Community Counts
Milnbank
Housing Association
53 Ballindalloch Drive, Glasgow G31 3DQ

TO:	Management Committee
PREPARED BY:	Paul Martin (CEO)
SUBJECT:	NOTIFIABLE EVENTS POLICY
DATE OF MEETING:	10 June 2025

NOTIFIABLE EVENTS POLICY

PM/AUGUST.2025/P101

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1. MILNBANK HOUSING ASSOCIATION (MHA) STRATEGIC OBJECTIVES

MHA's mission is to provide excellent homes and services in a thriving community. We believe that people living in the MHA community should:

- Have warm, safe, and affordable homes, and receive excellent services from MHA.
- Live in neighbourhoods that are clean and well cared for, with real community pride.
- Have access to opportunities and services that promote a good quality of life.

2. MHA's VALUES

Working as 'One Milnbank' so that we offer the same quality of services, support and housing to all tenants and residents.

3. LEGAL & REGULATORY COMPLIANCE

The Management Committee (MC) leads and directs MHA to ensure good outcomes for its tenants and other service users. MHA must comply with the SHR's statutory guidance to meet the regulatory requirements in chapter 3 of the Regulatory Framework and to meet their obligations under the 2010 Act.

4. POLICY INTRODUCTION

4.1 This policy is based on guidance issued by the Scottish Housing Regulator (the SHR) and it sets out the events that MHA should tell the SHR about. It explains why the SHR has a regulatory interest in these events, what they require MHA to notify them about, and what they will do with the information we provide.

The SHR are interested in events which may put at risk:

3.1.1 the interests or safety of tenants, people who are homeless and other service users

3.1.2 the financial health of MHA, public investment in the Association or the confidence of lenders; or

3.1.3 the good governance and reputation of MHA or the Registered Social Landlord (RSL) sector.

3.2 The Housing (Scotland) Act 2010 also requires that MHA notify the SHR about certain disposals of land and assets, and constitutional and organisational changes.

3.3 The SHR's approach to regulation is risk-based and proportionate. This means that they will gather only the information that they need to regulate effectively. The Association is responsible for alerting the SHR to important events that pose a significant risk in a timely manner and must also comply with its wider statutory duties, including those duties which are set out in the 2010 Act.

3.4 Standard 2.5 of the Standards of Governance and Financial Management requires MHA to inform the SHR about any significant events. This policy sets out what type of events MHA must tell the SHR about.

4. What are Notifiable Events?

4.1 MHA must tell the SHR about any material, significant or exceptional issue, event, or change within the organisation and how we intend to deal with it, or, where appropriate, provide them with a reasonably detailed explanation as to why a significant change has been implemented.

4.2 The lists in **Appendix 1** provide examples of the type of notifiable events MHA must immediately notify the SHR about. The lists are illustrative rather than exhaustive. As a general guideline, notifiable events are those that may:

4.2.1 Seriously affect the interests and safety of tenants, people who are homeless or

4.2.2 other service users

4.2.3 Threaten the stability, efficient running or viability of service delivery arrangements.

4.2.4 Put at risk the good governance and financial health of MHA.

4.2.5 Bring MHA into disrepute or raise public or stakeholder concern about MHA or the social housing sector.

4.3 The SHR recognises that what is 'material', 'significant' or 'exceptional' will depend on the nature of the event and the particular RSL. Whether an event is 'material' or 'significant' may depend on factors such as the size or complexity of MHA's operation; therefore, MHA will consider the risk and potential impact on the organisation when deciding whether an issue is a notifiable event.

2 4 SHR want to ensure RSL's only bring the most critical issues to their attention. MHA will contact our Regulation Manager, SHR, for guidance where we are unsure if something needs to be reported. When in doubt, SHR recommend MHA notify them. **Appendix 1** sets out examples of the type of events RSL's must notify SHR about.

2.5 MHA must consider the impact of the issue or event on our compliance with the Standards of Governance and Financial Management and other regulatory requirements, including compliance with our legal obligations. MHA must notify the SHR of any material changes to the assurances or supplementary information reported in our Annual Assurance Statement.

