

Board meeting

Minutes of the meeting of the Board
at 5:30pm on **16th December 2020**

Held via:

WebEx video conference

Board Members

Mr I Thompson
Mr T Roehricht
Mrs C Jardine

Ms K Kennedy
Mrs C Lumsden
Mr D McIntosh

Ms P Russell
Mrs J Simpson
Mr J Muir

Attending

Jean Gray, Chief Executive Officer (CEO)
Howard Vaughan, Director of Finance and Assets (DFA)
Helen McMorran, Director of Business Support (DBS)

Esther Wilson, Director of Housing and Support (DHS)
Ann Wood, Director of Care (DC)
John Rankin, Head of Business Support (Minute)

Apologies received

None

Minutes

Item	Subject	Action	Due Date
00	Welcome		
a	There being a quorum present, the Chair welcomed all and opened the meeting.		
b	No declarations of interest were made, or conflicts of interest noted.		
01a	Minute of previous meeting		
a	The minutes of the meeting of 10 November 2020 were reviewed, and there being no amendments proposed, the minutes were approved.		
01b	Matters arising and outstanding actions		
a	Noted that 2 actions in relation to the budget would be carried forward to the 9 th February Board meeting, and that action 80 in relation to historical debts would also remain open. Otherwise, all outstanding actions were considered to be closed.		
b	There were no other matters arising not on this meeting's agenda or not included in the outstanding actions log.		
02	Strategic Decision- Risk Register		
a	The CEO noted that the risk register would usually be presented to the Board at the same time as the draft budget, but on this occasion presentation was delayed as it had been necessary to resolve some issues with the format of the document itself. The CEO further stated that the risk register report as		

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	presented provided a summary of where the organisation was and is currently and added for information that the recent audit on risk had come back in draft with a result of 'strong', with only one recommendation. The CEO pointed out that the risk register should support the organisation in looking forward and considering its strategic direction,		
b	The CEO reiterated that the risk register as presented did not include relevant risks in relation to the Covid-19 pandemic, as it was agreed previously by the Board that this should be presented in a separate, stand-alone risk register.		
c	The CEO explained that the Board and the Executive Team had previously undertaken work in relation to risk appetite and governance, supported by an external consultant. The CEO requested that, at the next Board away day, scheduled for March/April, the Board could consider the issue of risk appetite further.		
d	Board members noted that the risk register was easy to understand and it was useful to see the spider graph which was presented alongside the risk register. The spider graph identified some fairly large gaps, albeit it was acknowledged that work in relation to the risk register was ongoing. It was further noted that there were several risks where there were no actions noted and a query was raised as to whether this meant that no actions were needed or whether there was simply no action being taken. PR noted that there were a high number of risks where residual risk was red, even after mitigation, and in that context it was difficult to establish whether the direction of travel was that overall risks were reducing. The CEO advised that the red risks were reducing and that on this occasion there were 2-3 risks which had moved to amber and one which had moved to green, showing a more positive direction of travel. However, the CEO also acknowledged that there were some risks, such as in relation to the Health and Social Care Partnership, where although a plan was in place it would be likely that there would be no movement in the risk's red status over the next 12 months. In this particular risk the CEO advised that it would not make sense to list all actions being taken, as this would be unnecessarily detailed and would be covered in the project plan. It was agreed that it would make sense that on the next occasion that the risk register is presented to the Board, to include some further commentary in relation to such risks.	Exec	Jan 2021
e	The DBS agreed that the spider graph had identified that more work was needed in relation to mitigation. In that regard the Executive Team would review together in January and consider how mitigation was scored against appetite. The DBS noted further that the Executive Team had now developed a better understanding of how to use the risk register tool, and for example which parts needed to be changed manually and which were automatic.		
f	Board members noted that it would be necessary to update the Risk Register to reflect recently expressed regulatory concerns and the higher risk of increased regulatory engagement, and a query was raised as to whether, in the event of higher regulatory engagement this might have an impact on loans or loan covenants. The DFA advised that he was not aware of any specific provision in the relevant agreements, and it would simply be necessary to have the conversation with the bank, albeit in the context of a generally positive working relationship with the bank. The DFA advised that he would check the CAF Bank loan agreement to confirm the position.	DFA	Dec 2020
g	Board members noted that, from a review of the heat map when correlated against key risks, all risks and relevant actions with the exception of care home voids were controllable, and therefore the question that should be asked was whether the Board was satisfied that the actions identified were the right ones	Exec	Jan 2021

