health condition is considered a disability if it has a long-term effect on your normal day-to-day activity. This is defined under the Equality Act 2010.

A condition is 'long-term' if it lasts, or is likely to last, 12 months.

'Normal day-to-day activity' is defined as something you do regularly in a normal day, such as using a computer, working set times or interacting with people.

If a mental health condition means they are disabled, they can get support at work from their employer.

There are many different types of mental health condition, including:

- depression
- anxiety
- bipolar disorder
- obsessive compulsive disorder
- schizophrenia
- self-harm

## What isn't counted as a disability?



See guidance on conditions that aren't covered by the disability definition, for example addiction to non-prescribed drugs or alcohol.



**This is to certify that**

**Wellhouse Housing Association  
DCS010753  
is Disability Confident Committed**

**Period of award: 24/05/2023 to 20/05/2026**

**Issue date: 24/05/2023**

**As a Disability Confident Committed Employer we have committed to:**

- ensure our recruitment process is inclusive and accessible
- communicating and promoting vacancies
- offering an interview to disabled people who meet the minimum criteria for the job
- anticipating and providing reasonable adjustments as required
- supporting any existing employee who acquires a disability or long term health condition, enabling them to stay in work
- at least one activity that will make a difference for disabled people

Find out more about Disability Confident at:  
[www.gov.uk/disability-confident](http://www.gov.uk/disability-confident)

 **#DisabilityConfident**

<b>Management Committee</b>	28 June 2023
<b>Agenda Item</b>	10
<b>Title of Paper</b>	Rent Arrears Update
<b>Author</b>	James Wilson, Housing & Customer Service Manager
<b>Attachment(s)</b>	Arrears performance charts
<b>Executive summary</b>	<p>The following information is recorded at the end of Period 2, that is 31 May 2023:</p> <ul style="list-style-type: none"> <li>• Gross current tenant rent arrears are £318,787 - 8.96% of annual charges.</li> <li>• Net arrears are £231,101 – 6.50% of annual charges.</li> <li>• Former Tenant's arrears are £72,406.</li> <li>• Rent collection is currently 94.36% (from 1 April 2023 to 31 May 2023)</li> <li>• 95 tenants (11.99% of all tenants) owing £1,000+ now owe £214,237 collectively – 67.20% of current arrears and 6.02% of annual charges.</li> <li>• 56 tenants (7.07% of all tenants) of those owing £1,000+ are UC recipients.</li> <li>• 46 tenants (5.81% of all tenants) owe £2,000+</li> <li>• The number of tenants claiming UC is 273 (35.45% of tenants).</li> <li>• The amount of UC arrears figure is £172,716 (54.18% of the current arrears) or (4.85% of annual income)</li> </ul>

## FOR INFORMATION

### 1 PURPOSE

- 1.1 To update Committee on the arrears position

### 2 RECOMMENDATIONS

- 2.1 That the update on the arrears position be noted

### 3 BUSINESS PLAN, VISION AND VALUES

- 3.1 The production of an arrears report is consistent with:
- our strategic objective 5: to maintain good governance and financial management and:
  - our values of excellence and accountability

### 4 BACKGROUND

- 4.1 Committee have requested regular arrears reports.

4.2 This summary forms an update to the end of May 2023 position.

## 5. MAIN ISSUES:

5.1 Since the last Committee update, gross current tenant rent arrears have decreased by £1,683 to £318,787 (8.96%). This is based on ARC calculations, as opposed to our Annual Gross Rent receivable, which includes our supported accommodation. Any arrears in these two units are reported separately, at 5.8 below.

5.2 During the same period, net current arrears decreased by £13,464 to £231,101 (6.50%).

5.3 The Former Tenant Arrears have increased by £1643 to £72,406.

5.4 95 tenants owe more than £1,000, which is 5 less than reported at last Committee meeting, and those owing more than £2,000 at 46, the same as the previous report.

5.5 Universal Credit (UC) is now claimed by 465 WHA households according to the Universal Credit Portal. UC arrears account for 54.18% of the total gross current rent arrears.

5.6 Officers are continuing to make new payment arrangements, or alter previous arrangements, as tenants are dealing with the cost of utility bills and the cost of living generally.

5.7 The collection rate is 94.36%.

5.8 Within our supported accommodation, we have 3 arrears cases, owing a total of £987.83. 1 caused by a Standing Order not been adjusted to reflect the rent increase, 1 where payments from care provider have not started after HB redirected and 1 where care provider cleared balance as agreed but has not started regular payments.

## 6 ARREARS CASE BREAKDOWN BY VALUE AND QUANTITY

6.1 Breakdown of cases within balance bandings detailed below.

6.2 Cases over a month's rent in arrears and under £1000 is 98 cases which accumulate £62,550 of arrears. Of these 98 cases we have 50 cases with an arrangement in place.

6.3 Cases over £1000 and under £2000 is 49 cases which accumulate £71,874 of arrears. Of these 49 cases we have 27 cases with arrangements in place.

6.4 Cases over £2000 is 46 cases which accumulate £142,363 of arrears. Of these 46 cases we have 29 cases with arrangements in place.

## 7 Court Cases

Currently there are 12 cases in the court system.

1 case we have with a decree granted by Sheriff and eviction granted by Committee in January 2023 is still ongoing and within the court process following a minute of recall.

## **8 REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES**

8.1 ARC report will include our performance.

## **9 FINANCIAL IMPLICATIONS**

9.1 Dealt with in the body of the report.

## **10 KEY RISKS**

10.1 Failure to robustly manage arrears is a failure to deliver on core KPI and reduces income to the Association. Mitigation – persistent and consistent application of policy and staff performance management.

10.2 Any rise in evictions may lead to reputational damage. Mitigation- use only as a last resort.

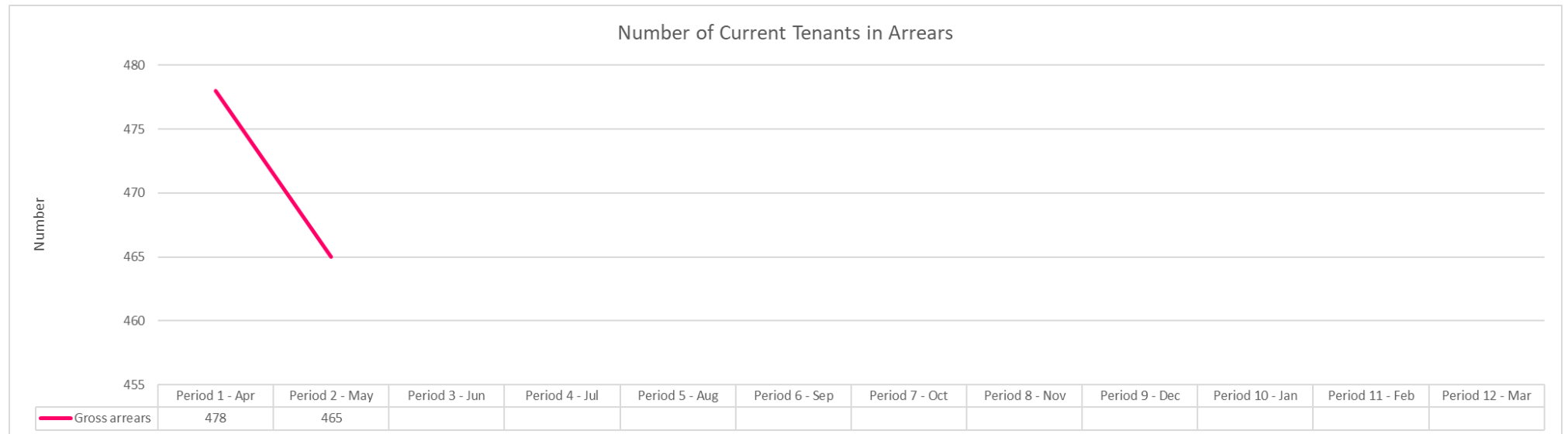
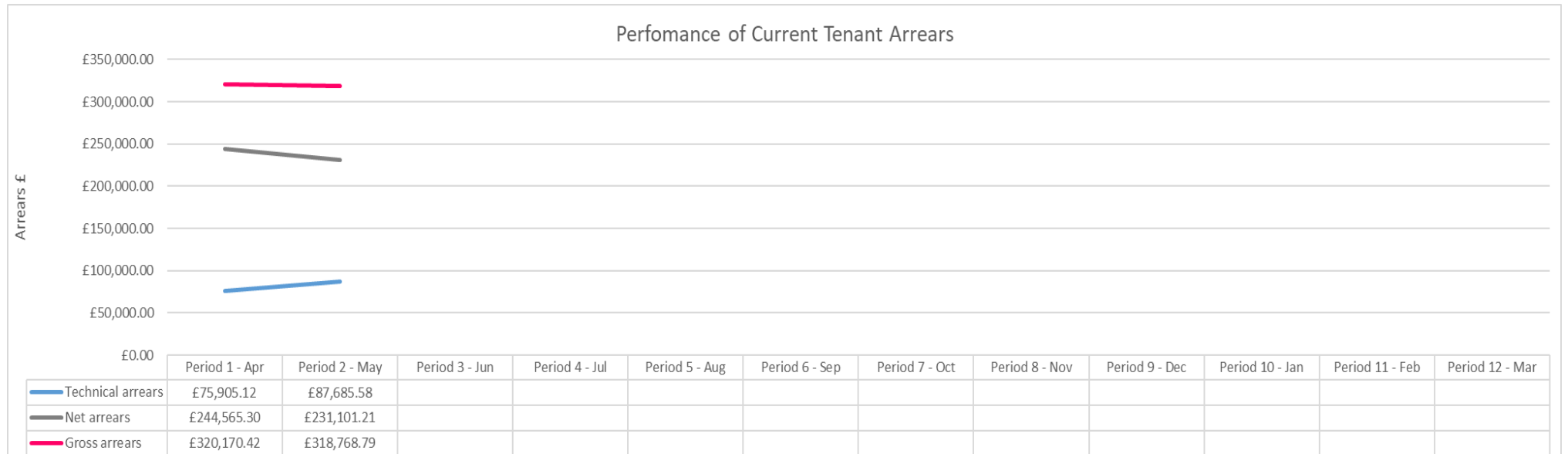
## **11 EQUALITY, DIVERSITY & HUMAN RIGHTS IMPLICATIONS**

11.1 The Rent Management Policy has been written with our commitment to diversity included.

## Rent arrears performance charts

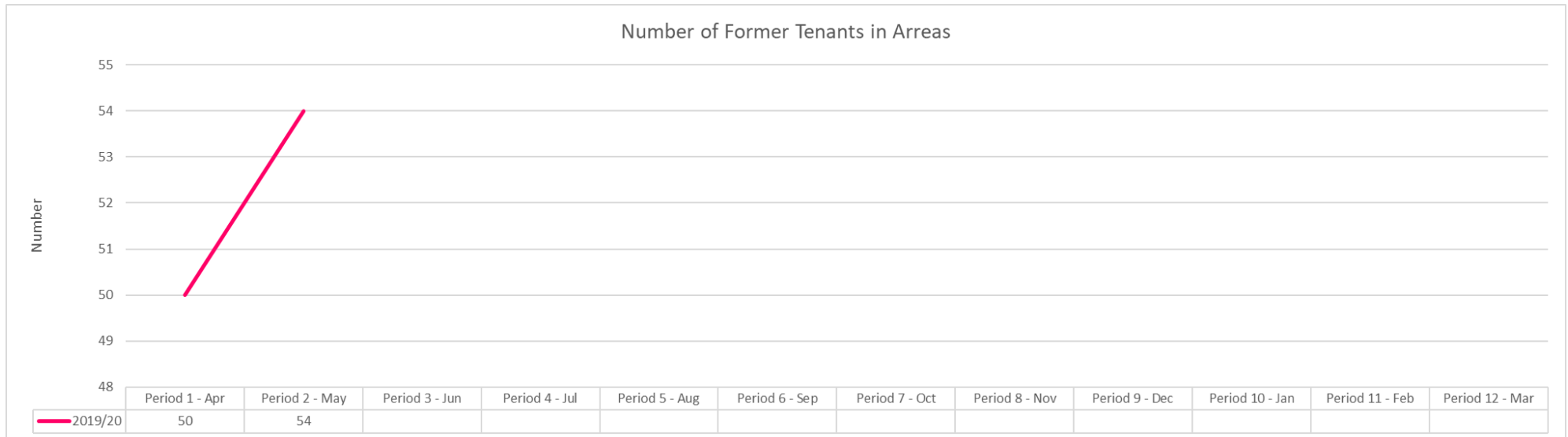
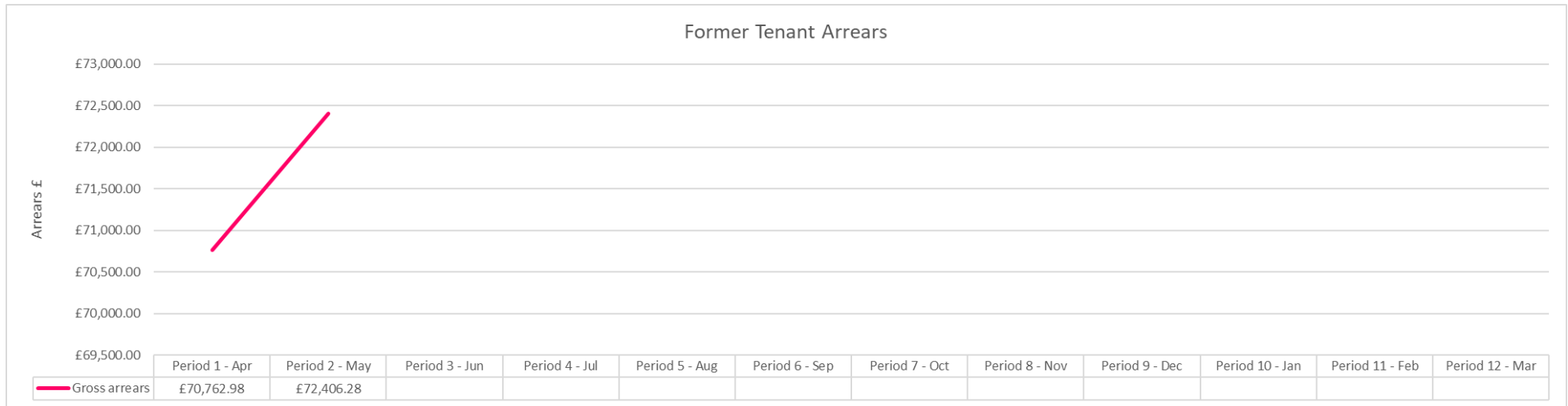
Function	Business Area	ARC QUESTION	KPI Brief Description	Annual KPI Target
<b>Rent Management</b>	<b>ARC</b>	<b>26</b>	Rent Collected as % of total rent due for year	<b>100%</b>
		<b>27</b>	Gross Rent Arrears as % of rent due for year	<b>8.00%</b>
		<b>18</b>	% of Void Rent Loss	<b>0.60%</b>
		<b>22</b>	Number of court actions which resulted in eviction	<b>n/a</b>
	<b>Performance</b>		Current Tenants Arrears %	<b>7.00%</b>
			Former Tenant Arrears %	<b>1.00%</b>
<p>Gross refers to the whole of something, while net refers to a part of a whole following some sort of deduction. For example, Net arrears are monies due to the Association minus Technical Arrears. Gross arrears are Technical Arrears plus Net Arrears.</p> <p>Technical arrears is the Gross arrears minus the monies due from Housing Benefit up until the end of that reporting month. For example; housing benefit is paid 4-weekly whereas we charge rent monthly. Therefore to make this calculation and adjust balance we calculate the money due to the end of the reporting month. So if a tenant is paid Housing Benefit on the 16th of the reporting month then we include what would be due up until end of the reporting month which we will collect after the monthly debit has been applied at the end of the reporting month.</p>				

