Governance and Housing Management Toolkit
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**Frequently Asked Questions**

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Foreword

Good Governance has rightly assumed greater prominence in recent years, especially within the social housing sector, where new mixed funding arrangements have resulted in a changed and more complex environment in the new supply of housing by housing associations (approved housing bodies). Together with Government commitments for targeted housing regulation for housing associations and in response to ICSH members requests, the ICSH has produced this updated toolkit on good governance and housing management to assist housing associations to fulfil their requirements as successful well run organisations.

It is important that board members of housing associations fully understand their responsibilities to ensure that they adopt the highest standards of governance within their housing association. Boards provide the leadership and ultimate accountability for how their association operates and demonstrating good governance should not be viewed as a purely desk top exercise. In addition, housing associations demonstrating sound ethics to achieve good governance within their organisation will also foster confidence with all stakeholders they engage with, including those in the public and private sectors, regulators, tenants, and the general public.

This updated ICSH Toolkit (2016) follows on the previous ICSH Guide-Working For Good Governance in 2008 and consolidates existing web resources. It outlines requirements and considerations for associations, particularly in light of the introduction by Government of a Voluntary Regulation Code (VRC) in 2013, and housing association tenancies scheduled to come under the forthcoming amended Residential Tenancies legislation. This Toolkit provides direction and guidance on policies and practices that are required to ensure compliance and achieve good governance.

If any organisation requires any assistance with the development and implementation of actions outlined within this Toolkit, they should contact the ICSH Office for advice and guidance. The ICSH would like to thank Kevin Ryan in the drafting of the Toolkit, and Caren Gallagher with contributions. We hope this and other online ICSH assistance through the ICSH Website (www.icsh.ie) will provide a suitable range of options for associations to draw on in ensuring good governance and housing management for their own organisation.

Dr. Donal McManus
Chief Executive Officer
Irish Council for Social Housing (ICSH)
About the ICSH

The Irish Council for Social Housing (ICSH) was established in 1982 by housing and homeless organisations in Ireland to act as a national representative, promotional, information, and advisory federation.

The ICSH seeks to encourage and assist the development of a range of social housing services which complements the role of local authorities and meets the different and changing needs of various groups of the population such as the elderly, formerly homeless persons, people with disabilities or families on low incomes. It also works to support the development of other housing tenures to create sustainable communities.

The main objectives of the ICSH are:

- Promotion of not-for-profit housing for the relief of housing need and homelessness.
- Acting as a representative body for affiliated members.
- Facilitating the exchange of information amongst members in relation to planning, provision and management of social housing.
- Provision of information, advice, guidance, education, training and research.

As a representative organisation we work with statutory, private and other voluntary organisations to identify and streamline mechanisms to promote social housing in relieving housing need in Ireland through policy development and analysis.

We are committed to assisting our members in the provision of social housing and housing-related services through the range of services we provide. These services include education and training programmes, a group insurance scheme for housing associations, a legal registration service to assist newly formed associations and an advisory service on all aspects of social housing development and management.

The ICSH, in all its activities, seeks to support and promote high standards in housing management, delivery and governance of associations, following its high level strategic objectives as set out below:

- Increased supply of high quality homes and services to tenants
- Delivering high levels of accountability, governance and partnerships
- Supporting the development of sustainable housing associations
- Promoting strong representation of the not-for-profit Sector
- Operating an efficient and responsive housing federation.
Introduction and Context

Housing associations deliver vital housing services and supports within communities across the country. They have evolved over many years and, although diverse, are united by the same social mission which, in different ways, aim to provide safe, secure and affordable housing to people who need it.

Currently, housing associations are responsible for providing and managing up to 30,000 homes to a wide range of groups such as people with disabilities, older people, low income families and formerly homeless persons. Organisations in the sector also vary greatly in size, ranging from Tier One Associations who are locally based and manage a small number of homes, Tier 2 organisations who may be county based and manage 50-300 homes, to Tier Three Associations who are responsible for over three hundred and up to 5,000 homes and have a wide geographical spread of housing services.

The Government’s Social Housing Strategy (SHS), which was published in November 2014, sets out the vision for delivery of social housing until 2020 and notes an enhanced role for the non-profit housing sector. This puts an increased focus and responsibility on the sector to meet future housing demand, and ensures that housing association’s will continue to work in partnership with local authorities and other stakeholders to increase housing supply.

The strategy also commits to advancing work on the regulation of approved housing bodies and after quarter two 2016 a statutory based Regulator for the sector will be established.

The ICSH expect that this guidance will evolve over time as housing associations use this information and respond to the implementation of the Voluntary Regulation Code, the Residential Tenancies Act, and the Charities Act.

Legal form of housing associations

The legal form of housing associations who have received approved status from the Department of Environment, Community and Local Government must be either:

- Limited companies formed by guarantee of their members and not having a shareholding.
- Societies registered under the Industrial and Provident Societies Acts.
- Trusts incorporated under the Charities Acts.

They must also:

- Have received Approved Status from the Minister of the Environment, Community and Local Government under Section 6 of the Housing (Miscellaneous Provisions) Act 1992.
- Have as primary objects the relief of housing needs, or poverty or hardship or the welfare of Travellers, and the provision and management of housing.
- Have in its Memorandum of Association or registered rules provisions prohibiting the distribution of any surplus, profit bonus or dividend to members and requiring that the assets of the body be applied solely towards its objects.

Purpose of the Toolkit

This toolkit has been developed as a resource for housing associations and provides a range of information, checklists, questions and templates linked to the key governance objectives outlined in the Voluntary Regulation Code.

It builds on and updates the ICSH publication Working for Good Governance (2008) and consolidates the range of available resources to members through the Members section of the ICSH website.

The policies and templates within the toolkit are general in nature and are a starting point for boards that wish to develop their own policies in each area. As all boards and housing associations are different, the ICSH strongly recommend all associations review and amend the templates to reflect their own organisation’s activities. It is recommended that where new policies or procedures are being adopted, they are put forward for collective discussion at Board meetings. The ICSH would also recommend that a date is set for their review.

The Regulation Office approach to regulation of the sector is based on three objectives: governance, financial viability and performance management and undertakes regulatory assessments with these in mind. This Toolkit specifically deals with each requirement of the Voluntary Regulation Code, but members should note the Regulator will assess each AHB and the Annual Regulatory Return it makes, as a whole, seeking assurances of oversight and responsibility proportionate to size and tier level.

1 Generally the terms “housing association”, “non-profit housing”, “not for profit housing”, “voluntary housing” and “approved housing body (AHB’s)” are used interchangeably when referring to the sector.
Governance and Approved Housing Bodies

It was acknowledged in the Grant Thornton Report\(^2\) [2009], which undertook a strategic review of the capital funding schemes and completed a profile of housing associations in 2009, that governance standards were generally good in the sector.

Further progress towards greater governance has continued through *Building for the Future: A Voluntary Regulation Code for Approved Housing Bodies in Ireland (VRC)* which is intended to promote confidence and facilitate growth in the sector. The Code forms the basis of what is expected in terms of governance and financial management for associations today.

Board members are collectively responsible for ensuring the housing association is well-governed and should be fully aware of the requirements of the VRC as well as any actions undertaken to demonstrate good governance. To maximise its usefulness this toolkit and the VRC should be read in conjunction with other publications on governance including:

- Working for Good Governance [ICSH, 2008]; and

*Building for the Future: A Voluntary Regulation Code for Approved Housing Bodies in Ireland*

*Building for the Future: A Voluntary Regulation Code for Approved Housing Bodies in Ireland* was launched in July 2013 by former Minister for Housing and Planning Jan O’Sullivan T.D. and is a precursor to a statutory regulatory framework for the non-profit housing sector in Ireland.

The VRC, developed by the Department of the Environment, Community and Local Government (DECLG), sets out guiding principles that all AHBs should adhere to, relating to governance structures, financial management and tenant services. It is designed to make housing association’s transparent and accountable with stakeholders such as tenants, government departments and financial institutions.

Approved Housing Bodies (AHBs) are being asked to comply with the VRC by signing the Charter of Commitments (“the charter”). Signing the charter means that AHB’s are demonstrating their commitment to the VRC, regulation and oversight, on a voluntary basis in advance of a statutory regulatory framework. While the VRC is voluntary, sign-up is required where a body is seeking to access development funding from the DECLG\(^3\), or where a new body forms and seeks approved status.

**Interim Regulatory Committee (iRC) - Regulation Unit**

**Social Housing Strategy Action:**

<table>
<thead>
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<th>Action 17</th>
<th>We will establish a statutory based Regulator of the Approved Housing Body sector</th>
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Although the initial consultation and rollout of voluntary regulation was managed largely by the Department of Environment, Community and Local Government (DECLG), an interim regulatory structure was established with independence from the Department.

To that end, in February 2014, the former Minister for housing announced the establishment of a non-statutory, ad hoc interim Regulatory Committee (iRC) for the Approved Housing Body (AHB) sector to oversee the implementation of the VRC and to advise on the development of statutory regulation. The iRC includes

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\(^2\) Strategic Review of the Capital Funding Schemes for Voluntary and Co-operative Housing; Grant Thornton [2009]

\(^3\) It has been stated (in the foreword to the Code and in Circular: Housing 5/2014) that funding under the Capital Assistance Scheme (CAS), Capital Advance Leasing Facility (CALF) and Social Housing Leasing will be dependent on sign up to the code.
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experts in regulation, housing, law and finance and has been constituted as an independent committee operating, for the time being, within the Housing Agency.

The following Terms of Reference guide the work of the iRC:

1. To oversee the assessment of participating AHBs in respect of their financial viability, governance, management and that they are otherwise in compliance with the Code;

2. To provide advice and recommendations on:
   - The content and requirements of the Code;
   - The monitoring of and the implementation of the Code;
   - The appropriate reporting structures for AHBs under the Code.

3. To provide guidance to participating AHBs, as appropriate, to assist in the attainment of compliance;

4. To bring significant non-compliance issues to the attention of the Minister;

5. To advise the Minister on the development of a statutory regulatory framework, having regard to other relevant regulatory regimes and to the experience gained from overseeing the implementation of the Code.

The Annual Regulatory Return
As part of the interim regulatory process, organisations who have signed up to the Code are required to complete an annual regulatory return, in which they provide information on governance, performance management, and financial and business management standards within their organisations.

Once the Regulation Office receives the completed Annual Regulatory Return, it is assessed against expectations and requirements set out in the Voluntary Regulation Code, having regard to the type of organisation, i.e. tier level one, two or three.

The first Annual Regulatory Return, to be completed by all associations who had signed up to the Code at that point, was issued in June 2014 and relates to the year 2013.

Contained in the Annual Regulatory Return are a range of questions and requests for information to facilitate the Regulation Office to validate the housing association against the governance objectives signed up to. The next section takes each of these objectives and provides guidance on how the housing association can meet these objectives.

The first regulatory assessments, based on these returns, were issued in April 2015 and have generally been positive about the operation and governance of associations in the sector. It is hoped that this Toolkit and other resources provided by the ICSH for members will help associations to continuously improve their governance structures and continue to provide high quality housing and associated services to tenants.
Section I: Roles and Responsibilities of the Governing Board

The Voluntary Regulation Code sets out a series of expectations for approved housing bodies under specific governance objectives, each of which is outlined below with key questions and signposts of good practice.

What does Governance mean?
There are numerous definitions of ‘governance’ or ‘corporate governance’ but most are underpinned by similar principles including accountability, authority and decision making.

Governance incorporates the systems and processes concerned with ensuring the overall direction, effectiveness, control, supervision and accountability of an organisation.

What is Good Governance?
- Transparent, rigorous and informed decision making;
- Ensuring the organisation fulfils the purpose for which it was established;
- Ensuring there are effective policies, procedures and controls for the organisation to run well;
- Ensuring the Management Board and senior staff work effectively together (where there are paid staff);
- Ensuring the housing association works with tenants, employees, members and other stakeholders towards a well run and accountable association that meets its objectives and continues to work towards its mission.

Governance Objective
Approved Housing Bodies will ensure that the organisation is well governed to support its aims and objectives. (Ref p-16 VRC)

The responsibility of ensuring an organisation is well governed lies ultimately with the Board of Directors. Board members are stewards of the interests of the company and have two fundamental duties:

- A duty of trust to exercise fiduciary duty
- A duty of care to exercise reasonable responsibility, diligence and skill.

In order to ensure a housing association is well governed to support its aims, the Board must demonstrate that it has the necessary documents, policies, procedures and management arrangements in place to oversee and control the housing association including its finances.

Approved Housing Bodies, as a condition for receiving approved status, must have in place a properly functioning governing board. (Ref p-16 VRC)

Housing associations, as a condition of their approved status, are required to have at least five directors each of whom shall be ordinarily resident within the jurisdiction of the state.