2.6 **Appendix 2** explains when Milnbank Housing Association needs to notify the SHR about the outcome of tenant consultation, certain disposals, constitutional and organisational changes, and the timescales for notification.

5. Who should notify the SHR?

5.1 The Chief Executive will notify SHR about a notifiable event which relates to governance and organisational issues, performance and service delivery issues or financial and funding issues.

5.2 The Chairperson will notify SHR about a notifiable event if there is a conflict of interest for the Chief Executive, for instance, if the Chief Executive has left the organisation or if there are concerns about the Chief Executive or the Management Committee. The Chairperson must also tell the SHR about any changes relating to the Annual Assurance Statement.

5.3 A staff member who is authorised to do so, in line with the Scheme of Delegation, can notify the SHR in relation to the disposals and changes set out in **Appendix 2**.

5.4 The Management Committee of Milnbank Housing Association is accountable and responsible for the effective management of the organisation. We will therefore ensure that the Management Committee is aware of all notifiable events and events which we have considered may be notifiable, even those which the Chief Executive is responsible for reporting. All Management Committee meetings will include a standing agenda item on notifiable events to ensure that the Management Committee can raise notifiable events and is aware of them when they occur. This process will also be set out in the Standing Orders Policy under 'Delegated Authority'.

5.5 In some cases, MHA may need to notify other organisations of a notifiable event, for instance, our lenders, OSCR or ICO, dependent on the issue identified.

6. What information the SHR needs and how it is submitted

6.1 MHA will submit a notifiable event through the SHR's Landlord Portal ('the portal'). The portal includes a template to be completed which sets out the type of information the SHR needs about each event. The SHR need to know:

6.1.1 what the significant event, disposal or change is.
6.1.2 when it happened or is likely to happen.
6.1.3 who is involved and/or affected.
6.1.4 whether there are equalities or human rights implications and how MHA is ensuring it meets its legal duties in these areas.
6.1.5 what MHA is planning to do or what action it has already taken; and
6.1.6 when the MC was informed / will be informed.

6.2 For notification of tenant consultation, SHR statutory guidance '*Tenant consultation and approval*' sets out the information requirements for this type of submission.

6.3 For notification of disposals, and constitutional or organisational changes, MHA will include details of the change and confirm compliance with Regulatory Standard 7. **Appendix 2** sets out the information requirements in detail.

4.5 Where an issue is already noted within MHA's Engagement Plan, and there is any

uncertainty on whether it should be reported as a notifiable event, the CEO will contact our Regulation Manager for advice.

4.6 When the SHR receives the notifiable event through the portal, they will aim to respond within eight working days, with the CEO being responsible for informing the MC of the response.

7. When should we notify the SHR?

7.1 MHA will alert the SHR to a notifiable event as soon as is reasonably practical. Sometimes this will mean alerting them before an anticipated event happens so that they are aware in advance. There should be no delay, for instance, until after a scheduled Management Committee meeting. Where a major incident occurs, we will alert the SHR as soon as possible and not wait until the event has concluded. In particular, when considering a disposal or organisational change which requires consultation with tenants under the 2010 Act, MHA will notify SHR at an early stage in its deliberations.

7.2 MHA recognises the importance of accuracy in the completion of our Assurance Statement and notifying the SHR of any matters that may affect our ongoing compliance with the Standards of Governance and Financial Management and Regulatory Requirements. We understand that the SHR will treat matters seriously where we fail to tell them about a material or significant event or issue, or we have delayed notifying them of a matter and SHR will engage with the association to determine the significance of the non-compliance.

7.3 The SHR will engage directly with MHA to determine any action they may need to take. Where MHA's regulatory status is shown as 'compliant', the SHR may review this if the issue is sufficiently serious as to impact on the association's compliance with requirements of the Regulatory Standards of Governance and Financial Management. The SHR sets out how it will respond to serious concerns about an RSL in sections 6 and 7 of the Regulatory Framework.