## Current tenant arrears

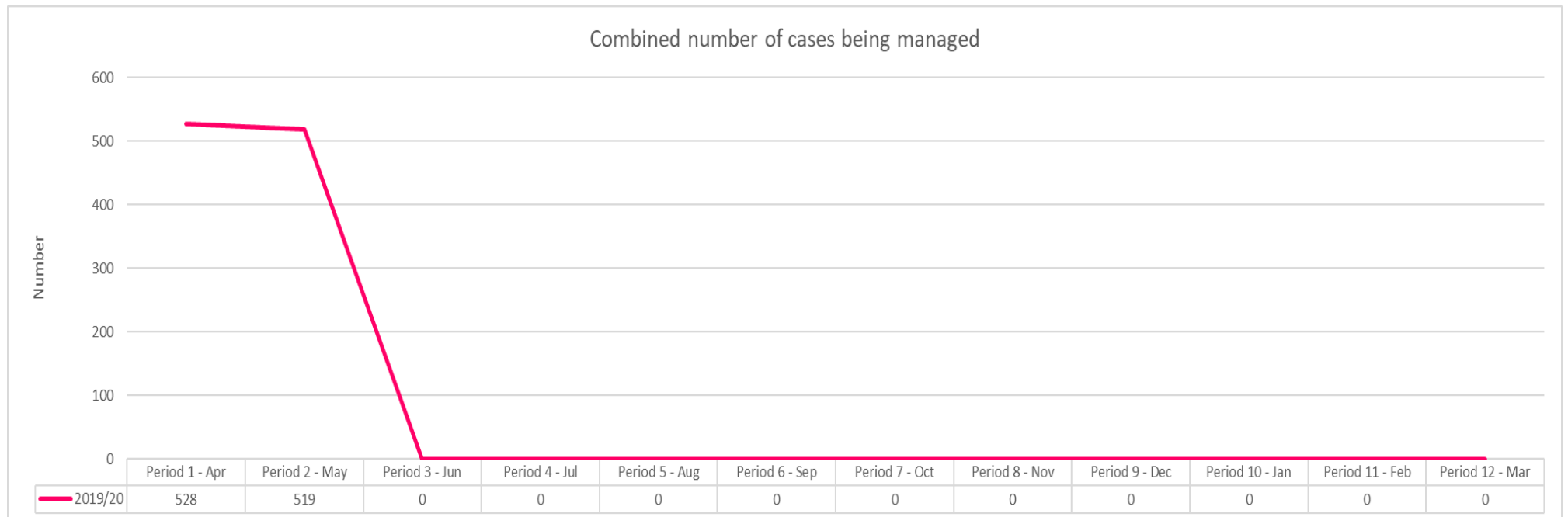
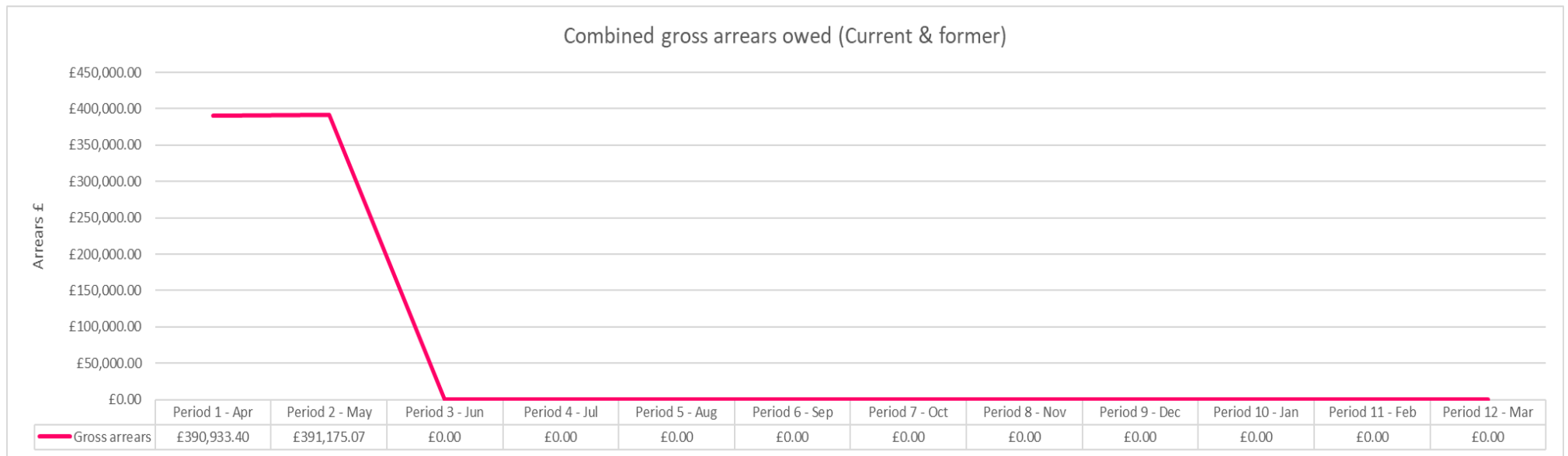




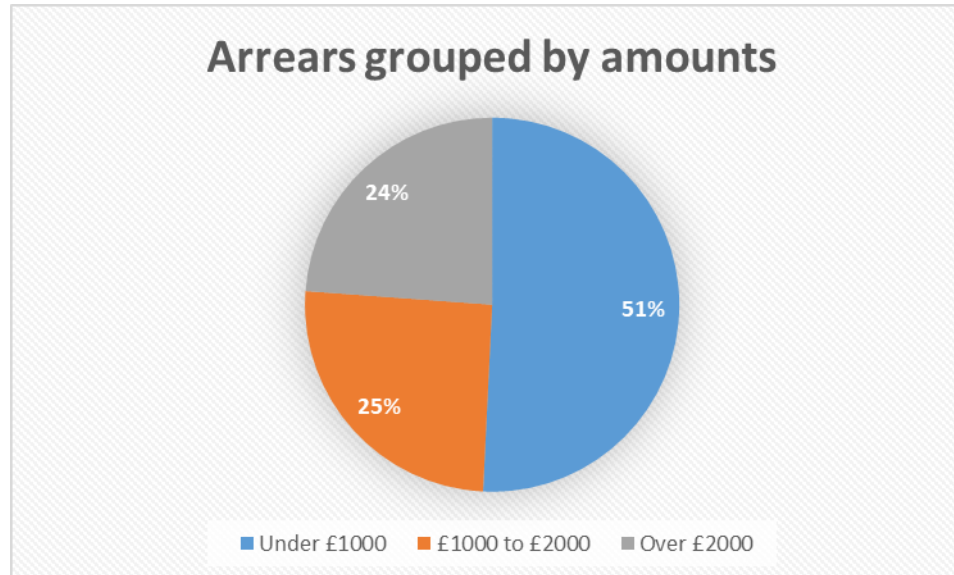
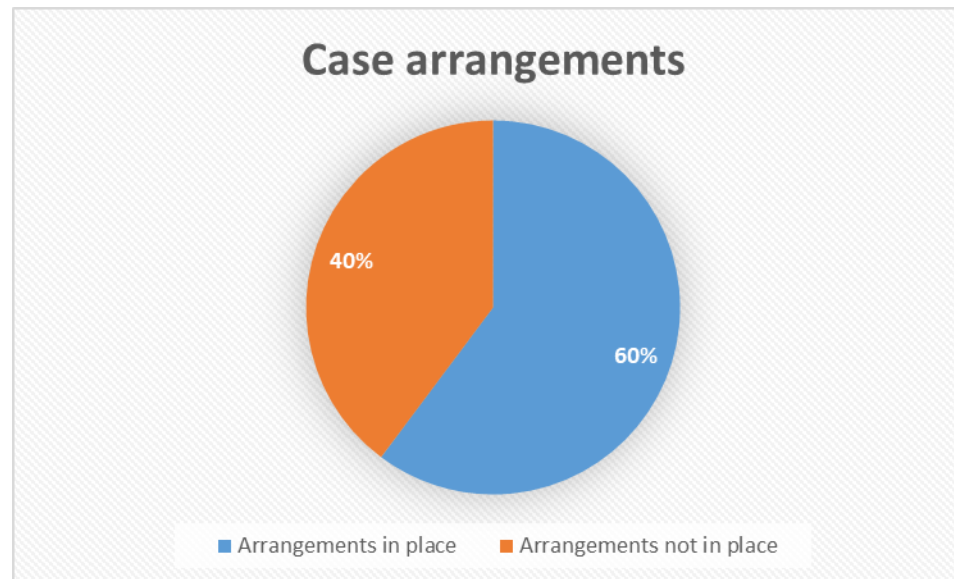
## Former tenants in arrears



## Combined arrears



## Arrears grouping and arrangement charts



Management Committee	28 June 2023
Agenda Item	11
Title of Paper	Complaints and Compliments 2022/23 Update
Author	James Wilson, Housing & Customer Services Manager
Attachment(s)	N/A
Executive summary	<ul style="list-style-type: none"> <li>The Complaints and Compliments report is produced to assist the Board's understanding and interpretation of the volume and nature of complaints handled within the organisation.</li> <li>The Association has a commitment to learning from complaints.</li> <li>The Association continually reviews its complaints handling</li> </ul>

## FOR INFORMATION

### 1 PURPOSE

- 1.1 This report contains information for complaints and compliments in line with the Scottish Public Services Ombudsman (SPSO) and the Association's regulatory requirements covering the period 1 January 2023 to 31 March 2023.

### 2 RECOMMENDATIONS

- 2.1 That the update on our complaints and compliments position be noted

### 3 BUSINESS PLAN, VISION AND VALUES

- 3.1 The production of our complaints and compliments report is consistent with:
- our strategic objective 5: to maintain good governance and financial management and:
  - our values of excellence and accountability

### 4 COMPLAINTS

- 4.1 The Association received **2** complaints during the Fourth Quarter of 2022/23.

#### 4.2 Stage 1 Complaints

1 Stage 1 Complaints was received within the period 1 January 2023 to 31 March 2023. **100% (1)** of Stage 1 complaints were responded to within Quarter and was handled within timescale. The resolution time was **5 days against an SPSO target of 5 working days.**

For the Year ending 31 March 2023 our average performance was **4.55 days** which is within the target response times.

The outcome of these complaints are as follows:

Outcome - Stage 1	Quarter 4 2022/23
Upheld	1
Partially Upheld	-
Not Upheld	-
Resolved	-
<b>Total</b>	<b>1</b>

#### 4.3 Stage 2 Complaints

1 Stage 2 complaint was received within the period 1 January 2023 to 31 March 2023. 100.00% **(1)** of Stage 2 complaints were handled within the Quarter and was handled within timescale. The resolution time was **9 days against an SPSO target of 20 working days.**

For the Year ending 31 March 2023 our average performance was **16.67 days** which is within the target response times. This figure includes **3** complaints carried forward from last year.

Outcome - Stage 2	Quarter 4 2022/23
Upheld	-
Partially Upheld	-
Not Upheld	1
Resolved	-
<b>Total</b>	<b>1</b>

#### 4.4 Complaint Issues

**Trust   Honesty   Integrity   Excellence   Accountability   Sustainability**

The table below details the main issues WHA received complaints about during the Quarter ending 31 March 2023:

Issues raised	Q4 2022/23	Outcome
Equalities issue	-	-
Failed to attend appointment	-	-
Contractor conduct	-	-
Poor workmanship	-	-
Incomplete repair	-	-
Repairs Delay	-	-
Rechargeable Repairs	-	-
Common Repairs	-	-
Rent Arrears	-	-
Anti-Social Behaviour	-	-
Estate Management	-	-
Estates Team	-	-
Policy/Procedure	2	1 Upheld 1 Not Upheld
Communication	-	-
Staff issue	-	-
Development	-	-
Not WHA Responsibility	-	-
<b>Total</b>	<b>2</b>	<b>2</b>

**However**, although these are the main recorded reasons for complaints, 2 also commented on contractor communications related to gas safety.