A board has many functions but all are underpinned by an overarching responsibility for effective governance of the housing association. Some core functions include:

- Determining, reviewing and maintaining the vision, purpose and values of the housing association;
- Approval of short and long term strategies;
- Satisfying itself regarding the integrity of financial and non-financial information provided;
- Monitoring framework for internal control;
- Risk oversight;
- Establishing a code of conduct;
- Reviewing the Board and organisation performance;
- Ensuring that the housing association’s affairs are conducted lawfully;
- Appointing and managing the CEO / Manager.

The board is directly responsible for the commissioning of housing projects and services, the ownership, management and maintenance of dwellings let, and compliance with all statutory regulations.

The size of a board is a factor that can influence its effectiveness. Regardless of the size of the housing association, directors need to consider whether the board is functioning properly and has the right balance of skills. As a general guide the board should have enough directors for active discussion (minimum of five), and should be large enough (preferably not more than 12) to provide the skills and experience necessary for the board to operate effectively, bearing in mind the mission of the organisation.

4 A duty for one party to act in the sole benefit of another.
The ICSH recommend at least seven board members.\(^5\)

Over time as circumstances change, particularly with a changing funding and regulatory environment, gaps in a board’s knowledge, skills and experience can become apparent. Appropriate changes can be made to the board of a housing association to bridge any skills gaps ideally as part of an established process of board assessment and renewal.

With the introduction of the VRC and the Charities Regulatory Authority, Boards are requested to submit returns such as through an Annual Regulatory Return on the structures and activities of the housing association. This includes names and addresses of individual board members and their original dates of appointment.

Housing associations should take the opportunity to go through the questions overleaf and take necessary action as required.

### Questions for consideration

1. Does the board have at least five members?
2. Are the Chairperson and Company Secretary ordinarily resident in the state?
3. Are all Board members actively involved with the housing association and demonstrating a good level of attendance and contribution to meetings?
4. Is the housing association registered with the Charities Regulatory Authority and does it complete an Annual Activity report?
5. Are the details of all board members up to date with all relevant bodies? This includes the Companies Registration Office, the Housing Regulation Office, the Charities Regulatory Authority and the Department of Environment, Community and Local Government.

These questions will help Board members to assess their governance standards

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5 For Companies limited by guarantee with no shareholding must have seven initial subscribers.

### Clarity of Role

The board should be clear about its role and function and ensure that the association operates to its own constitution and the law. Constitutions include those such as memorandum and articles for companies limited by guarantee, deed of trusts or rules for societies [Ref p16 VRC].

From the outset, individual board members should be clear on their responsibilities, time commitment and what is expected of them. For example, each board member (and for new members appointed) should have documented:

- How they were appointed or nominated and from what date\(^6\);
- Their role, responsibilities and duties as a director;
- The term length (i.e. taking into account the provision in the VRC for not serving more than two consecutive five year terms\(^7\));
- Any induction process (or briefing sessions for smaller housing associations).

This should be consistent with what is set out in the Memorandum and Articles of the housing association.

The role of the board is often described as setting the strategic direction of the housing association and the role of management / staff is its implementation. The involvement of the board, in particular smaller housing associations with no staff, may vary over time as the needs of the housing association change. For many, the activity involved in housing development and completion of projects would have required assistance from board members. Irrespective of at times volunteering to assist on the operational side, board members must retain the objective of their core role which is the overall governance of the housing association.

### Responsibilities of Board Members

Overall, board members should display commitment and motivation to the work of the housing association. They should be aware that:

- Any outside interests must be declared and recorded on a register of interests and any possible conflicts of interest\(^8\) must be disclosed whether requested to do so or not.

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6 The date of original appointment is required for the VRC Annual return.
7 This time will start from the date of the introduction of the Code i.e. 2013, and not the original date of appointment of the board member in question.
8 Housing Association’s should ensure that potential conflict of interests are minimised and where present are managed on the board, and this can include the presence of employees, tenants and elected members on the board, all of which may result in potential governance issues and influence board decision making.
Board members must understand the role of the board. The board has and must accept ultimate responsibility for directing the affairs of the housing association ensuring it is solvent, well-run and delivering the outcome for which it has been set up.

Board members should have read and understood the housing association’s Memorandum and Articles of Association and have learned its purpose and administrative procedures.

Board members must be available to attend board meetings regularly and be willing to furnish an explanation if unable to attend.

Board members should be committed to the housing association and its aims by giving the necessary time and effort to the housing association, being a collaborative team player, and actively contributing to board meetings.

Board members should have an ability to think strategically and plan creatively, ensuring that the board acts always in the best interests of the housing association.

Board members will not receive remuneration or have commercial gain from their position as non-executive director and that no profit can be made from their position.

Questions for consideration

1. Are board members familiar with the Memorandum and Articles of Association of the housing association?
2. Are board members aware of their legal responsibilities as directors?
3. Do new board members receive notification of their appointment that sets out their role and responsibilities?
4. Is there a process in place for briefing / induction for new board members in relation to the housing association, their role and responsibilities and how to manage conflicts of interest?
5. Has the board agreed what, if any, operational aspects board members may undertake and which are undertaken by employed staff if any?

Companies Act 2014

As of June 1st 2015, the Companies Act 2014 has commenced. This is the largest piece of legislation in the State and replaces all previous Companies Acts from 1963-2013.

There is a transition period of 18 months from the introduction of the legislation for companies to make necessary changes.

Although it may not be absolutely necessary for ICSH members to amend their memorandum and articles of association, a review and restatement of them would be prudent in light of the extensive changes to the law.

The ICSH therefore reviewed our existing standard M&A and produced a revised version which from now on will be referred to as a constitution, not a memorandum and articles of association. The changes are very minor, however this will be fully in line with the new legislation (this is available by emailing catherine@icsh.ie).

Members who wish to do so can adopt this revised constitution at a board meeting by having it signed by directors, witnessed and minuted at meetings. It should then be submitted it to the CRO. With the transitional period after the commencement of this legislation, you have until the end of December 2016 to do this if you wish.

Officer Roles

The chairperson and secretary shall be resident within the jurisdiction of the state and no employee shall act as the chairperson to the board (Ref p-17 VRC)

Members of the board are required to take on specific roles to assist the housing association to function effectively. These officer roles, which include the Chairperson, Company Secretary and Treasurer, have distinct responsibilities (set out overleaf).

In order to avoid an undue burden being placed on some individual members, all boards should ensure that periodic rotation of office takes place in the association, thus distributing specific areas of responsibility such as the role of officers.
Questions for consideration

6. Are the roles of the Chairperson and senior staff (if any) clearly defined?
7. Does the Chair have leadership qualities?
8. Does the Chair have the confidence of the board?
9. How effectively does the Chair conduct board meetings?
10. Does the Chair effectively engage with other board members and senior staff (if any)?
11. Where committees of the board have been established, are the delegated responsibilities and reporting responsibilities clearly documented and reviewed at least every two years?

Collective Responsibility of Board Members

The board should work as a team to provide strategic guidance and monitor progress towards agreed goals (Ref p-16 VRC)

Boards are collectively responsible for overseeing the housing association and directing its activities. In order to promote the collective responsibility, the board should meet regularly – at least four times a year as per the requirements of VRC. All board members should be afforded the opportunity to contribute to board deliberations.

An effective Board will

- Uphold the highest ethical standards or integrity and probity;

Responsibilities of Company Officers

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<tr>
<th>Chairperson</th>
<th>Company Secretary</th>
<th>Treasurer</th>
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<tr>
<td>Ensures the Management Board is functioning properly and chairs meetings</td>
<td>Provide advice and guidance to Directors on their obligations under the Companies Articles of Association, company law and other relevant laws and regulations</td>
<td>Ensures that proper financial records and procedures are maintained.</td>
</tr>
<tr>
<td>Ensure matters are dealt with in an orderly, efficient manner</td>
<td>Acts as principal legal and compliance officer</td>
<td>Recording income and expenditure</td>
</tr>
<tr>
<td>Reviews governance performance</td>
<td>Preparation of reports and minutes of the meetings</td>
<td>Maintain the association accounts</td>
</tr>
<tr>
<td>Brings impartiality and objectivity to meetings</td>
<td>Issuing of correspondence to other persons and agencies (including statutory authorities) as directed by the Board</td>
<td>Keep the committee informed on the associations finances</td>
</tr>
<tr>
<td>Communicates the vision, objectives and purpose of the housing association</td>
<td>Keeping of the housing association’s records including statutory registers</td>
<td>Oversee the appointment of auditors</td>
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<tr>
<td>Liaises with the Manager / CEO (where in place) to keep an overview of the affairs of the housing association</td>
<td></td>
<td>Help prepare the association accounts for auditing and the AGM</td>
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<td>Facilitates change and address conflict within the organisation</td>
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<td>Co-ordinates the board to ensure responsibilities are met</td>
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Vice chair

The vice chair acts for the Chair when s/he is not available and undertakes assignments at the request of the Chair. To ensure continuity, each housing association should ensure that the Chair has a deputy who can assume their responsibility and is familiar with their duties as outlined above.
Support the CEO and management (if in place) in the leadership of the company while monitoring their conduct;

Question intelligently, debate constructively, challenge rigorously and decide dispassionately;

Listen sensitively to the views of others, inside and outside the board;

Gain the trust and respect of other board members.

Promote the highest standards of corporate governance.

Ensure the proper financial standards and controls are in place and reported on effectively to the Board.

**Board Membership**

The board should be comprised of members who demonstrate a diverse range of skills, experience and qualities appropriate to the work of the organisation. Relevant areas of expertise could include law, finance and management Ref p- 17 VRC

Each director brings a different set of skills, experience and knowledge to a board but as a collective every board needs a mix of capabilities that provide a balanced and skilled team to oversee the business of governing the housing association and assisting the organisation in achieving its goals. Effective board members are central to the success of all AHB’s, and it is acknowledged that most board members take an active role in the affairs and management of each Association.

Larger organisations sometimes use a ‘skills matrix’ to help check whether the board has the right balance of people on it and to assist with selecting new board members. For smaller tier one housing associations where a formal skills matrix process may be too onerous, it is still valuable to consider and agree what skills and personal qualities future board members require to meet the needs of the housing association.

Boards should have a clear process for the selection, appointment and re-appointment of board members. Board members of housing association commit to doing so on a voluntary basis therefore it is important to ensure prospective board members are clear of their role, expected contribution and the time commitment involved.

**General Guidance for the Recruitment of Board Members**

Every year, a certain proportion of board members should step down, in line with the housing association’s Articles of Association. These board members can stand for re-election if they so wish. Board members should be over 18 years of age and an eligible person, i.e., that they are not barred from acting as a director⁹.

There should be an appropriate mix of age, gender and skills amongst board members.

Every effort should be made to accommodate potential board members that may have special needs.

**Board Succession Planning**

Boards have to plan for orderly succession and renewal, as well as being prepared for everything from sudden departure to sudden illness of a board member or senior staff member. The disruption that this can cause, particularly if the board is already struggling with the number of directors, can be significant.

Succession planning enables the housing association to refresh the board so it can continue to meet its purpose. Overall, there are several benefits of Succession Planning.

The process:

- Engages and reassures board members regarding the continuity of the organisation.
- Gives confidence to all stakeholders.
- Provides for contingency planning in light of the unexpected departure of a board member or key staff member.
- Builds leadership capacity of staff.
- Aligns staff development with strategic vision.

It is recognised that in many cases the vitality and level of activity in boards may need to be renewed in light of recent developments in the sector, and this could be seen as an opportunity to evaluate the future direction of each housing association as a whole.

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⁹ A person who has been declared bankrupt is prohibited from being a director while their debts remain unpaid or until a court excuses them from paying those debts. People whom a court has found guilty of fraud or serious misconduct may also be disqualified from acting as directors for a certain period.
Signing up to the VRC means boards can begin to formalise policies relating to board member appointment and replacement. In particular, under the Code there is a requirement that no board member serves more than two consecutive five-year terms.\textsuperscript{10}

This provision can ensure that there is a continuous addition of new skills and fresh ideas into every housing association, which will be beneficial in achieving its long term vision. The ICSH recommend that board membership is skills-based with Board members understanding the values and mission of the organisation they are willing to contribute to. Board renewal can be used to ensure that all the skills necessary for the effective running of an association are adequately represented on the board. Appendix Two sets out a step-by-step recruitment process for board members.

Questions for consideration

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<tbody>
<tr>
<td>1.</td>
<td>Is there a clear and well-defined process in place for board recruitment and renewal?</td>
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<tr>
<td>2.</td>
<td>Have circumstances changed such that the current size of the board needs to be reassessed?</td>
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<td>3.</td>
<td>Has the board identified the skills required from future board members?</td>
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<td>4.</td>
<td>Does the board have a renewal policy?</td>
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<td>5.</td>
<td>Has the board a clear policy on how membership of the housing association is organised as distinct from board members?</td>
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</table>

Board Meetings

The Board should meet at least four times per annum and an annual general meeting should be held once a year [Ref p-17 VRC].

