

## Appendix - Dudley MBC

### Dudley Housing Board Constitution

#### Terms of Reference

1. The purpose of Board is for the benefit of all in Dudley, to improve decision making and provide challenge in Housing Services
2. Objectives
  - a. To represent tenants, residents and leaseholders, to ensure that the council provides housing services that meets residents needs and are of the highest standard
  - b. To operate in the interests of the whole Borough and not as individuals or areas
  - c. To continually review and improve housing services
  - d. To provide an opportunity for tenants and residents to examine housing service's performance and procedures
  - e. To challenge and question staff who manage and deliver the service
  - f. Make recommendations to senior managers and Lead Member on how housing services can be improved
  - g. Recommend the discretionary element of community safety and environmental budget for implementation by the Assistant Director of Housing Services
  - h. To commission and receive Service Reviews and reports from Theme Groups
  - i. To receive and comment on key strategic policies including:
    - i. Divisional Plan,
    - ii. Housing Strategy,
    - iii. Housing Revenue Account
  - j. The Board will not cover the following:
    - i. Operations staffing (although strategic reviews of staffing structures will be referred to the Board),
    - ii. Procurement decisions (where staff are already delegated to take decisions),
    - iii. Individual cases (which are best handled through other mechanisms)
3. Membership and Quorum
  - a. The membership is 13 comprising 11 Community Representatives and 2 co-opted places.
  - b. In attendance as observers with speaking rights will be the Cabinet Member for Housing along with one representative from each political group.

- c. Membership includes 11 Community Representatives. Within these 11 places there are 6 places reserved for tenants, 2 for residents and 1 for a leaseholder.
- d. No staff or councillor to be eligible as a Community Representative.
- e. The appointment of the Community Representatives is through a selective process including a person specification, interview and assessment. Within the criteria for selection will be an acknowledgement of ensuring a representative membership in terms of geographical coverage and diversity. Decision on appointments will be made by an Interview Panel made up of a Council Officer and a DFTRA Officer with the option of an external advisor. The Interview Panel will submit a report with recommendations to the Cabinet Member for Housing for approval copied to DFTRA and the Board.
- f. In the event that there are more suitable candidates than places then suitable candidates who are not placed on the Panel can become reserves with the ability of the Board to bring them onto the Board in the event of a vacancy.
- g. Membership also includes 2 co-opted places. The two co-opted places will be staff nominated by the Assistant Director of Housing Services. The Assistant Director will also act as an advisor to the Board.
- h. Community Representative membership is for 3 years with renewal for a further three years based on assessment of performance in the role by the Interview Panel. Maximum term of six years.
- i. Failure to attend three meetings of the Board shall result in immediate removal from the Board.
- j. Quorum is 7

#### 4. Operation of the Board

- a. Voting shall be by a simple majority of the Board although the Chair will seek consensus on all decisions. The Chair of the meeting shall have a casting vote.
- b. Election of Chair and Vice Chair. These shall be Community Representatives. The Chair will have delegated authority to act on behalf of the Board between meetings (and the Vice Chair on their behalf in the absence of the Chair) and will report back to the Board about all decisions taken under delegated authority.
- c. Frequency of meetings – meeting will be held at least four times per year. Meetings will not to take place during election purdah.
- d. Access to Information. An information sharing protocol will be prepared and agreed.
  - i. This should cover the ability to request information for the Board and Service Reviews
  - ii. That staff will respond promptly to requests for information and explain if there are delays in providing information

- iii. The Board can commission reports (which are appropriate in scale and the role of the Board)
- iv. The Board will respect confidentiality in all its work and abide by Dudley procedures on the Data Protection Act and related legislation

#### 5. Monitoring of Performance

- a. The Board will receive quarterly updates and reports on the following:
  - i. Key Performance Indicators
  - ii. Satisfaction data
  - iii. Complaints and feedback
  - iv. Value for money
  - v. Risk Register
- b. The Board will use this information to identify topics for Service Review
- c. The Board is able to request the format in which it receives reports

#### 6. Service Reviews

- a. The Board will commission Service Reviews and appoint 5 representatives from the Board to carry out Service Reviews including a Lead Representative. In identifying topics the Board will have regard to the views of the Management Team and Internal Audit to ensure reviews are timely and appropriate. The Board can also invite other tenants, residents and leaseholders to be co-opted onto Service Review Teams.
- b. Dudley MBC will support these reviews through a lead Policy Officer, with responsibility for the service area under review, and a support Officer with responsibility for servicing the Service Review. Dudley MBC may also ensure external advice as needed to support Service Reviews.
- c. Service Review Teams will agree Objectives, Methods and Questions at the beginning of each Review and agree all activities with the lead Policy and Support officers
- d. Service Reviews will have regard to existing customer groups in the area being investigated.
- e. Service Reviews will conclude their work by discussing their draft findings with the lead Policy Officer and then submitting their draft report to the Assistant Director of Housing Services. This will be discussed with the Assistant Director and a final version of the report agreed. The Assistant Director will also ensure there is an agreed Action Plan.
- f. Service Reviews will report to the Board in the form of a Report with recommendations plus the agreed Action Plan.
- g. In the event of a disagreement the Board will consider both the Report and the Directors response.