## 5 COMPLIMENTS

During the Quarter to 31 March 2023, no compliments have been recorded.

## 6 LEARNING FROM COMPLAINTS & TRENDS

### 6.1 Learning from Complaints

The main learning outcomes from the last quarter are:

**Trust   Honesty   Integrity   Excellence   Accountability   Sustainability**

- Complaints Management

Complaints are being monitored by our Service Improvement Officer and all cases were resolved during period and within timescales.

- Repairs Management

The complaints both related to our gas safety procedures and steps taken to arrange access between contractor and Association staff.

## 6.2 Trends

Compared to last year's outcomes, the level of Stage 1 complaints decreased from **30 cases** during last year to **11** cases this year. Last year we received **18** Stage 2 complaints, with 3 responses carried forward into this year. This year we received **6** new complaints and responded to 3 carried forward from last year. This means that complaints received in both categories reduced this year.

Policy and procedural issues were a feature of many complaints.

Most of the complaints during the year were about the repairs service.

## 7 REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES

### 7.1 Standard 2

The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. In addition, its primary focus is the sustainable achievement of these priorities.

#### *Guidance 2.2*

The governing body recognises it is accountable to its tenants and has a wider public accountability to the taxpayer as a recipient of public funds, and actively manages its accountabilities. It is open about what it does, publishes information about its activities and, wherever possible, agrees to requests for information about the work of the governing body and the RSL.

#### *Guidance 2.3*

The RSL seeks out the needs, priorities, views and aspirations of tenants, service users and stakeholders. The governing body takes account of this information in its strategies, plans and decisions.

## 8. FINANCIAL IMPLICATIONS

**Trust   Honesty   Integrity   Excellence   Accountability   Sustainability**

- 8.1 The measures taken to resolve complaints affect staffing resources. These resources are being delivered within our existing salary budget.

## **9 KEY RISKS**

### **9.1 *Reputational***

Risk associated with complaints is mainly reputational and to manage this risk we must learn from complaints to ensure that any trends are addressed.

## **10 EQUALITY, DIVERSITY & HUMAN RIGHTS IMPLICATIONS**

- 10.1 Wellhouse Housing Association embraces the principles of empowerment, accountability, equality and diversity that are integral to human rights. Complaints and compliments are monitored for equality issues.
- 10.2 During the Quarter to 31 March 2023 no complaints mentioned or contained any equality issues.



Management Committee	June 2023
Agenda Item	12
Title of Paper	Policy Review Report
Author	Bill Black Assets & Maintenance Manager
Attachment	<p>1. Contractor in Liquidation Policy  2. Defects Policy  3. Acquisition Policy  4. Draft disciplinary policy for less than 2 years service (new policy)</p> <p><b>Emailed for information:</b></p> <p>5. Protocol for entering into settlement agreements.  6. Smoke free policy.</p>

## FOR APPROVAL

### 1 PURPOSE

To provide the reviewed Contractors in Liquidation, Defects and Acquisition, Protocol for entering into settlement agreements, Smoke Free and the new Disciplinary policy for less the 2 years service to the committee for consideration and approval. The polices will be reviewed 3 – 5 yearly with the amendments being made as appropriate and communicated to all staff and relevant stakeholders.

### 2 RECOMMENDATIONS

- 2.1 That the Management Committee approves the reviewed Contractors in Liquidation, Defects and Acquisition Policies to the committee for consideration and approval. The polices will be reviewed 3 yearly.
- 2.2 That the Management Committee approves the new Draft Disciplinary policy for less than two service and the reviewed Protocol for entering into settlement agreements and the Smoke Free policy.

### 3 BACKGROUND

That the Management Committee approves the reviewed Liquidation, Defects and Acquisition Policies had previously been approved by the Committee. The review has been completed and the policies amended as outlined in **bold face type** at item 4 of the report.

## 4. CHANGES

- 4.1 There have been minor changes to the Contractors in Liquidation and Defects Policies these have been changing DRS to NRS and updating to align with the current Staff Structure, the main changes have been in the Acquisition Policy with updates to

## 5. RELEVANT GUIDANCE

**Scottish Governments Affordable Housing Supply Programme: process and procedures MHDGN 2022/02 guidance note and Housing to 2040 document.**

**Glasgow City Council SHIP, their 2023-2028 Affordable Housing Strategy, the May 2017 design schedule and associated documents;**  
**(Glasgow's Local Housing Strategy 2023-2028 is currently still in draft form, please see link to the relevant page on GCCs website [Housing Strategy - Glasgow City Council](#))**

## 5.2 HR Policies

### **Draft Disciplinary Policy for less than 2 years service**

This is a new policy in the EVH HR policy bank which has been reviewed and adapted to the Wellhouse format. It will be reviewed in one year.

### **Protocol for Entering into settlement agreements & Smoke Free Policy**

There were no amendments required during the review of the Protocol for Entering into settlement agreement & Smoke Free Policy. They were sent via email for committee's consideration. They will be reviewed 3 – 5 yearly.

## 6. REGULATORY, LEGAL AND CONSTITUTIONAL ISSUES

- 6.1 The main body of the policies have not changed and advice was sought from the Finance Dept on Contractors in Liquidation and Defects Policy. With C-urb advising on the updates for the Acquisition Policy all policies are compliant with current legislation.

## 7 FINANCIAL IMPLICATIONS

N/A

## 8 KEY RISKS

- 8.1 Having policies in place helps the organisation take the key actions needed for compliance with the law and best practice. Without these, it could leave everything open to interpretation as situations arise, which can put Wellhouse HA and employees at risk.

## 9. EQUALITY AND DIVERSITY & HUMAN RIGHTS ISSUES

- 9.1 The policies have been written with our commitment to diversity and there are no adverse implications for any identified group.

## **10. SWOT ANALYSIS**

**10.1** Not required.

## **11. CONCLUSION**

**11.1** It is recommended that Management Committee approves all the revised policies, Contractors in Liquidation, Defects, Acquisition Policies, Protocol for Entering into settlement agreements, Smoke Free and the new Disciplinary Policy for less than 2 years service.

**POLICY**

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**CONTRACTOR IN  
LIQUIDATION****Development**

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**REVIEWED POLICY – May 2023**

## **Wellhouse - The Place To Be**

Policy Created:	May 2005
Date of Review:	May 2017 May 2020 May 2023
Date of Next Review	May 2026

Section	Content	Pages
1.	Vision and values	
2.	Governance	
3.	Policy Aims	
4.	Equal Opportunities Statement	
5.	Introduction	
6.	The Policy	

#### Linked Policies/Procedures

1	Development Policy
2	Risk Management Policy
3	

## Vision and values

### Wellhouse – the Place to Be.

This simple statement is our vision of Wellhouse as an attractive place where people feel happy and safe, benefit from having a good home and an attractive environment and feel proud to be part of a vibrant community.

We believe that our values of **Trust, Honesty and Integrity, Excellence, Accountability and Sustainability** supported by a comprehensive policy framework will help make our vision a reality.

## 2. Governance

Wellhouse HA is a community controlled registered social landlord and is managed by a group of local people who are elected onto the Management Committee. Their role is to make sure that the Association is well run, meets the needs of the local area and is responsive to what is important to local people.

The Management Committee appoints senior staff, agrees all the Association's policies and takes all the key decisions. The Director and the senior team support the Committee in these responsibilities.

## 3. Policy Aims

Wellhouse housing association must consider the possibility of a contractor (main or sub): going into liquidation and ensure that we have appropriate provisions to protect our assets, land, resources and reputation and we must consider the following.

- insurance and security arrangements for the site and materials. In particular the obligation on the contractor to maintain the Contractor's All Risk policy will fall away on termination of his employment;
- the terms of any performance bond and/or parent company guarantee and provide initial notification to the relevant parties that you intend to take action to enforce the security;
- whether and to what extent it has received executed consultant/sub-contractor collateral warranties and identify which consultants and/or sub-contractors it needs to negotiate with in order to conclude the project;
- that it has all relevant documents/drawings in connection with the project and if not seek copies from the contractor and/or the professional team;
- what funding or other agreements with stakeholders are in place and the impact upon those arrangements; and
- issuing the notice to terminate the building contract,

This policy covers the broad response and is supported with related policies.

## 4. Equal Opportunities Statement

We aim to ensure that all services, including the delivery of this policy, provide equality of opportunity.

We will respond to the different needs and service requirements of individuals. We will not discriminate against any individual for any reason, including age, disability, gender re-

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assignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or other status.

## **5. Introduction**

### **LIQUIDATION OF CONTRACTORS**

Wellhouse Housing Association will take all possible steps to ensure that only contractors who have a sound financial footing shall be considered for any tender list or design and build contract. In the unfortunate circumstances of a contractor going into receivership while working on one of its projects the Association shall take all steps to minimise the financial and disruptive impact on the organisation.

#### **Financial and Competency Checks**

The Association will carry out a credit check on all prospective Development contractors unless these are procured through a frame work. If the Association is in any way concerned about the results of this check then the contractor will not be selected for the final tender list or, in the case of a negotiated contract, the Association will proceed no further in its negotiations with that contractor. It is presumed that a competent contractor is less likely to fail than a poor contractor, therefore, the Association will also check that a contractor is competent by taking up references if the contractor has not been used before or recently. These references will always be in writing. The existence and adequacy of the contractor's health and safety policies and equal opportunities policies will also be checked.

Where appropriate the Association will also take advice from the development project team and quantity surveyor if they consider the stability or competence of any prospective contractor to be in question.

It should be noted that credit checks are only a time specific view of a company's performance and the financial position of any contractor can change very quickly during the term of a contract. All of the above checks cannot guarantee that a selected contractor will not fail and regular reviews will be undertaken of the financial status of each successful contractor.

It is recognised that problems with cash flow are one of the main contributors to a company's financial failure, therefore, where possible, Certificates will be paid within the 14 day payment period. Contractors and consultants will also be made aware of any relevant funding requirements from lenders so that valuations may be co-ordinated to suit, where appropriate. If, for any reason, the Association feels that certificates or invoices should not or cannot be honoured, then the contractor will be notified immediately in writing of the detailed reasons for this. If a contractor informs the Association that he is experiencing a financial problem due to cash flow then the Association may consider modifying the time period between valuations to help ease this problem in the short term. Consultants are requested to inform the Association if they suspect any potential financial problems with contractors.

If a Contractor does go into liquidation during a contract the following steps must be taken immediately:

- Notify the Housing Investment Division of the Scottish Government via our contacts at NRS in Glasgow City Council and, if appropriate, private lenders.
- Notify all members of the project team.
- Inform the Association's solicitors.
- Take appropriate action to safeguard site security.
- Instruct the project team to quantify work completed since the last valuation and

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- prepare a report and Certificate for the liquidators (the question of additional fee liability will also have to be considered).
- Request a meeting with the contractor, receiver or other agent to confirm the termination of contract.

The following steps will be taken as soon as possible:

- Instruct the project team to prepare documentation for tender issue for the remaining works.
- Report to the Housing Investment Division of the Scottish Government, via NRS at Glasgow City Council and lenders on the action taken and the proposed route to complete outstanding works.
- If the Association is operating a framework agreement of contractors any framework contractor that goes into liquidation will be removed from the framework agreement.

The Association will take advice from the project team on any further action to be taken in accordance with the building contract and will consider the appointment of an additional consultant if specialist advice is required.



## Action By

### 1. SECTION INVOLVED:

Development Agent	(DA)
Finance Section	(FS)
Housing Management Section	(HMS)
Maintenance Section	(MS)
Clerk of Works	(COW)
Quantity Surveyor	(QS)
Architect	(ARCH)

### 2. POST LIQUIDATION

2.1 News of liquidation is usually communicated by the Receiver or Liquidator appointed to deal with the matter. However, we learn of liquidation, it must be verified, and then the following steps adhered to:

2.2 The Development Agent or Director must immediately inform FS, HMS and MS of the liquidation. FS must be instructed to withhold any impending payments. Other financial information will be sought from FS as required. Funders must be informed and the HSE under CDM Regulations- see Procurement of Contractors Policy.

**DA**

2.3 All staff must keep diary entries of time spent dealing with matters that have arisen as a result of liquidation. This will enable our costs to be claimed from the Liquidator.

#### **DA/FS/HMS/MS**

2.4 If properties are still on site the Clerk of Works and Development Agent responsible should liaise and together immediately visit them and assess security arrangements. Properties must in all circumstances have their locks changed, be adequately boarded up to protect the partially completed works, excavations filled in, materials likely to endanger the public removed and scaffolding removed. Re-measurement of work carried out to date and valuation of any material or plant on site to be carried out by QS.

**DA/COW**

2.5 On no account is any person from the Contractor allowed on site, without the prior approval of the Development Agent, Director and Liquidator.

**DA**

2.6 If necessary Security Firms can be employed to ensure the site is protected and these costs together with any incurred under section 6, can be held against the Contractor and consequent assets from the company. Usually, these are deducted from any monies owed by Wellhouse Housing Association to the contractor.

2.7 The Development Agent or Director must arrange continuing insurance cover. On liquidation or Section 21 and 22 insurances under funders supplement to SBCC form of contract void. A phone call followed by a letter, is required.