Item	Subject	Action	Due Date
	to mitigate the risks. The CEO advised that this question would be considered by the Executive Team in January, and that the heat map would be considered at the same time as the issue of risk appetite, with a view to a proposed update to the Risk and Audit Committee at its meeting at the end of January.		
h	Board members acknowledged the work that had been done to improve the risk register, and agreed that it would be key for the Board to understand its levels of risk appetite. In that context the Board agreed to set up a meeting for the end of January or start of February 2021 at which it would review the risk register and consider its risk appetite.	Board	Jan/Feb 2021
3	Strategic Decision- November Accounts Feedback from SLWG		
a	The DFA spoke to the relevant paper, noting that the detail had already been scrutinised by the Short Life Working Group. The DFA noted that there were no major changes in relation to the version of the accounts previously reviewed by the Board. The DFA advised that turnover was under budget, with the care homes being the main component, being £422k under budget, with Housing also under budget by £121k on income, mainly due to voids.		
b	The DFA advised that the main impact on the organisation's bottom line remained the inability to fully remobilise in relation to maintenance work. The DFA noted that there were 2 potential projects which would enable the under budget component to be spent: corridor lighting in Croft an Righ, and the LD1 fire alarm systems work.		
c	In terms of care homes, the DFA noted that the staff costs were still over budget but in line with the reforecast figure. In terms of Key Performance Indicators with regard to care home occupancy, the DFA noted that these were up in St Rafael's and Lennox House, but down in Marian House, albeit it was hoped that this would be partially addressed in early course by 2 planned admissions to Marian House. The DFA advised that the main concern with regard to care homes related to the forecast levels of care home occupancy not being maintained, with November - January historically being the most challenging period in terms of loss of care home residents. The DFA advised that this aspect would be monitored, in the context of ongoing review of the reforecast with regard to care home income.		
d	With regard to Housing, the DFA noted that void loss was becoming a slightly greater concern, as there were 57 voids (4.2%) at the end of November, which was higher than forecast, and could potentially have a knock on effect on next year's budget, albeit this would be considered prior to bringing the revised final budget to the Board in February.		
e	With regard to sustainability claims, The DFA noted that the position was positive, and that Viewpoint was in a good position in relation both to accuracy and frequency of submission, with claims being submitted to the end of November. Care home occupancy void payments would be paid before the end of December and the additional costs elements would be dealt with at a slightly later date. The DFA advised that in terms of further claims to be processed, a further £91k in payments was anticipated over and above what was forecast. With regard to Care at Home's sustainability payment, the DFA advised that a payment of approx. £41k was anticipated. Finally, with regard to Housing Support, although no other RSL had as yet claimed in relation to that component, the DFA advised that work was ongoing in relation to submitting that claim.		

