

*STATUS - for decision*

## 1. UPDATE - EXPLORING BECOMING A CHARITY

I have had a detailed response from tpt - the Pensions Trust, who administer our SHAPS pension scheme. They had consulted their solicitors for advice on our proposed change. If an 'Employment Cessation Event' (ECE) takes place, that can have serious implications for a pension scheme. An ECE is usually something like a merger or take-over or change in legal ownership, etc.

Their solicitors are of the opinion that us becoming a charity is not in their opinion such an event, however both they and tpt have suggested that a document (a conditional Flexible Apportionment Arrangement) be drafted that would cover us and tpt in the (unlikely) event of any change in legislation which would impact upon this situation.

I have talked this through with tpt and have received a copy of their legal advice and it all makes sense; in that they are wanting to take a belt-and-braces approach to this procedure that we are planning to do.

There would be a charge of approximately £1000 for us to pay their solicitors to draft this conditional document. I think under the circumstances that is worth paying for, to give us and tpt comfort. It also shows to any other external body, e.g. SHR or the charity regulator that we have gone into this matter seriously and fully, and are committed to doing it properly.

I have also written to the Financial Conduct Authority to see if they have any comments upon our proposal, as they will have to ultimately approve our rule change. I'll update you further once I have heard from them.

## 2. KITCHEN PROGRAMME - PLANNING

I am undertaking a number of discussions on how to approach the planning of this programme, including meeting with the local manager of the procurement organisation, Procurement for Housing (PfH) who have a number of supplier and framework agreement for this and other work. I recommend that we join PfH. There is no charge and it does not commit us to any particular contract or programme - we can decide if and when we wish to use their services. It could save us some money as well as being a good source of recommended contractors and pre-established contracts & framework agreements (set-up contracts for supplying set items or services).

I am also speaking with a local surveying firm, F3 Surveyors, an Edinburgh firm whom a number of other HAs and co-ops use, as well as being recommended by one of our regular contractors. It may be that we wish to engage them to carry out certain services for us in relation to our kitchens.

We have also installed kitchen units, from a well-known UK-wide supplier with a good local presence, in a void flat and the units seem good quality and well made. They are available through a Procurement for Housing framework agreement.

Alistair Cant  
DIRECTOR  
Date: 17 September 2020  
Ref: cag