**DA, D**

- 2.8 The Development Agent or Director must inform liquidator or receiver of Wellhouse Housing Association interests by giving details of contracts affected and current status - on site, in defects etc.
- DA, D**
- 2.9 The Development Agent must build-up a financial assessment of all affected contracts. This is to ensure there is sufficient money in retention or unreleased to complete the works without recourse to funders for additional funding is required by the funders. If additional should be given an indication of this early as possible. It may take some time before a full picture emerges.
- 2.10 Copies of the above should be sent to the funders and liquidators as early as possible, preferably also again when requesting approval to proceed with matters like completion contracts.
- 2.11 The Liquidator must be kept informed of all expenditure against their clients Final Account. Their agreement should be sought, but often due to pressure of time, they are often informed after the event.
- 2.12 The Quantity Surveyor must be asked to visit the site and reassess the value of the work completed. The QS has the power to re-value downwards any previously issued valuation in the light of current circumstances.
- DA, QS**
- 2.13 If the Contractor was engaged on a number of contracts with Wellhouse Association, it is possible to off-set balances due with credit claims. Indeed, every effort should be made to consider the contractors affairs with the Wellhouse Association in a whole.
- 2.14 Dependant upon the stage a contract is at when liquidation takes place, there are differing methods of ensuring completion of the works.
3. **COMPLETION OF WORKS BY “COMPLETION CONTRACT”.**
- 3.1 If the properties remained uncompleted i.e., not handed over a completion contract must be arranged. The Architect and Quantity Surveyor must draw up a specification of outstanding works on which, dependant upon estimated value, tenders or quotations may be invited. Approval to accept tender/quote and enter into a contract with a new contractor must be sought from both the funders and the Liquidator. The usual contract signing procedure applies. Correspondence seeking receiving approval should be copied to the Finance Section
- ARCH/QS/DA**
- 3.2 Following successful completion of the work, final costs can be tabulated, the final account procedures followed and the Liquidator eventually paid the balance of monies held in balance, a claim must be made to the Liquidator for reimbursement. It is not likely that this will be recovered and thus the funders is required to meet the difference, with the circumstances thoroughly justified and explained.
- 3.3 The completion Contractor is not responsible for defects on the work completed by the original Contractor. They may be asked to deal with them, but the resultant cost held against the Liquidator.

#### 4. **COMPLETION OF WORK BY ASSIGNMENT.**

4.1 Occasionally a Liquidator may decide that it will most effectively represent their client's interests if the remaining works are "assigned". This effectively means the right to finish the works is bought from Liquidator by the highest bidder. The funders approval is required and the employment of an experienced Solicitor to ensure our interests are represented under the terms of the Assignment and that only our approved contractors bid for the work. **DA, D**

4.2 The Development Agent and Director must control the resolving of these issues. **DS,D**

4.3 If negotiations with the liquidator, our Solicitor, the new Contractor and the funders are satisfactorily resolved, an assignment can be positively beneficial to the Association. By assigning the contract, the new contractor takes over all liabilities of the earlier contractor (for the benefit of receiving outstanding monies) and thus the Association enjoys continuity similar to an uninterrupted contract.

#### 5. **COMPLETION OF DEFECTS.**

5.1 A contractor may go into liquidation after Practical Completion, but prior to expiry of defect period. In this instance it will probably be best to allow the defects period to run their course until final one expires and then let an "Attention to Defects Contract" Architects should still arrange for Defects Period of the remaining property; the Quantity Surveyor will be required by the Development Agent to provide an estimate of the likely cost of full rectification. This information will be used to a) seek the funder's approval to invite tenders, quotations, or negotiate b) to inform the Liquidator of the contracts current status.

5.2 Whichever is followed the results hence details of recommended contractor and cost are sent to the funders for approval prior to entering into an agreement of contract. Contract signing and final account procedures are to follow after this.

#### 6. **ATTENTION TO DEFECTS DURING THE DEFECT PERIOD AND EMERGENCY REPAIRS**

6.1 Prior to letting an "Attention to Defects" contract the above will arise, as notified by the tenant to the Maintenance Section.

6.2 As soon as the contractor goes into liquidation during a defect period the Development Agent will inform the Liquidator of the Contractors liabilities, their obvious inability to deal with the defects and our intention to employ approved contractors and deduct the cost from the balance owing. This will prepare the way for the Association to respond rapidly to tenants' problems without awaiting liquidator's approval.

**DA**

6.3 Some liquidators may attempt to insist sub-contractors who continue trading sought to be employed - but if these are not on the list of contractors Wellhouse Housing Association would normally use, Development Agent should resist this imposition.

**DA**

**7. REPAIRS ARISING DURING DEFECT PERIOD.**

- 7.1 As with any defect the Maintenance Section should liaise with the Architect, which will decide whether it is a defect or additional work.

**DA, MS**

**8. COMPLETION OF THE WORKS BY THE LIQUIDATOR.**

- 8.1 In this instance a liquidator attempts to complete the works by keeping the company running and acts as the management. The funders and legal approval should be sought by the Development Agent as this is not necessarily in Wellhouse Housing Association interests.

**DS**

**9. REPORTING**

- 9.1 The Management Committee will be informed immediately via a special meeting and followed by updates at Committee meetings.

**POLICY**

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**DEFECTS**

**Development**

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**REVIEWED POLICY – May 2023**

## Wellhouse - The Place To Be

Policy Created:

Date of Reviews: May 2017 May 2020 May 2023

Date of Next Review May 2026

Section	Content	Pages
1.	Vision and values	
2.	Governance	
3.	Policy Aims	
4.	Equal Opportunities Statement	
5.	Introduction	
6.	The Policy	

#### Linked Policies/Procedures

1	Maintenance Policy
2	Development Policy
3	

## Vision and values

### Wellhouse – the Place to Be.

This simple statement is our vision of Wellhouse as an attractive place where people feel happy and safe, benefit from having a good home and an attractive environment and feel proud to be part of a vibrant community.

We believe that our values of **Trust, Honesty and Integrity, Excellence, Accountability and Sustainability** supported by a comprehensive policy framework will help make our vision a reality.

## 2. Governance

Wellhouse HA is a community controlled registered social landlord and is managed by a group of local people who are elected onto the Management Committee. Their role is to make sure that the Association is well run, meets the needs of the local area and is responsive to what is important to local people.

The Management Committee appoints senior staff, agrees all the Association's policies and takes all the key decisions. The Director and the senior team support the Committee in these responsibilities.

## 3. Policy Aims

To mitigate the impact on the customer whilst we are establishing liability and seeking recovery from the relevant party for a defect. A defect could be defined as a building problem or failure due to defective work, materials or manufacture that has arisen in the period between when the project was Partially Complete or Practically Complete (whichever was the sooner) and until the Defects Expiry period has elapsed. This is normally 6 or 12 months.

## 4. Equal Opportunities Statement

We aim to ensure that all services, including the delivery of this policy, provide equality of opportunity.

We will respond to the different needs and service requirements of individuals. We will not discriminate against any individual for any reason, including age, disability, gender re-assignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or other status.

## 5. Introduction

All works carried out as part of new build or improvement contracts are covered by a defects liability period. This will start from the date of completion. Usually the defects liability period is:

- ✓ 6 to 12 months for building repairs (including electrical or mechanical works)
- ✓ 24 months for some special components

Customers will report repairs for new or improved properties in the normal way. These repairs will be passed to the relevant contractor. We will monitor for completion, ensuring that urgent defects are prioritised by following our defect reporting procedure.

**Trust Honesty Integrity Excellence Accountability Sustainability**

Some defects, such as design, product failure or workmanship faults happen after the liability period but within a 6 or 12 year limitation period. Where we can prove that it is a latent defect, the original contractor may be liable to carry out remedial works or exercise warranties to carry out works for some elements. We will mitigate the impact on the customer whilst we are establishing liability and seeking recovery from the relevant party.

## **1. HANDOVER PROCEDURES**

- 1.1 Handover procedures will form part of the Employers Requirements within the works contract. The Development Agent will inform the design team of the Association's requirements.
- 1.2 Handovers will be accepted on a Tuesday, Wednesday and Thursday only. This will only change by special arrangement with the Association.
- 1.3 Handovers will not be accepted in a week prior to a trade's holidays.
- 1.4 It is entirely incumbent on the Contractor to prepare properties to an agreed standard with the Clerk of Works and Architect.
- 1.5 The contractor will require to notify the Association, in writing, 14 days before handover dates. The Association can refuse handovers if the notice is not given.
- 1.6 Procedure for uplifting keys etc. on the day of handover will be discussed with the contractor prior to the first handover. Housing Management staff will be included in these discussions.

## **2. DEFINING A DEFECT**

### **2.1 During Defects Liability Period**

Broadly, a defect could be defined as a building problem or failure due to defective work, materials or manufacture that has arisen in the period between when the project was Partially Complete or Practically Complete (whichever was the sooner) and until the Defects Expiry period has elapsed. According to the Form of Contract used this could be a period of, 6 or 12 months (usually 12) and the reliable source of defects expiry dates will be found on the Certificates of Partial Completion.

Any defect rectification deemed urgent by the Architect shall be carried out immediately after notification. Non urgent defects rectification timescales should be detailed in the Employers Supplementary Conditions of Consent. Urgent defects are considered to be for example leaking pipework, breakdown of essential services of the building and any other matter affecting the health, safety and security of the occupier.

The Co-operative will prescribe the following timescales in the Employers Supplementary Conditions within all in major contracts:-

EMERGENCY	Within 4hours
URGENT	3 Working days
ROUTINE	Up to 10 working days
4 WEEK	Within 1 month



The Association's assessment of the defect will be at the discretion of the Clerk of Works, confirmed by the Architect.

The Associations assessment of the defect will be at the discretion of the Clerk of Works, Maintenance staff or Architect as requested to do so by Development Agent. The contractor may dispute the assessment but should be advised to put this in writing to the Association.

All shrinkage cracking to timber and gyproc walling/ceilings should be left until the end of the DLP before being attended to allow for excessive openings to be fully assessed prior to filling.

## **2.2 Latent Defects – Before final Certificate**

Any defect arising after the defects period expiry date but before Retention has been released and before the Final Certificate has been issued may be held to be the Contractors responsibility and rectification enforced by the Architect and by the Development Agent as Client representative.

If a building problem is suspected to be a latent defect as defined above, inform the Architect in writing and ask for the Architect's opinion on whether the problem is or is not a latent defect arising from the defective work or materials or manufacture. Also ask whether the Architect will inform the Contractor of the defect and require its rectification before the release of retention is certified.

The Development Agent may approve the execution of remedial works by other Contractors and an off-set deduction authorised to the Finance Section. This deduction would be made from the next payment issued by the Architect and usually would be the penultimate Interim Certificate or Final Certificate. Before embarking on this action, the Development Agent would have contacted the Contractor directly and either reached agreement that the Contractor would carry out remedial works or informed the Contractor that the deduction would be made.

## **2.3 Latent defects – After final certificate**

A latent defect that does not become apparent or noticed until after the Final Certificate is issued and retention released may become a serious matter for the Association, the course of action will vary according to the nature and severity of the problem. A brief checklist of action would be:

- Development Agent requests inspection by Architect who will become the co-ordinator of the problem solving actively unless legal action is involved. In this case the Development Agent would co-ordinate the problem solving.
- Architect forms an opinion as to likely responsibility assisted by the Clerk of Works or in consultation with the Development Agent.
- The main Contractor will be notified of the defect and asked to take responsibility for remedying the problem. The Association will assist in making access arrangements etc. and agreeing a timescale for the work to be complete.
- In the event that the Contractor refuses to accept responsibility for resolving the latent defect the Development Agent will liaise with the Architect and Clerk of Works to identify the cost and method of remedial work.

- If the Association decides to pursue legal action against the contractor or architect (depending on the nature of the defect) the Development Agent will liaise directly with the Association's solicitor.
- A defect of a serious nature would be reported to the funders.

### 3. ASSOCIATION'S INTERNAL PROCESS

It is recognised that there may be small changes to the defect repair procedure depending on the contractor's own procedures. Prior to site completion a meeting will be held with the contractor to agree procedures. However, the Association's general reporting procedure for defects is as follows:

- Tenant reports defect direct to the Association's office.
- The Maintenance staff will issue defects repair line work order and email to the contractor
- Maintenance will arrange suitable access times (and contact details) with the tenant and will give an indication of how quickly the repair will be dealt with.
- The Maintenance Section or the Clerk of Works may pre-inspect the reported repair if there is doubt as to whether it is a defect or to establish the exact repair required.
- The contractor will return a copy of the work order to the office with clarification of completed works
- The Maintenance Section will have direct responsibility for monitoring and reporting defects to the Director and Management Committee. Report will record

Number and nature of defects reported.  
 Number of outstanding defects  
 Timescales breached by the Contractor.  
 Any other problems that may arise

- The Maintenance Sections will make the Development Agent aware of any problems in resolving defects.
- Defects monitoring will form part of the post scheme appraisal carried out by the Association on completion of each project. This will allow the Association to make future decisions on the procurement of contractors and will allow feedback on future specifications.

### 4. ARCHITECTS - NOTIFICATION OF END OF DEFECTS PERIOD

The Architect will be required to make note on the partial possession of the DLP period to allow defects to be carried within the correct timescale. This is particularly important for phases handovers.

The Architect will have overall responsibility of ensuring the completion of the defects and issuing the completion of defects certificate.

The Association will not make final payment of retentions until it is satisfied that all defects are complete and certificates received.

**POLICY**

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**ACQUISITIONS**

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**REVIEWED POLICY – May 2023**

# Wellhouse - The Place To Be

Policy Created:

Date of Reviews: May 2017 May 2020 May 2023

Date of Next Review May 2026

Section	Content	Pages
1.	Vision and values	
2.	Governance	
3.	Policy Aims	
4.	Equal Opportunities Statement	
5.	Introduction	
6.	The Policy	

#### Linked Policies/Procedures

1	Asset Management Policy
2	
3	

## Vision and values

### Wellhouse – the Place to Be.

This simple statement is our vision of Wellhouse as an attractive place where people feel happy and safe, benefit from having a good home and an attractive environment and feel proud to be part of a vibrant community.