Running a Board meeting

Regular board meetings are key to the proper functioning and reporting of the business of a housing association and form the key means of communication between the board and any executive staff members. Generally, organising and conducting a board meeting should be done using consistent steps. The articles of association will set out the internal rules for running meetings, including the quorum that must be present and the system that should be used when running the meeting.

There are certain steps that should be followed when organising a meeting:

Notification

- Book the location for the meeting and send a notice via email or by letter to the board with the date, time and location of the upcoming meeting, attaching the minutes from the previous meeting.
- Ask who is available to attend in advance to determine if you will have a quorum and give a deadline by which they must respond.
- Ask everyone to read the minutes from the last board meeting, which will be voted on for approval at the next meeting.
- Request board members who cannot attend the next meeting to submit any comments in advance they have on the minutes and / or other agenda items.
- Request that any reports needing printing and distribution, such as a treasurer’s report, be sent to you early enough to make copies.

Preparation

- Use a copy of the last board meeting’s minutes to begin preparing for an upcoming board meeting. The minutes might include action items board members agreed on before the next board meeting.
- Print copies of any documents submitted by committee or board members to distribute to the board. Have a copy of the organisation’s mission statement, bylaws and past meetings minutes available to help answer any questions that might arise.

Using an Agenda

- Housing association board meetings should use an agenda, which is an outline of the contents of the meeting. Each should contain the date and location of the meeting, as well as a call to order, introduction of any guests, Chairperson’s and treasurer’s reports, approval of past minutes, committee reports, new business, old business and adjournment.

\textsuperscript{10} All previous service prior to the introduction of the VRC in July 2013 is disregarded for the purposes of this provision.
Follow the housing association rules for taking board votes to make sure they are not overturned later. These rules will be contained in the association’s Articles of Association.

Recording the Meeting
- A person should be designated to record the minutes of the meeting (this is usually the Company Secretary).
- A register of all those who attended (and those who sent apologies) should be kept.

Minutes of the meeting, which record the main items discussed, actions required and decisions made at the meeting should be circulated in advance of the next meeting and then adopted (with any corrections agreed upon).

Questions for consideration

1. Do board meetings stay on schedule, starting and finishing on time?
2. Are meeting agendas focussed?
3. Is enough time provided for the reading of materials prior to each meeting and for board discussion on items of importance?
4. Are comments and feedback invited by the chair from all board members?
5. Where there is disagreement on issues among board members, how is this handled?
6. Are at least four meetings held per annum?
7. Does the housing association hold an AGM each year?

Material Interest

No individual may be elected or appointed as directors or trustees or senior employee of an approved housing body, or retain such a position, where he or she has any material interest of significance in relation to the income or any other benefit derived from any commercial contract or other arrangements for the construction of houses for the approved housing body or in the supply of goods and services to the Approved Housing Body (Ref p-17 VRC).

Board members have a duty to prevent conflicts of interest, avoiding situations in which there could be a direct or indirect conflict between Board members interests and that of the housing association.

A conflict of interest is a situation in which a board member’s personal interests, circumstance or relationship or their outside activities and interests may be perceived by others to affect their independence and objectivity.

Conflicts of interest may arise in the relations of board members with any of the following third parties:
- Persons / firms supplying goods or services to the housing association.
- Agencies / organisations or associations that affect the operations of the housing association.
- The auditor of the association sitting on the board.
- Holding office within the board whilst at the same time, being otherwise employed by any third party dealing with the housing association.

Should the board decide to allow members of the same family as board members, it is important to ensure that this dynamic does not have a bearing on effective decision-making.

The housing association should also be aware that the particulars of any electoral donations exceeding €4,000 in value must be disclosed in their annual accounts i.e. the amount that was donated and the person to whom the donation was made (Section 26, 1997 Electoral Act).

11 This includes monetary donations or use of property, goods, supply of services without payment.
Regulation of Lobbying Act 2015
The purpose of the Act is to provide for a web-based Register of Lobbying to make information available to the public on the identity of those communicating with designated public officials on specific policy, legislative matters or prospective decisions. This Act is now signed into law with commencement date of 1st September.

Who is within the scope of the Act?
Communication with designated public officials by:
- Persons with more than 10 employees
- Representative bodies and advocacy bodies with at least one employee
- 3rd party lobbyists (those who are paid by a client to lobby on the client’s behalf)
- Anyone lobbying about the development or zoning of land

Only if the communications relate to “relevant matters”. “Relevant matters” are defined as:
- the initiation, development or modification of any public policy or of any public programme, the preparation of an enactment, or the award of any grant, loan or other financial support, contract or other agreement, or of any licence or other authorisation involving public funds, apart from matters relating only to the implementation of any such policy, programme, enactment or award or of a technical nature.

What is registered?
Register after first communication with a designated official
- Organisation Name
- Business address
- Person with primary responsibility for lobbying
- Main business activities
- Contact details
- Company Registration Office Number and address
- Confirmation that details supplied are correct.

Timeframe
- Launch of web-based register on 30 April 2015
- Trial of system during summer months
- Commencement of Act on 1 September 2015
- First Registrable Period – 1 Sept to 31 December 2015
- Review – one year after commencement

Managing conflicts of interest
Generally, the principles of managing conflicts are clear. Where a conflict of interest has been identified, it should be declared at the earliest opportunity by the individual. From the moment it is disclosed, where appropriate, they (person or persons) should then remove themselves from the relevant decision-making process and other board members then decide on the best course of action. The board member (s) with the conflict may be excluded from any further discussion or be allowed to be present but not permitted to vote.

Having clear codes around potential conflicts and other ethical codes of conduct sends a message to all those who have dealings with the board. It demonstrates that the board is committed to upholding certain standards and is transparent about what it values as appropriate behaviour.

While some internal conflict of interests may have to be managed internally, conflicts of interest that should be avoided could include arrangements where board members are involved directly in the approval of housing schemes to the approved housing body from public and other bodies where they are operating.

Register of Interests (Appendix Three)
A register of interests is a written summary of all the financial interests of its members. The purpose is to document interests which may potentially unethically or unlawfully influence members’ official duties.

Conflict of Interests Policy (Appendix Three)
A conflicts of interest policy is an important document to support board members in taking steps to declare and manage conflicts of interest as they arise. The policy should supplement good judgement and reflect an open and transparent approach of the board and housing association as a whole.
Questions for consideration

1. Has the board developed a code of conduct to guide board members?

2. How does the board hold itself accountable to its code of conduct?

3. Is enough time provided for reading of materials prior to each meeting and for board discussion on items of importance?

4. Is there a formal policy relating to the declaration and handling of conflicts of interest?

Governance Objective

AHBs will ensure that the organisation is in compliance with the legal/statutory requirements and relevant government policies (Ref p-18 VRC)

Housing associations must not only comply with the conditions of approved status but are also subject to the full provisions of the Companies Acts 2014 (or the Industrial and Provident Societies Acts 1893-1978) and the Charities Act 2009.

Insurance

The board must ensure that adequate insurance cover is in place to cover any loss or damage to the properties caused by fire, flood and other risks. This is also a requirement under the Residential Tenancies (Amendment) Act 2012.

Suggested essential covers are public liability and employer’s liability insurance as required.

Housing associations should ensure that any contractors they employ have appropriate and adequate insurance cover.

Where a housing association has a mortgage agreement with the local authority, the authority should be named as an interested party on the insurance policy. The local authority should also have the details of the insurance company, policy number, type of cover and amount insured.

Tenants should be advised to have their own insurance for house contents as these will not be covered by the housing association.

Directors and Officers Insurance

Directors and Officers policies offer liability cover for board members to protect them from claims which may arise from the decisions and actions taken within the scope of their regular duties. Such policies cover the personal liability of company directors and officers as individuals but also the reimbursement of the insured company in case it has paid the claim of a third party on behalf of its managers in order to protect them. The ICSH Group Insurance Scheme with over 200 ICSH Members provides a wide ranging cover options including Directors and Officers insurance. Further contact details are available in Appendix Six.

Strategic Direction and Finance

Governance objective

AHBs will have a clear strategic direction

All AHBs, in particular Tier 3, should have a clear strategic direction which is reflected in the mission and vision of the organisation (Ref p-18 VRC)

It is essential that a housing association has clearly defined the answers to five key questions:

- Why it exists?
- What is does?
- For whom it does things?
- How it aims to do these things?
- How it will measure success?

The Memorandum and Articles of Association set out what boards must take into account when considering these questions. Housing associations should have a clear purpose with a strategy that complements this, endorsed by the board to deliver on this purpose / mission.

Many boards have produced a formal statement of their mission and values to which they aspire. These mission statements have filtered through to underpin the strategic direction and policies approved and monitored by the board.

Some examples of mission statements are outlined overleaf.
HAIL aims: “to provide housing and individually tailored services to support people, primarily those with mental health difficulties, to integrate and live independent lives in the community.”

Clúid aims to achieve its vision by providing quality housing and services to enable people to create homes and thriving communities.

Circle Voluntary Housing Association aims to deliver quality homes and services in partnership with our tenants and local services to create sustainable communities.”

Questions for consideration

1. Are the vision and purpose of the housing association clear and is it reflected in the memorandum of association?

2. Have the vision and purpose been communicated through the organisation and among stakeholders?

3. Does the strategic plan (if applicable) align with the vision of the housing association?

4. Have the board reviewed the vision and purpose of the housing association to ensure its continued relevance?

5. Does the board set time aside to discuss strategy and development of the housing association?

6. Do staff report to the board on the implementation of the strategic plan?

Charter of Commitments: Tiers two and three should have a Finance Committee or equivalent in place. (Ref: p-11 VRC)

The VRC requires tier two and three housing associations to establish a Finance Committee or equivalent i.e. Audit Committee.

Finance committee vs audit committee

What is the difference between a finance committee and an audit committee?

In general, a finance committee monitors financial practices of the housing association whereas an audit committee would monitor the process in which the financial practices are carried out. An example of this is where the finance committee would monitor financial transactions on an ongoing basis whereas an audit committee would examine the housing association’s financial management policies and procedures to ensure that everything is completed according to policy and with adequate controls.

Some housing associations may already have an established finance committee, however consideration should be given to the existing functions and responsibilities of the committee. The organisation should reflect on the need to establish a distinct audit committee.

What is an audit committee?

An audit committee is a standing committee which has been given authority by the board to provide accountability for the housing association’s independent audit. While the full board retains oversight authority, the smaller size of the audit committee allows it to carry out responsibilities in a more manageable environment.

An independent audit committee is viewed as a fundamental component of good governance. Its objectives and responsibilities should be clearly defined and documented in its charter / terms of reference.

What does an audit committee do?

Audit committee responsibilities generally include:

- Setting a terms of reference (charter) for the committee;
- Review of the organisation’s corporate governance compliance;
Oversight of risk management and internal control environments;
Review of financial statements;
Support and oversight of internal audit;
Liaison with external audit.

Who should be on an audit committee?
The most effective audit committees are where the members are independent of management / staff and therefore truly objective in the discharge of their duties. The inclusion of at least one audit committee member with financial expertise is highly recommended. A challenge for some boards can be finding members who have the appropriate financial expertise.

The role of the chair of the audit committee is a challenging one with a responsibility of ensuring that the committee is focused on financial oversight and risk management. The chair may not need to be a financial expert however they will need to be able to read and understand financial statements and accounts sufficiently.

The Financial Reporting Council (FRC) state that audit committee arrangements should be proportionate to the task and will vary according to the size, complexity and risk profile of the company. It also states that the board should establish a committee of at least three or, in the case of smaller companies, two independent non-executive directors.

A summary of FRC guidance on Audit Committees is set out in Appendix Five.

12 Internal control refers to the process designed to provide reasonable assurance on the effectiveness and efficiency of operations, reliability of financial reporting, and compliance with applicable laws and regulations.
Section II: 
Housing Management and 
Performance Management Assessment

As well as looking internally at governance structures and practices, it is also important that housing associations periodically assess their practices in tenant management and service delivery.

Achieving good practice in these areas (as well as developing a system of performance management) also forms part of the focus of the Voluntary Regulation Code and here we look at areas that may help associations achieve this. We look at some best practice examples in areas such as:

- Housing management
- Allocations procedures
- Tenant services and communicating with tenants
- Dealing with complaints and repairs

Firstly however, it is important to look at the introduction of new legislation which will alter the landlord/tenant relationship in the sector, namely the introduction of the Residential Tenancies Act.

The Residential Tenancies Amendment act 2012
The Private Residential Tenancies Board was initially formed for the private rented sector in 2004 and it provides a system of obligatory tenancy registration and dispute resolution for tenants of private sector landlords.

The Residential Tenancies Amendment Bill was published in July 2012. This Bill amends the 2004 Residential Tenancies Act and brings tenancies within the non-profit housing sector under the remit of the Residential Tenancies Board for the first time.

