



Clydebank Housing Association Ltd.

Delegated Authorities (Office Bearers and Staff)

Management Committee submission:	29 November 2016
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CLYDEBANK HOUSING ASSOCIATION LIMITED

DELEGATED AUTHORITIES

Per the Association's Model Charitable Rules (2013), the Management Committee can delegate its powers to sub-committees and Office Bearers. The Management Committee establishes the terms of reference for such delegation in this Delegated Authorities document and via its Sub-Committee Remits.

The Management Committee and Sub-Committees delegate the day-to-day management of the organisation and all its operations to employed staff. The scope of delegated authorities is also set down below.

From the Management Committee to Office Bearers & Senior Staff

All delegated authorities to office bearers and staff must be exercised within the framework of the Association's Charitable Rules Model HSA Scotland 2013 (The Rules).

1. Chairman

The Chairperson is responsible for the leadership of the Committee and ensuring its effectiveness in all aspects of the Committee's role and to ensure that the Committee properly discharges its responsibilities as required by law, the Rules and the standing orders of the Association. The Chairperson will be delegated such powers as is required to allow the Chairperson to properly discharge the responsibilities of the office. Among the responsibilities of the Chairperson are:-

- (a) To issue the Chairman's report on the affairs of the Association for the preceding year at the Association's Annual General Meeting and for the Annual Report.
- (b) In consultation with the Secretary, the Chairman will decide on a date, time and place for a special general meeting if called for by a written requisition.
- (c) To preside as Chairman at all general meetings of the Association.
- (d) The Chairman will have a second or casting vote in the case of an equality of votes in a poll, which is directed by them self.
- (e) In circumstances where the Secretary is unavailable to carry out his/her functions, the Committee, or in case of emergency, the Chairman, may appoint any officer or employee to carry out the Secretary's functions until such time as the Secretary is able or available to recommence his/her duties.
- (f) To sign cheques and approve BACS payments in accordance with Finance Procedure Note number 7.
- (g) To sign and date all expense claim forms submitted by staff and committee

after they have been approved at the relevant committee meeting, if the Chairperson of the Finance, Staffing & General Purposes Sub-Committee is unavailable.

- (h) The Chairman, if approving salary payments, will ensure that the Salary Payment Summary Amount corresponds with the BACS Payments issued to the Bank of Scotland. The Chair should sign the Salary Payments Summary once this has been confirmed.
- (i) to ensure that, where necessary, decisions are made under delegated authority for the effective operation of the Association between meetings
- (j) to ensure that the Committee monitors the use of delegated powers
- (k) to represent the Association at external events from time to time;
- (l) to undertake appraisal of the performance of Committee Members, and to ensure that the senior staff officers appraisal is carried out in accordance with the agreed policies and procedures of the Association; and
- (m) to oversee the training requirements of Committee Members, and the recruitment and induction of new Committee Members.

2. **Vice Chairman**

The Vice Chairman will deputise in all the above matters in the absence of the Chairman (except items f), if not already a cheque signatory.

3. **The Secretary**

- (a) The Secretary shall summon and attend all general meetings of the Association and all meetings of the Committee and keep the Minutes referred to in rule 59.3.2 of the Model (HSA) Scotland Rules.
- (b) The Secretary will issue all notices together with any relevant reports or papers with regard to the above.
- (c) The Secretary will prepare and send all returns to be made to the Financial Services Authority (FSA) , to the Scottish Government, Scottish Housing Regulator and Office of Scottish Charities Regulator (OSCR).
- (d) The Secretary shall keep the register of members and other registers required to be kept by the Model (HSA) Scotland Rules, have charge of the Seal of the Association, keep all the books of accounts and receive all contributions and other payments due to the Association and pay over the amount so received as the Committee direct.
- (e) The Secretary shall produce or give up all books, registers, documents and property of the Association in his possession whenever required so to do by a resolution of the Committee or of a general meeting.
- (f) The Association's Seal shall be kept under the custody of the Secretary and shall be used only under the authority of a resolution of the Committee. The signatures of two committee members and the counter signature of the Secretary shall attest the affixing of the Seal for the time being and recorded in the register kept for that purpose.