We believe that our values of **Trust, Honesty and Integrity, Excellence, Accountability and Sustainability** supported by a comprehensive policy framework will help make our vision a reality.

## 2. Governance

Wellhouse HA is a community controlled registered social landlord and is managed by a group of local people who are elected onto the Management Committee. Their role is to make sure that the Association is well run, meets the needs of the local area and is responsive to what is important to local people.

The Management Committee appoints senior staff, agrees all the Association's policies and takes all the key decisions. The Director and the senior team support the Committee in these responsibilities.

## 3. Policy Aims

This procedure guide aims to:

- Ensure Management Committee control over key decisions in the acquisition process.
- Ensure compliance with the law and all appropriate Regulatory guidance in respect of acquisitions.
- Define staff responsibilities with regard to acquisitions.
- Ensure adequate assessment of risks associated with acquisition.
- Ensure the Association takes a proactive approach to realising opportunities for growth within our defined geographical boundaries

## 4. Equal Opportunities Statement

We aim to ensure that all services, including the delivery of this policy, provide equality of opportunity.

We will respond to the different needs and service requirements of individuals. We will not discriminate against any individual for any reason, including age, disability, gender re-assignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or other status.

**Trust   Honesty   Integrity   Excellence   Accountability   Sustainability**

## 5. Introduction

The objective of Wellhouse Acquisitions Policy is to meet housing need by providing quality housing at affordable rents. To develop appropriate housing solutions where there is housing need in an effective and cost efficient manner using a variety of methods of procurement. The Association is committed to meeting all statutory and contractual obligations and seeks to ensure equality of opportunity across its development function. This policy, and its associated procedures, details how the Association seeks to achieve these standards.



### Statement

Wellhouse Housing Association had been an active developer for many years and has been instrumental in the physical regeneration of our community.

We are now approaching a new phase in development and we;

#### Will:

- Continue to seek opportunities to support community cohesion and address housing need;
- Work constructively with Glasgow City Council and consider development which is constant with the Strategic Housing Investment Plan;
- Ensure that staff and committee act within good governance, good financial management and within our vision and values;
- Ensure any valuation is undertaken by a suitably qualified professional and we will not pay more than the valuation so assessed;
- undertake sufficient due diligence to reasonably assess the development constraints and costs associated with any subsequent development (contamination, drainage, utility connections, bearing capacity, mineral stability, planning constraints, essential work required to existing buildings) and;
- consider the business plan impact of the proposed development.

#### Will not:

- Be involved in overly risky development;
- Take decisions which adversely impact on business viability or the best interests of our tenants;
- Seek to develop outside our geographic boundaries.

**Trust   Honesty   Integrity   Excellence   Accountability   Sustainability**

## 1. COMMITTEE RESPONSIBILITY

The Management Committee will be responsible for overseeing the acquisition process.

This involves:

- Identifying possible acquisitions
- Consider options appraisals and risk assessments of possible purchases/transfers
- Administering the acquisition process.

## 2. STAFF RESPONSIBILITY

Development Agent

- Identification in consultation with the Director, of acquisition opportunities
- Consulting with owners.
- Drafting reports to the Management Committee
- Preparing of briefs where required.
- Negotiating price
- Preparation of options appraisals
- Preparation of risks assessments
- Appointing and briefing professional consultants, solicitors and valuers.
- Applications to the City Council, including funding applications and all related responsibilities.
- contribution of information for the preparation of briefs and risk assessments.

## 3. RELEVANT GUIDANCE

Depending upon the type of acquisitions there are a number of relevant guidance notes/policies that may have to be referred to, but development work must be consistent with:

[Scottish Governments Affordable Housing Supply Programme: process and procedures MHDGN 2022/02 guidance note and Housing to 2040 document](#)

Regulatory Guidance, including the SHR March 2017 thematic study into the development of affordable housing in Scotland;

[Glasgow City Council SHIP, their 2023-2028 Affordable Housing Strategy, the May 2017 design schedule and associated documents;](#)  
 (Glasgow's Local Housing Strategy 2023-2028 is currently still in draft form, please see [link to the relevant page on GCCs website Housing Strategy - Glasgow City Council](#))

Our own Strategic Housing Development Funding Plan.

## 4. PROCEDURES GUIDE

### 4.1 General

Acquisition transactions may include.

- a) Vacant Sites – there are only 2 remaining sites: the Archdiocese Site and the old primary school site.
- b) Housing Stock – this is unlikely at this stage in Wellhouse's history.

**Trust    Honesty    Integrity    Excellence    Accountability    Sustainability**



- c) Acquisition of new/improved property “Off the Shelf”, where an ‘off site’ developer acquires land.

## **4.2 Acquisition of Sites**

- Sites for acquisition will be identified in the Association’s Strategic and Development Funding Plan.
- The Association will consider only those sites lying within the designated area of operation.
- Proposed development use will be discussed with the Senior Management Team and recommendations made to the Management Committee for approval.
- The Association will use the appropriate Housing Association Grant documentation as produced by our funder.
- Where there are any concerns with regard to the former use of the site or ground conditions, a site investigation will be carried out in advance of application to our Funder and in advance of acquisition. Given the history of mining in the area, this is anticipated to be the norm rather than the exception. At the time of production of this policy, HAG has been approved for such investigations.
- Site investigation will meet the minimum requirements set out in Regulatory Guidance and associated documents.
- Consultants will be appointed in line with the current policy to carry out site investigations and studies deemed to be required at the time. Estimated costs will be approved by the Management Committee and be established as a budget for the study. We will pursue HAG for all Site Investigations
- The Management Committee will consider the site investigation report, known development constraints, and the views of the local authority. At this stage risks will be formally assessed, together with the probable effects of these elements on the cost effectiveness of the proposed future development.

## **4.3 Acquisition Transactions**

- The Association will maintain regular contact with the owners of the land or properties. These are City Property and the Archdiocese of Glasgow.
- Potential transfers will be discussed with the Senior Staff and recommendations made to the Management Committee, who must ratify all proposals.
- Proposed transfer of existing stock will be subject to a detailed feasibility study, to minimum requirements set out in Regulatory Guidance and best practice.
- The Development Agent will prepare the feasibility study brief with contributions from the Association’s SMT. The Management Committee will approve the Brief.
- Estimated costs should be prepared for approval. The Development Agent will endeavour to gain funding for studies from the City Council in the form of HAG.

- The Management Committee will determine the method of consultant procurement, in line with existing policy and obtain Management Committee approval.
- The Management Committee will consider the feasibility report. Identified risks will be assessed. Projected development costs will be assessed in terms of cost effectiveness.
- The Development Agent will keep Funder(s) abreast of its activities at the monthly spend meetings.

#### **4.4 Offers of Grant**

- Acquisition stage Offers of Grant are in a legally binding format. The Management Committee will consider a full report on any conditions placed on the Offer of Grant before recommending acceptance.
- An authorised signatory will accept offers of Grant.

#### **4.5 Instructions to Solicitor**

- On approval, the Association's solicitor will be advised of the Acquisition Procedures and Procurement Guide. Copies of the relevant sections and this policy and procedures guides will be forwarded as required.
- Instructions to solicitors will be issued through the Director and approved by the Committee. This will include a copy of the Offer of Grant and will draw attention to relevant conditions within the Offer.

Before settlement, the solicitor will be required to provide a report on the title, identifying any qualifications, restrictions, limitations, unusual clauses or



## DRAFT POLICY

### DISCIPLINARY (FOR EMPLOYEES WITH LESS THAN 2 YEARS SERVICE)

NEW POLICY – CREATED MARCH 2023

# Wellhouse - The Place To Be

Policy Created:	March 2023
Policy Approved	June 2023
Policy to be reviewed	June 2024
Date of Next Review	

<b>Section</b>	<b>Content</b>	<b>Pages</b>
1.	Vision and values	
2.	Governance	
3.	Policy Aims	
4.	Equal Opportunities Statement	
5.	Introduction	
6.	Principles	
7.	The Policy	

#### **Linked Policies/Procedures**

1.	Disciplinary Policy and Procedures	
2.	Stress Management Policy	

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The Management Committee appoints senior staff, agrees all the Association's policies and takes all the key decisions. The Director and the senior team support the Committee in these responsibilities.

## 3. Policy Aims

- To make sure that you know the standards expected in respect of conduct, performance and attendance.
- To manage you in accordance with the procedures in this policy should you fall short of our expected standards.
- To manage any fall in standards in a fair and consistent manner.

## 4. Equal Opportunities, Diversity & Human Rights Statement

We aim to ensure that all services, including the delivery of this policy, provide equality of opportunity.

We will respond to the different needs and service requirements of individuals. We will not discriminate against any individual for any reason, including age, disability, gender re-assignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or other status.

## 5. Introduction

The purpose of this policy is to help and encourage you to achieve and maintain standards of conduct, attendance and performance.

We need to make you aware of our expected standard of conduct, performance and attendance whilst you work for us. If you don't adhere to these standards then we will consider treating any breaches under our disciplinary procedure.

This procedure applies to all employees who have less than two years service. Thereafter a disciplinary procedure for employees with more than two year service applies.

## 6. Policy Principles:

- To ensure that you know the expected standards in respect of conduct, performance and attendance while working for us.
- To manage you in accordance with the procedures detailed in the policy should they fall short of our expected standards.
- We will not take any action without giving you the chance to state your case, and a reasonable investigation has taken place
- If we think you may have committed a very serious breach of discipline we may suspend you on full pay whilst the matter is being investigated
- If any action is taken against you (other than dismissal), we will make clear standards of improvement required and the timescale within which we want this to be achieved
- You will have a right of appeal if any formal action is issued to you.

Wellhouse HA wishes for all staff to maintain the highest possible standards of attendance, conduct and performance and our disciplinary procedure is here to help achieve this.

### We expect that you will:

- Be honest and transparent in all aspects of work for us.
- Treat all colleagues, clients, partners and anyone in connection with working for us with respect and tolerance;
- Not abuse Wellhouse HA's facilities;
- Not disclose confidential company information;
- Be frank and upfront about any commercial interests you may have in any business that we deal with;
- Not publish or profit from any work done within Wellhouse HA, as this belongs to us until such time as we give permission for its use;
- Not accept any gift, favour or inducement from Wellhouse HA or individuals in connection with us.
- Be loyal and ask permission before taking up any other paid work – particularly if this in any way affects their ability to do their job for us;
- Follow all policies, procedures and aims regardless of any personal or political beliefs you may hold

Our separate "Code of Conduct" gives more details with respect to the standards of conduct expected from staff. If you are in any doubt staff should please speak to your line manager.

There are 2 stages of this procedure:

### First Stage - Informal Action

If your performance, conduct or attendance do not meet required standards then your line manager will meet with you informally in the first instance. He/she will discuss this with

you and confirm any improvements sought and help on offer by way of an improvement note.

Example offences that may result in an informal action in the first instance. The list below is not exhaustive:

- Poor timekeeping and/or attendance
- Minor breaches of our policies
- Below expected performance of your duties
- Minor insubordination
- Poor attendance

## **Second Stage - Formal Process**

If there is another issue with your performance, conduct or attendance following the informal action, or if the matter is serious, then your line manager will investigate into this and may invite you to a formal meeting. This meeting may result in termination of your contract of employment.

You will be invited to this meeting in writing and given the right to be accompanied by a workplace colleague or a trade union rep. You will also be informed of the outcome in writing and given the right to appeal.

### **Records**

We will keep records on your personal file of any disciplinary action, which will only be seen by you, your line manager and the senior officer if appropriate. It is the responsibility of your manager to make sure that disciplinary warnings are removed from your file when relevant.

### **Appeals**

You have the right of appeal against any formal disciplinary action. We will tell you in writing when and how you can use this right when the warning is issued. The letter will detail who you must write too, to lodge your appeal and within what timeframe.

No person involved in the original disciplinary decision should take part in the appeals hearing unless it is not possible to avoid this

At all levels, appeal hearings will be entitled to:

- confirm previous action;
- dismiss previous action; or
- substitute a lesser penalty.

The outcome of the appeal hearing is final.

## **Data Protection**

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own GDPR Policy. Information regarding how your

data will be used and the basis for processing your data is provided in Wellhouse HA's employee privacy notice.



<b>Management Committee</b>	28 June 2023
<b>Agenda Item</b>	13
<b>Title of Paper</b>	Operational Update Report
<b>Author</b>	Management Team
<b>Appendices:</b>	<ol style="list-style-type: none"> <li>1. Regulations in Social Housing</li> <li>2. Investor in People awards 2023.</li> <li>3. Cost of living (tenant protection Scotland Act 2023)</li> <li>4. ECH Insurance</li> <li>5. Easthall Committee update</li> </ol>

## FOR INFORMATION AND DECISION

### EXECUTIVE SUMMARY:

#### 1. Director – Main Issues

##### EVH

Committee have been consideration the value of cancelling full membership of EVH for some time (discussed at a previous staffing committee meeting in 2022). If we were not a full member, we would need to negotiate every year on salary increases – this is very time consuming. Staff would lose continuity of conditions of service if they change job too. The committee agreed in principle to remain members at the May committee meeting. The formal recommendation from me is that we remain full members – this will save significant time negotiating salaries and other T&C's for an organisation our size. We are not prevented from taking HR legal advice in the future in the event of a complex or sensitive HR matter (we have done so in the past).

##### Regulation of Social Housing.

SHR is conducting a review of regulation of social housing and all HA's have been asked to comment. It is recommended that committee note any specific comments in this meeting and/ or email me and that I complete the response on behalf of Wellhouse HA.