After the commencement of the bill, which was signed into law by the President on 4th December 2015, housing associations will be required to register each of their tenancies with the Residential Tenancies Board. This will allow housing associations and their tenant’s access to the dispute resolution services, such as independent mediation and adjudication in disputes, which are currently open to the private sector tenancies.

- The Act will bring about an obligatory process of tenancy registration
- There will be a cost for the registration of individual tenancies and tenancy re-lets.

Tenancy registration will be available online and by post.

The ICSH will be supporting members on the introduction of this Act through a range of measures including written guidance in areas such as the mediation process and changes to existing practice and assistance in registering tenants for members.

The Act offers and opportunity for members to review their policies and procedures in terms of tenant relations and communications.

Questions for consideration

1. Is the board aware of the implications following the impending introduction of the Residential Tenancies (Amendment) Act?
2. Has the association identified what strategy it may use to communicate the changes in legislation to tenants and/or introduce new tenancy agreements?

Housing Performance Management

Governance Objective

AHBs should ensure they deliver quality services and seek continuous improvement [Ref p-18 VRC]

The Voluntary Regulation Code also contains requirements in terms of assessing housing performance management and tenant services of the association. These include the requirement to keep a set of performance management indicators in areas such as rent payment/arrears, Voids and repairs/management costs per unit.

A brief description of the benefits of HAPM are provided overleaf, as well as information on how to use the tool to the benefit of the association. Completing HAPM also contributes to complying with the performance management evidence required by the Regulation Office as part of the Annual Regulatory Return.

13 As a result of the Private Residential Tenancies Act 2004.
Performance Management Assessment: HAPM

HAPM is a standardised tool developed by the Irish Council for Social Housing in consultation with members for measuring housing association performance. The aim of HAPM is to promote good housing management practice in the voluntary housing association sector.

An abridged version of HAPM, which focuses on the issues central to smaller associations, was launched in 2014, and this contains all the data required to meet the performance management requirement of the Code.

Best practice in all organisations results from continuous review of performance and assessment of areas where improvement can be found. The collection and analysis of this data can aid association’s by identifying areas for improvement and allowing for the introduction of an evidence base as an aid to long-term strategic planning.

In particular HAPM collects data relevant to all association’s in areas such as analysis of housing stock, void management, rent collection and arrears, service management and landlord-tenant relations.

Feedback from participating members has shown that HAPM has several beneficial uses, including:

- The tracking of changes in performance management over time
- The benchmarking of performances against other associations of similar size
- The targeting of areas of performance for improvement
- The utilisation of evidence to aid decision making and strategic planning

To continue to comply with regulatory requirements, the components of HAPM are currently being reviewed.

HAPM: The Process

Associations should keep regular up-to-date records in all areas of activity, and these can be recorded using either a spreadsheet or in paper format. Having the information already recorded means that it is not time-consuming to total each item and enter it into the HAPM questionnaire (which can also be done online or in paper format).

On completion of HAPM, associations will receive a report detailing their performance against the average in the sector which can be used to identify areas of strength and weakness. These can then be targeted for improvement and will identify areas where policy reviews may be required.

2014 Full Year HAPM Results extract

<table>
<thead>
<tr>
<th>Key Findings in 2014</th>
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<tbody>
<tr>
<td><strong>49 housing Associations</strong> Participated in HAPM 2014</td>
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<tr>
<td><strong>10,060 tenancies</strong> Have an additional service charge for utilities</td>
</tr>
<tr>
<td><strong>733 tenancies</strong> Have an additional support service charge</td>
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<tr>
<td><strong>99.9%</strong> Total rent collected</td>
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<tr>
<td><strong>5.1%</strong> Total outstanding rent arrears as a percentage of total rental income</td>
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<tr>
<td><strong>10,060 tenancies</strong> Have an additional service charge for utilities</td>
</tr>
<tr>
<td><strong>1,051 Voids / Casual Vacancies</strong> Average void length: 13.4 weeks</td>
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<tr>
<td><strong>4.4%</strong> Percentage of re-lets of total owned and managed stock</td>
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<tr>
<td><strong>86.2%</strong> Emergency repairs [24 Hours]</td>
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<tr>
<td><strong>89.7%</strong> Urgent repairs (5-7 days)</td>
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<tr>
<td><strong>91.3%</strong> Routine (28-30 days)</td>
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<tr>
<td><strong>106 Notices to Quit</strong> Issued with 18 resulting in court action</td>
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<tr>
<td><strong>95%</strong> Have a complaints policy</td>
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</table>
Questions for consideration

1. Does the associations currently maintain and review a performance management system?
2. Does the association currently complete HAPM?
3. Is the association aware of the ICSH training and support provided on HAPM?

Sinking funds

Section 9.17 of Memorandum VHU 2/02 (The Green Memorandum) states that approved housing bodies must put in place: “appropriate provision for reserves to meet future cyclical and other maintenance costs”.

A sinking fund is a sum of money set aside for the long term replacement or repair of major items in the future. It can be used for the replacement or repair of the building structure, windows, roofs, guttering, flooring, plumbing systems, heating systems, lifts, fire alarm systems or other major property features.

As well as the establishment of a sinking fund being a condition of an approved housing body’s approved status and now being a commitment in the Voluntary Regulation Code “Building for the Future”, a sinking fund is also vital as it is essential for financing large-scale repairs which, if postponed or not carried out, could have serious effects on the structural integrity of the housing units, the quality of life of tenants and the overall estate management.

How are sinking funds financed?

Once housing units have been completed, for many housing associations, their only source of income is rent and it is from rental income that sinking funds are financed. HAPM results have consistently shown that the sinking fund provision set aside by housing associations has averaged out at 30% or close to it, however within that survey we get responses of annual rental income that vary significantly from that 30% average.

In the summer of 2014, the ICSH issued a short survey to members with the aim of establishing how sinking fund amounts are typically set within the sector. We had 55 responses in total which demonstrated a variety of approaches to sinking funds.

With rents varying in the sector somewhat and the lifecycle costs of a property varying depending on the type of property, its location, component parts, etc., the ICSH is now working with members to transition to a lifecycle costs approach based (some members already take this approach) on a Stock Condition Survey, in line with new regulatory requirements.

A Stock Condition Survey (SCS) on a sample of properties will inform associations what upcoming maintenance items need to be addressed and also the level of funds they should be setting aside to meet these requirements.

Focus on Allocations

Governance Objective

| AHBs should have a written allocations policy which explains eligibility criteria to tenants and how to apply |
| AHBs should work in partnership with the local authority in the letting of property. (Ref p- 19 VRC) |

The allocations process is central to the work of the housing association and should be carried out in accordance with the association’s allocations procedure, and in conjunction with the local authority with regard to the terms and conditions of the relevant capital and revenue funding schemes. A key part of this process is consultation and partnership with the local authority as they provide nominations to the housing association for many vacancies.

The allocations process allows the association to inform prospective tenants about the type of association it is and its role in the community, as well as providing a means of assessing an individual’s suitability for the scheme in question.

Allocations Process

The allocation process is an important part of managing housing developments and will form the first interaction between the association and prospective tenants.

There are a number of aspects to this process and these include:

- Letting application form
- Interview guidelines / process

14 In Dublin a Nominations Protocol for homeless households has been developed and agreed between the four Dublin Local Authorities and ICSH members operating in the Dublin region.
Scoring and points system for applications / Decision criteria
Templates for offer / refusal letters
Appeals process for unsuccessful applications

These steps provide a fair and transparent system of allocations and some of the key components are outlined below.

**Letting Policy**
Individual letting policy statements are an outline of the type of housing association it is, why it was set up and the category of housing need it provides and manages housing for e.g. elderly or people with disabilities. Its purpose is to align nominations to the lettings ensuring that the nominations relate to the type of housing and services/supports being provided.

The Local Authority has a right of consultation on the granting of all tenancies. This is in addition to the specific nomination rights of households that qualify for local authority housing, that is, applicants who are included or have been accepted for inclusion in the housing needs assessment.

It is important that the Local Authority understands the nature and objects of the housing association when making its decision to nominate. This is why it is important that the individual letting policy statement should set out:

- The type of housing service being provided e.g. elderly low income families etc;
- The type of balanced community the housing association is trying to create, and
- Specific needs criteria linked to the individual housing development; for example over 60 years of age, low level of dependency or people with a connection to the area and surrounding hinterland.

The criteria should also reflect the ability of the housing association to accommodate different types of nominees from the local authority, depending on the particular management expertise they have i.e. provision of additional supports or tenancy sustainments.

**Allocations Protocol / Policy**
The Allocations Protocol clearly sets out the steps to be followed when a vacancy arises in the association, including the stakeholders to be contacted in the event of a vacancy arising, the written application process to be completed and any scoring system that allocation decisions are based on.

It should also set out who is responsible for overseeing the allocations process; for example there may be a specific allocations sub-committee established to deal with all aspects of the process including interviews etc.

A sample allocations policy can be found in Appendix Four.

**The Selection Process**
When multiple nominations for the one vacancy are received, it is necessary to ensure that there is a transparent process in place to decide which applicant will receive the offer of accommodation. This can be achieved through an interview process (either formal or, in the case of vulnerable groups, it may be more informal) whereby applicants will be scored against a range of pre-determined criteria.

This may include areas such as:

- Housing need based on standard of current accommodation
- Capacity for independent living
- Capacity to contribute to / benefit from the scheme
- Ability to provide alternative accommodation from own resources
- Local links – place of origin, family, social connections etc.
- Age (for elderly schemes)
- Perceived vulnerability and supports required.

An offer of accommodation is then made to the person who the board feels is the best match based on its designated criteria.

**Questions for consideration**

1. Does the association have a written allocations policy which explains eligibility criteria in becoming a tenant and how to apply?
2. Does the association work in partnership with the local authority on allocations?
Circular: Housing 5 of 2015: Housing Allocations

Circular: Housing 5/2015 was issued to each housing authority in Dublin stating that at least 50% of the dwellings available for allocation during the specified period will be allocated to homeless households and other vulnerable groups who had qualified for social housing support on or before 1 December 2014.

In Cork, Limerick, Galway and Waterford, the same directive applies with at least 30% of allocations required. Other vulnerable groups include applicants who have an accommodation requirement arising from an enduring physical, sensory, mental health or intellectual impairment (i.e. households where one of its members has a disability and as such is deemed to be a vulnerable household); and was in accommodation that was unsuitable for the household’s adequate housing on exceptional medical or compassionate grounds (i.e. including households the subject of domestic violence and young people leaving State care and as such deemed to be a vulnerable household).

Cumulatively this is 50% and 30% respectively of ‘all dwellings available for allocation’ and important to note is that as well as CAS and CLSS, the dwellings covered by the directive also include Leasing, P&A and NAMA.

Safeguarding Vulnerable Persons at Risk of Abuse

Safeguarding Vulnerable Persons at Risk of Abuse is a new national policy on the protection of vulnerable people from abuse and neglect. The policy is relevant to older persons and persons with a disability.

It has been produced by the HSE’s Social Care Division which is responsible for the provision of services for older persons and persons with a disability. It sets out definitions of abuse and building blocks for safeguarding and promoting welfare as well as procedures for responding to concerns or allegations of abuse of vulnerable people.

Scope

The policy and procedure applies:

- To all statutory and public funded non statutory service providers (including for profit organisations) with responsibility for the provision of health and social care services to vulnerable persons. It applies to all staff and volunteers. This includes housing associations in receipt of section 39 funding.
- Across all service settings, including domestic, alternative family placements, residential care, respite services, day care and independent living (associated support services such as transport are also included).

All services must have a publically declared ‘No tolerance’ approach to any form of abuse and must promote a culture which supports this ethos.

Implementation

Responsibility for leading implementation of this policy and procedure rests with the HSE Social Care division. The head of social care in each Community Healthcare Organisation (CHO) will have overall responsibility for implementation of the policy and procedure within their administrative area.
Section III: Tenant Services

Governance Objective

(i) AHBs (Housing associations) are focused on the delivery of good quality housing (and related services) for those who are unable to provide housing from their own resources (Ref p- 19 VRC)

Housing associations are renowned for the excellent service quality and support that they provide to tenants, and communication forms a vital component of this. As well as personal interaction, particularly common in community-based associations, there are a range of other methods that are also typically used in the sector. A short review of some of these is contained below:

Pre-tenancy training

Pre-tenancy training days introduce new tenants to the staff and to the scheme, and give them an opportunity to ask any questions and to get to know the operation of the scheme in question. Although the content of pre-tenancy training days may vary depending on the type of scheme in question, it will generally include explaining/showing tenants how things work (such as heating systems, waste recycling procedures etc), explaining the various contact and emergency contact numbers and illustrating to tenants what are their responsibilities in maintenance and what are the responsibilities of the association. Finally it can be used to orientate new tenants to some of the local community groups and services based in the locality.