7.4 The SHR may look at whether MHA has notified them in accordance with the SHR's Statutory Guidance on Notifiable Events as part of their work to verify our Annual Assurance Statement, or during a visit or other engagement activity.

7.5 Further information on the SHR's timescales for notifications of disposals and constitutional changes is provided in **Appendix 2**.

8. What the SHR will do with the information we provide?

8.1 The SHR recognises that MHA and other RSLs are responsible for managing their own organisation and for dealing with the events that occur. Requiring RSLs to tell the SHR about certain events does not transfer that responsibility for dealing with the implications of the event to the SHR. The SHR expects MHA to have an effective strategy in place to deal with the event, and they need to be satisfied that the action we have taken, or intend to take, will protect the interests of tenants and other

service users.

8.2 The approach of the SHR is risk-based and proportionate, meaning they only gather information needed to regulate effectively. At times, it is sufficient for the SHR to simply be aware of the event and have assurance that MHA is handling any associated risks appropriately. If the SHR has concerns about our strategy to deal with the event, we will seek their views on what they expect us to do to allay their concerns.

8.3 The SHR may inform, or ask MHA to inform, another regulator or authority if that is appropriate. The SHR may also ask MHA to get professional or impartial advice, for instance, legal, financial, or employment advice. Depending on the nature of the event, MHA will consider whether there are any matters that we need to report to the police. The SHR will also report matters to the police if they suspect that an offence may have been committed.

8.4 The Statutory Guidance states that the SHR will respect confidentiality where information has been provided in confidence, provided it does not compromise their ability to safeguard the overall interests of MHA's tenants or the sector, or breach the SHR's legal obligations, for example, under the Data Protection Act and General Data Protection Regulation (GDPR) or where they are concerned that an offence may have been committed.

9. Our Policies and Procedures

9.1 Our other relevant policies and procedures will reflect the requirement to alert the SHR to notifiable events in accordance with this policy. Our senior staff and MC members understand the notifiable events requirement and assure themselves, and the SHR, that MHA is complying with this through our Annual Assurance Statement.

9.2 If a MHA staff member, or MC member is aware of a notifiable event which has not been submitted to the SHR, they should report this through our whistleblowing policy. If that is not possible, or the attempt to report internally has been unsuccessful, they can whistleblow to the SHR.

10. Non-compliance

10.1 Where an employee is aware of a notifiable event but fails to follow the procedure to bring this to attention, this may be dealt with in accordance with the association's Disciplinary Policy.

11. Links to other Guidance

11.1 **Notifiable Events**: Statutory Guidance on Notifiable Events has been published by the SHR, which this policy closely reflects.

11.2 **Tenant Consultation and Approval**: The SHR have produced Statutory Guidance on tenant consultation and approval for RSLs proposing to, for example, sell or transfer

tenanted homes, which require an RSL to consult tenants under the Housing (Scotland) Act 2010.

9.2 **Whistleblowing**: The SHR has produced advisory guidance and a fact sheet about how RSLs should deal with whistleblowing events. Whistleblowing is when someone within an RSL believes that there has been improper conduct in the organisation and reports to someone within the RSL who can deal with it. If there has been a whistleblowing incident within MHA, it is a regulatory requirement that we notify the SHR about the allegations and tell them how we are responding to them.

9.3 **Section 72**: The SHR has produced Statutory Guidance on Section 72 of the Housing (Scotland) Act 2010. This places a duty on external auditors and reporting accountants to disclose events of material significance to the SHR. If MHA is aware that an auditor has reported an issue to the SHR under Section 72, we do not need to report this issue as a notifiable event. The SHR will ask MHA for any additional information if they require it.

9.4 **Group Structures and Constitutional Partnerships**: The SHR have produced separate Statutory Guidance on Group Structures and Constitutional Partnerships for RSLs that are part of a group structure and RSLs which are considering joining or setting up a group structure.