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f	The DFA drew the Board's attention to the 'ready reckoner' table (table 4), and noted that from a loss of £651k at the end of October, given that occupancy had dropped in November, the loss had also dropped to £802k, moving towards the bottom left of the table.		
g	Noted on behalf of the relevant Short Life Working Group, that the group was satisfied with the work being undertaken by the Finance Team, and the areas being considered which would count towards surplus/ deficit at year end. Noted further that voids were indeed an issue when compared to where the organisation would expect to be at this time, and given that income factors were going down there was still the possibility that the budget would represent a loss next year, and in this context there could potentially be some important decisions for the Board to take in February.		
h	Board members noted that, in relation to regulatory standard 3.1 in relation to balancing costs/ outcomes, and ensuring that costs are controlled effectively, there may be increased significance for the Scottish Housing Regulator ('SHR') in the event that a deficit budget is presented, and that caution would need to be exercised in this regard.		
i	The CEO noted that the Executive Team was currently looking at what savings could be made in relation to the budget, and noted in that regard that officers' intention remained to deliver a surplus budget. The DFA noted that if planned spend needed to be delayed to support a surplus budget, this could be considered. The DFA also noted that the recent Financial Controls audit returned a result of 'strong assurance' with no recommendations, and that this would be a positive message to communicate to the SHR. With regard to the budget, the CEO added that consideration could also be given to capital spend on maintenance, rather than via the revenue spend, and that this was an option that was being explored.		
j	Noted on behalf of the Short Life Working Group that its focus was on ensuring that covenants should not be breached. Noted further that £195k had been earmarked for accruals in relation to the LD1 works, and the DFA was considering how this could be used via discussion with the auditor, depending on whether the works were done or not.	DFA	Dec 2020
k	The DFA concluded by advising that officers would have more certainty in relation to the position at the end of December, and that there would be further discussions at the Short Life Working Group, followed by the Risk and Audit Committee, before the final version of the budget was presented to the February meeting of the Board.		
04	Strategic Decision- Investigation SLWG Update & Action Plan		
a	The CEO invited comments from members of the Short Life Working Group, following on from the development of the relevant action plan, and in the context of the meeting which had taken place with the SHR on 08.12.20. Members acknowledged that whilst every effort was being taken to mitigate the risks that had been presented, it would be necessary to take more action in relation to our response to the SHR. Also noted that there should be no complacency in relation to the response by the organisation, and that this should be conveyed also. Members queried that it would be also be helpful to clarify the meaning of some of the comments made during the meeting on 08.12.20 and it was agreed to pursue further clarification from the SHR.	CEO	Dec 2020
b	The CEO agreed with members' comments and advised that she would propose responding to the SHR prior to Christmas to advise that, in light of	CEO	Dec 2020

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	<p>the queries raised at the meeting on 08.12.20, investigation was ongoing in relation to compliance with relevant regulatory standards. Agreed that the CEO should proceed as suggested, requesting a further meeting with the SHR, and in the meantime the Short Life Working Group should progress delivery of the relevant action plan, with a planned delivery date of March 2021.</p>		
05	Covid-19 & Remobilisation Update (Verbal)		
a	<p>The CEO provided a verbal update, advising that there were 17 vacancies in Care Homes at present, 6 in Lennox House, 6 in St Raphael's and 5 in Marian House, although 2 admissions to Marian House were expected in early course.</p>		
b	<p>The CEO advised that winter was a difficult time generally for the Care Homes in terms of illness and especially those receiving palliative care. With regard to Covid-19 vaccinations in the Care Homes, consent forms had arrived, and whilst it had been confirmed that consent was not required, this approach would still be taken. Care Home staff were as yet unable to get through on the relevant 'phone line to make appointments to receive the vaccine, but attempts were ongoing in that regard.</p>		
c	<p>With regard to visits to the Care Homes, lateral testing kits had been provided to St Raphael's and Marian House, but not to Lennox House, and the testing process was taking approximately 40 minutes per visitor. The CEO confirmed that all relevant costs would be included in sustainability claims.</p>		
d	<p>The CEO advised that the Crown Office investigations into the deaths of residents who had died during the first wave of Covid-19 were ongoing, and these involved a significant amount of work for staff in terms of collating relevant material for submission and review.</p>		
e	<p>With regard to the Scottish Government announced £500 payments to care staff, the CEO noted that to date no further information had been received in relation to criteria, or mechanisms for delivery. At this stage it was anticipated that these payments would not be received until 2021.</p>		
f	<p>The DC advised that there had been 2 positive tests within the Care Homes which had meant closure for visits, and noted further that there were now 4 voids within Marian House. The DHS advised that, whilst it was not our role to track all tenants with positive diagnoses, there were not known to be many. With regard to staff who had had positive tests, the DHS advised that there had been a higher number of staff with confirmed tests during the second wave, but that this might simply have been due to increased testing.</p>		
g	<p>The Board noted the terms of the Covid-19 & Remobilisation Update provided by officers.</p>		
06	Quarterly Performance Report		
a	<p>The DBS noted that the Q2 Performance report would normally be submitted to the last meeting of the Board, but due to the size of the last agenda the report had been held over to this meeting. The DBS further noted that the report was in the format that the Board was familiar with, and that where there had been a decrease in performance, additional commentary had been provided.</p>		
b	<p>Tenant Board Members noted that in their view the report format was useful and that the report was fit for purpose. The Chair of the Operations Committee noted also that the intention was for the Operations Committee</p>		

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to look at exceptions moving forward, for example in areas such as complaints.

