

# Regulation Committee Meeting 26 Minutes November 22<sup>nd</sup>, 2018.



<b>Date</b>	22 <sup>nd</sup> November, 2018
<b>Venue</b>	Housing Agency, Mount Street Upper
<b>Time</b>	11.00am – 1.00pm
<b>Chaired by</b>	Mary Lee Rhodes (M.L.R.)
<b>Committee Members Present</b>	Eddie Lewis (E.L.), Michael Cameron (M.C.), Donal McManus (DmcM), Oonagh Breen (O.B.), Ronan Heavey (R.H.)
<b>In attendance</b>	Susanna Lyons (S.L.) (Head of Regulation, RO, Housing Agency), Jenny Murphy (J.M.) (Secretary to the Committee, RO, Housing Agency) Grainne Johnston (G.J.) (Performance Manager, RO, Housing Agency)

## Agenda Items

### 1. Apologies

- David Smith sent apologies.
- The Chair informed members that Margaret Geraghty has stepped down from the Committee. The Chair thanked Margaret for her contribution to the work of the iRC over her tenure as a member.

### 2. Declaration of Interest

- No declarations of interest were made.

## Part 1 – Consent Agenda Items

### 3.

- Minutes
- Assessment Update
- Regulatory Framework – November Issuance
- Head of Regulation Report
- Performance Standard – iRC Approval

### Outcome

Consent Agenda items agreed by Committee with minor amendments to Minutes.

### 4. Matters Arising

Matters arising from the September minutes and consent agenda items:

- Committee members raised the issue of requesting the Bill from the Department in order to enable the committee to review and provide advice. It was agreed to communicate directly with the Department in this regard.
- No further contact has been received from the Office of the Information Commissioner regarding the Freedom of Information request. Committee members reiterated the need for the Regulation Office to take a proactive approach to this and develop a brief contingency plan in advance of the decision of the OIC.

### Action

- 1) Regulation Office/ iRC to request directly that the Department share the draft Bill.

- 2) Regulation Office to prepare contingency plan in advance of the decision of the Office of the Information Commissioner.

### **5. Update from the Department**

David Smith was unable to attend the meeting. It was noted that work remains ongoing with the Parliamentary Council in finalising the text of the Bill. The classification of the larger AHBs also remains under review.

### **6. Engagement Policy & Framework Proposal**

S.L. provided an overview of the proposal regarding the Engagement Policy and Framework. This proposal arises from discussions at previous iRC meetings and discussions with the Department regarding the operation of the engagement process. It had been agreed that more clarity was required around the process for organisations that have been deemed to require engagement, particularly in light of Circular 15/2016.

- The proposal includes a set time period for the organisation whereby the Regulation Office issues an assessment report and, if applicable, an organisation is asked to provide additional assurances regarding findings from the assessment process. Committee members agreed that this was an appropriate addition to the engagement process. In addition, the proposal ensures that engagement process is owned by the AHB rather than the Regulation Office.
- The proposal was supported by the Committee, agreeing that it provided the clarity and transparency required for organisations around the engagement process.

#### **Action**

- 3) Engagement framework proposal approved with amendments.

### **7. Discussions of New Terms of Reference for iRC**

It had been raised at previous meetings regarding the iRC's Terms of Reference and the need to review and potentially amend the terms in order for the Committee to continue operating effectively. Each Committee Member was asked for their opinion on the current terms of reference and suggestions for potential amendments or expansion that can then be provided as recommendations to the Department.

- It was felt that, in many ways, the terms of reference reflect the operations of the committee but that they need to be advanced and strengthened due to the development of the regulatory framework over the past four years. It was suggested that the terms could reflect strategic direction rather than operations.
- It was noted by Committee Members that the engagement process has been developed over the course of the operations of the VRC. There is now a consequence in place, post circular 15/2016, where an organisation is not meeting Code

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requirements. It was agreed that the embedding of the engagement process should be reflected.

- Committee members agreed that there needs to be greater clarity regarding the relationship between the Housing Agency, the Department and the iRC. Further clarity is also required regarding the reporting structures between the iRC and the Department.
- It was agreed that it is not possible to include reference to transition from voluntary to statutory in the terms of reference in the absence of legislation. It was further reiterated that the iRC does not see any role in the transition process under the current Terms of Reference. It was suggested to include an end point in the terms, confirming that the iRC role will end when the statutory regulator is established.

#### Action

- 4) Recommendations for updated Terms of Reference to be drafted and circulated to Committee Members.

#### 8. 2019 iRC Away Day and meetings

J.M. to circulate dates to Committee Members with potential dates for Away Day in January 2019.

#### Action

- 5) J.M. to circulate poll with potential dates for Away Day in January 2019.

**The next iRC meeting is to be confirmed.**