9.5 **Annual Assurance Statement**: The SHR have issued Statutory Guidance for RSLs on how to prepare their Annual Assurance Statement. This includes guidance on how to report any material and significant non-compliance with the Standards of Governance and Financial Management and regulatory requirements.

12. Policy Review

12.1 This policy will be reviewed at least every three years. An earlier review will be conducted where required instruction of the MC or updated guidance on notifiable events produced by the SHR.

13. Equality & Human Rights

14.1 MHA's is committed to equal opportunities, and we will respond to the different needs and service requirements of individuals, and we will not discriminate against any individual for any reason outlined in Equality & Human Rights Legislation.

14. Data Collection

15.1 MHA will manage all personal data in accordance with our obligations under the GDPR regulations and MHA's Policy.

Appendix 1 - Examples of Notifiable Events

Governance and organisational issues:

14.1.1 Any material changes to the assurances and supplementary information contained in MHA 's Annual Assurance Statement

14.1.2 The membership calls a special general meeting

14.1.3 Removal of any governing body member by MHA

14.1.4 Resignation of governing body members for non-personal reasons

14.1.5 The membership of the governing body falls, or is going to fall, to seven or below

14.1.6 Serious complaint, allegation, investigation, or disciplinary action about a governing body member

14.1.7 A breach of MHA's code of conduct by M C members

14.1.8 Resignation or dismissal of the MHA 's senior officer

14.1.9 Severance payment to and/or settlement agreement with a staff member

14.1.10 Serious complaints, allegations, investigation, or disciplinary action about the senior officer (see Appendix 3).

14.1.11 The senior officer is absent (or partially absent) for an extended period

14.1.12 Receipt of intimation that a claim has been submitted to an employment tribunal

14.1.13 Major change or restructuring within MHA

14.1.14 Plans to set up a non-registered subsidiary

14.1.15 Potentially serious breaches of statutory or common law duties by MHA, including equalities and human rights duties, whether these have resulted in the submission of a claim or a legal challenge

14.1.16 Any legal proceedings taken against MHA, which may have significant consequences for MHA in the event of success

14.1.17 Serious issue regarding a parent, subsidiary or connected organisation

14.1.18 A dispute with another member of an alliance, consortium or non-constitutional partnership which may have significant consequences for MHA

14.1.19 Whistleblowing allegations

Performance and service delivery issues:

14.1.20 Any incident involving the Health & Safety Executive or a serious threat to tenant safety; or where a regulatory or statutory authority, or insurance provider, has advised MHA of concerns, for example the Fire Brigade, etc.

14.1.21 Serious accidental injury to, or the death of a tenant in their home or communal areas:

Where has there been a service failure by MHA, or

Where there has been a failure, or perceived failure, in how MHA has assessed and managed risk; or

Which could potentially affect other tenants' confidence in MHA or the

Milnbank Housing Association ’s reputation

14.1.22 Major failure of key service delivery arrangements (for example, repairs cannot be carried out because a contractor goes into liquidation)

14.1.23 Breaches of ballot commitment to tenants or of any stock transfer contractual agreement

14.1.24 Adverse reports by statutory agencies, regulators, inspectorates (or similar) about Milnbank Housing Association (for example a Care Inspectorate report with a ‘weak’ or ‘unsatisfactory’ grade or an upheld Care Inspectorate complaint)

14.1.25 Any significant natural disaster, for example, fire, flood or building collapse which affects Milnbank Housing Association ’s normal business

14.1.26 Serious or significant adverse media reports or social media interaction, which could potentially affect tenants’ confidence in Milnbank Housing Association or that is damaging to the reputation of Milnbank Housing.Association

Financial and funding issues:

