



**SHiP Agency Managed Group Meeting
07.12.2018
Home Group Bravington House Regents Quarter Kings Cross
Minutes**

Present:

Tracey Ferreira (Chair)
Sue Baxter (Mins)
James Lucas
Ingrid Deicke
Ursula Holman
Anass Fakrouni
Lila Yefsah
Vicky Belsey
Stephanie Clarke
Godfrey Heyman
Comfort Porbeni
Ysanne Tomlin
Helen Brookfield
Robert Baldwin
Verilyn Innocent
Sean Sibley
Stuart Firth
Jo Summers
Philip Airey
Rosalbal Damioli
Connie Fiorenzio

Speakers

Michaela Des Forges
Nick Billingham

Organisation:

Network Homes
SHiP
Southern Housing
Dimensions
Peabody
OHG
Sanctuary
Homegroup
PA Housing
Look Ahead
Clarion
A2 Dominion
Hexagon
Look Ahead
NHG
NHG
SAHA
L&Q
Stonewater
Hyde
Home Group

Homeless Link
Devonshires

Apologies:

Will only be included if members want their name expressly included

		Action
1	Welcome & Introductions	
1.1	Introductions made. Agency sub group made decision that	SB

	apologies will only be included if people expressly want them including.	
2	Minutes from the previous meeting held on 20th September 2018	
2.1	No corrections	
2.2	The rest of the minutes were agreed as a true record.	FYI
3	Matters arising from the previous meeting held on 20th September 2018	
3.1	All matters arising included on the agenda	FYI
4	Presentation by Michaela Des Forges Homeless Link Oversight and Scrutiny of Supported Housing	
4.1	Michaela went through her slides that will be sent out to members.	FYI
4.2	SHiP would like to urge members to contribute to the options for oversight and scrutiny. Out of the 6 options being considered, option 1 the sector lead accreditation is being worked on by the Nat Fed. SHiP members are urged to contribute their own reporting to this group. Sue has sent details of the SHiP monitoring to the Nat Fed. Godfrey (Look Ahead) reminded the group that KPIs were often general needs led and often concentrated on quantity and not quality. The options proposed are not exclusive and the Government may instigate a number of them. Option 6 role of social housing regulator needs to be considered in light of the Social Housing Green Paper. Option 3 there is talk about raising the threshold of amount of support for exempt accommodation status or have an opt in accreditation scheme or be a Registered Provider. Option 2 is to enable Housing Benefit officials to investigate high cost claims.	FYI
4.3	There are already problems with Universal Credit accepting housing support LAs across the country have been raising endless questions.	FYI
4.4	The Government is consulting with the sector. Thus far there has been two workshops and a Westminster Briefing plus Nat Fed events. There is an expectation of a document before the Xmas break. There was talk of a secret option 7 value for money.	FYI

4.4	Members raised the following concerns who will have the resources to carry out all the work required in the options. What will be the impact of the eligibility criteria and extra scrutiny of HB options in total and will this mean that providers would withdraw from the sector. Members want national guidelines so the local inconsistencies will be addressed.	FYI
4.5	Members asked if SHiP will do a response and Homeless Link would be happy to partner them. Feedback to Management Committee.	SB/TF
5	Revised Management Agreements – Nick Billingham Devonshire	
5.1	Nick advised the agreements were reviewed using the 2012 template. These are agreement should be used by RPs to provide a bespoke agreements; they will not 'one fits all' providers. In 2014 they were revised and now they have been given some basic changes e.g. Regulator and GDPR. What they have attempted to retain is balance between the RP and Managing Agent (MA) risk and responsibilities. What haven't been worked on are the schedules which are out of date.	FYI
5.2	Godfrey (Look Ahead) brought up the following queries. 13.14.2 Fire Risk Assessments- Landlord and MA have both got responsibilities. Nick pointed out it would be ultimately up to the courts to decide who is the responsible person that must carry out FRA. Different RPs had different approaches as to who did the FRA some said MA, some said agent must employ a specialist, some said RP did it then gave MA a list. This area is going to be covered at the SHiP conference but clearly we need variation in the contract. Members to send comments to Sue. Nick suggested the split should be moved to schedule.	NB
5.3	13.12 Voids that cannot be let due to RP work needing to be done Nick suggested this should be moved to a schedule.	NB
5.4	VAT Nick suggested that this should be moved to a schedule as there are three variations as to how the taxable supply is described and each needs separate VAT wording. Each RP needs to source its own tax advice. The concern is that that if VAT is due and has not been paid the HMRC can ask for a backdate of up to 5 years. RPs should start negotiating with MA now so they make provision for this as VAT rules do change. Some RPs have already modified the clause which means that any payment made to the MA is inclusive of	NB

