

Guidance Note

Disclosure and Change Reporting

Purpose of this guidance note

To inform registered community housing providers (CHPs) of when they are required to complete Disclosure and Change Reports, and define the difference between the two.

Introduction

We know that changes to the way an organisation is governed or operates, can occur for any number of reasons. We also know that they can occur at any time, which means it can fall outside of our annual reporting process.

Any change to your organisation *could* impact on your organisation's ability to comply with the Performance Standards.

As a registered CHP, you are obliged to report to us any changes as they arise, that could impact your status as a registered provider. This is done through the completion of a Disclosure or Change Report. You can find these on our website:

<http://chra.mbie.govt.nz/about-chra/forms-and-resources>.

What is Disclosure reporting?

Disclosure reporting is required for any *significant* event, usually after the fact, which might adversely impact on your organisation's ability to comply with the Performance Standards. Events include, but are not limited to:

- action being taken against your organisation by any statutory body, individual or company;
- action being taken by another Government agency;
- serious breaches of the Code of Conduct by Board members or staff;

- cases of fraud or criminal misconduct which are under investigation, and what action has been taken, including notification to Police or the results of a prosecution;
- an adverse event that may trigger media interest or result in housing units becoming uninhabitable;
- defaults on loans or circumstances that make a default on loans likely;
- financial issues which could impact on the viability of the organisation or lead to a reduction in service level, business, loss of staff etc.; and
- complaints made to the Privacy Commissioner about your organisation.

Examples of what are not significant events are instances of small-scale non-compliance with internal policies (e.g. a staff member using a company cell phone for personal calls, or receiving a parking ticket).

What is Change Reporting?

Change reporting is required for *significant* changes to a CHP's business, which are usually known in advance. They include changes to:

- the legal name of the CHP;
- the type of organisation or incorporation details;
- a CHP's geographical location, or expansion into other areas;
- the Chair of the CHP's governing body or the Chief Executive (or equivalent position);
- the contact person the Authority has listed in order to contact the CHP (if it differs from above);

- a CHP's constitution or enabling document e.g. the CHP's objects or functions or scope of activities;
- the AGM date, or month in which the annual accounts are signed off;
- the acquisition or development of further rental housing units (including notification of when they become available for use);
- the structure of the organisation e.g. merger or takeover; and
- the rent-setting policy that impacts on non-income-related rent tenancies.

What happens when we receive a Disclosure or Change Report?

We assess the information to determine to what extent, if any, the issue will have on your organisation's ability to meet the prescribed eligibility criteria or Performance Standards. For example, if a CHP advises us they are about to significantly increase the size of its housing stock, we would assess whether that organisation has the capacity to manage a larger portfolio.

If we identify an issue, we contact the CHP to explain the potential impacts on their compliance with the Performance Standards. Our approach is to help a CHP address any issues identified. Where possible, we will work with the organisation, to resolve issues as they arise. Our aim is to ensure the CHP remains viable and is operating within the parameters of the Performance Standards.

Further information

If you have any questions about your obligations to undertake disclosure or change reporting, please contact us at chra@mbie.govt.nz.