

## Wiltshire Council's Housing Board

### Terms of Reference (2024)

#### Objectives and Purposes

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- 1) ~~The objective of the~~ Wiltshire Council's Housing Board (the Board) shapes, influences and determines the strategic context and environment for the Housing Revenue Account (HRA). It is responsible for the overall direction and strategy, the protection and promotion of the interests of HRA residents (tenants and leaseholders) and their families which it serves, and the communities in which it operates, whilst also safeguarding HRA monies, controlling risk and taking all reasonable steps to build and maintain trust in Wiltshire Council as a registered provider, with its residents (tenants and leaseholders), its officers, its partners (for example, contractors), the Regulator of Social Housing (RSH) and with the Housing Ombudsman Service (HOS). ~~to assist Wiltshire Council (the Council) in ensuring delivery of an efficient and effective housing management service for the benefit of all tenants and leaseholders within the framework of the Housing Revenue Account (HRA) Business Plan.~~
- 2) The Board's purposes are to:-
  - a) Shape and influence ~~Review and monitor~~ the strategic direction of Housing Management and make recommendations and provide comments, where necessary and ensure the provision of efficient and effective services for residents (tenants and leaseholders).
  - b) Review, shape, influence, and make recommendations agree, drive and monitor and provide comments to all annual plans, and budgets, social purpose, mission and values, and their associated performance outcome expectations, through embedding resident focus, integrity, transparency, openness and accountability in the HRA. Ensure that these are ambitious.
  - c) Monitor the financial performance of Housing Management and the ~~Housing Revenue Account~~HRA and strive-ensure to continually improve financial performance. Ensure that the HRA is financially viable and sustainable at all times, and determine, drive and deliver exercises to ensure demonstrable oversight of the HRA is realised.
  - d) In conjunction with the Heads of Service and Director, review, monitor, set and amend annualy performance targets for Housing Management (including services provided by contractors). Where required, instigate and implement corrective actions to bring performance to the Board's required standard. Ensure that performance targets are constructed to complement

the HRA Business Plan, are SMART (specific, measurable, achievable, realistic, and timebound) and enable Housing Management to fulfil its social purpose. Ensure these are ambitious.

- e) To ~~shape and influence~~ ~~be consulted on all~~ ~~relevant~~ housing policies, plans and strategies (and similar documents) relating to the ~~Housing Revenue Account~~HRA, and ~~Housing Management~~landlord services and functions where HRA monies are spent and/or services are provided for the use of former, current or future customers of the HRA. Monitor these areas and ensure outcomes are acceptable to the Board.
- f) Monitor and report on Housing Management's compliance with ~~current~~ policies the expectations of the Regulator of Social Housing (RSH), including but not limited to scrutiny against the latest Consumer Standards.
- f)g) Monitor and report on Housing Management's compliance with the expectations of the Housing Ombudsman Service (HOS), including but not limited to scrutiny against the latest Complaint Handling Code.
- g)h) Monitor and report on Housing Management's compliance with all statutory requirements' together with all other requirements imposed by Wiltshire Council.
- h)i) Identify, monitor and assist in minimising risk to Housing Management and the HRA, ~~obtain assurance that controls are effective, that compliance obligations are met, that service delivery remains protected, and the Housing Revenue Account~~ and that all actions are in compliance with Wiltshire Council's corporate framework. Assurance mapping may form a part of this area of work.
- i) Monitor and assist in ensuring that the housing stock is utilised effectively through a robust Asset Management Strategy or Plan, that resident engagement opportunities are present, and that the housing stock is maintained to an appropriate standard.
- k) Engage in activities that the Board deems to be appropriate in order that the Board can satisfy itself that:
- It is adding value, including but not limited to constructively holding officers to account.
  - Ensuring its membership is skilled in the required areas and is regularly reviewed, both collectively and individually.
  - The best interest of residents and their families remains at the heart of the Board.

- Diverse methods exist for residents and their families to be involved in decision making and scrutiny of Housing Management services.
- Greater representation of resident experiences is embraced at a strategic level and used to inform the Board's decision making, including but not limited to, bridging the gap between policy and resident experiences that may, if present, indicate potential systemic issues rather than exceptions to the rule, and thus prevent them becoming the norm.

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- 3) The Board will have access to all relevant information required to enable it to effectively fulfil its objectives and carry out these purposes.