	VAT.	
5.5	19.5.1 – The MA often takes a massive hit if a property is decommissioned by the local Authority and they are still paying the rent minus management fee on the full scheme when they have high voids as they are in the process of moving people out. This should be moved to the schedule to include different scenarios for example If MA give notice they are responsible for voids If RP give notice they are responsible for void loss If LA gives notice the MA and RP negotiate. It is important that this and other clauses that state negotiation discussions should take place prior to the contract being signed and this should be clear in the guidance. Contract also to be clear about the dispute resolutions and areas where negotiation fails parties to be directed to dispute clause.	NB
5.6	Disrepair action – this should be included in section on legal fees. Meeting agreed that the RP would bear the cost in the first instance as the Landlord but be able to claim the costs from the MA if they disrepair was down to their action or inaction.	NB
5.7	Injunction action against third parties should be included in the MA responsibility in terms of action and cost.	NB
5.8	Data sharing agreements – Nick suggested that these are not part of the contract as it will become too bulky and take attention away from the fundamental terms.	FYI
5.9	Timeframe – Nick to take away all the comments made and will have the draft contracts, schedules and guidance by mid-January so they can be launched at the Annual Conference	NB
6	Feedback from meetings	
6.1	Management Committee 20th November 2018	
6.1.1	Conference planning is in place, bookings are open and the programme will be sent out next week. Costs for paid places have been increased in line with increased venue costs	FYI
6.1.2	Website progress is going well the site has been built and now needs to be populated it will be launched at the conference	SB
6.1.3	Administration – Wendy Green will be taking over the administration of SHiP in January 2019. One of the pieces of work will be to revive the list of agency managed units and do some work on benchmarking. John Moorcroft from	FYI

6.1.4	<p>Peabody has kindly worked on benchmarking agency fees and this will be on the website.</p> <p>Sue arranged the following training: Introduction to Supported Housing/Housing Law/Finance (still to run) Also the Service Charge Training was run twice in October due to demand and SHiP are planning to run it next year</p>	FYI
6.2	General Meeting 20th November 2018	
6.2.1	Discussed the Oversight and Scrutiny of Supported Housing.	FYI
6.2.2	<p>The North of London meeting has taken place 26th September 2018. Peter Webb the Joint Chair of the general meeting and member of the Management Committee is chairing the meeting, so it feeds into the Management Committee. It is a hybrid between the Agency Sub and General for members North of London and national members who have staff in North of London. The agenda and minutes will be on the new website. The next meeting is for the 10th January 2019 at Northstar in Stockton on Tees.</p>	FYI
7	SHiP Conference	
7.1	<p>See above all speakers have been confirmed and members are urged to make their bookings as places are limited. This time there will be one free place and one paid place per members. Others will be placed on a waiting list which will be allocated on January 1st on a first come first served basis.</p>	FYI
8	Monitoring and Compliance	
8.1	Scheme Audit Form	
8.1.1	<p>Helen Brookfield reported back on the working party on the health and safety aspects of the monitoring form. They wanted to make the reporting more robust but not to ask so many questions it became onerous. They wanted to split the form into what needed to be collected prior to the inspection and then more meaningful questions could be asked at the visit. The group wanted to pay someone to look at streamlining the form so it is a desk top exercise then have a section to support staff to ask questions on site. L&Q have a good template. Members often took a risk based approach as to where they would audit and how long they audit would take.</p>	<p>SB</p> <p>HB</p> <p>TF/SB</p>

8.1.2	<p>Tracey to speak to the management committee about commissioning a separate piece of work to stream line the form. Maybe ask Wendy to undertake this in her role as SHiP administrator.</p> <p>One member has an audit front sheet with the date the support contract comes to an end etc. Also good practice to take photos when properties are being handed over to MA to avoid disputes.</p> <p>GDPR – members had different approaches as to whether the agreement was controller to controller. Hexagon has now introduced a due diligence form.</p> <p>Self-Certification Form</p> <p>Look at next year maybe have a section that covers RPs and one for non RPs as the form is too onerous for RPS who are also MA.</p>	
9	Commissioning Update	
9.1	Hackney now has new approach where it puts the onus on the MA to identify if they have agreement of the RP to use their properties when tendering. This has also been used by other LAs	FYI
10	Operational Matters	
10.1	Questions raised where the tenant did not have mental capacity what to do when the tenant has died. Same practice tenancy becomes part of tenant's estate so serve a notice in the same way.	UH
11	Speakers for future Agency Management meetings	
11.1	Tracey requested ideas for speakers for future meetings, no response as yet will ask again after the conference.	FYI
12	Any other business	
12.1	None raised.	FYI
13	Date(s) of next meeting(s)	
13.1	TBC	SB