##### Investors in People awards 2023.

Wellhouse Housing Association has been initially shortlisted in the Top 20 UK Employer of the Year Silver (SME) in The Investors in People Awards 2023. IIP themselves shortlisted us – we did not apply. We are now invited to submit our free supporting statement by the 1st September. The supporting statement will enable IIP to determine if Wellhouse Housing Association will reach the final shortlist, announced on the 25th September. The number 1 organisations will be announced at The Investors in People Awards 2023 on the 14th November at Old Billingsgate, London. I will complete the statement on behalf of the committee. Regardless of the outcome, this is great news and testament to all the staff and to the Committee as the employer.

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### **Cost of living (tenant protection Scotland Act 2023).**

Subject to the approval of Parliament, changes to the Cost of Living (Tenant Protection) (Scotland) Act will mean that from 1 October 2023:

- Most in-tenancy private rent increases would continue to be capped at 3%;
- Alternatively, private landlords could apply for increases of up to 6% to help cover certain increases in costs in a specified time period where these costs can be evidenced;
- Enforcement of evictions would continue to be paused for six months for most tenants, except in a number of specified circumstances; and
- Increased damages for unlawful evictions of up to 36 months' worth of rent would continue to be applicable.

It is likely that we will see a winter suspension of all evictions, including social housing too – I will keep committee apprised.

### **e-learning portal.**

Committee members will soon all be registered as users on the staff/ committee e-learning portal, which contains a whole host of training options which you can complete at your own convenience and receive certification. Myself or Linda will be in a position to give a verbal update at the committee meeting.

### **Scottish Water**

I met with Scottish Water on 15 June. Matters have progressed substantially over the last few months, with plans for a basin in Wellhouse Cres and one in Newhills Road. An underground attenuation tank is planned for Langbar too. The work is projected to be carried out within the next year. I will ensure that a public consultation event takes place as soon as practicable.

### **SHR**

- ARC is required and 5YFP by the end of May for submission to the SHR.

### **EVH**

- EVH monthly newsletter circulated separately. Committee should note that, Eammon Connolly, the longstanding Director, is retiring in the autumn.

### **CURB/ development**

- A separate report applies.

### **EHRA meeting update**

General discussion that all associations have seen a rise in customers becoming mover verbally abusive and threatening but can't pin it down to a particular reason.

EHRA group discussed outhouses or buildings being erected in back gardens etc without permissions. Blairtummock and Gardeen in particular are having issues with these structures and have raised this with their Solicitors who have advised there is very little they can do. Planning

regulations have lightened and really all the Associations have been advised to do was to letter those without permission and advise them that the Association is in no way responsible for any maintenance, and they should be covered under tenants' insurance and must be returned 'as before' if tenant was to leave. Associations were advised to write to tenants to advise of this.

David from Poverty Alliance attend the meeting and gave information on who and what Poverty Alliance are and do. David provided many statistics and useful information, and both can be found online at <https://www.povertyalliance.org/> David advised that Committee and staff are more than welcome to attend Poverty Alliance week which is week commencing 16 October 2023. If any Committee would like more information, then please speak with James, Housing & Customer Services Manager.

David and Rory from GCC also attended the meeting and gave an update on cleansing and changes. They advised that there is a 'on-street' bin collection point in place over in Pollokshields. The idea here is to take refuse collection away from back courts and into the streets. The collection date would move to a 4-day cycle but would be easier for the cleansing team to collect. This is early stages at the moment and James has reached out to both David and Rory out with the meeting for more information. David also advised that hopefully GCC will be able to open a section at Queenslie refuse and recycling for disposal whilst under construction but they can't confirm a date.

## **2. Housing & Customer Services Manager – Main Issues**

### **Training/HomeMaster**

- Still going well and we are still meeting regularly to discuss issues, planned works and agreed timescales.
- We have our first HomeMaster user group meeting on 27 June 2023 which James will attend and feedback to the team. This user group meeting is external partners and associations, and the plan is to share best practices and matters arising with HomeMaster.

### **Insurance**

- We have received information from ECH Facilities with regards to contents insurance for tenants. There is lots of useful information and statistics for tenants from ECH insurance can cost as little as just £4.00 per month. At the moment and past experience, not a lot of our tenants have contents insurance which is leaving tenants in vulnerable position when damage is done to their home, we are looking to work with tenants to encourage them to take contents insurance. We are seeking approval from Committee to promote ECH Facilities to our tenants by way of Newsletter, general correspondence and signing up of new tenants.

### **Rent & Debt Management**

- We are halfway through our new arrears procedure, and this will be implemented from 1st July 2023 and can be shown to Committee, with results, in August.

## Factoring

- Still ongoing with the review of the Factoring service. We have another meeting internally on 20 June 2023. Thereafter we are looking to begin our consultation with owners.
- Factoring Policy and Factoring Debt Policy is due for review with not much change and will be presented to Committee once the above changes implemented.

## Welfare & Advice update

- The HACT (Housing Associations Charitable Trust) Energy Hardship fund has come to an end and the fund is no longer able to accept referrals to support tenants in need of a fuel voucher. Tenants experiencing fuel poverty should still be referred to Laura to access crisis support via the usual methods.
- The Income Advice service has noted an increase in Pension age tenants accessing the service, tenants are now accessing support to claim benefits such as Attendance Allowance and Pension Credit. Laura will add information to the newsletter about Attendance Allowance and Pension Credit to encourage pension age tenants to continue to access support.
- The Income Advice Service noted an increase in the number of tenants opting to complete the Adult Disability Payment application form online. The Income Advice Officer reports completing the form online is faster and more secure.
- Foodbank voucher requests have dropped compared with the winter period. This may be due to payment of the government's costs of living payment and reduced energy costs due to warmer weather.
- The Scottish Government have committed to doubling the Fuel Insecurity Fund for 2023-2024, from £10million to £20million. If funding is made available for Social Landlords through the SFHA, this should be announced between August and October 2023. We may want to start thinking about how much funding we would need and how we could use the funding to support our tenants.
- A tenant was referred to the Income Advice Officer as her housing benefit was cancelled and had not been in payment for 8 months. The cancellation of the tenants housing benefit resulted in rent arrears of £3119.36. The IAO was able to support the tenant to challenge Glasgow City Council's decision to cancel the tenants housing benefit and the tenant was awarded 8 month's backdated housing benefit and an ongoing award of housing benefit. The backdated housing benefit award cleared the tenants full rent arrears balance, and her ongoing rent liability is covered by her Housing Benefit award.

## Allocations & Voids

- The property which had bad fire damage has been repaired and back now with the tenants from 16 June 2023. We are dealing with our insurance company to recover costs for damages.

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### **Estate Management / Community**

- The estate in general is needing some attention but more so from GCC. We are seeing a lack of GCC work in the area and James and the team are working to rectify this.
- We had another successful Customer Opinion Panel meeting on 2 June 2023 with 4 members present. We began early discussions about consultation with the new build development and this will remain on the agenda moving forward. James will feed comments back to Committee accordingly.

### **3. Assets & Maintenance Manager – Main Issues**

- The surveys for the Boiler replacements are now taking place.
- Sheils Construction have withdrawn their labour with no notice we have obtained the services of S & D Maintenance.
- Net Zero we have started work on reviewing our EPCs to work out a potential costing, we will put a simple budget against each property depending on its failure range from reaching a B from the EPC information we have.

### **4. Finance & Corporate Services Manager – Main Issues**

- Meetings have taken place with our lenders (Virgin Money and RBS) and a third potential lender regarding funding options for future developments and details will be provided in a separate report at a future meeting.
- There has been no spend for the proposed development this month.
- The Scottish Housing Regulator Loan portfolio return is due by 30 June 2023 and a separate report is within this meeting for approval for the Finance & Corporate Services Manager to submit the return before the deadline.
- The Finance & Corporate services assistant post has now been filled and we welcome Stephne Moir to the team.
- Work is still ongoing for the preparation of the information for the annual audit that will take place from 24<sup>th</sup> July 2023 and information is currently being uploaded to the auditors' secure portal as required.
- Following the committee meeting in April 2023 our IT partner were contacted to start setting up email accounts and dedicated file space to be used by the committee. They have partly completed the set up process and once they have completed the setup we will move forward with arranging appropriate training.
- The Homemaster system enables purchase invoices to be authorised using the system. Training is required for Committee members and volunteers from the committee are sought to have several members who would be willing to review and authorise invoices and receive the appropriate training on Homemaster.
- Fraud training took place on 1<sup>st</sup> June 2023 with several committee members in attendance. The handouts were provided in advance of the meeting to all members and a recording of the session was made on teams should any member wish access to the recording.
- We have now reregistered as a Disability Confident employer and a separate report of the details will be presented at this meeting.

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**Scottish Housing  
Regulator**

## Our Regulation of Social Housing: a discussion paper

**June 2023**

## Setting the scene

1. We introduced the current [Regulatory Framework](#) in April 2019. At that time we committed to review it after five years. This discussion paper is the first step in that review. It sets out our emerging thinking on potential changes to our regulation of social landlords in Scotland. We are keen to hear your views on our early ideas.
2. We have looked back on five years of operating the Regulatory Framework, at the changes in the operating context for social landlords over that time, and considered the likely future context for landlords.
3. The context for social housing now is very different to that in 2019. The last five years have seen a global pandemic, the UK out of the European Union, war in Europe, and significant political change in the UK. Tenants and social landlords continue to face enormous challenges. Many tenants are facing genuine financial hardship. We are seeing acute issues around homelessness, and temporary accommodation in particular. Social landlords are faced with cost inflation that is running well above the headline rate of CPI, higher interest rates, and increasing requirements on quality of homes, while responding to pressure to keep rents as low as possible. The Scottish Government also intends to bring forward two housing bills during the remainder of this Parliamentary term.
4. The Housing (Scotland) Act 2010 (which we refer to here as the '2010 Act') sets our objective, functions, duties and powers. The Framework explains how we regulate both Registered Social Landlords (RSLs) and the housing and homelessness services provided by local authorities. For both types of landlord, we have a statutory duty to monitor, assess, report and intervene (as appropriate) in relation to their performance of housing activities. For RSLs, this extends to their governance and financial management. In this paper when we talk about social landlords we mean both RSLs and local authorities. When we are referring to RSLs only we make this clear.
5. Once we have reflected on your feedback, we will consult formally later this year on any proposed changes to the Regulatory Framework. The Framework will continue to discharge our duty to publish Codes of Practice on our inquiry and intervention powers, as required by the 2010 Act. We will also consult on reviewed and updated versions of the statutory guidance that sits alongside our Regulatory Framework, including guidance on our Charter indicators.
6. We also want to use this paper to discuss our regulatory priorities. We will then set these out in a new Strategy for 2024-27.
7. We will aim to implement the new Framework on 1 April 2024.
8. You can get more Information on how to respond to this paper from paragraph 27.



## Our regulatory priorities

9. Our approach to regulation needs to be both effective and sustainable, enabling us to do the right things in the right way at the right time. We will maintain our focus on tenants' and service users' interests, in accordance with our statutory objective to safeguard and promote the interests of current and future tenants, homeless people and other service users. We use the tools in our Regulatory Framework to focus on the greatest risks to the interests of tenants and service users. For tenants and service users of both RSLs and local authorities these include the risk of:
  - living in a poor quality or unsafe home;
  - being unable to afford to live in their home; and
  - being homeless, or at risk of homelessness, and unable to access appropriate housing.
10. For RSL tenants, a further important risk is them losing their home or secure tenancy if their landlord becomes insolvent. The best way for an RSL to protect against these risks and to protect its financial health is for the organisation to put in place and maintain the building blocks of good governance. This means that it will have the capacity and quality of information to make sound decisions about its services for tenants and others, investment in its homes, future business plans, financial arrangements, and policies. Our experience is that governance failures are often at the root of serious problems.
11. We also recognise the wider harm if lenders, investors and funders to RSLs do not see them as a good place to invest, resulting in less, or more expensive, investment in new and existing homes. By regulating effectively we help to maintain lenders', investors' and funders' confidence.
12. Following the lessons from the Grenfell Tower Disaster, and more recently the coroners' report in to the death of Awaab Ishak, we believe it is important that we have a strong focus on landlords listening to tenants and on the quality of homes and tenant and resident safety. We will aim to regulate to support social landlords to meet their obligations and duties for tenants and those who use their housing services. Translating this into regulatory priorities, we believe that a significant focus of our work from April 2024 onwards should be on landlords:
  - **listening and responding effectively to tenants and service users**
  - **providing good quality and safe homes**
  - **keeping homes as affordable as possible**
  - **doing all they can to reduce the number of people who are experiencing homelessness**

We will continue our focus on equality and human rights in all landlords and governance and financial management in RSLs.

*Q1. We are keen to hear your feedback on these priorities. Are they the right ones?*



## Ideas for change

13. We believe that the current Regulatory Framework as introduced in April 2019 has generally worked well during the last five years, including throughout the significant disruption we have all experienced over the last three years. We believe it broadly remains relevant and appropriate. We also recognise a clear appetite from many involved in social housing for a period of stability and continuity. Given this, we will aim to maintain our current approach, but with some change to reflect the learning from the last five years and to ensure the Framework remains up to date. In this paper we make initial suggestions on what we think we might need or want to change.
14. As we set out above, we believe it is important that the Framework has a strong emphasis on landlords listening to tenants and on the quality of homes and tenant and resident safety. Given this, we intend to strengthen further our emphasis in the Framework where there are relevant references to listening to tenants, quality of homes and tenant and resident safety.