- (g) At the last meeting of the Committee before the annual general meeting, the Secretary shall, to the extent within his/her knowledge, confirm in writing to the Committee that all the requirements of rules 62 to 67 in the Rules have been complied with. If they have not been complied with, the Secretary shall report in writing to the Committee the reasons for such non-compliance. The confirmation or report required by the rule shall be recorded in the minutes of the meeting.
- (h) To authorise disposals and maintain register of same in accordance with SHGN 96/12.
- (i) To maintain a register of gifts.
- (j) To maintain a register of frauds and attempted frauds

From the Management Committee to the Chief Executive

General

- (a) To prepare, on an annual basis, a Business Plan for the Association in accordance with Scottish Government/Scottish Housing Regulator guidance and the requirements of other agencies.
- (b) To complete annual Performance and Statistical returns for Scottish Government, Scottish Housing Regulator.
- (c) To monitor the effectiveness of the Association's policies and make recommendations thereon to the Management Committee.
- (d) To prepare the Annual Report.

Committee Structure

To monitor the effectiveness of the Management and Sub-Committee structure and to make recommendations thereon to the Management Committee in line with the Scottish Housing Regulator's new Regulatory Framework

Staff Structure

To monitor the effectiveness of the Staff Structure and to make recommendations thereon to the Management Committee.

Operations and Staff

- (a) To oversee all staff on a daily basis and assist when required to ensure the smooth running of the organisation and high levels of service provision to our customers
- (b) To prepare contracts of employment in accordance with EVH recommendations.
- (c) To co-ordinate regular staff meetings.

- (d) To carry out senior staff appraisals on an annual basis in accordance with the EVH model and ensure Manager conduct all other staff annual appraisals
- (e) To review staff structure on an ongoing basis
- (f) To consider and decide upon flexible working requests and report decision to Management Committee
- (g) To authorise staff leave in accordance with EVH Conditions of Service.
- (h) To authorise staff training in accordance with Training Policy
- (i) To monitor Equal Opportunities and Employment and in service provision in conjunction with the Association's Equality and Diversity Policy
- (j) To take any necessary, appropriate, disciplinary action in accordance with EVH Conditions of Service and Disciplinary Procedure
- (k) To formally notify the Scottish Government/Scottish Housing Regulator of any Notifiable Events in accordance with section 2.32 of the new Scottish Housing Regulator's Regulatory Framework
- (l) To promote continual improvement throughout the business and continually raise the profile of the organisation
- (m) To assess and manage all operational and strategic risks relative to the organisation

External Relations

- (a) To promote good public relations and to ensure courteous treatment of the Association's customers at all times per our agreed core values.
- (b) To promote resident participation in accordance with the Association's Tenant Participation Strategy and the Scottish Social Housing Charter.
- (c) To represent the Association in policy discussions with the Scottish Government, Scottish Housing Regulator, West Dunbartonshire Council, other statutory bodies and other organisations.
- (d) To ensure adequate response to requests for information about the Association's activities from external organisations and the public.
- (e) To investigate and respond to complaints in accordance with the Association's complaints handling procedure.

From the Management Committee to the Maintenance Manager

Health & Safety

To undertake the Health & Safety administrator responsibilities as laid out in

Operations and Staff

- (a) To co-ordinate regular section meetings.
- (b) To assess and manage all operational risks relative to the maintenance service.
- (c) To carry out staff appraisals on an annual basis in accordance with the EVH model and ensure training is undertaken to ensure achievement of Association objectives.
- (d) To authorise staff leave in accordance with EVH Conditions of Service
- (e) To recommend new or amended Policy in line with legislative changes
- (f) To monitor, submit and report on departmental performance to relevant bodies (Scottish Housing Regulator, Scottish Housing Network, customers, etc.)
- (g) To contribute to CHA Business Plan

External Relations

- (a) To promote good public relations and to ensure courteous treatment of the Association's customers at all times.
- (b) To promote resident participation in accordance with the Association's tenantsq participation strategy
- (c) To represent the Association in policy discussions with the Scottish Government, Scottish Housing Regulator, West Dunbartonshire Council, other statutory bodies and other organisations.
- (d) To ensure adequate response to requests for information about the Association's activities from external organisations and the public.
- (e) To investigate and respond to complaints in accordance with the Association's complaints handling procedure.