- c A question was raised, following discussion at the Financial Resilience Short Life Working Group, with regard to voids, and whether the increasing levels might be down to staff resources not being able to keep up due to volume, and whether in that context some temporary resource might be required. The DHS advised that the current challenges in relation to voids had been due to a number of factors, including people accepting and ending tenancies on the same day, which was unusual, and some older people who might otherwise have become tenants choosing not to move, given tightening of restrictions at the current time. The DHS noted that a new COVID safe process had been put in place, as well as a new contractor who was at this stage being introduced to our voids process. The issue at present was that the number of terminations per month was the same as the number of new lets, and so effectively, inroads to the bulk of the backlog in numerical terms are not being made. That said, the DHS noted that management had been clear with relevant teams that they if they felt they needed more resources they should advise, and in the meantime weekly and monthly voids meetings were taking place with relevant team members to consider all relevant issues. The CEO noted that other organisations with older client bases were experiencing similar issues to Viewpoint, in that prospective tenants were reluctant to move into properties at this time. One of the Tenant Board members noted that a property near their own had become vacant and officers had acted quickly to re-let it, which was positive.
- d A query was raised in relation to the decrease in the number of right first time reactive repairs. The DFA noted in response that the Q1 figure was based on a very small sample, and the Q2 figure related to a time when the new contractor was mobilising, and the position would improve as the contractor continued to integrate. That said, the DFA noted that the Q2 figure was still within target, albeit this aspect would be monitored by officers.
- e A query was raised in relation to training, in that the report indicated that there were some difficulties obtaining online training, and a question was asked as to whether there had been any progress in relation to obtaining e.g. palliative/ end of life training. The DC advised that, as well as accessing the eLFY platform, relevant staff had made progress by accessing reflective practice sessions facilitated by an external consultant, as well as refreshing infection control training, and it was anticipated that the relevant figure would be improved in the next quarter. It was noted that it would be positive to also capture and report on this aspect if possible.
- f The Board noted the terms of the Quarterly Performance Report.

07 Review of Housing Support Project Update

- a The DHS noted that the funding position from the City of Edinburgh Council for this financial year had been confirmed, and a letter had also been sent to all tenants last week to advise them of the position, with a member of the team fielding relevant calls. The DHS noted that the relevant project manager would be starting in post before the end of the year, and that the individual who had been appointed had been acting as Head of Housing Support recently, so would be able to hit the ground running.
- b In terms of funding for the relevant project the DHS advised that the Viewpoint Trust had agreed to fund £20k towards tenant insight, and also 70%

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	of further direct costs, up to a cap of £100k, and these agreed costs would be factored into the budgeting process.		
c	The Board noted the terms of the Review of Housing Support Project Update.		
8	Policies for review		
a	The DBS spoke to the 2 revised policies which had been provided for review and approval to today's meeting. With regard to the risk management policy the DBS advised that the procedural aspects which had been included in the previous version of the policy had been removed and added to a separate procedure, in accordance with the updated policy template previously reviewed and approved by the Board. The DBS confirmed that there were no other substantive changes to the policy detail.		
b	With regard to the Procurement Policy the DFA advised that there were 3 updates from the version of the policy which was presented to the Board last year. Firstly, the policy had been put into the new policy template. Secondly, relevant threshold figures had been updated, and thirdly with regard to tender opening an amendment had been made to make it explicit that 'senior staff' meant Leadership Team and above, in line with a recommendation made by internal auditors.		
c	A query was raised as to whether Brexit would have an impact in relation to relevant procurement rules, and the DFA advised that this was unlikely to have an impact in relation to this area.		
d	Board Members raised a query as to whether all aspects highlighted in the recent investigation report by internal auditors were adequately addressed by the updated policy, and associated documents. The DFA advised that there were still assets tenders to carry out, and it would be necessary to ensure that advertised tender values are monitored against actual spend, so that if tender contract values are reached earlier than anticipated, new tenders could be conducted. The DFA noted that advertised values would be included in the contracts register moving forward and would be monitored by the new Procurement and Contractor Performance Officer post. Otherwise the DFA advised that there would be other areas to look at in due course, but in the meantime officers had been following the relevant policy since the updated version had been put in place.		
e	A query was raised in relation to the wording of the policy, noting that the policy statement makes reference the fact that Viewpoint will maximise value for money, whereas the policy later talks about the most economically advantageous tender. It was noted in that regard that internal auditors had advised that too much emphasis was being placed on baseline cost, and not enough on quality. The CEO advised that it was important to make it clear in the policy that Viewpoint was looking for value for money, and noted also that the quality aspect was covered in the policy. The CEO advised that when tenders were issued it was made clear what the split as between quality and cost was. The DFA added that the Risk and Audit Committee had added a line to the policy in relation to all tenders having a qualitative aspect, and now the minimum quality element was 60%. Board members also noted that value for money includes outcomes.		
f	Related to the above a query was raised as to potential technical solutions available, for example if hydrogen central heating was being tendered the contractor offering that might be at an advantage. The CEO acknowledged		