### **Annual Assurance Statements**

15. We believe that landlords assuring themselves, tenants and us should remain at the heart of our regulatory approach. We are keen to build on the successful adoption by landlords of the Annual Assurance Statement (AAS). We propose to maintain the requirements in the Framework on the AAS, and to make some changes to the [Statutory Guidance on the AAS](#).
16. We recognise that at any given time there may be specific issues on which governing bodies and committees require explicit or additional assurance; a recent example of this is assurance on their landlord's systems to identify and deal with any reported cases of mould and damp. We believe there is value in enhancing the AAS process by ensuring that we can identify specific areas or issues on which assurance should be explicitly set out in a landlord's AAS. To that end, we propose to add a provision to the guidance to enable us to require landlords to include explicit assurance in the AAS on a specific issue or issues; we would communicate any specific assurance requirements to landlords in advance of their submission of the AAS.

**Q2. What are your views on amending the Statutory Guidance on Annual Assurance Statements to include provisions on specific assurance?**

### **Annual Return on the Charter**

17. We believe that the indicators we collect through the [Annual Return on the Charter](#) (ARC) broadly remain relevant and appropriate. However, we want to test with stakeholders whether they continue to view the indicators as useful and of value, if there are any that we should stop collecting, and whether there are other areas of information we should be collecting.

**Q3. Do you think that we need to change any of the indicators in the ARC or add to these?**

18. We are keen to strengthen further our approach to monitoring tenant and resident safety. Therefore, we propose to introduce to the ARC indicators that focus on tenant and resident safety, in addition to those that are already there on gas safety and emergency repairs. These additional indicators would focus on electrical, water, fire, asbestos and lift safety.

**Q4. Are the proposed areas of focus for tenant and resident safety indicators the right ones, and what should those indicators be?**

19. Following the coroners' report last year in to the death of Awaab Ishak due to prolonged exposure to mould in his home environment, we believe it is important that we have appropriate monitoring of the effectiveness of landlords' approach to managing reports and instances of mould and dampness. We invite stakeholders to suggest what they believe would be the most effective and appropriate way to do this, including indicators for possible inclusion in the ARC.

**Q5. What do you think would be the most effective and appropriate way to monitor the effectiveness of landlords' approach to managing reports and instances of mould and dampness?**

**Regulatory Requirements**

20. As we flag above, we will aim to strengthen further our emphasis in the Framework on landlords listening to tenants and service users, building on the requirements already in the Framework and on landlords' existing arrangements. To that end, we propose to amend the requirements currently under the heading of *Tenant and Service User Redress* to include a requirement that landlords provide tenants, residents and service users with easy and safe ways to provide feedback and raise concerns, and ensure that they consider such information and provide quick and effective responses. We also propose to amend the title of this part of the Framework to *Listening and Responding to Tenants and Service Users*.

**Q6. What are your views on strengthening the Framework further on landlords listening to tenants and service users?**

**Notifiable Events**

21. Notifiable Events are an important way in which we keep abreast of important developments, risks and challenges in social landlords. That said, we believe that we can streamline our approach to Notifiable Events to ensure that landlords bring the most critical issues to our attention while not being overburdened by notification requirements. We will review the [statutory guidance on Notifiable Events](#) to ensure that this is focused on those most critical issues.

**Q7. How do you think we could streamline the requirements for landlords in the Notifiable Events statutory guidance?**

**Regulatory Standards**

22. We believe that the Regulatory Standards and Guidance remain relevant and appropriate. They continue to reflect governance standards in the public and voluntary sector, and the commercial and corporate world. That said, we propose to amend the guidance on the standards where relevant to reflect the aim to strengthen further the emphasis on landlords listening to tenants and service users.

**Regulatory Status**

23. We believe that the *regulatory status for RSLs* has been an effective addition to the regulatory framework which delivers greater transparency around our regulatory view of RSLs. Some stakeholders have suggested that there may be value in using more direct language around non-compliance, particularly in the *working towards*

compliance status, or in having an additional regulatory status for RSLs, between compliant status and *working towards compliance* status, along the lines of *compliant with improvements needed*. Those stakeholders feel that this would increase transparency around the current performance of individual landlords while reducing the potential for a sudden movement from a compliant status to non-compliant.

**Q8. Do you think there is value in using more direct language in the working towards compliance status, or in introducing an intermediary regulatory status between compliant and working towards compliance?**

**Significant performance failures**

24. We provide tenants with a way to give us information on a significant performance failure by their social landlord. We set out how we define a significant performance failure in our [factsheet](#). We do not receive large numbers of reports of significant performance failures, and of those we do receive fewer are assessed as significant performance failures. We are interested in views on whether there are any changes we should make to how we define significant performance failures.

**Q9. Are there any changes we should make to the Significant Performance Failures approach, including how we define these?**

**Reporting on the Energy Efficiency Standard in Social Housing (EESH)**

25. We will bring forward revised indicators for EESH in the coming months to reflect the outcome from the Scottish Government's EESH Review Group when it concludes its work.

**Other suggested changes**

26. We have highlighted in this paper the main changes to our Regulatory Framework that we are considering to include in a formal consultation in the Autumn. We welcome views on those proposed changes, but we also invite stakeholders to tell us about any other changes that they would like to see to the Framework.

**Q10. Are there any other changes to the Regulatory Framework and associated guidance that you would suggest?**

## Giving us your feedback

27. This discussion paper shares our early ideas on how the Regulatory Framework might look for the next five years. It is not a formal consultation on a firm, detailed proposal; that will be the next stage. At this stage we are interested in hearing what you think about our ideas overall, and to get your initial feedback on a number of more specific ideas and questions. We welcome feedback from organisations and individuals with an interest in our work.
28. We will meet with the Regional Network SHR Liaison Group, organisations that work with tenants and other service users, landlord representative bodies, lenders and investors and other stakeholders to discuss our ideas further, as well as considering written responses.
29. You can **respond with feedback by 11 August 2023**. We welcome general feedback on our proposals as well as answers to the specific questions we have raised. Please do not feel you have to answer every question unless you wish to do so.
30. If you wish to respond on a question by question basis, you can find a survey form to use [here](#). Otherwise please email or post your feedback to the address below. Please include your contact details in case we need to check anything with you.
31. To help make this a transparent process we intend to publish on our website the responses we receive, as we receive them. If you do not wish your response to be made public please let us know. If you are responding as an individual please let us know if you are happy for us to publish your name.
32. You can send your feedback to us by email at:  
[regulatoryframeworkreview@shr.gov.scot](mailto:regulatoryframeworkreview@shr.gov.scot)  
  
You can send your feedback to us by post to:  
  
Scottish Housing Regulator  
2nd Floor George House,  
36 North Hanover Street,  
Glasgow G1 2AD
33. If you have any queries please contact us on the above email address.

## Our regulation of social housing in Scotland

### Discussion questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our discussion paper on our website at [www.housingregulator.gov.scot](http://www.housingregulator.gov.scot) Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by 11 August 2023.

By email @: [regulatoryframeworkreview@shr.gov.scot](mailto:regulatoryframeworkreview@shr.gov.scot)

Or post to: Scottish Housing Regulator  
2<sup>nd</sup> floor , George House  
36 North Hanover Street, G1 2AD

#### Name/organisation name

#### Address

Postcode	Phone	Email

#### How you would like your response to be handled

To help make this a transparent process we intend to publish on our website the responses we receive, as we receive them. Please let us know how you would like us to handle your response. If you are responding as an individual, we will not publish your contact details.

#### Are you happy for your response to be published on our website?

Yes ☐ No ☐

#### If you are responding as an individual ...

Please tell us how you would like your response to be published.	Pick 1
Publish my full response, including my name	<input type="checkbox"/>
Please publish my response, but not my name	<input type="checkbox"/>

1. We believe that our regulatory priorities should be:
  - listening and responding effectively to tenants and service users
  - providing good quality and safe homes
  - keeping homes as affordable as possible
  - doing all they can to reduce the number of people who are experiencing homelessness

We are keen to hear your feedback on these priorities. Are they the right ones?

2. What are your views on amending the Statutory Guidance on Annual Assurance Statements to include provisions on specific assurance?

3. Do you think that we need to change any of the indicators in the ARC or add to these?

4. Are the proposed areas of focus for tenant and resident safety indicators the right ones, and what should those indicators be?

5. What do you think would be the most effective and appropriate way to monitor the effectiveness of landlords' approach to managing reports and instances of mould and dampness?

6. What are your views on strengthening the Framework further on landlords listening to tenants and service users?

7. How do you think we could streamline the requirements for landlords in the Notifiable Events statutory guidance?

8. *Do you think there is value in using more direct language in the working towards compliance status, or in introducing an intermediary regulatory status between compliant and working towards compliance?*

9. Are there any changes we should make to the Significant Performance Failures approach, including how we define these?

10. Are there any other changes to the Regulatory Framework and associated guidance that you would suggest?

Thank you for taking the time to give us your feedback!



### **The Award for UK/Overseas Employer of the Year Supporting Statement**

Based on your latest Investors in People accreditation, we've worked out that you're one of our Top 20 UK based organisations (in your relevant Award Level and Size Band).

Congratulations!

Now's your chance to let us know why you should be crowned the winner!

There's a 100 word maximum count (exc. punctuation and spaces) per question.

#### **What sets you apart from other Investors in People organisations?**

Be clear. Be honest. Be confident.

#### **Tell us a bit about the last 12 months at your organisation. How has investing in your people delivered results?**

Make sure you show us real examples that link the investment made in your people to the result.

#### **How are your values embedded in your organisation?**

We are looking for evidence that your values are at the heart of your organisation.

Do people speak out for what they stand for?

Is there a culture of openness and trust?

We are looking for a simple example that demonstrates the culture of your organisation.

#### **Tell us about your plans for the future. What are your objectives over the next 3-5 years and how will you use your people to achieve them?**

This is about tomorrow.

We want to see a clear plan for the future and how your people will be the driving force behind that plan.

**Anything you'd like to show us?**

You won't score any bonus points (sorry!) but feel free to add in some extra pieces of content here that will help to show us your story.

It could be a video or pictures. Literally anything that you think will help us to really understand what you've told us in the previous questions.

Limit: 3 pieces of content

**Criteria:**

If we've contacted you, it means your eligible and in with a chance of winning!

There is no charge to submit your statement for this category.



From: [Suzie.Duffy@gov.scot](mailto:Suzie.Duffy@gov.scot) <[Suzie.Duffy@gov.scot](mailto:Suzie.Duffy@gov.scot)> On Behalf Of [housing.legislation@gov.scot](mailto:housing.legislation@gov.scot)  
Sent: Thursday, June 1, 2023 2:55 PM  
Cc: [housing.legislation@gov.scot](mailto:housing.legislation@gov.scot)  
Subject: Cost of Living (Tenant Protection) (Scotland) Act 2022 - Proposals beyond 30 September 2023

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

The Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights has this afternoon set out the Scottish Government's [proposals](#) for the Cost of Living (Tenant Protection) (Scotland) Act 2022 beyond 30 September.

Subject to the approval of Parliament, changes to the Cost of Living (Tenant Protection) (Scotland) Act will mean that from 1 October 2023:

- Most in-tenancy private rent increases would continue to be capped at 3%;
- Alternatively, private landlords could apply for increases of up to 6% to help cover certain increases in costs in a specified time period where these costs can be evidenced;
- Enforcement of evictions would continue to be paused for six months for most tenants, except in a number of specified circumstances; and
- Increased damages for unlawful evictions of up to 36 months' worth of rent would continue to be applicable.

[Regulations](#) have been laid before Parliament today in relation to the proposed extension, as well as a [Statement of Reasons](#) setting out the evidence why the Scottish Government believes it is necessary and proportionate to extend the measures beyond 30 September 2023.

Better Homes Division | Scottish Government



11 March 2023

For the attention of Martin Wilkie-McFarlane  
Wellhouse Housing Association Ltd  
The Hub  
49 Wellhouse Crescent  
Glasgow  
G33 4LA

Dear Martin

**A new insurance option for your Tenants**

It is estimated that of the 22.6m households in the UK, 26% or six million have no home contents insurance and it is certain that this percentage increases when looking at households living in social housing.

To try and encourage the take up of home contents insurance we have launched Core Home Insurance in a joint venture with Salvation Army General Insurance Corporation (SAGIC).

**The policy automatically provides the following for only £4.00 per month irrespective of post code and no policy excesses so valid claims are paid in full.**

- Up to £30,000 of contents cover on a new for old basis
- Alternative accommodation up to a maximum of £10,000
- Occupiers' and personal liability costs up to £2,000,000
- Ability to appoint an *Advocate* who can be a family member, friend or neighbour and will be able to discuss the cover provided or handle a claim.

This innovative product has been warmly welcomed by MPs, organisations such as Fair By Design and British Insurance Brokers Association as well as individuals who are fighting against financial inequality.

Below is a quote from Johnny Timpson OBE, FRSA

*'As a member of both the Prime Minister's Champion Group for Dementia Communities and Financial Inclusion Commission plus the former Cabinet Office Disability and Access Ambassador for the Insurance Industry, I applaud the development of Core Home and the opportunity it offers vulnerable consumers to access including, simple and affordable cover - these issues and needs highlighted by Fair By Design Poverty Premium, and FCA Financial Lives research.'*

*Additionally, Core Home features that stand out are the insurers inclusive risk and underwriting appetite it's simplicity with lack of warranty requirements, its pay as you go basis, plus and importantly, the insurers willingness to recognise and work with an advocate representing the policyholder.'*

continued overleaf

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Authorised and regulated by the Financial Conduct Authority

We can only reach our target audience with your help but it is worth noting that as owners/managers of the properties it is also beneficial to you that your tenants do have insurance as not only does the policy provide cover for up to £2,000,000 of cover for Occupiers' liability, it also includes Tenants' liability for damage to buildings up to a maximum of £10,000.