- h. The Board will consider the Report and respond to its recommendations.
- i. The Board may also set up Working Groups which will work cooperatively with staff and report to the Board.

#### 7. Work Programme

- a. The Board will develop and agree an annual rolling Work Plan to set out the work programme of the Board and to fit in with the Dudley MBC business planning cycle
- b. In developing the Work Plan the Board will take account of Dudley MBC policies and plans, including the Divisional Plan, Internal Audit programme and the Council's own scrutiny programme.

#### 8. Support for the Board

- a. Support for the Board will come primarily through the Participation Development Team
- b. Board members will be provided with the loan of a laptop/iPad and internet access subject to signing a Guardianship form and training on how best to use these
- c. Board members will be able to claim expenses for travel and subsistence incurred in their activity for the Board in line with Council policies and procedures
- d. The Board will be provided with venue, minutes and papers sent in advance 5 working days before a Board meeting
- e. A budget will be established to support the operation of the Board
- f. Training will be provided for all members and attendance is an important part of membership of the Board (including the annual review of the Board and its members). Content will be informed by an annual skills audit. This may include on-line training provided by the Council
- g. The Board will be able to access any mystery shopping/tenant inspectors set up by the Council
- h. The Board will be able to access external advice

#### 9. Code of Conduct

- a. All Board Members must agree to abide by the Terms of Reference and Code of Conduct
- b. All Board Members must operate in the interests of the whole Borough and not as individuals or areas
- c. Code of Conduct based partly on existing Code of Conduct for Tenant Group and includes:
  - i. General conduct including acting on behalf of all residents and not for personal gain
  - ii. Conduct of meetings
  - iii. Discrimination

- iv. Confidentiality
- v. Political Affiliation
- vi. Conflicts of Interest
- vii. Use of IT equipment
- viii. Breach of the Code of Conduct

#### 10. Accountability

- a. The Board operates within an elected Council with defined responsibilities for the Council, Cabinet and Cabinet Members.
- b. All decisions relating to major financial or policy matters rest with the Cabinet Member for Housing, Cabinet and Council. The Board will inform and advise the Cabinet Member on these matters
- c. When making recommendations on allocation of the discretionary elements of community based safety and environmental improvement budgets the Board will be aware of safeguards that support decision-making and take note of all legal advice, be aware of political sensitivities and respect the governance framework of the Council.
- d. There will be an Annual Review of effectiveness of the Board and its members including views from Board members, councillors, staff and tenants who engage with the Board, attendance at meetings and training events and capturing the impact of the Board.
- e. In the event of a dispute between a recommendation of the Board and the Cabinet Member for Housing, the Chair of the Board shall meet with the Cabinet Member, advised by the Assistant Director of Housing, to discuss the matter and understand the reason for the dispute.

#### 11. Communication

- a. Details of membership of the Board will be made available on the website
- b. All minutes of the Board (excepting any confidential information) shall be published on the website
- c. All Service Reviews and agreed Action Plans shall be published on the website
- d. There will be an Annual Report of the Board
- e. Quarterly summaries of the work of the Board will be published in Home Affairs and in staff bulletins and made available to tenants, the wider public and stakeholders
- f. Councillors shall be kept informed on the activity and outcomes of the Board
- g. To abide by the Media Protocol when considering contacting the press

## 12. Partnership Working

- a. The Board will be aware of the wider work of Dudley Council such as the Quality of Life Standards pilot and the opportunity to engage with such approaches to support the work of the Board
- b. The Board will invite DFTRA to attend all meetings as observers and maintain a respectful relationship with them
- c. The Board will be aware of the work of the Council's own scrutiny structures and engage with them as appropriate.

13. These Terms of Reference will be reviewed annually to ensure they meet the purpose of the Board. The Cabinet Member for Housing will approve any necessary amendments under delegated powers.

## 14. Closure of the Board

- a. That in the event of the Council deciding to close the Board that closure will take place immediately

## Annex 1

### a. Interim Board Objective

- i. To agree the functions of the Board, such as its constitution, formal application process for membership and code of conduct, in preparation for formal implementation in April 2015
- ii. To consider options for the Community Safety and Environmental budget for April 2015 onwards
- iii. To monitor the discretionary element of the Community Safety and Environmental Budget
- iv. To consider at which point Board meetings should become open to the public

## Annex 2 Information Sharing Protocol