

## Guidance Note

### Board Minutes are mandatory documents for annual regulatory reporting

#### Purpose of this guidance note

This guidance note outlines our reasons for classifying Board Minutes as mandatory documents for the purposes of annual regulatory reporting.

#### Introduction

To achieve registration, a community housing provider (CHP) must demonstrate it has the *capacity* to meet the Performance Standards. These standards are then monitored in terms of a CHP's *compliance* each year.

We assess certain key documents to perform this annual monitoring function. In order to minimise compliance, the list is a small set of mandatory documents that an organisation should already have to hand, including audited financial accounts, current insurance schedules, and updated business and/or strategic plans, and all Board Minutes for the 12 months prior to a registered CHP submitting its annual regulatory report for assessment, without redactions.

#### Why are Board Minutes mandatory?

From a regulatory perspective, there is no better evidence of compliance with the Performance Standards than Board Minutes. They demonstrate compliance across a range of standards, including:

- governance, probity, financial management, strategic and operational planning
- tenancy management, including reporting of complaints and rent arrears data
- property management, including planning for acquisitions and disposals, and reporting on regular maintenance

programmes

- how the Board is working with the management team.

The Board minutes of the registered entity must be provided in their entirety, not just the parts of the minutes that relate to the housing operation. The Authority requires the entire minutes so it can review compliance across the broad range of standards outlined above.

#### What happens with the Board Minutes?

Like any regulator, we receive confidential and commercially sensitive information to inform our regulatory function. We do not share any documents we receive with other business units within the Ministry of Housing and Urban Development or other agencies.

However, providers should be aware that the Authority, like other public service agencies, is subject to the Official Information Act 1982. All material provided to the Authority becomes potentially discoverable under that Act, and may be released with previously unpublished personal information redacted. If any such information release is required you will be consulted beforehand and will be able to provide comments on the proposed release, including whether you consider any information should be withheld because it meets the criteria for withholding information contained in the Official Information Act.

Please note, however, that the final decision on release is ultimately made by the Authority, in conjunction with HUD's Ministerial team.

**Further information**

If you have any concerns or questions on the provision of Board Minutes as part of the annual monitoring process, please contact us at [chra@hud.govt.nz](mailto:chra@hud.govt.nz).

For information about how the Authority handles potential releases under the Official Information Act, visit:

[www.ombudsman.parliament.nz/resources/oi-a-ministers-and-agencies-guide-processing-official-information-requests](http://www.ombudsman.parliament.nz/resources/oi-a-ministers-and-agencies-guide-processing-official-information-requests).