



Cloch Housing Association

Scheme of Delegation

Policy Name	Scheme of Delegation Policy
Policy Category	GOV
Policy Number	004
Date Adopted	03/10/2017
Last Review	21/09/2022
This Review	20/09/2023
Next Review	September 2024
Equalities Impact Assessment Required	No
Link to other policies	Code of Conduct, Financial Regs, Standing Orders
Consultation	Yes, done
Need for Procedure	No

Introduction

This scheme of delegation is intended to ensure that the work of Cloch Housing Association is carried out efficiently and effectively, within the strategic and policy frameworks agreed by the Board of Cloch Housing Association. Within this Scheme, the CEO and Leadership Team may delegate to members of their staff teams, in accordance with job descriptions. This Scheme of Delegation forms part of Cloch's Standing Orders. Alternations to the scheme can only be done with the approval of the Board.

This Scheme of Delegation accompanies Cloch's Standing Orders, the agreed remits for the Board and sub-committees and by the role descriptions for office bearers and the CEO.

Office Bearers, acting with Leadership Team, have authority to

- Represent Cloch HA on official business, consistent with agreed policies and principles
- Implement agreed emergency procedures and the provisions of Cloch HA's Business Continuity Policy
- Take urgent decisions and/or action between meetings, in consultation with the CEO
- Take decisions on specific issues between meetings having delegated those decisions to one or more office bearers by the Board.

The Board delegates operational powers to the CEO who may take whatever action they consider necessary to ensure the efficient and effective management of Cloch's affairs, without further reference to the Board or any of Cloch's sub-committees. All actions must be in accordance with Cloch's Standing Orders, Financial Regulations and Scheme of Delegation. The CEO may delegate to Managers and other senior officers, in accordance with approved job descriptions.

The **CEO**, in consultation with Leadership Team has authority to:

- Ensure the effective implementation of Cloch HA's strategies, policies and plans.
- Represent Cloch HA on official business, consistent with agreed policies and principles.
- Carry out all necessary legal and financial duties to ensure Cloch HA's compliance with statutory and regulatory requirements.

The Board has agreed the following framework for granting authority and specific delegations:

GOVERNANCE

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Approval of remits of sub committees and delegated authorities to sub-committees and staff as deemed appropriate.		Monitoring and maintaining policy review schedule
Approval of Cloch's Business Plan and all other strategies /plans/updates that fall within the strategic role of the Board. Review of progress against business plan on a quarterly basis.	Approve and review IT Strategy and associated Policies – recommending to Board where appropriate significant financial implications of change.	Reporting progress with Business Plan quarterly and annual update
Approve where required Annual Returns to Scottish Government, Scottish Housing Regulator & OSCR		Submit Annual Returns to all statutory and regulatory bodies following Board Approval or where Board Approval is not required.
Approve any joint venture or setting up of Subsidiary, and any lending to other organisations, in accordance with rules and covenants.		Approval and reporting to Board of Payments and Benefits in accordance with Cloch's Entitlements, Payments and Benefits Policy
Approval of Board Draft Minutes	Approval of draft minutes of Sub-Committees	Preparation and issue of notice, agenda, papers and minutes for meetings of Board, Sub-Committees and AGM
Agreement to seek approval for disposal of assets under Section 66 of Housing (Scotland) Act 2001(and its successors) except leases which can be approved by LT as per policy	Approve Annual Leasing Report	Approval of leases and reported to Sub Committee and SHR annually
Approving Strategic Agreements with other parties		

Approval of recommendation to the AGM on the appointment of the External Auditors	Approval of appointment of internal auditors	Reporting and implementing any remedial action identified by the internal auditor
Authorising use of the Seal	Ensure Cloch has comprehensive, adequate and appropriate insurances in place to manage and mitigate risk.	Implementation of Risk Management Strategy and maintenance of strategic and operational risk registers
Approval of registers where required by regulatory, statutory or funding bodies		Approval, monitoring, maintenance and reporting of all Registers required by Regulators
Approval of Risk Management Strategy and annual review and quarterly monitoring of strategic risk register and compliance register		Making statements to the press or other public statements on behalf of Cloch HA (with input/knowledge of Chair)
Ensuring compliance with Regulatory Standards of Governance and Financial Management and legal and compliance obligations		Initiation of Investigation of alleged breach of Board Members' Code of Conduct per approved protocol(Chair and Director)
Monitoring of Complaints Handling Procedure on a bi-annual basis		Managing and implementing the Complaints Handling Procedure in accordance with SPSO Guidance
Approve Board Members training plans		Arrange for Annual Appraisals and Training & Development Plans to be in place
Approval/refusal of applications for membership of the Association.		Maintenance of register of membership
Appointment of office bearers and filling of casual vacancies		Maintenance and reporting of Global Action Database
Approval of the creation or dissolution of sub committees, subsidiaries and the appointment of representatives to these		
To note and ensure recording and notification of Notifiable Events and to monitor events annually and as they occur		To report Notifiable Events as they occur and inform Board and Scottish Housing Regulator, and any other relevant bodies.