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## Role of the Chair

- 4) The role of the Chair of the Board (Cabinet Member or delegated by the Cabinet Member to the designated Portfolio Holder) is to provide information and feedback from the Board, into the Cabinet and Environment Select Committee as resolved by the Board and to provide relevant information and feedback from Cabinet to the Board.
- 5) In respect of a private section of a Housing Board meeting which is not open to members of the public, the Chair shall determine if there will be any invited attendees for the private section.
- ~~6) The Chair shall introduce, if appropriate, sub-committees which may focus on development, performance, etc.~~

## Sub-Committees

~~7)6)~~ Wiltshire Council's Housing Board has 3 sub-committees:

- ~~• Finance and Policy (alternatively the 'Pounds' sub-committee)~~
- ~~• Development and Investment (alternatively the 'Place' sub-committee)~~
- ~~• Performance and Risk (alternatively the 'People' sub-committee)~~ Development and Investment ('Place') Sub-Committee
- Finance and Policy ('Pounds') Sub-Committee
- Performance and Risk ('People') Sub-Committee

~~8)7)~~ Areas of responsibility for each sub-committee will be set out in the Terms of Reference for that sub-committee.

~~9)8)~~ The number of members (and attendees) for each sub-committee to be quorate will be set out in the Terms of Reference for that sub-committee.

~~40)9)~~ Frequency of sub-committee meetings shall be determined by the sub-committee.

~~41)10)~~ Each sub-committee shall report on a regular basis to Wiltshire Council's Housing Board.

~~42)11)~~ All Wiltshire Council's Housing Board members will have the right to attend a sub-committee, irrespective of whether they are a member of that sub-committee or not.

~~43)12)~~ Each member of Wiltshire Council's Housing Board is mandated to serve on 1 sub-committee.

~~44)13)~~ Sub-committees will have a mixture of Housing Board member types (~~Councillor~~councillor, ~~Independent~~independent and ~~Resident~~ HRA tenant).

~~45)14)~~ Sub-committees will have a Chairman but the sub-committee Chairman need not be a ~~Councillor~~councillor.

## Challenge and Change Group

~~46)15)~~ The Challenge and Change Group acts as a critical friend to assess performance of Housing Management~~Landlord Services~~ and reports ~~initially to the appropriate sub-committee of Wiltshire Council's Housing Board, or if the service deems it appropriate it shall at that time report directly to the Housing Board,~~ and where dissatisfied with the response of the service, it can raise its concerns to Wiltshire Council's Housing Board. Its scrutiny role helps the service meet the Regulatory expectations of the RSH as outlined in the relevant Consumer Standard.

~~47)16)~~ Housing Management has an opportunity to provide a Management response~~Response~~ to the Challenge and Change Group reports. With a further Management Response being provided to the Housing Board, two Board meetings later after the initial presentation. For the avoidance of doubt, if a scrutiny report and Management Response were provided to a January meeting, then the further update would be timetabled for May.

~~48)17)~~ If the Challenge and Change Group is dissatisfied and raises the matter with the Chair of the Housing Board, then the Board shall consider the Challenge and Change Groups' views and accept or reject recommendations and recommend whether the findings should be implemented and can if it wishes provide any additional comment it considers relevant.

## Membership

~~49)18)~~ Membership – there shall be a total of 9 members (3 councillors; 3 HRA tenants; 3 independents (which may include a leaseholder)).

19) Appointment – members are appointed to the Board by the Council ~~(except for the Cabinet Member or Portfolio Holder, as 1 will automatically be a member of the Board)~~. At least 1 of the councillor members must be from a non-ruling group.

20) Service (Councillor Members)- ~~and~~ service is linked to the local Government electoral cycle (that is, appointments terminate at the point of a local Government election being held for Wiltshire Council). ~~At least 1 of the councillor members must be from a non-ruling group.~~

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21) Service (Independent Members and HRA Tenant Members) - Each appointment to the Board ~~(excluding the Cabinet Member, Portfolio Holder)~~ shall serve for not more than 2 terms of office (each term of office being for not more than 4 years) and each will need to be reappointed to the Board by the Chair ~~Council~~ after their first term ~~(and after 4 years)~~ and this process will include an interview ~~be by way of a review of that members Performance Reviews, and may include the collective reviews also, as well as general conduct.~~ ~~Should there be no alternative applicants prepared to stand to fill a vacancy then this term can be extended with the approval of the Council.~~

22) The Cabinet Member or Portfolio Holder's appointment is for the term that they hold their office with Wiltshire Council or until such time as the Cabinet Member amends their decision.

22)23) Succession Planning (staggering) – the Council may take whatever steps it deems necessary, including but not limited to, contradicting any part of the Terms of Reference and/or Code of Conduct requirements and/or term of office, to facilitate greater staggering of Board members terms to promote Board continuity, and so that succession plans can be fully implemented.

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23)24) Recruitment – where a vacancy on the Board exists, applicants are required to: complete an application form; complete an equality and diversity monitoring form; attend an interview. ~~The application form does not need to be completed by a Board member seeking reappointment.~~

24)25) Removal – at the discretion of the Chair and Director Housing Management, a member can be removed from the Board if they fail ~~throughout a period 1 year from the date of his or her last attendance~~ to attend any 2-3 formally convened main meetings of the Board (not sub-committees) in a period of 12 months, unless the failure was due to some reason approved by either the Chair or the Director ~~before the expiry of that period to attend 2 consecutive meetings~~ or no longer meet the criteria for membership.