14.1.27 Fraud or the investigation of fraud either internally, by the Police or by an external agency or organisation

14.1.28 Breach or potential breach of any banking covenants

14.1.29 Serious financial loss; actual or potential

14.1.30 Default or financial difficulties of major suppliers or service providers

14.1.31 Any material reduction in stock or asset values; actual or potential

14.1.32 Serious concern raised by lenders or auditors

14.1.33 Serious and imminent potential cash flow issue

14.1.34 Proposed assignation or transfer of the existing lender’s security to another lender

14.1.35 Notification of the outcome of an adverse financial assessment of the RSL or its parent/subsidiaries/related companies/connected bodies from Pensions Trustees

14.1.36 Change of internal or external auditor

Please note this list is illustrative, not exhaustive

Appendix 2 - Notification of disposals, constitutional and organisational change

The Housing (Scotland) Act 2010 (the Act), as amended by the Housing (Amendment) Act 2018, requires Milnbank Housing Association to notify the SHR of certain disposals, constitutional and organisational changes.

Tenant consultation

The 2010 Act requires Milnbank Housing Association to notify the SHR of the results of tenant consultation, such as the outcome of a ballot or written agreement. Statutory guidance '*Tenant consultation and approval*' sets out SHR's requirements in relation to notification about tenant consultation.

Disposal of land and assets

The 2010 Act requires Milnbank Housing Association to notify the SHR of any disposal of land or other assets as soon as reasonably practicable after the disposal is made. Where a tenant who has an SST will become the tenant of another landlord as a result of the disposal, Milnbank Housing Association must notify the SHR within 28 days.

The Act provides for the SHR to determine when they want to be notified and when to dispense with this requirement. The following is the SHR's determination.

Milnbank Housing Association must notify the SHR of:

- disposals by way of sale of tenanted social housing dwellings (and ensure that they comply with CHA's legal obligations to consult tenants under sections 115, 115A and 115B of the Act);
- disposals by way of granting security over social and non-social housing dwellings land or other assets.
- disposals by way of sale or excambion of untenanted social and non-social housing dwellings, land or other (including non-residential) assets over £120,000.
- disposals by way of lease of social housing dwelling
- disposals by way of lease of roof space of residential, tenanted properties for renewable energy sources (e.g. solar panels) or telecommunications (e.g. aerials) (and ensure that they comply with Milnbank Housing Association 's legal obligations to consult tenants under s110 of the Act); and
- disposals by way of lease of residential property to an RSL, group subsidiary or any other body for Market or Mid-Market Rent or other non-social housing purposes (except where property is leased to a local authority for temporary accommodation for people who are homeless)
- any other disposals not listed above which could have significant implications for tenants or other service users.

Milnbank Housing Association does not need to notify the SHR of disposals which do not fall into the categories above. If Milnbank Housing Association is unsure whether notification applies, we will contact the SHR for further advice.

Constitutional and organisational changes

Milnbank Housing Association must notify the SHR in relation to the following constitutional and organisational changes:

- change of name, office or constitution (s92 of the Act);
- restructuring a society (s97) or company (s101);
- voluntary winding up or dissolution of a society (s98-99)
- converting a company into a registered society (s102)
- entering a company voluntary arrangement (s103)
- voluntary winding up of a company (s104)
- becoming a subsidiary of another body (s104A).

For constitutional changes the RSL should provide us with:

- the date the constitution was or will be adopted
- a signed copy of the new constitution, a copy of the report and minute of the governing body meeting which agreed to adopt the new constitution, and
- confirmation if the new constitution complies with the Scottish Federation of Housing Associations model rules.

For organisational changes the RSL should provide us with:

- a copy of the report and minute of the governing body meeting which agreed to the organisational change
- the date the change was or will be made, and
- for registered societies, a copy of the submission made to the Financial Conduct Authority including a copy of the special resolution passed by members (if applicable), or
- for companies, a copy of the submission made to the registrar of companies (including the special resolution passed by members (if applicable).

Steps towards Insolvency

RSLs must notify us where a notice of a proposal of a resolution for the winding up of an RSL is given to members of the RSL entitled to vote on it (s73 of the 2010 Act).