From the Management Committee to the Housing Manager

Operations and Staff

- (a) To co-ordinate regular section meetings.
- (b) To assess and manage all operational risks relative to the housing management service.
- (c) To carry out staff appraisals on an annual basis in accordance with the EVH model and ensure training is undertaken to ensure achievement of Association objectives.
- (d) To authorise staff leave in accordance with EVH Conditions of Service
- (e) To recommend new or amended Policy in line with legislative changes
- (f) To monitor, submit and report on departmental performance to relevant bodies (Scottish Housing Regulator, Scottish Housing Network, customers, etc.)
- (g) To contribute to CHA Business Plan

Rent

To recommend policy relating to rent setting and to implement policy agreed.

External Relations

- (a) To promote good public relations and to ensure courteous treatment of the Association's customers at all times per our agreed core values.
- (b) To promote resident participation in accordance with the Association's Tenantsq Participation Strategy
- (c) To represent the Association in policy discussions with the Scottish Government, Scottish Housing Regulator, West Dunbartonshire Council, other statutory bodies and other organisations.
- (d) To ensure adequate response to requests for information about the Association's activities from external organisations and the public.
- (e) To investigate and respond to complaints in accordance with the Association's complaints handling procedure.

From the Management Committee to the Finance Manager

Operations and Staff

- (a) To co-ordinate regular section meetings.
- (b) To assess and manage all operational risks relative to the finance, admin and factoring service.
- (c) To carry out staff appraisals on an annual basis in accordance with the EVH model and ensure training is undertaken to ensure achievement of Association objectives.
- (d) To authorise staff leave in accordance with EVH Conditions of Service
- (e) To recommend new or amended Policy in line with legislative changes
- (f) To monitor, submit and report on departmental performance to relevant bodies (Scottish Housing Regulator, Scottish Housing Network, customers, etc.)
- (g) To contribute to CHA Business Plan

Rent

To recommend policy relating to rent setting and to implement policy agreed.

External Relations

- (a) To promote good public relations and to ensure courteous treatment of the Association's customers at all times per our agreed core values.
- (b) To promote resident participation in accordance with the Association's

tenantsq participation strategy

- (c) To represent the Association in policy discussions with the Scottish Government/Scottish Housing Regulator, West Dunbartonshire Council, other statutory bodies and other organisations.
- (d) To ensure adequate response to requests for information about the Association's activities from external organisations and the public.
- (e) To investigate and respond to complaints in accordance with the Association's complaints handling procedure.

From Sub-Committees to Senior Staff

From Housing Management/Maintenance Sub-Committee to Staff

Notes

1. All references to the %Sub-Committee+will mean the Housing Management and Maintenance Sub-Committee.

Delegated authorities to the Maintenance Manager

1. To monitor the performance of the Property Maintenance function.
2. **Maintenance Authority**
 - (a) Draft policy and present to Sub-Committee for approval any proposed changes to maintenance authority.
 - (b) Operate the maintenance system within the approved delegated authority and implement Housing Management and Maintenance Sub-Committee decisions.
3. **Maintenance Budget**
 - (a) Operate the maintenance system within the approved maintenance budget, monitor spending and report to Sub-Committee quarterly in line with Management Accounting production.
 - (b) Approve the payment of invoices per the limits detailed within the Repairs and Maintenance Policy and Finance Procedures.
 - (c) Project and review annually, future maintenance liability via a life cycle costing exercise for use in preparation of Association financial reports including Business Plan and annual Budget.
 - (d) Monitor Rechargeable repairs procedures together with Housing Management and Finance departments to minimise cost to Association
 - (e) Obtain quotations for work in line with the Repairs and Maintenance Policy and Finance procedures
4. **Maintenance Programme**
 - (a) Draft policy and present to Sub-Committee for approval any proposed amendments to the maintenance programme.
 - (b) Operate the maintenance system within the approved maintenance programme, monitor and report progress to Sub-Committee and implement approved changes.

