



Bridgewater Housing Association Policy

Policy name	Scheme of Delegation
Policy category	Governance
Policy number	CS27
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Last review	n/a
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Equalities impact assessment required	n/a
Links to other documents	<ul style="list-style-type: none"> • Financial Regulations • Board Terms of Reference/Remit • Finance & Corporate Services Sub-Committee Terms of Reference/Remit • Housing, Land & Property Sub-Committee Terms of Reference/Remit
Consultation	n/a

1.0 INTRODUCTION

- 1.1 This scheme of delegation is intended to ensure that the work of Bridgewater Housing Association is carried out efficiently and effectively, within the strategic and policy frameworks agreed by the Board of Bridgewater 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 Bridgewater's Standing Orders. Alternations to the scheme can only be done with the approval of the Board.
- 1.2 This Scheme of Delegation accompanies Bridgewater's Standing Orders, the agreed remits for the Board and sub-committees and by the role descriptions for office bearers and the CEO. This document should be read in conjunction with the Association's Financial Regulations which provide specific guidance on cost limits for relevant staff members, sub committee and Board members.
- 1.3 **Office Bearers**, acting with Leadership Team, have authority to
- Represent Bridgewater HA on official business, consistent with agreed policies and principles
 - Implement agreed emergency procedures and the provisions of Bridgewater 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.
- 1.4 The Board delegates operational powers to the CEO who may take whatever action they consider necessary to ensure the efficient and effective management of Bridgewater's affairs, without further reference to the Board or any of Bridgewater's sub-committees. All actions must be in accordance with Bridgewater'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.
- 1.5 The **CEO**, in consultation with Leadership Team has authority to:
- Ensure the effective implementation of Bridgewater HA's strategies, policies and plans.
 - Represent Bridgewater HA on official business, consistent with agreed policies and principles.
 - Carry out all necessary legal and financial duties to ensure Bridgewater HA's compliance with statutory and regulatory requirements.
- 1.6 In exceptional circumstances, prompt action can be taken without board authority e.g.
- Urgent health and safety issue needs prompt resolution
 - Failing to act would result in significant cost to the Association e.g. flooding to the Server Room etc

Where emergency action has been taken the Board should be made aware of this action as soon as is practicable at the next Board meeting or by email whichever is felt most appropriate.

2.0 BACKGROUND

- 2.1 Responsibility for putting Bridgewater's policies into practice and managing the organisation and service delivery is delegated to the staff team, under the leadership of the Chief Executive. This **Scheme of Delegated Authority** sets out what decisions the Board needs to make, and what decisions and activities it has delegated to the staff team in the following areas:
- Governance, Strategy and Policy

- Staffing and Employment
- Financial Management
- Tender and Procurement
- Housing and Estate Management
- Development and Property Management

2.2 In all day-to-day operational matters, the Chief Executive and Leadership Team of Bridgewater Housing Association are authorised and empowered to manage the Association and its operations even where certain activities are not specifically mentioned in this **Scheme of Delegated Authority**. Where responsibility is delegated to the staff team, the Board receives regular reports on various areas of Bridgewater's activities including relevant strategic performance information.

2.3 The Chief Executive may require any member of staff to seek his authority to do something even where this **Scheme of Delegated Authority** gives the staff member power to do it.

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

Governance Strategy and Policy

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Establishment / Dissolution of Sub-Committee or Working groups. 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 policies delegated by Board
Review of all policies in accordance with Policy Review Schedule, policies can be delegated to Sub-Committee and Leadership Team by Board	Approval of Payments and Benefits in accordance with Bridgewater’s Entitlements, Payments and Benefits Policy	Approval and reporting to Board of Payments and Benefits in accordance with Bridgewater’s Entitlements, Payments and Benefits Policy
Approval of Bridgewater’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
Approval of the creation or dissolution of subsidiaries, and appointment of directors to subsidiaries and other bodies. Approval of the business plan of any subsidiary organisation		
Approve where required Annual Returns to Scottish Government, Scottish Housing Regulator & OSCR	Approve Annual Return on the Charter / financial returns in accordance with sub-committee remits	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 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
Approving Strategic Agreements with other parties		

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Approval of recommendation to the AGM on the appointment of the External Auditors	Approval of appointment of internal & external auditors	Reporting and implementing any remedial action identified by the internal auditor
Authorising use of the Seal	Ensure Bridgewater 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 Bridgewater 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 CEO)
	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; appointment/replacement of co-opted members		Maintenance and reporting Action Plans
Approval of the creation or dissolution of sub committees, subsidiaries and the appointment of representatives to these	Care & Repair policy and strategy including business development areas	
To note and ensure recording and notification of Notifiable Events and to monitor events annually and as they occur	Tender submission approval of terms for Care & Repair Service.	To report Notifiable Events as they occur and inform Board and Scottish Housing Regulator, and any other relevant bodies
Removal of Board members, where permitted by the Rules.		
Consideration of any matter referred to the Board by a General Meeting of Bridgewater's members; and reference of any matter to a General Meeting		

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 Board Member)
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
	Staff re-grading and salary increases, out with Bridgewater's established policies	Employment of temporary staff within agreed budgets and per recruitment and selection policy
	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 referred by Sub-Committee or Leadership Team	Monitoring of Health and Safety Policy and breaches	Implementation and monitoring of Health and Safety policies and reporting of any breaches

Tender and Procurement

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Approval of tender acceptance for contracts in accordance with levels in procurement and financial regulations (in excess of Sub-Committee Level)	Approval of tender acceptance for contracts in accordance with levels in procurement and financial regulations (in excess of LT level)	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
Approval of procurement methods for day-to-day maintenance contracts via procurement policy approval		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
		Sign all contracts and tender approvals procured and approved in line with delegated authorities including all care and repair contracts

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 / increase	Dealing with appeals where customers have a right of appeal	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 Tenant / Customer Engagement Strategy	Monitoring of progress against Tenant / 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 legislation and policy
	Approval of Tenancy and any other occupancy agreements	Approving the terms of the periodic satisfaction survey and commissioning the project
	Approve Entitlements Payments and Benefits cases as per policy (E-Mail 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
	Approve any departure from agreed Policy of arrears management following case being made.	Approval to enter into leases, management agreements or leases involving heritable property with third parties including temporary decant agreements with other RSL's
Approval of Acquisition and Disposal Strategy	Approve any 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.	Initiating court action and enforcement of decrees for eviction (Housing Officer level)

Development and Property Management

Reserved to the Board	Delegated to Sub-Committees	Delegated to the Leadership Team
Approving Site Acquisition (within agreed plans)	Agreeing savings to individual schemes – over 10% of agreed costs	Agreeing savings to individual schemes – up to 10% agreed costs
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
Approval of annual budget/programme for repairs and planned maintenance works		Approving individual scheme design proposals
	Dealing with appeals where customers have a right of appeal	Ensuring borrowings and investments comply with statutory and regulatory requirements and Bridgewater HA's Rules
	Approval of applications from contractors to join Bridgewater's approved list	Approval and reporting of Claims against Contractors/Consultants Intimation of claims
	Monitoring the development and property management performance of the organisation quarterly	Adding contractors to Bridgewater's approved list on a trial basis. Removing contractors from the list who do not perform to Bridgewater's requirements
		Negotiating terms of loans to fund individual developments
	Approval and review of planned maintenance programme in accordance with the annual budget approved by Board	Implementation of planned maintenance programme and exception reporting of material variances
	Agree the implementation of our Factoring Policy and review and agree on the annual management fee for factoring	Action required in respect of health and safety management, equal opportunities and other legal obligations