Nazareth Housing Association: Pre-tenancy training

Nazareth Housing Association is based in Co. Sligo and provides accommodation to the elderly. The association conducts a 2-3 hour induction with each resident or as a small group of up to 4/5 people, and they are welcome to bring their next of kin if they like. The following bullet points explain why the association feels that pre-tenancy training is particularly relevant for them:

- Some of the residents can’t read and write very well and therefore explaining the tenancy to them helps to break down barriers.
- Tenants get a sense of what their responsibilities are and what the association is responsible for.
- Tenants get to walk around a typical house and get shown how things work, small maintenance issues and what to expect.
- Due to its complexity, the operation of the heating system is discussed in detail, and it is also explained that overall it is a very cost effective system.
- They get a chance at this early stage to meet other residents.
- The association explain the RAS rental system which many of them will not familiar with, how it operates and who does the assessments and why it is important for them to meet with their CWO’s.
- Each tenant, prior to the induction receives a tenancy hand book which is worked through during the induction, so they know where to find information. This document has evolved over time.
- The 24 hour call service is explained.

The general theme of the induction is that the association does not underestimate the stress that moving house creates and that sometimes the residents themselves overlook that fact, therefore a lot of help is offered with easing that move and making it as pain free as possible.

Overall tenants find the process very helpful as it sets the tone of the relationship going forward, they can see that the association is interested in them for reasons other than rent, and likewise it lets the association get to know them and encourages them to become an active part of the community.
Tenant Handbooks
A tenant handbook is a useful tool for communicating the long-term responsibilities of tenants in their role as occupier of the unit, while it also allows association’s to provide useful information and helps to create a sense of ownership among tenants in the scheme. Tenant handbooks may contain information such as:

- Tenant and landlord responsibilities
- Copies of policies and procedures including rent arrears, complaints and repairs
- A list of emergency contact numbers
- What to do in the case of requiring an emergency repair
- A copy of the tenancy agreement
- Maintenance of communal areas and anti-social behaviour
- History of the association

Examples of tenant handbooks are available from the ICSH.

Newsletters
Newsletters are a helpful way to communicate up-to-date information to tenants such as upcoming events, projects or services. They can also be used to update tenants on the progress of various schemes or to ask for feedback in areas such as development management or service delivery. They are particularly common in schemes for the elderly where other communication tools may be deemed inappropriate due to the lack of accessibility of some residents to the internet etc.

Tenant Satisfaction Surveys
Tenant satisfaction surveys are an effective means of ascertaining tenant views and opinions. Their main advantage is that as they are usually anonymous, tenants may feel that they can raise issues that may be sensitive or give their true opinions on all facets of the management of the development.

Surveys can be conducted by post, online or by telephone and a mixture of questions can be asked so as to ensure that all aspects of the tenancy is covered. A sample tenant survey can be found on Appendix Seven.

As part of its tenants communication and participation programme, Túath Housing Association undertakes to carry out tenants surveys on 10% of all units in occupation over a year on an annual basis. The aims of the survey are to:

- Measure and ascertain tenant views about the quality of current housing services and their homes.
- Identify any issues, problems or shortcomings in their housing unit, the broader housing complex and of the services provided.
- Give the tenants an opportunity to have their say on any matters of concern.
- Gather valuable feedback for Túath Housing Association which can be used to make any necessary improvements to the services provided.

The results of the surveys are used to monitor their key performance indicators (KPI’s) and are forwarded to the Board members, Directors, Managers and the Housing Service Co-ordinator of the scheme surveyed at Board Meetings and Departmental meetings.

The survey covers a range of key areas including build quality, external/internal appearance and cleanliness, contact with Túath Housing Association and potential concerns around noise, property damage and youth loitering. The questions are mainly of a concise Yes/No/Other format with space for open tenant feedback where asked or given.

The survey is usually conducted by phone, but can also be completed in writing by the tenant. To promote honest responses, it is important that the tenant understands that all responses received will be in the strictest confidence and that no individual tenants will be identified from the responses they provide (unless they wish to identified in order for an urgent repair to be carried out etc).
Housing Officers

The appointment of a housing officer may be practical for some associations who feel they have enough resources to provide for this dedicated role. While the actual responsibilities may vary from association to association, they may have a role in the strategic development of the association and, in terms of tenant-landlords liaisons a housing officer may fulfil many of the functions set out below:

- Contact point for repairs and complaints
- Monitoring and response to rent arrears
- Communication between the association/tenants
- Property inspection

The housing officer may also be responsible for organising the Garda Vetting of prospective staff and volunteers for the association. More information on the Vetting process is contained below.

Questions for consideration

1. Does the association have a clear communications policy with tenants?
2. Is pre-tenancy training provided for all tenants?
3. Is there a tenant handbook available detailing policies and procedures?

Garda Vetting

The Irish Council for Social Housing is registered with An Garda Síochána as an Authorised Signatory for Garda Vetting. ICSH members can now have staff or volunteers vetted through the ICSH scheme.

If you are interested in having your staff or volunteers vetted, you should contact the ICSH with your details. A form will then be forwarded to you for the person that is to be vetted to complete. This should then be sent back to the ICSH who as the Authorised Signatory will forward it to the Garda Vetting Unit.

All forms and results will be treated in the strictest of confidence and in line with Data Protection guidelines.

An Garda Síochána suggest that common sense is employed in deciding who to vet. The service is designed to protect children and vulnerable adults. Staff and volunteers who will not have unsupervised access to such groups of people may not need vetting. A charge of €5 per vetting application will be charged to ICSH members. This fee is subject to change.

Number of Vettings completed by the ICSH

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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<tr>
<td></td>
<td>271</td>
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<td>450</td>
<td>512</td>
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</tbody>
</table>

For further information, contact Catherine McGillycuddy, Membership Support Officer on 01 6618334 or catherine@icsh.ie.
Complaints Procedure and Policy

Governance Objective

| I) AHBs should have a complaints policy and procedure [Ref p- 19 VRC] |

Although it is acknowledged that housing associations have strong landlord-tenant relations, from time to time it is likely that some form of complaints about the service will occur, and it is important that these complaints are dealt with in a fair and consistent manner in order to maintain these relations.

A complaints policy is an important tool for a housing association as part of providing a good customer service to tenants as it provides reassurance and accountability.

Following a Complaints Policy (and appeals procedure) will also ensure accountability and transparency in the structure of the association and reassure tenants that there is a fair procedure in place should they have any cause for dissatisfaction.

How would a complaints procedure work?

Stage 1:
The first line of communication is between the individual and the housing association. When a complaint is received, particularly by telephone, the housing association should try to resolve it immediately by providing the required information or taking appropriate action to the satisfaction of the individual. This should be achievable for routine complaints about repairs / rent etc. The individual should be asked whether he/she is satisfied with the response.

Stage 2:
If the complaint cannot be resolved immediately, the individual should receive an acknowledgement of their complaint within 10 working days; and they should be advised that they can expect a full response in a reasonable timeframe [e.g. within 20 working days] and the name of the person they can contact about the complaint.

Stage 3:
If the complaint has not been resolved to the individual’s satisfaction, a further investigation into the complaint should be undertaken and they should receive a written response from an authorised person in the housing association.

Information about complaints should be collated from the complaint forms and reported to the Management Board.

Good practice in dealing with complaints
- Try to resolve complaints at the earliest stage.
- Ensure the individual is kept informed of progress and has a point of contact with whom they can liaise in relation to their complaint.
- Ensure staff / Board Members adopt a complaints procedure and are fully briefed on this.
- Ensure people from more vulnerable groups [e.g. people with dementia or people from minority groups] receive appropriate support to complain with someone to advocate on their behalf.

Dealing with a complaint from a third party
Housing associations should have a clear procedure in dealing with information referred to it by an individual concerning the manner in which the organisation is run. This information should be recorded, examined to ensure its authenticity and investigated thoroughly.

What if the complaint is anonymous?
Anonymous complaints can be difficult to deal with but should not be ignored and a policy should be put in place especially if there is a concern about the governance of an association or with vulnerable tenants.

A sample Complaints Policy is included in Appendix Four.
Complaints and the Residential Tenancies Act

The move to bring all tenancies in the not-for-profit housing sector under the remit of the Residential Tenancies Board (RTB) is part of a wider move by the Department of the Environment Community and Local Government (DECLG) around the regulation of the sector and the alignment of rights for public and private sector tenants.

Even when the legislation is enacted in early 2016, a coherent Complaints’ Policy will still be at the forefront of associations interaction with tenants who may have complaints. The measures contained in the RTB can be seen as additional should the internal resolution mechanisms of the association fail for any reason.

Under the Amendment Bill (2012), the dispute resolution mechanisms currently afforded to private tenants under the Act will be extended to all tenants in the non-profit housing sector. There are two major mechanisms for resolution of disputes: Mediation and Adjudication (oral and paper based).

**Mediation** is a process where a mediator will attempt to facilitate and encourage the parties to come to their own agreement in respect of the issues under dispute. The mediator will have no decision-making or advisory role in resolving the matter. Both parties must consent to entering the mediation process in order for a mediation to take place.

**Adjudication** is a form of dispute resolution where an adjudicator will enquire fully into all matters relevant to the dispute raised by either party and will either facilitate agreement between the parties, or will make their own determination based on the evidence before them.

If either party is unhappy at the outcome of either of the above mechanisms, then a Tribunal is the RTB’s appeal process to either the decision of an adjudicator, or where no agreement is reached at mediation, either party can refer their case to tribunal. A Tribunal is slightly more formal than either adjudication or mediation. The cases are heard by a three person panel and the hearings are open to the public.

Rent Arrears Procedure and Policy

Housing associations depend on the rent collected from their tenants as their main source of income. This income allows for the delivery of an effective and efficient housing management and maintenance service, therefore it is important that policies and procedures are in place to keep the level of rent arrears to a minimum.

**Key principles**

The rent arrears policy should state the intention of the housing association to:

- Maximise the rental income, in line with the rent collection policy, in order to meet financial obligations;
- Prevent rent arrears where possible by providing tenants with appropriate advice and assistance;
- Adopt a firm but fair approach where arrears do accrue which is applicable to all tenants;
- Assist tenants in arrears to help prevent their debts from becoming unmanageable;
- Use eviction as a last resort.

**Guidance on Recovery of Rent Arrears**

The housing association should set out actions when rent arrears occur (from the first missed payment) and a timetable for taking such actions.

Rent accounts should be monitored regularly to identify arrears as soon as they arise. Where a joint tenancy is held, the tenants will be treated as jointly responsible for rent arrears.

It is recommended that after one missed rent payment, early contact is made with the tenant (via letter) to remind them of the amount outstanding. This letter should be in plain English and issued one week following the rent due date.

If the tenant fails to bring the rent account up to date or fails to make contact, the housing association should make personal contact with the tenant within two weeks of the account going into arrears. At this point, the cause(s) of arrears should be identified with the tenant and methods discussed to repay the debt.
The housing association should ensure that the tenant is aware of their social welfare entitlements and is referred to relevant agencies such as the Money Advice and Budgeting Service (MABS) and the Citizens Information Service.

The housing association and the tenant should decide on a realistic repayment schedule to ensure that rent arrears can be paid back in a way that does not put undue financial pressure on the tenant.

**Notice to Quit**

The housing association should only issue a Notice to Quit (NTQ) as a last resort. If no rent has been paid for eight weeks, and it is clear that the level of rent arrears will continue to accrue with no likelihood of debt reduction, the housing association can take steps to repossess the property by issuing a Notice to Quit. Once a NTQ has been issued, rent will no longer be collected.

Guidance on rent setting and a sample rent arrears policy is contained in Appendix Four.