5. **Maintenance Procedures and Performance Targets**
 - (a) Develop maintenance procedures and set performance targets that reflect Clydebank Housing Association Repairs and Maintenance Policy as well as the requirements of the Scottish Social Housing Charter.
 - (c) Monitor the effectiveness of procedures and targets and review them in line with Policy and other changes.
 - (d) In relation to gas servicing, ensure certificates do not expire and where necessary report where forced entry/legal action required

6. **Maintenance Contractors**
 - (a) Draft policy and present to Sub-Committee for approval any proposed amendments to the list of approved contractors and update Entitlement Payment and Benefits Policy accordingly.

 - (b) Promote good practice among approved contractors, monitor performance and issue contractors with appropriate guidance and instruction.

 - (c) Ensure contractors comply with all relevant health and safety, employment and anti-discrimination legislation and Clydebank Housing Association's Code of Conduct.

7. **Maintenance Information**
 - (a) Produce appropriate maintenance information for tenants, contractors and others that reflects Clydebank Housing Association Repairs and Maintenance Policy.

 - (b) Monitor the effectiveness of the information and review it in line with policy and other changes.

8. **Maintenance Specification**
 - (a) Contribute to the development of a standard specification for Clydebank Housing Association.

 - (b) Monitor the maintenance performance of materials and components and assess the maintenance implications of building defects submitting any significant findings to the Development Sub-Committee/Management Committee.

9. **Maintenance Training**
 - (a) Keep up to date with relevant changes in legislation, building methods, materials etc. by attending training events and reading appropriate housing/ building maintenance publications.

 - (b) Keep staff advised of the above changes and their impact on maintenance procedures and identify any training needs required.

10. **Consultants Appointments**
 - (a) To obtain references, details of Professional Indemnity Cover and practice information and to report thereon to the Sub-Committee in accordance

with the Consultants Selection Procedure and Procurement Policy.

- (b) To provide consultants with a brief of services required.
- (c) To meet with consultants and, where appropriate, negotiate fees.
- (d) To issue letters of appointment.
- (e) Where competition is required, to submit draft project brief to Sub-Committee for approval.
- (f) To monitor consultants performance and report thereon to the Sub-Committee recommending appropriate action where necessary.

Delegated authorities to Housing Manager: -

1. Rent

To monitor effectiveness of method of rent collection and make recommendations to Sub-Committee regarding any changes.

2. Rent Arrears

- (a) To recommend policy relating to arrears recovery.
- (b) To implement policy and report to Sub-Committee on levels of arrears.
- (c) To instruct legal action up to the level of eviction.

3. Allocations

- (a) To recommend policy relating to allocation of homes and implement the policy agreed. Specifically to let houses in accordance with the allocations and transfer policies.
- (b) To assess merits of any special case applications and report details of any applications with merit to Sub-Committee for approval.

4. Tenancy matters

- (a) To advise Sub-Committee on proposed changes to missives of let.
- (b) To recommend policy relating to estate management, housing management complaints and breaches of tenancy.
- (c) To implement policy agreed up to the level of instruction of legal action.
- (d) To advise Sub-Committee on details of cases for approval of legal action when seeking Decree for recovery of the tenancy becomes necessary.

5. Voids

To recommend policy relating to void management and to implement policy agreed.

6. Ethnic Monitoring

To recommend policy relating to ethnic monitoring and to implement ethnic monitoring procedures. To comply with the Association's Equality and Diversity Policy.

7. Liaison with Solicitors

To liaise with solicitors and sheriff officers re legal advice on housing management issues and agree associated legal action as necessary.

8. Tenant Participation

- (a) To prepare/assist in preparation of the Tenants Handbook and other written Information to tenants
- (b) To advise tenants on Association policies and procedures in relation to Housing Management and to comply with the requirements of the new Scottish Social Housing Charter
- (c) To convene and progress relevant focus groups for Policy, procedural or operational activities relating to the Housing Management service.

From the Development Sub-Committee to Staff

- 1. All references to the %Sub-Committee+will mean the Development Sub-Committee (or Management Committee where Sub-Committee suspended).
- 2. All references to the Chief Executive will also apply to Development Officer/Consultant.