An RSL will also be required to notify us under s73 of the 2010 Act if it takes certain other steps towards insolvency. Those steps are:

- presenting a petition for the winding up of a RSL
- applying for an administrative order in respect of a RSL which is a registered company
- appointing an administrator in respect of a RSL which is a registered company.

The timescales for notification are set out in the Act and summarised below. Milnbank Housing Association must ensure that they comply with these requirements.

Type of disposal/ change (and section of the 2010 Act)	Timescale for notification
The outcome of tenant consultation (s115, s98, s99, s102)	As soon as reasonably practicable. We consider 'as soon as reasonably practicable' to be within 10 working days.
Change of name, office or constitution (s92)	Within 28 days of when the amendment is made.
Special resolution passed by a society for restructuring (s97)	As soon as reasonably practicable after sending a copy of the special resolution to the Financial Conduct Authority. Where s96A applies (where a tenant of Milnbank Housing Association will cease to be a tenant of Milnbank Housing Association) SHR must be notified within 28 days of the special resolution being sent to the Financial Conduct Authority.
Voluntary winding up of society (s98)	As soon as reasonably practicable after sending a copy of the resolution to the Financial Conduct Authority.
Dissolution of society (s99)	As soon as reasonably practicable after sending the instrument of dissolution to the Financial Conduct Authority.
Restructuring of a company (s101)	As soon as reasonably practicable after the court order is made. Where s100A applies (where a tenant of Milnbank Housing Association will cease to be a tenant of Milnbank Housing Association) SHR must be notified within 28 days of the court order being made.
Conversion of a company into a registered society (s102)	As soon as reasonably practicable after sending the resolution to the registrar of companies.
Company voluntary arrangement under Part 1 of the Insolvency Act 1986 (s103)	As soon as reasonably practicable after the voluntary arrangement takes effect.
Voluntary winding up of a company under the Insolvency Act 1986 (s104)	As soon as reasonably practicable after sending the copy resolution to the registrar of companies.
Becoming a subsidiary of another body (s104A)	As soon as reasonably practicable after the arrangement takes effect, and no later than 28 days after it takes effect.
Disposals of land and assets (s109)	As soon as reasonably practicable (except where SHR has determined that notification is not required - see above) Where s107(4) applies (where a tenant of Milnbank Housing Association will cease to be a tenant of Milnbank Housing Association) SHR must be notified within 28 days of the disposal.
Notification of steps towards insolvency (s73)	Before taking the step and as soon as reasonably practicable after such step is taken.

Appendix 3 - Handling a serious complaint against the Chief Executive

Purpose

1 This note sets out what a Management Committee must do when dealing with a serious complaint or grievance against the Chief Executive.

2 The SHR requires that Milnbank Housing Association tell them when there is a **serious** complaint, investigation or disciplinary action relating to senior staff. These serious complaints do not arise often but because of their nature and sensitivity and potential impact on leadership arrangements, they have the potential to seriously damage Milnbank Housing Association. This note sets out what Milnbank Housing Association needs to do to ensure they can deal properly with this type of situation.

Notify SHR

3 Milnbank Housing Association should deal with and resolve minor issues informally, at a local level, and the SHR does not expect to be notified about minor grievances. Even serious complaints can be dealt with informally, but some serious complaints cannot be successfully resolved at the informal stage or if they are raised formally.

4 The Chairperson must notify the SHR if there is a formal **serious** complaint against the Chief Executive - for example serious allegations from an individual employee of bullying or harassment by the Chief Executive. The Chairperson must also tell the SHR how the Management Committee intends to handle the complaint.

5 The SHR recognises the highly sensitive nature of such serious complaints. If Milnbank Housing Association gives the SHR information in confidence they will respect that confidentiality, provided it does not compromise the SHR's ability to safeguard the overall interests of Milnbank Housing Association or the sector or breach the SHR's legal obligations.

6 The SHR does not become involved in employment matters. Employment issues are for the Management Committee, as employer, to resolve with the individual employee. But the SHR does need to be assured that the Management Committee will handle a serious complaint or grievance about the Chief Executive properly and will get external advice and support to help it manage these situations and discharge its employment responsibilities fully and properly.