---

**Questions for consideration**

1. Does the association have clear written policies in relation to:
   - The handling of complaints
   - The treatment of rent arrears
   - Repairs and maintenance
   - Anti-social behaviour
## Compliance Checklist

<table>
<thead>
<tr>
<th>Governance</th>
<th>Does the association have this?</th>
<th>Action Required?</th>
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<td>List of Board Members</td>
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<tr>
<td>Memorandum and Articles of Association</td>
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<tr>
<td>Board Policies on:</td>
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<td>- Membership</td>
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<td>- Renewal</td>
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<td>- Conflict of interest</td>
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<td>- Register of interests</td>
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<tr>
<td>- Code of conduct</td>
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<td>Written Record of when Board meetings are held</td>
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<td><strong>Confirmation of compliance with:</strong></td>
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<tr>
<td>- Companies Act 2014 or Industrial and Provident Societies Acts, 1893-1978</td>
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<tr>
<td>- Charitable status</td>
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<tr>
<td>- Approved body status (Memorandum VHU: 2/02)</td>
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<tr>
<td>Signed copy of Charter of Commitments submitted to the DECLG</td>
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<tr>
<td>Details of insurance including an insurance compliance certificate</td>
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<tr>
<td>Confirmation of Compliance with Charitable status and with approved body status (Memorandum VHU: 2/02)</td>
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<tr>
<td><strong>Strategic Planning</strong></td>
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<tr>
<td>An account of the key activities of the organisation and a register of all properties under its management</td>
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<tr>
<td>Tier Three: An active strategic plan with measurable objectives</td>
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<tr>
<td><strong>Housing Performance Management</strong></td>
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<td>An agreed set of performance indicators in place</td>
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<td><strong>Tenant Services</strong></td>
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<td>Written allocations procedure</td>
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<td>Tenant rent book and handbook provided</td>
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<td>Register tenancies with Residential Tenancies Board</td>
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<td>Written policies in place for:</td>
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<td>- Complaints</td>
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<td>- Repairs</td>
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<td>- Communication to tenants</td>
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<td><strong>Financial Management</strong></td>
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<td>Annual Accounts and a copy of filing to the CRO or Registrar of Friendly Societies</td>
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<td>Tax Clearance Certificate</td>
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<td>Agreement to be subject to an examination of detailed accounts if requested</td>
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<td>Details of sinking fund</td>
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Resources
## Appendix One: Policy Renewal Schedule

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<th>Policy Title</th>
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<td>Board Membership policy</td>
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<td>Renewal policy</td>
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<td>Conflict of Interest policy</td>
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<td>Register of Interests</td>
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<td>Code of Conduct</td>
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<td><strong>Operations</strong></td>
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<td>Written Allocations policy</td>
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<td>Repairs policy</td>
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<td>Complaints policy</td>
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<td>Rent Arrears policy</td>
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Appendix Two: 
Board Recruitment Process

One of the key challenges faced by many existing board members will be finding adequate replacements to continue the good work of the association. For boards who are actively trying to recruit new members there are a number of steps which should be taken.

Step 1 - Skills assessment
Before beginning to recruit new board members, it is important to assess the current member’s skills and talents to determine what is already in place. From this, the board can identify areas where they feel certain skills are required, e.g. solicitor – legal background, accountant, financial, business, organisational skills etc.

Step 2 - Use of internal contacts
Existing connections of board members, volunteers, local companies, other community groups, friends, young professionals, existing leaders in the community through recommendations and word of mouth may be considered before a wider selection process is considered. Renewing boards in this manner has the benefit of saving time and cost, but it can limit the amount of additional expertise and viewpoints that are present on the board.

Step 3 - Use more formal recruitment measures
Use of local media advertisements such as newsletters, newspapers and online resources is an opportunity to promote awareness of the housing association and attract new board members. It is important to give an overview of the mission and purpose of the organisation as well as describing the level and type of commitment required and what new members will gain e.g. experience for their C.V., networking opportunities etc. A sample for a fictitious Association based in Co. Cork is outlined below.

ABC Housing Association is a small housing association based in Co. Cork that focuses on housing those with an intellectual disability in a community setting. We are seeking candidates to join our board on a non-executive basis. An interest in helping people with intellectual disabilities is essential together with a commitment to board activities. We are seeking those with any of the following skill sets: HR, Fund-raising, Accountancy, Legal or business backgrounds to strengthen our existing committed board.

Step 4 - Formalise the process
It is useful to set out an outline of what the housing association is looking for in a board member, the time commitment required and expectations. For prospective board members, a board handbook would be a useful tool for both the recruitment and induction process. This would contain information on board policies such as the code of conduct, term limits, officer roles etc.

The board should agree on the process for board recruitment which may be progressed by a smaller committee of board members. An application form would assist the board in reviewing the experience and background of applicants.

Prospective board members should meet with the Chair and senior staff member(s) (if applicable) and should also be facilitated to speak with other board members.

At this stage any potential conflicts of interest should also be identified and discussed.

Step 5 – Finalise recruitment
As part of the recruitment and orientation process, it is useful to invite the prospective board member to attend a board meeting. This allows them to meet the full board, see how the business of the housing association is conducted and have any questions answered. Following this process, assuming there are no issues, the board member can formally become a new member. The Companies Registration Office (CRO) and DECLG should also be informed of any changes to the board composition and the register of interests should be completed.

15 www.boardmatch.ie is an online matching service for not for profit organisations to sources board members.

ABC Housing was founded to promote integrated living in the community and has a key role in allowing people with intellectual disabilities in the Cork area to reach their full potential.

The board positions are non-remunerative and candidates should be available to attend quarterly board meetings. If you are interested please send a CV and covering letter to abc@housingassociation.ie. An opportunity for suitable candidates to meet board members will be available. Closing date 23rd July XXXX.
Appendix Three: Board Membership
Accountability policies

Conflicts of Interest Policy
All staff, volunteers, and board members will strive to avoid any conflict of interest between the interests of the housing association on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purposes of this policy is to protect the integrity of the housing association decision-making process, to enable stakeholders to have confidence in the integrity of the housing association, and to protect the integrity and reputation of volunteers, staff and board members.

Upon appointment each board member will make a full, written disclosure of interest on the register of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated as appropriate.

In the course of meetings or activities, board members will disclose any interests in a transaction or decision where there may be a conflict between the housing associations best interests and the board members best interests or a conflict between the best interests of two organisations that the board member is involved with.

After disclosure, the board member (s) with the declared conflict of interest will asked to leave the room for the discussion and will not be able to take part in the decision.

Any such disclosure and the subsequent actions taken will be noted in the minutes.

This policy is meant to supplement good judgment, and staff, volunteers and board members should respect its spirit as well as its wording.

Date Adopted: _________________________________

Register of Directors Interests
A confidential register of interests of each Director should be maintained, by the Company Secretary. The register should be updated on a yearly basis. Changes in interests should be notified to the Secretary. Only the Chairperson, CEO (or senior manager) where applicable and Company Secretary will have access to the register.

Guidance for attendance at a Board Meeting where a conflict of interest may arise

- Board or Company documents on any case which relates to Company dealings with the interests declared by a Director will not be made available to the Director. (Such documents are taken to include those relating to cases involving competitors to the declared interests).

- As it is recognised that the interests of a Director and persons connected with him / her can change at short notice, a Director should in cases where he / she receives documents relating to his / her interests or of those connected with him / her, return the documents to the Secretary and declare a conflict of interest.

- A Director should absent himself / herself when the Board is deliberating or deciding on matters in which he/ she (other than in his / her capacity as a member of the Board) or a person or body connected with him/ her has an interest. If the Chairperson has a conflict which requires his/her to absent themselves from the meeting, the Board shall select one of its members to chair the meeting in this absence.

- In such cases, a separate record (to which the Director will not have access) will be maintained. If the Chairperson is aware that a Director has an interest which conflict with a matter due to be discussed at the Board meeting, the Chairperson should take appropriate action to ensure that the Board and the Board member is not compromised.
<table>
<thead>
<tr>
<th>Register of Interests</th>
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<tbody>
<tr>
<td><strong>Name</strong></td>
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<tr>
<td><strong>Position within organisation</strong></td>
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<tr>
<td><strong>Employment Details over last 12 months</strong></td>
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<tr>
<td><strong>Businesses in which I have a financial interest in</strong></td>
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<td><strong>Company Directorships</strong></td>
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<tr>
<td><strong>Trusteeships</strong></td>
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<tr>
<td><strong>Membership of public bodies etc</strong></td>
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<tr>
<td><strong>Any other relevant information</strong></td>
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Housing Association Membership Policy

Introduction
Most housing associations are formed as companies limited by guarantee of the members and without a shareholding by registration of the required Memorandum and Articles of Association under the Companies Acts. This requires that associations have a functional board with members who will ensure that the housing association is working to meet its objectives. They are entitled to attend and vote at the Annual General Meeting which elects the Board of Management.

Housing associations require members who are committed to the development and proper management of social housing projects and services. It is important to distinguish between the ‘members’ of the voluntary housing association (who effectively own the association) and the elected directors. In a number of situations the number of directors and members may be the same. At least five subscribing members would be required to form the Association. Only Directors can make decisions at board meetings on the running and direction of the association and all directors must be members of the association.

Board Membership policy
The ICSH recommends, where possible, that housing associations have a broad based membership in order to facilitate a sharing of the interest in the Association. Members can be active in contributing to and developing the future activities of the housing association.

The policy should set out the obligations of members i.e. that they should always act in the interest of the Association and participate in General meetings or send apologies; and should also clearly set out the procedure for electing the board of directors. Members must agree to the obligations set out in the Memorandum and Articles. Information on how / when applications will be processed and confirmed should also be set out in the membership policy.

Some points to consider include:

- The housing association should ask anyone interested in becoming a member to complete a Membership Application Form for consideration by the board.
- Housing Associations may wish to have a limit for the number of members. An individual who is a member is only entitled to one shareholding.
- The Memorandum and Articles of association will clearly set out the procedures that should be followed in becoming a member of a company and how directors should be elected.
- The association must keep a Register of Members and all members must be notified of all general meetings of the Association.
- Honorary memberships could be used to acknowledge the long-service of some members.

Policy Title: Board Membership Policy

<table>
<thead>
<tr>
<th>Date policy discussed and agreed by Board:</th>
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<tr>
<td>Review Date:</td>
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<tr>
<td>Signed by Chairperson on behalf of the Board:</td>
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</table>

The following are the guidelines that Housing Association will follow when selecting board members and renewing the board periodically.

Board members will be invited on to the board based on a number of criteria, including:

- Interest in and empathy with the work of the Association
- Knowledge of the work and direction of the Association
- Expertise in an area such as finance/ legal depending on the needs of the board at that point
- Experience in previous similar roles
- Enthusiasm to contribute to the future role and strategic direction of the Association
Board Members

Each member should:

- Uphold and support the ethos, culture and traditions of the Association
- Be aware of his/her collective and individual responsibilities
- Have a specific role/function in the management of the Association
- Support new members in understanding the functions of the board, and the relationship between the board and other stakeholders
- Attend regular board meetings and the Annual General Meeting

Rotation of Offices

- It is the policy of the board that the key offices of chairperson, treasurer and secretary should be rotated periodically among all members of the board. This will ensure a relatively equal burden of responsibility is placed on all members of the board, allowing each member to contribute meaningfully to the work of the Association.
- Membership of sub-committees should also be reviewed and renewed on a periodic basis, allowing for additional skills and expertise to be introduced.

The association will promote membership by circulating information on the association to interested individuals, existing contacts of board members, local community groups as well as through local newspapers.

We will ensure that our membership reflects the community which we serve and we encourage people of all backgrounds to become members. We would particularly welcome those who have experience of or an interest in housing management, community work, financial management, and those with a legal, construction and maintenance background.

Members should attend and participate in general meetings and must agree to their obligations as set out in the Memorandum and Articles of Association.

Details of all members will be kept in a Register of Members, drawn up and maintained by the Company Secretary.
Appendix Four:  
Policy templates for those required under the VRC

Complaints Policy

<table>
<thead>
<tr>
<th>Policy Title:</th>
<th>Complaints Policy</th>
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</tr>
<tr>
<td>Signed by Chairperson on behalf of the Board:</td>
<td></td>
</tr>
</tbody>
</table>

Housing Association is committed to providing an efficient and courteous service to all its tenants however where a complaint is made, the following procedure will be adhered to.

Receiving complaints

A person can make a complaint:

- Verbally, in person or by phone
- In writing by fax, email, letter or by submitting a complaint form (all complaints will be recorded on a complaint form)

Stage 1:

When a complaint is received, particularly by telephone, Housing Association will try to resolve it immediately by providing the required information or taking appropriate action to the satisfaction of the individual. This should be achievable for routine complaints about repairs / rent etc. The individual will be asked whether he/she is satisfied with the response.

Stage 2:

If the complaint cannot be solved immediately, the individual should receive a prompt acknowledgement of their complaint within 10 working days. They will be advised that they can expect a full response in a reasonable timeframe (e.g. within 20 working days) and the name of the person they can contact about the complaint.

Stage 3

If the complaint has not been resolved to the individual's satisfaction, a further investigation into the complaint should be undertaken and they should receive a written response from an authorised person in the housing association.

Information about complaints will be collated from the complaint forms and reported to the Management Board.

Housing Association will endeavour to:

- Resolve complaints at the earliest stage.
- Ensure the individual is kept informed of progress and has a point of contact with whom they can liaise in relation to their complaint.
- Ensure people from more vulnerable groups (e.g. people with dementia or people from minority groups) receive appropriate support to complain with someone to advocate on their behalf.
Rent Setting and Policy on Rent Arrears
There are two main types of system used when deciding rent in the non-profit housing sector, namely differential rent and economic rent.

Differential rent means rent is based on your ability to pay, so if your income is low, your rent will be low; and if your income increases, so will your rent. Differential rents apply with the capital loan and subsidy scheme and leasing schemes. The economic rent for a property depends on the size of the property and the cost of maintaining the property. The rent is set at an affordable level bearing in mind the circumstances of the tenants.

Capital Assistance Scheme (CAS) - Rent Setting
Section 9.6 of the Memorandum on the Capital Funding Schemes for Approved Housing Bodies [Memorandum: VHU: 2/02 May, 2002] sets out the parameters under which rent for capital assistance scheme housing units should be set.