Delegated authorities to the Chief Executive: -

1. Acquisition

- (a) To liaise with West Dunbartonshire Council and other bodies regarding the availability of suitable sites for development.
- (b) To instruct the District Valuer to provide valuation/negotiation services for the proposed acquisition of sites.
- (c) To make application to the Scottish Government for HAG funding for acquisitions.
- (d) Together with the Finance Manager, investigate sources of private funding for projects and to make recommendations thereon to the Sub-Committee.
- (e) To make formal applications to approved lending institutions for private funding for acquisitions.
- (f) To instruct the Association's solicitors in respect of approved acquisition/development transactions.

2. **Disposals**

- (a) To apply to the Scottish Government for all necessary consents relative to disposals under Section 66 and Section 12A.
- (b) To instruct the District Valuer, or other approved Valuer, to provide valuation/negotiation services for proposed disposals.
- (c) To instruct the Association's solicitors in respect of approved disposals.
- (d) To report on effectiveness of marketing strategy and to make recommendations for any necessary amendments.
- (e) To maintain the disposals register and to ensure that each entry is endorsed by the Association's Secretary.

3. **Design Brief/Housing Mix**

To liaise with West Dunbartonshire Council Planning and Legal Departments, the project consultants and Scottish Government and to submit draft proposals to the Sub-Committee for consideration/approval.

4. **Specification**

- (a) To liaise with the Association's consultants, technical advisers and maintenance staff and to submit draft specification for each project to the Sub-Committee for approval.
- (b) To advise the Sub-Committee of any proposed variations to the approved specification, giving reasoned justification for approval of the variation.

5. **Consultants Appointments**

- (a) To obtain references, details of Professional Indemnity Cover and practice information and to report thereon to the Sub-Committee in accordance with the Consultants Selection Procedure.
- (b) To provide consultants with a brief of services required.
- (c) To meet with consultants and, where appropriate, negotiate fees.
- (d) To issue letters of appointment.
- (e) Where competition is required, to submit draft project brief to Sub-Committee for approval.
- (f) To monitor consultants performance and report thereon to the Sub-Committee recommending appropriate action where necessary.

6. **Selection of Contractors**

- (a) To carry out bank checks, obtain references, Health and Safety records and Equal Opportunities information and to report thereon to the Sub-Committee in accordance with the Code of Procedure for Tendering.

- (b) To make formal application to the Scottish Government for HAG funding to enable acceptance of tenders.
- (c) To investigate sources of private funding and to make recommendations thereon to the Sub-Committee.
- (d) To make formal application to approved lending institutions for private funding for projects to enable acceptance of tenders.
- (e) To instruct consultants to accept tenders on behalf of the Association, subject to the conditions of Scottish Government formal Offer of Grant.
- (f) To represent the Association at all pre-contract and site meetings.
- (g) To monitor contractors performance and to report thereon to the Sub-Committee, recommending appropriate action where necessary.

7. Capital Expenditure

- (a) To monitor capital expenditure and to report monthly thereon to the Sub-Committee giving reasons for any variance between actual spend and approved capital spend targets.
- (b) To complete returns to the Scottish Government/Scottish Housing Regulator giving details of anticipated capital requirements and to agree and accept the yearly cash planning target.

Delegated authorities to the Maintenance Manager: -

1. Specification

- (a) To liaise with the Association's Chief Executive, technical consultants and manufacturers and to assist in the preparation of the draft specification.
- (b) To monitor performance of components and to make recommendations in respect of any necessary amendments to the Sub-Committee.

2. Defects

- (a) Prior to practical completion, to liaise with the Chief Executive, the project Architect and the contractor and to agree a procedure for the reporting and monitoring of defects.
- (b) To monitor the performance of contractors during the Defects Liability Period and to report thereon to the Sub-Committee, recommending appropriate action where necessary.

Delegated authorities to the Finance Manager : -

- 1. To monitor monthly capital expenditure for each project against the approved budget and report thereon to the Sub-Committee.