7 Milnbank Housing Association has effective governance systems that set out clear procedures for dealing with serious complaints or grievances about the Chief Executive and the role of the Management Committee (see Employers in Voluntary Housing Disciplinary and Grievance Procedures). Milnbank Housing Association will be open and transparent about decisions reached, subject to relevant procedures.

8 When dealing with a serious complaint or grievance about the Chief Executive, Milnbank Housing Association will:

- tell the SHR about it, in accordance with this policy and the SHR's guidance on notifiable events; and
- take prompt, independent and professional advice as appropriate to the individual complaint or grievance.

Take prompt, independent and professional advice

9 The SHR needs assurance from the Management Committee that it is seeking independent professional advice to support it to handle the complaint. In normal circumstances it is the Chief Executive who provides advice to the Management Committee. But where it is the Chief Executive who is the subject of the serious complaint or grievance, he/she has a clear conflict of interest and cannot be involved in any way in managing the complaint made against him/her. In cases like this the Management Committee must obtain external advice and support to manage the complaint.

10 The Management Committee needs to act quickly when a staff member raises a serious grievance about the Chief Executive. For instance, if the grievance is about bullying or aggressive behaviour then the Management Committee must take immediate action. Given the likely sensitive nature of the grievance, it should be handled carefully with independent, expert support and advice. Milnbank Housing Association may need to get an employment/personnel specialist to assist or a consultant with expertise in investigating such matters. Milnbank Housing Association will ensure that its investigation of the complaint, and any subsequent action, complies with its legal duties, including those in relation to equalities and human rights.

11 Where a serious complaint has been made against the Chief Executive by a Management Committee member or someone else who is not an employee, then the Management Committee must ensure that it is taking independent advice about how to handle the complaint and that the Chief Executive takes no part in any investigation other than co-operating with the investigator.

12 Initial independent advice should be sought from either or both of the sources listed below for ease of reference. These advisors may recommend the use of other professional advice where necessary, e.g. investigation services, public relations, etc.:

- TC Young Solicitors
  or BTO Solicitors

Have clear procedures

13 This note will be used alongside the Employers in Voluntary Housing Disciplinary and

Grievance Procedures when Milnbank Housing Association investigates serious complaints or grievances against the Chief Executive. This will ensure compliance with the requirements of the SHR.

The Management Committee's role

14 In the case of a serious complaint against the Chief Executive, Milnbank Housing Association's Governance Sub-committee will be informed and involved, rather than the Chairperson dealing with the complaint alone. The Governance Sub-Committee will be involved in hearing and deciding on the grievance. But in some cases, it may be more appropriate to commission an independent party to conduct the investigation and report back to the Governance Sub-Committee. Where there is an investigation then the sub-committee must oversee the investigation and record all decisions to ensure transparency.

15 Where the decision is taken to investigate a serious complaint, then the full Management Committee will be informed. However, it will not be told any of the details, this **must** be kept confidential. This is to ensure:

- the full Management Committee retains control over Milnbank Housing Association 's affairs.
- the details of the grievance remain confidential (the individuals at the centre of allegations have the right to confidentiality);
- the full Management Committee knows the grievance is being dealt with by the Governance sub-committee.
- if Milnbank Housing Association needs to bring in outside help, then the full Management Committee is aware of the situation from the outset and can authorise any associated costs.
- the Management Committee can monitor if a pattern of grievances emerges and decide what action to take; and
- by keeping the substance of the grievance confidential then there is a clean route for any appeal to be heard by other members of the Management Committee who are untainted by detailed knowledge about the issue.

16 At the end of the process, the full Management Committee should be told about the outcome of the grievance.

SHR involvement

17 If the SHR has concerns about the action the Management Committee is proposing to take, or it appears that the Chief Executive is involved in advising the Management Committee or in handling the grievance, the SHR may need to act to support the Management Committee to carry out its role effectively and properly