

LEGAL COMPLIANCE CERTIFICATION



Anthony Collins
solicitors

LEGAL COMPLIANCE CERTIFICATION

It is an expectation of the Governance and Financial Viability Standard (the "Standard") that all RPs, including yours, provide annual confirmation that you comply with the requirements of the Standard, including the specific expectation that you **"adhere to all relevant law"**.

Your Board will therefore need to show it has taken reasonable measures to assure itself of compliance with all relevant law, and formal confirmation of this will need to be given in your annual report each year.

The Code of Practice (which is intended to give clarification on what compliance with the Standard may look like) states that compliance with all relevant law encompasses legislation (including secondary legislation), common law and relevant statutory guidance. In areas of law which are still developing rapidly, such as procurement law, it can be challenging for organisations to know how to make sure they are compliant. Many organisations only discover they are non-compliant in other significant areas when problems arise, when it is often too late, and opens them up to criticism or downgrade by the Regulator.

To support you in complying with the requirements of the Standard, we have formulated a Legal Compliance Certification (or **"LCC"**) package including:-

- an **"LCC checklist"** designed to indicate areas of potential non-compliance with relevant law. This checklist is offered on a modular basis and is designed to ensure that it deals appropriately with areas of relevance to your organisation. Our "core" module covers relevant legal areas in relation to core social housing activity (with the exclusion of tax advice). We also provide additional modules in relation to non-core areas of activity, such as care and support and market renting;
- an optional **"bolt on"** package of 10, 20 or 50 hours of **specifically targeted legal support** designed to assist you in tackling potential areas of non-compliance which have been identified through your responses to the checklist;
- to enable you to build legal compliance into your risk register as well as to reassure the Board, a **"traffic light" analysis report** commenting on the findings of the checklist review and indicating (using RAG ratings) whether compliance with all relevant law had been achieved, and if not, what actions are being (or need to be) taken to do so; and
- thereafter, an optional rolling programme of **6 monthly updates** on the areas covered by the LCC, to highlight any key areas of development during that period which you need to comply with, with additional support and advice on request to enable you to meet the requirements of the Standard in this respect, and your Board to continue to give the annual certification required by the Regulator.

FOR FURTHER INFORMATION OR TO DISCUSS IN MORE DETAIL PLEASE CONTACT:
VICTORIA JARDINE ON 0121 214 3600 OR VICTORIA.JARDINE@ANTHONYCOLLINS.COM