2. **Private Borrowing**

In conjunction with Chief Executive, investigate sources of private funding for projects and to make recommendations thereon to Committee.

To make formal applications to approved lending institutions for private funding for development acquisition/acceptance of tenders.

From the Finance, Staffing & G.P. Sub-Committee to Staff

NOTES

1. All authorities must be exercised within the framework of legal requirements, Scottish Government/Scottish Housing Regulator Guidance Notes, Performance Standards and Building Standards.
2. All references to the %Sub-Committee+will mean the Finance, Staffing & G.P. Sub-Committee.

Delegated authorities to Finance Manager: -

1. **Payroll**

To make salary payments to all staff in accordance with the Association's finance procedures and to ensure all salary records are updated on a monthly basis. To make all payments of expenses due to staff and Committee as per the financial procedures.

2. **Ledgers**

To update all financial ledgers on a monthly basis and ensure account balances are monitored and reported on thereafter. To make all necessary payments when required and ensure expected receipts are received when due and recorded as per the financial procedures.

3. **Pensions**

To liaise with staff and the Pension Trust on all aspects of the scheme and advise thereon. To forward staff and Association contributions timeously to the Pension Trust.

4. **Budgetary Control**

To prepare the annual budget and submit to the Committee at least one month prior to the new financial year.

To prepare quarterly management accounts and report on favourable/unfavourable variances from Budget to the Sub-Committee and send to external bodies as required.

5. **Signing of Cheques/HOBS Payments**

The Finance Manager is authorised by the Sub-Committee to sign cheques and

to make payments via HOBS together with one Committee Member on behalf of the Association as per the financial procedures.

6. **Budget Holders**

The Finance Manager is authorised by the Sub-Committee to order office stationery and associated items to the value as detailed within the Budget for the year. Capital expenditure to the value of £3,000 per quarter (£12,000 per annum) is authorised by the Sub-Committee. Budget holders are listed within the Procedure notes.

7. **HOBS Account and Investments**

The Finance Manager is authorised by the Sub-Committee to transfer funds to and from the Association's HOBS investment account as per the financial procedures. Two staff members to witness any transfer. Excess funds to be invested as per the strategy detailed in the financial procedures.

8. **Claiming and Payment of HAG and Private Finance**

To make all claims to the Scottish Government on behalf of the Association in respect of capital schemes and to record all details in the appropriate files as per the financial procedures. To pay all contractors certificates and consultants fees accordingly.

10. **Financial Viability Assessments/Loan Portfolio Return**

All information to be forwarded to the Scottish Government/Scottish Housing Regulator and lenders as required after Committee approval.

11. **Scottish Government/Scottish Housing Regulator/OCSR/FSA**

To prepare and submit the Association's returns to the various organisations as required.

12. **Staffing**

- a) To monitor the accuracy of time sheets and to ensure that staff time is allocated to identified cost centres.
- b) To authorise applications for leave and TOIL and to co-ordinate arrangements for same in order to minimise disruption to efficient operations.
- c) To authorise staff training in accordance with the Association's training policy.

13. **Credit Card**

To make payments for goods via the Association's company credit card as required up to a limit of £1000.

14. **Subsidiaries**

To monitor the performance of the Association's subsidiaries and recommend annual price increases to ensure ongoing sustainability and viability.

15. Treasury Management

Monitor the Association's loan portfolio and investments and report annually in accordance with the Treasury Management Policy

Delegated authorities to the Chief Executive/ -

1. To monitor the accuracy of time sheets and to ensure that staff time is allocated to identified cost centres.
2. To authorise applications for leave and TOIL and to co-ordinate arrangements for same in order to minimise disruption to efficient operations.
3. To authorise staff training in accordance with the Association's training policy.
4. To sign cheques/authorise payments through HOBS together with one committee member in accordance with financial regulations.

In relation to HOBS Account and Investments, the Chief Executive is authorised by the Sub-Committee to transfer funds to and from the Association's HOBS investment account as per the financial procedures. Two staff members to witness any transfer. Excess funds to be invested as per the strategy detailed in the financial procedures.

6. To make payments for goods via the Association's company credit card as required up to a limit of £1000.