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	<p>this point although noted that at this point if hydrogen heating were being sought there might only be one contractor locally who could offer this. The DFA added that Viewpoint could improve in future on considering alternative funding sources, noting that, for example, in relation to renewables there were many funding sources available. The DFA noted in that regard that a member of the team was currently considering this aspect.</p>		
g	<p>Following the above discussion, the Board approved the updated Risk Management and Procurement Policies.</p>		
9	<p>Governance Report</p>		
a	<p>The DBS spoke to the report that had been presented, noting that it was straightforward, and the items contained therein were for noting.</p>		
b	<p>In relation to section 8 of the report on Board training and Conferences, the DBS noted that 2 Board members had attended a Digital Care event, and relevant members commented that whilst sessions had been interesting, there was a particularly clinical focus, which was of perhaps limited value at a governance level. Members further noted that they had attended a presentation in relation to professionalism in IT services within Health and Social Care, and a keynote presentation from a representative from the Scottish Government.</p>		
c	<p>With regard to the EVH Board and Governance training mentioned within the report, the DBS noted that whilst the course was now full, it would be helpful to ascertain at this stage which Board members might be interested in attending the course should it be run in future, albeit the course represented a fairly large time commitment, being 6 x 2 hour sessions.</p>		
d	<p>The DBS advised that Shirley Otto would be providing some training to Board Members, per the Governance Action Plan, and that this aspect would be taken forward in the new year. The Chair noted that the Board self-assessment process would be taken forward this month, with questionnaires being sent out to all Board Members, with 1:1s to be set up in the New Year.</p>		
e	<p>A query was raised in relation to the section of the report on the CI, Adult Support and Protection, and the resident who had been admitted to hospital with a fractured femur. The query was whether there were any lessons learned exercises conducted in relation to such incidents, or any required actions identified, and a further query was raised as to whether insurers needed to be notified. The DC confirmed that such incidents would not be reportable under Adult Support and Protection, and advised further that they would lead to a review of the relevant risk assessment, as well as discussion at staff meetings/handovers, whilst balancing the need to support resident independence wherever possible. Potential remedial actions in such cases might include use of trip mats. Further, the DC noted that further information in relation to resident accidents, and follow-up/ remedial actions where relevant, was provided in the Health and Safety reports to the Risk and Audit Committee. The DFA added, with regard to notification to insurers, that a conversation had been held with insurers in the context of the Covid-19 pandemic, and their advice had been that it would be necessary to notify potential claims, as long as best practice was being followed, and that therefore only actual claims should be notified.</p>		
f	<p>The Board noted the terms of the Governance Report.</p>		

Item	Subject	Action	Due Date
10	Any Other Competent Business		
a	One of the Board members acknowledged that, due to a combination of personal circumstances, he had been unable to attend some meetings recently. The Board member thanked his colleagues for their support and advised that he anticipated continued attendance and participation in future meetings.		
10	Date of next meeting		
a	The next meeting will take place on 9 th February 2020 at 5.30pm via Cisco WebEx [tbc]		

The meeting closed at 7:20pm.

Approval of the minutes

Signed as a true record of the meeting, following the approval of the draft minutes by a meeting of the Board.

Signed:

Date:

Iain Thompson, Chair