Staffing and Employment

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Recruitment and line management of CEO		Recruitment of Section Heads (CEO with Chair/Vice Chair)
Arrange and monitor outcomes of CEO's annual appraisal (Chair)	Approval of staffing structure and any changes with financial impact to be reported to Board outwith budget	Ensuring appropriate arrangements within agreed policy and budget for working environment, training and development and dignity at work
	Development and negotiation of terms and conditions of employment	Implementing Terms & Conditions
	Office Bearers to form panel for Grievance and Disciplinary issues relating to CEO and act as appeal where required in HR cases	Recruitment of Staff (other than Leadership team) within agreed establishment
	Office Bearers to form panel for appeal etc. – Employment & Governance	Grievance and Disciplinary issues
	Monitoring the staff and employment performance of the organisation quarterly	Reporting to the Sub Committee quarterly on employment performance and statistics
Monitoring of serious breaches of Health & Safety Policy and legislation	Monitoring of Health and Safety Policy and breaches	Implementation and monitoring of Health and Safety policies and reporting of any breaches

Financial Management

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Approving treasury management policy	Monitoring the financial performance of the organisation quarterly (Management Accounts) especially where there are material variances from budgets and drawing any matters of concern to the Board	Monitoring financial performance and exception reporting to Board within agreed reporting framework. Implement executive decisions investment, financing and refinancing delegated to Finance Director and CEO
Agreeing Financial Regulations		Monitor and maintain medium and long term financial forecasts annually
Approval of Annual Accounts	Approval of annual audit plan	Ensuring annual audit carried out
Approval of Annual Budget	Approval of mid-year budget changes where surplus isn't reduced against the budget approved by Board	Negotiate variances to the standard covenant calculation with lenders where the budget/5 year plan is showing potential breach
Agreeing Management Letter and Response identified in the course of the annual audit	Monitoring covenant compliance and any other obligations to lenders	Implementing remedial action identified in the course of the annual audit
Agreeing the approved list of bankers for Cloch	Approving and keeping under review Cloch's banking requirements and arrangements (including operational, borrowing and investment); making recommendations for change to the Board.	Opening and closure of bank or building society accounts in Cloch HA's name Approve the terms of all insurances required by Cloch HA

		Incur and instruct payment of all items of budgeted expenditure within the terms of agreed budgets and financial regulations
Approve private funding and the granting of security over the organisation's assets		
Approval of medium (5 years) and long term (30 years) financial plans		
Approve action to address short term cash flow difficulties		Monitor cashflows monthly
Approval of Value for Money Strategy		Review and maintenance of internal controls to protect the organisation's assets
	Agree the implementation of our Factoring Policy and review and agree on the annual management fee for factoring.	

Tender and Procurement

Approve Procurement Strategy	Approve tenders on works, goods and services above £100k – this can be done via electronic tender approval process	Implement Procurement Exercises
		Procurement and Appointment of Contractors and Consultants to supply works goods and services up to £100k (<i>excluding VAT but for whole contract cost</i>) in accordance with budget, business plan and approved programmes.
		Procure goods and services up to value of £100k (<i>as above re VAT etc</i>) in accordance with our Procurement Policy. Leadership Team to have authority subject to procurement rules, taking account of regulated procurement.
		All works above £15k - 3 quotes to be sought where possible; regulated procurement above £50k for supplies and services and £2m for works.
		10% operational thresholds in place against tender costs over £50k and 20% threshold under £50k – subject to documented evidence for audit.
		Unbudgeted expenditure allowed for up to £15k – documented.

Housing and Estate Management

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Approval of the annual rents and service charges		Signing tenancy agreements, Occupancy Agreements & Leases and Approval of Temporary & Supported Accommodation
	Monitoring the service performance of housing and estate functions quarterly	Agree Operational Key Performance Indicators
Approval of Customer Engagement Strategy	Monitoring of progress against Customer Engagement Strategy	Initiating ASBO or equivalent and instruct recovery action for breach of tenancy conditions
Approval of Allocations Policy	Approval of Local Lettings Plans and Annual Lettings Plan, including quotas	Agreeing Eviction in accordance with policy
	Approval of Tenancy and any other occupancy agreements	Approving the terms of the periodic satisfaction survey and commissioning the project
	Approve EPB cases as per policy (E - Approvals can be followed up with ratification)	Comply with Entitlements, Payments and Benefits Policy
	Approve Write Offs as per Policy	Approve Write Offs as per Policy
Co-signing Dispositions for Shared Ownership Release	Approve any departure from agreed Policy of arrears management following case being made.	Co-signing Dispositions for Shared Ownership Release
Approval of Acquisition and Disposal Strategy	Approve stock disposal in line with strategy and former S66 consent	Purchase of Properties as per Acquisition Strategy & Budget

	Monitor, review and make decisions on reports presented to Subs– otherwise recommend to the Board should significant financial implication be applicable.	
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Development and Property Management

Approving Site Acquisition (within agreed plans)	Agreeing savings to individual schemes – over 10% of agreed costs	Approving individual scheme design proposals
Approving the Affordable Housing Supply Programme	Monitoring claims against contractors/consultants	Reporting on and applying for appropriate funding and grants through the Affordable Housing Supply Programme
	Agreeing savings to individual schemes – up to 10% agreed costs	Negotiating terms of loans to fund individual developments
		Ensuring borrowings and investments comply with statutory and regulatory requirements and Cloch HA's Rules
		Approval and reporting of Claims against Contractors/Consultants Intimation of claims
	Monitoring the development and property management performance of the organisation quarterly	
	Approval and review of planned maintenance programme in accordance with annual and mid-year budget approved by Board	Implementation of planned maintenance programme and exception reporting of material variances