In the Memorandum it states that Approved Housing Bodies (AHB) should fix rents for the units provided at levels which are reasonable having regard to tenants’ incomes and the outlay of the AHB on the accommodation including the on-going costs of management. It also states that under the Capital Assistance Scheme the housing authority has clear rights of consultation in relation to the fixing of rents generally.

It should be noted that the term ‘rent’ applies only to the letting and occupancy of the dwelling unit itself and the amount of the rent should be quoted in full irrespective of any social welfare or rent allowance support for which the tenant may qualify. Rent therefore does not include other related charges such as service charges, which are often common in apartment complexes.

This essentially means that the AHB should set a rent which is fair, reasonable and justifiable to the tenant and takes into account the cost to the AHB of providing the accommodation. This is known generally as an ‘economic rent’ and is not a market rent or ‘differential rent’ which used when rent calculated is based total household income.

How to Calculate an Economic Rent
The Board of an AHB should adopt a rent policy which sets the rent at a level which is fair and meets the running costs incurred by the AHB in providing the accommodation. The Board should consider the following cost factors when setting the rent levels for CAS housing units:

- Management overhead costs such as administration, accountancy costs, insurance charges and public lighting.
- Repayment of loans, financing costs.
- Staff costs e.g. Caretaker/warden.
- Maintenance costs: response repairs, cyclical maintenance, sinking fund.

Service charges should also be determined so that tenants are clear from the beginning of a tenancy on the rent charge and the service charge (refuse, communal utilities charges etc.) and that these are two separate charges which the tenant is liable for.

It is important that an appropriate ‘economic rent’ is charged to tenants to meet the running costs incurred in providing the accommodation and to ensure a sinking fund can be provided for the properties general upkeep and maintenance. A rent policy will ensure clarity and equity between tenants as to their rent and service charges.

Rent Supplement-(Rental accommodation Scheme RAS)
Tenants of approved housing bodies who are on a low income can apply for rent supplement based on their means to assist them in the payment of their rent. The weekly maximum rates of rent supplement are €55 per week for single people and €60 per week for couples (Statutory Instrument No. 412 of 2007).

Tenants under the Capital Assistance Scheme (CAS) who are eligible for rent supplement pay a minimum contribution towards their rent. In the Government’s 2013 Budget this contribution was increased from €24 to €30 per week. This minimum contribution that a tenant is expected to pay has been increased by the Government in successive budgets over previous years.

16 Please note that special needs housing schemes are exempt from paying the Local Property Tax.
If tenants are continuing to pay the old rates of €13, or €18 or €24 per week the AHB should increase this in light of the current requirement to pay €30 per week. This could be on a transitional stepped basis.

As of January 2011, certain welfare recipients had to contribute an additional €2 per week towards their rent with CAS cases to be reviewed at local level to identify in which circumstances the €2 rent supplement should apply. This means that some tenants will be required to pay an additional €2 to their minimum rent contribution of €30 (total €32).

**CAS transfer of existing rent supplement recipients**

Existing CAS tenants in receipt of rent supplement were transferred under an administrative arrangement with the introduction of RAS. This meant that for all tenants of housing associations who were receiving rent supplement, the responsibility of payment moved from the Community Welfare Officer (CWO) to the relevant Local Authority (ref: GN005).

With regard to new cases where a new tenant enters the housing scheme who is not already on rent supplement or where an existing tenant in the project is not in receipt of rent supplement but wishes to apply for same and may be eligible, they must apply to the CWO.

**ICSH recommended CAS Rent level**

The box below contains the ICSH recommended CAS rent level for one and two bedroom CAS homes. It is for the Board of Management to set the rent for its own scheme based on the annual running costs and taking into account the tenants’ means. The ICSH Housing Association Performance Management (HAPM) framework collates information on rents that are charged within the sector under CAS. In 2013 the average CAS rent charged by participating members was €66.50 per week.

<table>
<thead>
<tr>
<th>CAS Rent Level Example</th>
<th>Rent Allowance</th>
<th>Minimum contribution by Tenant</th>
<th>Total Rent Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single persons</td>
<td>€43</td>
<td>€30</td>
<td>€73</td>
</tr>
<tr>
<td>Couples</td>
<td>€48</td>
<td>€30</td>
<td>€78</td>
</tr>
</tbody>
</table>

Please contact the ICSH Development Team for more information on 01 6618334.

<table>
<thead>
<tr>
<th>Policy Title:</th>
<th>Rent Arrears</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date policy discussed and agreed by Board:</td>
<td></td>
</tr>
<tr>
<td>Review Date:</td>
<td></td>
</tr>
<tr>
<td>Signed by Chairperson on behalf of the Board:</td>
<td></td>
</tr>
</tbody>
</table>

............................................ Housing Association has adopted the following principles in relation to rent arrears:

- Maximise the rental income, in line with the rent collection policy, in order to meet financial obligations;
- Prevent rent arrears where possible by providing tenants with appropriate advice and assistance;
- Adopt a firm but fair approach where arrears do accrue which is applicable to all tenants;
- Assist tenants in arrears to help prevent their debts from becoming unmanageable;
- Use eviction as a last resort.

Rent accounts will be monitored regularly to identify arrears as soon as they arise.

Where a joint tenancy is held, the tenants will be treated as jointly responsible for rent arrears.

After one missed rent payment, early contact will be made with the tenant (via letter) to remind them of the amount outstanding. This letter will be in plain English and issued one week following the rent due date.

If the tenant fails to bring the rent account up to date or fails to make contact, .................. Housing Association will make personal contact with the tenant within two weeks of the account going into arrears. At this point, the cause[s] of arrears will be identified with the tenant and methods discussed to repay the debt.
The Association will provide an effective and responsive repairs service to its tenants to ensure that their rights to the enjoyment of their homes are not disturbed and that the value of the association’s assets are maintained.

Tenants are requested to report the need for repairs as soon as they become apparent. All repair requests will be logged and the response will be based on the urgency of requirement for repair.

**Emergency Repairs**
These are repairs that need to be carried out to avoid serious danger to the health and safety of the occupants or where a failure to carry out the repair could cause extensive damage to buildings and property. Examples include loss of all electrical power in the property, loss of all heating and hot water in the property, blockage of WC, unable to secure main entrance to property. Emergency repairs will be completed within 4 or 24 hours of the defect being reported to the Association.

**Urgent Repairs**
These are repairs that may affect the comfort of residents and may cause damage to the property if not carried out urgently. Examples of urgent repairs would include renew light fitting, repair leaking pipes in the property, unblock drain. Urgent repairs will be completed within 5 working days of the defect being reported to the Association.

**Routine Repairs**
These are repairs that are not urgent, although they may cause inconvenience to residents. Examples would include easing an internal door, clearing an overflowing gutter. Routine repairs will be completed within 20 working days of the defect being reported to the Association.

In addition to repairs requested by the tenant, the Association agrees to monitor and respond to deterioration in the condition of the following:

- The structure and the outside of properties. This includes drains, gutters and external pipes
- The main services such as water, gas, electricity, sanitation, space heating and heating of water
- Steps and paths that are an essential means of access to property
- Boundary walls or fences provided by the Association
- Communal lighting (unless taken in charge by the local authority)
- Common areas around apartments, i.e. any area not part of your premises which are shared with other tenants including halls, stairways, lighting, fire alarms and lifts
- Open spaces, drainage, roads etc (unless taken in charge by the local authority).
Written Allocations Policy

<table>
<thead>
<tr>
<th>Policy Title:</th>
<th>Allocations Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date policy discussed and agreed by Board:</td>
<td></td>
</tr>
<tr>
<td>Review Date:</td>
<td></td>
</tr>
<tr>
<td>Signed by Chairperson on behalf of the Board:</td>
<td></td>
</tr>
</tbody>
</table>

Introduction

__________ Housing Association is committed to ensuring fairness, transparency and accountability in allocating units. The allocations committee is responsible for allocations and it is only these people who will have access to the details of person (s) applying for accommodation.

A panel of three interviewers will be agreed comprising of the Housing Manager and two persons from the allocations committee of ___________ Housing Association.

Two members of this panel, the manager and one other, will interview prospective residents and points will be allocated as per the criteria and points system (if any) agreed by board members of _______ Housing Association.

The step-by-step process which will be followed is outlined below:

Step One

Housing authorities provide list of eligible housing applicants and / nominations to designated person (Manager) in __________ Housing Association.

Referrals may also be received from relevant agencies.

Step Two

The Manager will contact people both on the list provided and from referrals made.

Step Three

The Manager will write to each person on a pro forma letter outlining that they appear to be eligible for consideration for accommodation and inviting them to complete an application form for return within [___] working days.

Step Four

Two designated people, one to be the manager will meet the prospective tenant. If the prospective tenant is female, one of the interviewers must also be female. Designated person (s) (Housing Manager) from ___________ Housing Association interviews applicants and allocates points to their application based on the agreed points system (if any). This will determine an applicant’s place on the list and the order in which applicants will be offered accommodation.

This interview will enable _________ Housing Association to provide information on exact details of the accommodation, e.g. rent and to gather resident details. This interview is invaluable in clearing up any queries and in informing tenants about the scheme.

Step Five

On completion of Garda Vetting, the designated person (Manager) from __________ Housing Association will issue a letter of offer which will be copied to the relevant Housing Authority / referral agency. The applicant will be asked to respond within [___] working days and confirm their acceptance / refusal. Unsuccessful applicants will be notified in writing.

Step Six

Using agreed proforma _________ Housing Association will provide a report to the relevant Housing Authorities stating:

- Offers of accommodation
- Acceptance of accommodation
- Refusal by __________Housing Association and reasons for this
- Other e.g. non contactable / failure to appear at interview.

Step Seven

Should an unsuccessful applicant feel they wish to appeal the decision made by __________ Housing Association, an appeals process will be in place to review the assessment. This will be undertaken by two of the panel who were not involved in the initial assessment and a response will be made to the individual within 10 working days.
Code of Conduct

<table>
<thead>
<tr>
<th>Policy Title:</th>
<th>Board Member Accountability and Code of Conduct</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date policy discussed and agreed by Board:</td>
<td></td>
</tr>
<tr>
<td>Review Date:</td>
<td></td>
</tr>
<tr>
<td>Signed by Chairperson on behalf of the Board:</td>
<td></td>
</tr>
</tbody>
</table>

On becoming a board member of ………………….. Housing Association I undertake to:

- Uphold the values, objectives and policies of the Association.
- Take decisions solely in the interests of the Association.
- Take collective responsibility for decisions and be accountable for these decisions and actions to the public.
- Declare any relevant conflicts of interest at the beginning of board meetings.
- Uphold the highest standards of corporate and personal ethics.
- Support the staff, volunteers and management of the association.
- Understand the Memorandum and Articles of Association and the legal duties under the Companies Act 1963-2013.
- Respect the confidentiality of information at all times.
- Attend board meetings regularly

Signed: _______________________
Date:_________________________
Appendix Five: Guidance on Audit Committees

Financial Reporting Council (FRC) 2010

Meetings of the Audit Committee
The audit committee chairperson, in consultation with the company secretary, should decide the frequency and timing of meetings. It is recommended that there should be not fewer than three meetings per year held to coincide with key dates within the financial reporting and audit cycle.

The audit committee should, at least annually, meet the external and internal auditors without management staff (if applicable) to discuss matters relating to its remit and any issues arising from the audit.

Skills, training and experience
It is desirable that the committee member whom the board considers to have recent and relevant financial experience should have a professional accountancy qualification. The need for a degree of financial literacy among other members will vary according to the nature of the company but experience of corporate financial matters will normally be required.

An induction programme should be available for new audit committee members.

Relationship with the board
The role of the audit committee is for the board to decide and the results of tasks undertaken should be reported to and considered by the board.

- The terms of reference should be tailored to the particular circumstances of the company.
- The audit committee should review its terms of reference and effectiveness annually.
- The board should review the effectiveness of the audit committee annually.

Financial reporting
The audit committee should review the significant financial reporting issues and judgements made in connection with the preparation of the company’s financial statements.

The audit committee should review related information presented with the financial statements, including the operational and financial review, and corporate governance statements relating to the audit and to risk management.

Internal controls and risk management systems
The audit committee should review the company’s internal financial controls and unless expressly addressed in a separate board risk committee the company’s internal control and risk management systems. This can include the type of risks, what controls are in place to manage the risks and who is responsible for leading on those risks.

Whistleblowing
The audit committee should review arrangements by which staff of the company or third parties may, in confidence, raise concerns about possible improprieties in matters of financial reporting or other matters.
Appendix Six: Additional Guidance

Anti-Social Behaviour Policy

Introduction
Housing associations have a responsibility to ensure that their tenants have the peaceful occupation and enjoyment of their dwellings. The majority of tenants are law-abiding and it is only a small number who are involved in anti-social behaviour. The actions of this small number can impact significantly on individuals and cause long term damage to the community if left unchecked. Therefore it is important that the housing association has clear policies and procedures in place to deal with anti-social behaviour.

