

Briefing Notes

“The role of board members in professional standards”

Monday 14 February 2022

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Anthony Collins
solicitors

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Introduction

In this session Lara Oyedele explored the role of board members in professional standards. Lara is Vice President at the CIH, Chief Executive at Black On Board Ltd, NED at Housing 21, and Chair Of the Board Of Trustees at Hope Housing (Bradford) Ltd. Lara opened the discussion with a presentation on how board members should relate to and support the recently developed CIH professional standards.

CIH professional standards (the Standards)

- Integrity
- Inclusive
- Ethical
- Knowledgeable
- Skilled
- Advocate
- Leadership

The Standards provide benefits for employees, residents and organisations; enabling housing associations to meet customer needs, set benchmarks for behaviours and ensure compliance with legal, regulatory, and statutory expectations.

Developed by the sector, for the sector

The Standards have been in development since the Grenfell tragedy and were soft launched shortly after. Considerable work has been carried out with stakeholders in their development and they aim to reflect the attitudes and behaviours that our residents expect and deserve. The Standards self-assessment tool was recently launched and is available [here](#).

The professional Standards are available to all on the CIH website. There are links through to the Standards against each characteristic. The website also includes "what this means in practice" and "pointers for self-reflection" sections. Lara shared the results of her own personal assessment and gave her the opportunity to self-reflect.

The good thing about the tool is it provides a framework to look at yourself against your own organisation's Standards, but also to measure yourself against the whole sector.

Overlap between the Professional Standards, Charity Law and Company Law

The Professional Standards overlap with trustee duties and company director legal duties. If you are behaving appropriately as board members then you should perform well against the Standards.

The Lara Tests

Lara explained that she came to the sector through being homeless. She clearly remembers how happy she was when she was given the keys to a local authority flat. Since then, she has wanted to be somebody who does that for other people. This experience has meant she has always had a set of her own personal standards that are relevant to the professional Standards: the 'Lara Tests'.

1. The cringe test: if what you are doing makes you cringe then it is not right.
2. The Daily Mail test: if someone in the media saw your email or heard your board discussion what would they think about your organisation? What does it say about what you do?
3. The Mum test: if this was your Mum, would you be happy with the situation, what would the impact of the decision be on your Mum if this was her home.

The Standards and the Nolan Principles

The Standards and the Nolan Principles share two overlapping principles: integrity and leadership. It would be a good idea for Boards to compare the Standards with the Nolan Principles. Lara explained that it is important that we cascade these principles down the organisation, with the Board leading by example and staff at every level of seniority holding themselves accountable. It is important to be able to verbalise what the Standards are and what your organisation values.

Media Coverage

Social housing activist Kwajo Tweneboa has received considerable press coverage recently reporting on poor housing conditions for social housing residents. Whenever Lara sees his videos, or other bad press coverage, she questions what we are doing wrong as a profession. She wonders how, when we have professional standards and we care about our tenants, we have come to where we are. The Standards should be used as a tool to move forward.

Q&A session

- Attendees felt that the Standards could be used as a mapping tool for assessing their organisations, staff and housing stock.
- They queried whether CIH members are required to partake in continuous personal development. Chartered members are expected to complete 20 hours of CPD a year.
- There was a debate as to why CIH membership is not required for housing sector jobs and if it would be beneficial.
- It was discussed that, whilst currently the Standards are for individual members, there is a discussion to be had as to whether they could be formatted to work for groups.
- How does the NHF Code of Conduct for members fit in? At the moment, housing associations can adopt what they deem appropriate. CIH is working on this project to find a set of Standards that would apply across the board if they are adopted. The Standards relate to how we bring professional conduct into employee conduct.

Breakout room session

What role should boards be playing in driving forward these professional standards and how are they going to do it?

- Attendees felt that Boards should be leading by example. Encouraging CIH membership could be part of staff recruitment processes so that they understand the Standards. Recruitment criteria could be used as a driving tool alongside board skills matrixes to identify gaps in

knowledge. Board appraisals could also be used to identify whether the Standards are being upheld at board level and at senior management in the organisations.

- The board should be setting the culture and tone for organisations from the top down, there should be a trickle-down effect, encompassing things like how board members speak to residents and staff.
- Some attendees wondered whether a new set of standards will meet the gap. Do we need a new set of standards if our organisation already has its own and will people be willing to homogenise across the sector? However, it may prompt some boards to have a refresh/ rethink of their own standards.
- Prior to recent negative media coverage, many of the organisations highlighted would probably have assessed themselves well against their own values or the Standards. However, it is clear from the volume of press coverage that these standards are not universally being met. If those organisations have already got standards and are not performing against those, will having another set of standards help?
- Boards have a role to play in demonstrating that they meet the Standards in their personal behaviour and how they conduct themselves.
- Aspects of the sectors are regulated in other ways, in regard to standards, than the whole housing sector, e.g. HR accreditation, chartered surveyors, other professional accreditations.
- Some housing association responses to negative media coverage has been very defensive, perhaps one of the Standards should measure the skill of being responsive.
- The Standards should be reflected in the values and culture of the organisation.
- Behaviour trumps values: do we see behaviours that demonstrate the Standards?

How do boards get assurance that it is being done?

- Cultural audits are one option to get assurance. Whilst they are difficult to carry out, listening in, in a variety of places (e.g. staff calls to residents) is one option.
- It is necessary to have a really good understanding of your property portfolio. Every single property is unique and is lived in by different people.
- Develop good measures for transparency. Should transparency be a standard? Employers need to feel empowered to tell senior management and the Board what is going wrong in their organisation.

- As Board members, we must be the critical friend and remember to ask operational questions as well as strategic questions.
- Monitoring should occur at Board level and on the ground.
- Damp and mould - Boards should be requesting reports on this, this is not just an operational issue for the executive team.
- Wider 10% checks may be a way of surveying stock.

Closing thoughts

Without regulatory enforcement do the Standards lack teeth? If so, how can Boards combat this?

With increasing energy costs, damp and mould are going to become more of an issue. Tenants will not be able to heat their homes as much and may take steps to reduce their energy consumption, such as turning off their extractor fans, which will exacerbate the issue. Board members need to start considering this. As part of their adherence to the Standards they may need to start asking questions and requesting more focus on from their executives on operational issues such as damp and mould.

Peter Hubbard and Holly McKechnie

Anthony Colins Solicitors LLP

Resources

1. [Lara's Slides](#)
2. [CIH Membership](#)

Register for our next session

Everything you need to know about procurement but were afraid to ask

Monday 28 February 4 - 5pm

Public procurement is currently going through significant reform, with new legislation promised in the near future. How social housing organisations drive best value through procurement, securing the best goods and services at the best price, and deliver on social value for our residents and communities, are key challenges. This comes at a time of significant challenges in global supply chains and gaps in the domestic workforce. Here from sector expert [Mathew Baxter](#) about the opportunities, challenges and risks within procurement and what board members need to know and keep focused on.

Speaker: [Mathew Baxter](#), Founder and Managing Director Echelon Consultancy, Board Trustee of the Construction Youth Trust and Herts Young Homeless

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