By way of further background, I have enclosed a copy of the press release issued a few weeks ago and you can find full details of the policy terms and conditions on our website [www.corehomeinsurance.co.uk](http://www.corehomeinsurance.co.uk).

We would really appreciate the opportunity to work with you in promoting this product to your Tenants and whilst the application process is designed for individuals to retain their independence and purchase their own policy, if you feel that for your Tenants the cover should be automatically provided for all of them then we can look at arranging this option.

We do hope that this initiative will be of interest to you and look forward to hearing from you shortly.

Kind regards



**Neil Bresler**  
**Managing Director**  
**ECH Facilities Ltd**

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**16 January 2023.**

**New home contents cover aims to close the insurance premium poverty gap:  
Policy targets six million homes with no contents cover for £4 per month**

*"Our partnership with ECH is a salutary reminder that the insurance industry still has the imagination, energy and focus to be a force for social good, and we are thrilled to be playing our part in protecting those that need our help most."* Gordon Dewar, CEO SAGIC

A home insurance policy has been launched to remove the 'premium poverty', which puts the cost of insurance beyond the reach of some of the nation.

The policy (SAGIC Core Home), which was developed by specialist broker ECH Facilities Ltd and is underwritten by SAGIC (Salvation Army General Insurance Corporation Ltd), provides £30K of contents cover and £10K alternative accommodation cover for just £4 per month.

Neil Bresler, the veteran broker who designed the policy, says it will enable people with less disposable income to afford to protect some of their contents for the first time, and help close the premium poverty gap.

He explained: "The sad truth is that those who need insurance the most are the least likely to be able to obtain it, either because they can't afford the premium, or because they live in postcodes deemed high risk by traditional insurers, or because they're subject to punitive exclusions. These conditions have locked millions of people out of protection, and our industry has done little to move the needle, until now."

Neil explained that SAGIC Core Home provides stripped down cover for home contents. "We've removed high risk elements like jewellery, valuables and accidental damage as well as fringe benefits, which are the prime factors behind the high cost of cover, but made sure customers are protected against major perils such as fire or burst pipes. This enables us to reduce the premium to £4 each month, which is less than 15 pence per day."

"A policyholder can stop paying at any time at no charge and our terms are 100% transparent. The Government takes 43p per policy in insurance premium tax (IPT), we receive £3.00 in the first month, and then £1 per month thereafter.

"This product is positioned for those that require essential cover only; we don't cover students (they are served by other specialist insurers), and we don't have the ability to cover

for flood risk in all post codes. We estimate that of 22.6 m households in the UK, 26% or six million have no home contents insurance, and they are the market we are seeking to help.”

Neil said that, according to a recent report (i) around 14 million people are in poverty in the UK, including 4.6 million children and 1.3 million adults of pensionable age. In April 2021, there were 6 million people receiving Universal Credit, a 98% increase since March 2020.

The same report cited research from Bristol University (ii) which found that, on average, low income households across the UK pay an additional £490 per year for essential services, such as insurance. And the Bristol research found that people who live in a high-risk area paid nearly £300 per year more on average, if they had insurance, than those who lived in a lower-risk area.

Neil said: “There have been some industry voices such as BIBA (British Insurance Brokers’ Association), calling for more help for vulnerable groups, but in the main, our industry has closed itself off from tackling this issue. At ECH we are finally starting a long journey to redress the balance.”

“What we really need now are distribution partners, and we’re talking to affiliates such as social housing agencies, sheltered accommodation providers, debt management agencies and others to secure distribution.”

“In order to make this product work, we need partners who can get the product to those six million people that need our help.”

Commenting on Core Home, Gordon Dewar, SAGIC’s chief executive said: “When Neil and his team approached SAGIC we were pleased to be able to provide the underwriting support, as this initiative closely fits our values. It is a tragedy that, thanks to the operation of the market, certain demographics often pay more for their insurance than others.”

He added: “Insurance has noble roots, underpinned by the principle that the many protect the few, but increasing personalisation and changes to risk profiling have threatened this principle.”

“Moreover, while most insurers began life as mutuals with strong links to the communities they served, the march of progress has changed the industry out of all recognition.”

“Our partnership with ECH is a salutary reminder that the insurance industry still has the imagination, energy and focus to be a force for social good, and we are thrilled to be playing our part in protecting those that need our help most.”

- (i) <https://fairbydesign.com/wp-content/uploads/2021/09/IFoA Hidden Risks of Being Poor Aug 21 v09.pdf>
- (ii) <https://fairbydesign.com/poverty-premium-research-turn2us/>

### About ECH Facilities

We specialise in designing innovative simple home insurance solutions in conjunction with reputable insurance companies. ECH Facilities Ltd. is authorised and regulated by the Financial Conduct Authority.

We are an Insurance Intermediary, and our permitted business is arranging, advising, dealing as agent, making arrangements, and assisting in the administration and performance of general insurance contracts and pure protection contracts.

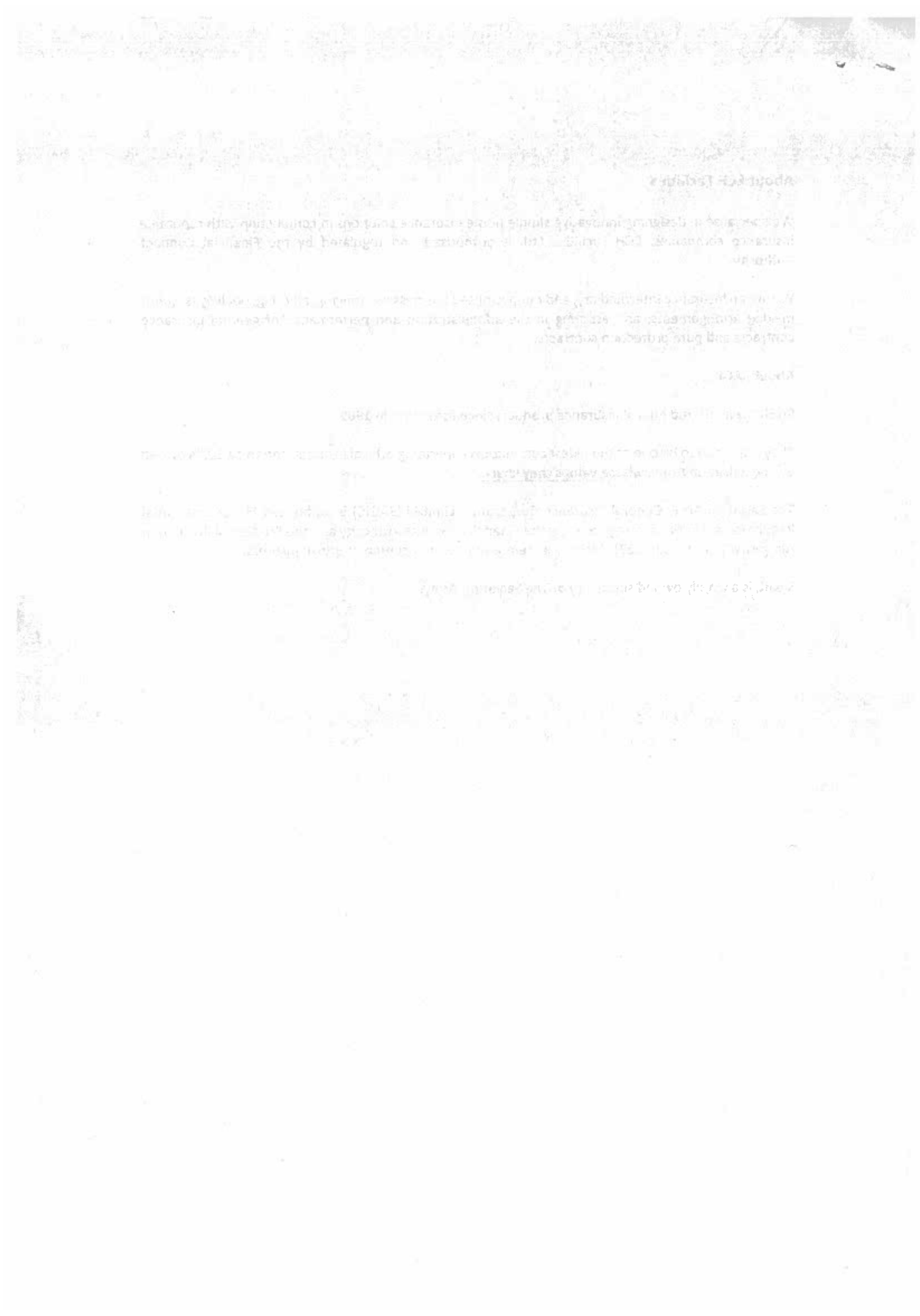
### About SAGIC

SAGIC have offered ethical insurance products since formation in 1909.

They are proud to be one of the oldest continuously operating ethical Insurers, and to be 100% owned by The Salvation Army, whose values they share.

The Salvation Army General Insurance Corporation Limited (SAGIC) is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority (Reg. No: 202327). SAGIC is a member of the Association of British Insurers.

SAGIC is a wholly owned subsidiary of The Salvation Army.







## **Wellhouse Housing Association Committee Update – June 2023**

### **Community Café**

The Community Café is building nicely, with a steady customer base of between 20-25 individuals per day, many of which are repeat customers. This is positive in terms of building relationships and by way of engagement, informing and identifying possible new activities.

An example of this being that 7 of our regular customers found out about the children's clubs on offer and their children now attend all four of our weekly children's activity sessions.

We have been successful in securing support to employ a staff member within the café, firstly the individual was recruited via GCVS Long Term Unemployment Fund for 6 months. In April we were able to retain the staff member and offer a one-year contract and will endeavour to sustain this beyond that period.

We have invested in training for the individual and they have successfully completed an SVQ Level 2 in Health and Social Care (SCQF Level 6) REHIS Food Hygiene Certification, REHIS Moving and Assisting Training, Mental Health First Aid and Emergency First Aid training.

Most importantly the individual is local, has children at Aultmore Park Primary and has been a big part of building the customer base, being popular and knowing individuals and families goes a long way in creating a healthy social Hub.

### **Children's Services**

We are currently providing 4 sessions per week:

Skoolz Out – Monday, Wednesday, Friday 3.30pm – 5.30pm (including a FREE meal for all attendees)

Tuesday Night Youth Club – 6pm to 9pm

The services are building nicely, we update weekly on our dedicated The Hub Facebook Page, lots of happy smiley faces and showcasing the varied activities we provide at each session. Our Skoolz Out service is averaging 15-20 children at each session, which is encouraging numbers. Our Tuesday Youth Night has similar numbers of children.

Overall, we have 47 children who have registered.

We have established positive links with both Aultmore Park Primary and Our Lady of Peace Primary schools who have agreed to share our leaflets with all children and parents.

Furthermore, we expect to see a rise in numbers over the Summer Holidays. We will be continuing to operate services throughout the Summer. We aim to monitor over the first couple of weeks





attendance at the afternoon sessions and if uptake is low, we will put on another evening for duration of Summer ensuring the 6 hours activity is still provided.

Reason for this being that we have offered spaces to all regular attendees of The Hub Clubs as part of our Summer Holiday Programme, this will operate 10am to 3pm Monday to Friday from 26<sup>th</sup> June to 11<sup>th</sup> August (7 weeks). From experience, we find that children are tired after a full day activity and need a break before engaging in an activity later in the day/evening.

### **Other Activities**

#### **Bingo**

The Wednesday night bingo continues, for a good while attendance was an average 21 per week however over the past 6-8 weeks this has increased to between 26 and 30 per week.

We also gave permission for the group to have a wee get together on Saturday 10<sup>th</sup> June between 6pm and 9pm. We did stress that we have a no alcohol policy, if the intention was to have alcohol, we would need to apply for a temporary licence which takes around 6-8 weeks. The group were happy and understanding to proceed on this basis. The evening was a real success, views are that this could be something we look at on a quarterly basis.

#### **Aultmore Parents Group**

We have been working in partnership with Aultmore Park Primary School and Barnardo's worker based in the school. This was working with a group of 10-14 parents to build confidence and skills. We had brought in Clare Bennett who delivers Reiki, Meditation and Reflexology for a 12 week period. We are looking to continue this next term with a new group of parents/carers.

#### **Rags to Riches Project**

This project was offered in partnership with Lintel Trust and Govanhill Baths and involved 3 sessions on Upcycling clothing garments and giving them a new life as a pillowcase or over shoulder bags. We had a total of 31 individuals attend over the 3 sessions. We are hopeful this is something we can continue was the clothing banks are installed, a date for which we are still awaiting, Sandra at Lintel Trust will be in touch in due course.

#### **Moving Forward**

Over the past short while we have been building real positive relationships with Aultmore Park Primary school, through pupil engagement and working with the Barnardo's officer, we have set aside time throughout the school holidays to look at possible new partnerships for next term and building on the past 6 months successes. We have had pupils around to The Hub as reward days from the school and we are looking at making this a regular feature next term.

We have had initial discussions with Glasgow Virtual School at the possibility of providing a one day per week service from The Hub aimed at Care Experienced Young People that are disengaged from education. This would involve a teacher being based in the upstairs room. On a separate note, we are also looking at a second initiative for either a 6- or 8-week period where we would deliver Coding workshops for pupils with ASD or other neuro-diverse conditions. Initial talks have been positive, and we are very hopeful that in the new term we will have these new initiatives and partnerships kicking off.



Lastly, we should be having our own Wi-Fi connection installed within the café and upstairs room within the next month. This will mean we can add Digital Technology activities to our current Youth Clubs and offer support for others in the community.

We are still talking with Glasgow Kelvin College re provision of computers or IT support/suite, this has been ongoing for around 7 months, we will keep you updated on progress.

Thank you again for your understanding and the opportunity to serve the community of Wellhouse.

Best wishes,

Andy