What is Anti-Social Behaviour?
Anti-social behaviour has a broad meaning and can incorporate a wide range of activities. The legal definition of anti-social behaviour is set out in the Housing (Miscellaneous Provisions) Act of 1997 and includes:

The manufacture, production, preparation, importation, exportation, supply, sale or possession for the purpose of sale, supply or distribution of a controlled drug; and

Any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, loss or fear to any person.

Guidance on the development of the Anti-Social Behaviour Policy
The anti-social behaviour policy should set out the housing association’s commitment to dealing with the causes and effects of anti-social behaviour quickly and effectively. The housing association should aim to prevent the escalation of anti-social behaviour and pursue preventative measures where possible.

The anti-social behaviour policy is also an opportunity to set out the standards of behaviour that are expected of tenants and their guests.

Procedures for dealing with Anti-Social behaviour
The board of the housing association should agree procedures for dealing with anti-social behaviour. The level of detail in the procedures is a matter for each housing association however it is expected that the relevant procedures are broadly outlined so the tenant will know how the housing association is likely to deal with a complaint of anti-social behaviour.

Making a report of Anti-Social behaviour
There should be a standard process followed by the AHB when dealing with reports of anti-social behaviour. It is important that this process is flexible as different types of anti-social behaviour require different approaches. The procedure should contain information on how and to whom the initial complaint of anti-social behaviour should be made.

Processing and investigating a report of Anti-Social Behaviour
Early responses to complaints are important in effectively dealing with anti-social behaviour and building trust between the housing association and the complainant. The contact point for complaints of anti-social behaviour should be set out in the procedures and the housing association should keep the complainant informed about the progress of their complaint.17

The housing association should investigate all complaints of anti-social behaviour in a fair, impartial and objective manner.

Multi-agency approach
Liaising with other agencies is important in the effective management of anti-social behaviour. Joint working with the HSE, the Gardai and the local authorities can assist housing associations in preventative action as well as mediation and practical advice in dealing with incidences of anti-social behaviour.

What action can the housing association take?
If, following an investigation, the housing association has reasonable grounds for believing that a person is involved in anti-social behaviour or has breached his/her tenancy agreement, there are a range of actions the housing association can take.

17 See Advice Note #3 Complaints Policy.
These may include:

- Referral to other Agencies such as Gardai / HSE
- Mediation
- Verbal warning
- First warning letter
- Second warning letter
- Apply for Excluding Order
- Terminate tenancy by service of notice to quit

A housing association can apply to the District Court for an excluding order against a person who has engaged in anti-social behaviour. The Act also limits the obligation of a housing association to house an individual who is or has been engaged in anti-social behaviour or where it feels that letting a house to that person would adversely affect the neighbourhood.

Review
As with all policies and procedures, the anti-social behaviour policy and procedure adopted by the housing association should be reviewed on a periodic basis.

Insurance Policy
Housing associations should ensure that they have adequate insurance to cover any loss or damage to their property caused by fire, flood and other risks. This is also a requirement under the Residential Tenancies act.

Housing associations should also have public liability and employer’s liability insurance as required and ensure that any contractors they employ have appropriate and adequate insurance cover.

Where a housing association has a mortgage agreement with the local authority, the authority should be named as an interested party on the insurance policy. The local authority should also have the details of the insurance company, policy number, type of cover and amount insured.

Tenants should have their own insurance for their house contents as these will not be covered by the housing association.

ICSH Group Insurance Scheme
Where possible, housing associations should avail of the ICSH Group Insurance Scheme which is administered by BHP Insurances and Zurich.

For further information on the Group Insurance Scheme contact BHP Insurance on 01 6202030 or www.bhpinsurance.ie. Key contact for the ICSH Group Insurance Facility is:

Martina Westphal – Client Service Executive

Health and Safety Statement
Preparation of a safety statement is required by section 20 of the Safety, Health and Welfare at Work Act, 2005 and as an employer, a housing association is required to prepare a safety statement for the workplace.

What is a Safety Statement?
The statement is a programme setting out how health and safety is managed in the workplace. A comprehensive health and safety statement is likely to reduce accidents in the workplace.

Guidance on the preparation of a health and safety policy
The statement should begin with a declaration signed at senior management / board level outlining the commitment of the housing association to securing a workplace that is as safe and healthy as possible.
What should a Health and Safety Statement include?

The statement should:

- Specify how the safety, health and welfare of all who work in the housing association is secured;
- Give details of arrangements that are in place to manage health and safety including the commitment to complying with legal obligations;
- Be based on the identification of hazards and an assessment of risks in the workplace;
- Specify the co-operation required from employees on health and safety matters and arrangements for consultation on these matters where appropriate;
- Include the name of person(s) appointed as responsible for health and safety in the workplace;
- Include details of information on health and safety available to employees;
- Specify arrangements and resources provided where applicable e.g. First Aid courses, Fire Drills, Emergency Plans etc.

Review

The statement should be reviewed regularly as work practices, legislation or standards may have changed.
Appendix Seven: Tenant Satisfaction Survey Template

Tenant Satisfaction Survey Template

General Satisfaction Level

Q1. Overall, are you happy with the service provided by your housing association?
Yes ☐ Unsure ☐ No ☐

Q2: Please rate your overall satisfaction with the following elements of your tenancy/service:

<table>
<thead>
<tr>
<th></th>
<th>Very satisfied</th>
<th>Quite satisfied</th>
<th>Unsure</th>
<th>Not satisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent levels</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ease of contacting the Association</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condition of the dwelling</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condition of communal facilities (if any)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repairs and maintenance service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

You can give further information on the reasons for the ratings provided above if you wish here:
________________________________________________________

Contacting the Association

Q3: What would be your main reason for contacting the housing association?

<table>
<thead>
<tr>
<th>Reason</th>
<th>Please tick appropriate box</th>
</tr>
</thead>
<tbody>
<tr>
<td>To request rent details</td>
<td></td>
</tr>
<tr>
<td>To report a repair</td>
<td></td>
</tr>
<tr>
<td>Query on community activities</td>
<td></td>
</tr>
<tr>
<td>Other (please specify):</td>
<td></td>
</tr>
</tbody>
</table>

Q4: When you do contact the Association, are you happy with the speed at which your query is dealt with?
Yes ☐ Unsure ☐ No ☐

If you are not happy with the speed at which your query was dealt with you can give reasons for this here:
________________________________________________________
Rent Payment

Q5: What method of rent payment do you use?

<table>
<thead>
<tr>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swipe Card</td>
</tr>
<tr>
<td>Payment to your housing association (by cash, cheque or postal order)</td>
</tr>
<tr>
<td>Bank standing order payments</td>
</tr>
<tr>
<td>Other (please specify)</td>
</tr>
</tbody>
</table>

Q6: Are you happy with your current payment method?

Yes ☐ No ☐

Q7: Are there any other payment methods you would like to see made available to you?

Yes ☐

If yes, please specify:___________________________________________________________________________________

No ☐

Tenant Communications

Q8: Would you consider that your housing association is easy to contact at the moment?

No ☐ Yes ☐

If No, please specify why not:___________________________________________________________________________

Q9: Which of the following methods would you most like to see the housing association use to contact you (Please number your top 3 preferences where 1 is your most preferred method, 2 your second most preferred method and 3 is your third):

<table>
<thead>
<tr>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post</td>
</tr>
<tr>
<td>E-mail</td>
</tr>
<tr>
<td>Telephone</td>
</tr>
<tr>
<td>Community meetings</td>
</tr>
<tr>
<td>Home visits</td>
</tr>
<tr>
<td>Information boards</td>
</tr>
<tr>
<td>Other (please name):</td>
</tr>
</tbody>
</table>
Estate Management and Tenant Engagement

Q10: Do you consider any of the following to be an issue within your estate/complex:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Yes</th>
<th>Maybe</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condition of communal areas</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noise from neighbours</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anti-social behaviour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children/youths loitering</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q11: Are you involved with any of the following within the neighbourhood:

<table>
<thead>
<tr>
<th>Group</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residents Association</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental group</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social club</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q12: Would you like to become involved in a local Residents Association?

Yes ☐    No ☐    Don’t know ☐

General comments

Q13: Do you have any additional comments or issues you would like to tell us about? These can include recommendations for how we can improve our service to you.

___________________________________________________________________________________________________
___________________________________________________________________________________________________
___________________________________________________________________________________________________

Thank you for your time.
Appendix Eight: Risk Register

What is a Risk Register?
A Risk Register is a document which outlines the potential threats to the ongoing operation of an organisation, and what mitigation measures are in place to minimise the likely occurrence of these threats.

Why do we need a Risk Register?
The purpose of a Risk Register is to allow a housing association identify, record and attempt to mitigate any potential risks to the organisation. It also allows them to assign ownership of that risk to individuals within the organisation to develop and track mitigation strategies.

How do we prepare a Risk Register?
Housing Associations should assess risks that can occur at regular intervals, and these should be discussed to ensure that proper mitigation measures are taken. In general the process for preparing a risk register is as follows:

1. Establish the context
   What are the most likely threats to the operation of the Association?

2. Identify the risks
   What can happen and how can it happen?

3. Analyse the risks
   What is the likelihood and consequences of the risk occurring?

4. Evaluate the risks
   Assess the major and minor risks for mitigation measures

5. Treat the risks
   Develop mitigation measures where risks can be treated

When the Board is satisfied that a comprehensive risk assessment has taken place, a Risk Register should be finalised.

This contains the naming (categorisation) of the risk itself, as well as recording the likelihood of its occurrence, possible consequences (ranked low to high), and possible mitigation strategies and finally, where the risk is deemed of material threat to the association, assigning ownership of the risk to an individual within the organisation.

Sample headings for a risk register are contained below and each is explained in turn over the following pages.

<table>
<thead>
<tr>
<th>Category of Risk</th>
<th>Actual Risk</th>
<th>Likelihood of occurrence</th>
<th>Potential Impact</th>
<th>Mitigation measures</th>
<th>Person responsible</th>
</tr>
</thead>
</table>

Category of Risk
Categorisation of risk involves the clustering of risks into standard, meaningful and actionable groupings. Risks relate to both the internal structures, operations and governance of the organisation as well as the external interaction with stakeholders and susceptibility to events outside of the control of the organisation. Risk categories should support the initial identification and presentation of risks. The following risk categories are an example which could be used:

- Governance and Compliance
- Strategic Advancement
- Finance & Funding
- Human Resources
- Operational Management

For more guidance on the preparation of risk registers please go to www.icsh.ie
Frequently Asked Questions

Is there anywhere I can get sample policy templates?
Yes. The ICSH provides a range of templates but will also try and facilitate associations sharing information and templates among themselves. The websites of the larger associations normally also contain a range of resources that may be useful here.

My Association doesn’t possess a Sinking Fund, what should we do?
The ICSH would advise that plans to develop a sinking fund are initiated as soon as possible. The ICSH is now working with members to transition to a lifecycle costs approach based (some members already take this approach) on a Stock Condition Survey, based on a sample of an association’s properties, in line with new regulatory requirements. A Stock Condition Survey (SCS) will inform associations what upcoming maintenance items need to be addressed and also the level of funds they should be setting aside to meet these requirements.

We haven’t signed the Code yet but have applied for CALF / CAS funding, is this a problem?
It is expected that to receive state funds, the Association will have to have signed up to the Voluntary Regulation Code. 

We don’t have policies in certain areas that are required by the Code, can we still sign?
Yes, you can sign up to the Code and explain what process you plan to follow to put these policies in place even if they are not in place at the moment.

If two board members have been serving for 14 years, do we have to replace them immediately if we sign up?
No, all service to July 2013 is dis-regarded. These board members can now serve two consecutive five-year terms before they have to be replaced.

We don’t have any performance management indicators but have never had any complaints from tenants, do we need to develop them now?
Under the Code it is required that all Associations maintain performance management indicators. Completing and submitting HAPM is an acceptable set of indicators in this case, and there is a streamlined form for smaller Associations to complete in this area.

What is the Annual Regulatory Return?
On signing the Code, Associations agree to make an Annual Regulatory Return to the regulation Office which contains information on property, governance, financial and performance management data. The ICSH is here to assist any members that may require assistance completing this.

Is the Residential Tenancies act linked to the VRC?
No, the Residential Tenancies act is a separate piece of legislation that will require all AHB’s to register tenancies with the Residential Tenancies board and gives tenants and landlords the same rights and obligations as in the private sector.

What is the difference between executive and non-executive members?
An executive director is a member of the board of directors and an employee of the company. He/she will have a specific role such as finance director and as such be responsible for the day to day running of the company within his sphere.

A non executive director is a member of the board who is not an employee but appointed for his/her expertise and takes a part in decision making at board meetings.

If we have signed up to the VRC, do we still have to register with the Charities Regulatory Authority (CRA)?
Yes, the CRA requires that all charities in Ireland register and complete an annual activity report each financial year.
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