



C3 Excellence in Governance



Useful Guidance



Code of Governance for community led housing organisations 2021

Nic Bliss &
Blaise Lambert



CCH Centre of Excellence Governance and Management Guidance for Co-operative and Community Led Housing



Example 1

What do you think about the story below?

Rod, Jane and Freddy are very active Board members. They visit the office every day, get all the post and meet the consultants, contractors, employees and agents.

They say, 'We do the work round here, so we make the decisions.'

The rest of the Board says nothing. It meets to get reports from Rod, Jane and Freddy. 'We leave all that to them. They're do so much for the organisation, so they know best.'



Example 2

And how about this one?

Peter runs the repairs service. He picks the contractors, signs the invoices and arranges payments.

He says 'I love it here; I get on with my job and no one interferes; there's no red tape.'

The Board members seem to get their repairs done very quickly.

Peter always has a very good Christmas.



The Deadly Sins

- The “little Hitler” syndrome
- The “us and them” oligarchy
- Corruption
- Favouritism
- Lack of accountability and secretiveness
- Failure to declare conflicts of interest
- Apathy



Principles of Good Governance

- Ethics
- Accountability and democracy
- Residents first
- Openness
- Diversity and inclusion
- Control
- Structures
- Recruitment, review and renewal
- Clarity



Key Criteria in Good Governance

- Effective chairing and a Code of Conduct
- Having the right skills set to manage
- Maximum terms in office?
- Confidentiality and data protection
- Policies and records
- Preparation and focus
- Staff recruitment and management
- Service agency and contractor procurement and monitoring
- Legal and regulatory compliance
- Management of key risks



Legal Compliance

Society or Company Law

- ✓ Rules or Articles
- ✓ Employment Law
- ✓ Contract Law
- ✓ Data Protection Act and GDPR
- ✓ Equalities Act
- ✓ Health and Safety
- ✓ Human Rights Act
- ✓ Financial Reporting Standards
- ✓ Tax Legislation
- ✓ Public Contracts Regulations



Legal Compliance

Housing Law

- ✓ Housing Acts
- ✓ Tenancy Law
- ✓ Crime and Disorder
- ✓ Safeguarding and Abuse
- ✓ Repairs Legislation
- ✓ Planning, Listing and By-laws
- ✓ Building Regulations
- ✓ European Regulations and Immigration Status
- ✓ Regulatory Compliance



The Governing Document

Dependent on which legal model is used these are called Rules or Articles of Association

- Objects
- Membership and shareholding
- General Meetings
- Governing Body and Officers
- Investment and Profits
- Audit and Accounts
- Amendments
- Dissolution and Amalgamation



Record Keeping

Society or Company Records

- ✓ Registration (Company and Tax)
- ✓ Share Register
- ✓ Minutes Book
- ✓ Register of Interests
- ✓ Financial Accounts and Annual Returns
- ✓ Employment Records
- ✓ Health and Safety / Fire Risk Assessments
- ✓ Accident Book
- ✓ Insurance Documents
- ✓ Procurement Records



Record Keeping

Housing Records

- ✓ Tenant / Leaseholder Files
- ✓ Assets and Liabilities Register
- ✓ Management Lease and Agreement and Schedules
- ✓ Contractor Files
- ✓ Complaints Records
- ✓ Stock Condition Survey
- ✓ Deeds, Loan and Grant Agreements
- ✓ Building and Repairs Certificates



Code of Governance

- Governing Body constitution and composition
- Essential functions of the Governing Body
- Induction and information
- Responsibilities of the Chair
- Conduct of the Governing Body's business
- The Senior Staff Member or Service Agency
- Sub Committees
- Audit and risk
- Conduct and probity



The Governing Body

- Determines strategy, establishes plans, controls the business and scrutinises performance
- Collective responsibility, majority decision making and serving all members
- Composition and membership
- Chairing by a member
- Consideration of conflicts of interest
- Functions should be formally recorded along with clear delegation of decision making and budgetary control



Responsibilities of the Chair

- Ensure the efficient conduct of meetings and compliance with the Code of Conduct
- Ensure that all members express their views
- Creating an appropriate environment for employees and contractors
- Ensure proper delegation of authority
- Chair's Action
- Getting professional advice when appropriate
- Ensuring that the Governing Body has the right mix of skills, knowledge and experience - training and co-option



Responsibilities of the Secretary

- Arranging and minuting meetings
- Preparing agendas and papers for meetings
- Procedural guidance for the Governing Body
- Reviewing legislative, regulatory and corporate governance developments
- Prepare and file the Annual Return
- Maintain the Register of Interests
- Maintain the Members / Share Register
- New member and Governing Body inductions



Responsibilities of the Treasurer

- Overall financial control
- Preparation of the annual budget
- Preparation of financial accounts for audit
- Providing financial reports to membership
- Compliance with the Financial Standing Orders
- Ensure that adequate accounting records are maintained – protecting assets and preventing fraud
- Ensure suitable accounting policies are consistently applied



Code of Conduct

- Meeting conduct
- Conflicts of interest; representing the interests of all
- Proper reporting channels
- Confidentiality
- Collective responsibility and decision-making majorities
- Dealing with matters arising
- Managing any other business
- Policy on receiving and giving hospitality and gifts
- Policy on breaches



Information and Induction

- Who needs to know what?
- Governing documents
- Terms of reference
- Policies and procedures
- Financial standing orders
- Conduct and confidentiality
- Sub-committee structure
- Past minutes and reports – decisions that are made
- Service performance standards
- Staff and managing agent responsibilities and targets
- Plans and objectives



The Governing Body

- Induction and training
- Information that enables effective decisions to be made
- Recruitment must be open and transparent
- Consideration of how to involve newer members and to refresh membership
- Annual appraisal of effectiveness and of individuals
- Payment of members – independence, disclosure, proportionate and linked to specific measurable objectives



Delegation

- Service agencies, contractors and staff must be clear about their roles
 - Management agreement and fees structure; contracts and salaries
 - Effective scrutiny against targets
-
- Sub-committees must have clear terms of reference
 - Proper reporting channels
 - Must be chaired by members and have a majority of members on them





Accredited Advisor information

The Community Led Housing section on the CCH website contains the following useful training resources:

- Course Notes
- Course Presentations
- Case Studies
- Videos

