

## **Circle Anglia response to the TSA Governance paper**

### **Q1. What elements of the existing approach to regulation of governance should the TSA carry forward?**

Developing the role of the boards of registered providers in self assessment is the element that seems most relevant for the TSA to carry forward. Currently many different styles of governance which comply with NHF best practice and satisfy regulatory requirements and this should continue.

### **Q2. Is a national standard rather than a local standard for governance the most appropriate approach?**

A national standard seems appropriate so long as it allows for flexibility to accommodate different, but valid governance and group structures and not a one size fits all approach. Need to demonstrate options that fit with the current NHF code of practice to ensure that large costs of re-structuring are not incurred by housing providers. We would suggest that this code of practice can work as a voluntary guide across all providers.

### **Q3. Are there particular areas within governance that lend themselves to further amplification by way of a code? If so what areas might such a code reflect?**

We would welcome guidance on conflicts of interest and the replacement to Schedule 1.

### **Q4. Is this approach suitable for a diverse domain?**

This feels very detailed and may not be suitable for a diverse sector. Less mature organisations may struggle with some of the detailed signposts or they might not be relevant to the for-profit providers. Defining the role of the Chair and the Executives in a standard is too prescriptive but guidance would be appropriate.

### **Q5. Are there other key elements of governance that this option is missing?**

There isn't any reference to the involvement of residents and other stakeholders in the governance structure, although this may not be relevant across a diverse sector.

### **Q6. Is a standard framed in this manner meaningful and enforceable?**

This option feels clear and focused on key objectives. It gives registered providers some flexibility in how they demonstrate compliance. This seems relevant for a diverse sector. This provides the flexibility to encompass all types of group structure. There is a reliance on self assessment which should be encouraged.

### **Q7. Is this approach suitable for a diverse sector including for-profit providers?**

This option feels very relevant for not-for profit providers in particular the need to focus on outcomes for residents, potential residents and others stakeholders, the promotion of values and making accountability real. Although this approach might be less relevant for the for-profit providers in the sector there is an emphasis on accountability to stakeholders. It is a good option provided clear guidance is available on key issues for TSA and how housing providers are assessed. We are keen that any guidance isn't too prescriptive and allows innovation and flexibility.

### **Q8. NO QUESTION 8**

### **Q9. What do you consider would be an appropriate combination of assessment methodologies for compliance with the governance standard to begin with?**

A combination of self assessment by the Board and formal regulation through accreditation and TSA assessment of key indicators seems appropriate in the first instance with greater emphasis on self regulation over time. The level of regulation required should be tailored to the maturity of the Association. It would be appropriate for more established associations to rely more on self assessment which may not be appropriate for new organisations to cope with.

### **Q10. Which areas within governance lend themselves to particular methodologies?**

Benchmarking might be helpful in areas such as developing board effectiveness and stakeholder engagement. Internal control and risk management might lend themselves to independent validation. Assessing focus on purpose and values seems better dealt with by self assessment. Engagement with stakeholders and transparency seem like the areas that would be best dealt with via feedback / assessment from residents / stakeholders.

**Q11. What are your views on the potential options and grading system for assessing registered providers' compliance with the governance standard?**

A judgement against each of the national standards rather than one overall assessment would make it easier for stakeholders to see which areas providers are strong / less strong in.

For further information contact:

Clare Brine

Head of Public Affairs

0207 447 3035

[Clare.brine@circleanglia.org](mailto:Clare.brine@circleanglia.org)

1-3 Highbury Station Road

London N1 1SE