## Main Meetings

October-April 2021-2024  
Review: October 2023-April 2026

~~25)~~26) Quorum – the quorum for any ~~Main meeting~~ Meeting shall be 5 members including the Chair. – The Chair (or his/her nominated representative) will preside at meetings.

27) Frequency and duration – the Board meets for its Main Meetings on a bi-monthly basis (ordinarily in: January; March; May; July; September; November). – Additional meetings and/or sessions (which may include working groups on particular projects) may be held for all or some members. – Main Meetings (and thus not for sub-committee meetings) are for up to 3 hours and in-person meetings in each financial year will be those scheduled for May, November and January; and the meetings held as online meetings in each financial year will be those scheduled for July, September and March.

28) Strategic Planning and Development Away-day sessions (informal workshops) – the away-day sessions (informal workshops) which are to be in-person meetings in each financial year will be scheduled for the preceding afternoons on the day of the main Housing Board meetings scheduled for May and November.

~~26)~~ —

~~27)~~29) Meetings have an open section which can be attended by members of the public; meetings also have a private section which is not open to members of the public but the Chair has, as above, the option of inviting attendees.

~~28)~~30) Every question to be determined at a meeting of the ~~Board~~ Committee shall be determined by a majority of votes of members present at that meeting. – When there is an equal division of votes, the Chair of the meeting shall have a second or casting vote.

~~29)~~31) Annual General Meeting – the Annual General Meeting of the Board will be at the November meeting.

32) Annual Report to be completed for Cabinet – an annual report will be provided to Cabinet.

## Performance Reviews and Board Development Plan

33) The Board Chair is responsible, with officer support, for carrying out individual Board member performance reviews on a six-monthly basis.

34) The Board Chair is responsible, with officer support, for carrying out a collective Board performance review on a six-monthly basis.

35) The Board Chair, with officer support, will ensure a Board Development Plan is produced using the outcomes of the Chair's individual and collective performance reviews.

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~~October-April 2021~~2024  
Review: ~~October~~  
2023 ~~April~~ 2026

## General

~~34)~~36) Attendance at Meetings – the following Council ~~Officers~~officers would be entitled to attend meetings of the Board:

- Director – ~~Housing and Commercial Development~~Assets
- ~~Head of Housing Operations and People~~
- Head of Strategic Assets and Facilities Management
- Head of Estate and Development
- Other officers, contractors, volunteers or invited guests, as required.

~~32)~~37) Officer Support – ~~Officer~~officer support for the Board will be provided by the HRA Governance and Scrutiny Officer.

~~33)~~38) Dissolution – the Cabinet has the authority to dissolve the Board.

39) Conduct – all members when acting in their role are bound by the documents currently cited as:

- 'Wiltshire Council Constitution Part 12A Wiltshire Council Code of Conduct for Members' (October 2023)
- 'Wiltshire Council Constitution Part 12B Wiltshire Council Code of Conduct Guidance for Members' (October 2023) ~~must take into consideration the Ministry of Housing, Communities and Local Government draft Code of Conduct which has been adopted for the purposes of these terms of reference; a copy of which is annexed as Schedule 1.~~

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~~34)~~40) Alleged Conduct Breach – ~~alleged breaches can be reported, and will be addressed, in accordance with Wiltshire Council's Code of Conduct document cited above.~~

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~~35)~~41) Remuneration – the Chair is paid £8,000 per annum (pro rata). ~~Other members are paid £3,175 per annum (pro rata). Payment can be declined. Tax and National Insurance are deducted at source. Payments are made on a monthly basis. The level of remuneration will be reviewed at the start of each new Council by the Director – Housing and Commercial Development Assets in consultation with the Cabinet Member for Finance and can be increased, decreased or withdrawn. Any review will be based on use of comparison of remuneration levels in similar sized Registered Providers within or adjacent to the Wiltshire Council area, as reasonably interpreted.~~

~~12 October 2024~~ 16 April 2024

~~October-April 2024~~  
Review: ~~October 2023~~  
April 2026

~~October-April 2024~~  
**Review: October**  
~~2023~~**April 2026**



## Schedule 1

### Code of Conduct

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#### ~~Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity~~

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~~You are a member or co-opted member of the [name] council and hence you shall have regard to the following principles — selflessness, integrity, objectivity, accountability, openness, honesty and leadership.~~

~~Accordingly, when acting in your capacity as a member or co-opted member —~~

~~You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.~~

~~You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.~~

~~When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.~~

~~You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.~~

~~You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.~~

~~You must declare any private interests, both pecuniary and non-pecuniary, including your membership of any Trade Union, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.~~

~~You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.~~

~~You must promote and support high standards of conduct when serving in your public post, in particular, as characterised by the above requirements, by leadership and example.~~

## Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.<sup>1</sup>

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.