



## **Provanhall Housing Association Limited**

### **POLICY**

#### **Standing Orders**

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## **STANDING ORDERS POLICY**

### **1. Committee Structure**

- 1.1 The Association shall have a Committee of Management which shall have a minimum of 7 and a maximum (including co-optees) of 15 members. The Committee is responsible for the leadership and direction of the Association with the aim of achieving good outcomes for its tenants and other service users in accordance with Regulatory Standards and Guidance issued by The Scottish Housing Regulator from time to time.

### **2. Eligibility**

- 2.1 Annually all Committee Members will be required to undergo an appraisal, sign the code of conduct and the eligibility declaration. A committee member will not be allowed to re-stand for election at an Annual General Meeting (AGM) if they have served as a Committee Member for a continuous period in excess of nine years and the Committee has not resolved to permit them to stand again or otherwise be nominated for re-election. This assessment will be undertaken at the annual appraisal.

### **3. Standing Sub-Committees**

- 3.1 After each Annual General Meeting, the Management Committee shall appoint three standing Sub-Committees, as follows: -
- Technical Services Sub-Committee
  - Housing Services Sub-Committee
  - HR, Finance & Audit Sub-Committee

### **4. “Ad Hoc” Sub-Committees**

- 4.1 The Management Committee shall be empowered to appoint such “ad hoc” Sub-Committees, as it may deem necessary to consider different aspects of the Association's business from time to time.
- 4.2 These Sub-Committees shall remain in operation until the next Annual General Meeting of the Association. In establishing any further Sub-Committees, the Management Committee shall specify the membership, remit, delegated authority (if any) and timescales of operation.

### **5. Frequency and Timing of Meetings**

- 5.1 It is up to the Committee to decide when and where to hold its ordinary meetings, but it must meet at least six times a year. It is intended that Ordinary meetings of the Management Committee shall normally be held monthly, in accordance with a calendar of suitable dates to be agreed by the Management Committee. The Chairperson or two Committee Members can request a special meeting of the Committee by writing to the Secretary with

details of the business to be discussed. The Secretary will send a copy of the request to all Committee Members within three days of receiving it. The meeting will take place at a place mutually convenient for the majority of Committee Members – normally the usual place where Committee meetings are held – between 10 and 14 days after the Secretary receives the letter.

- 5.2 No business shall be transacted at that meeting other than that specified in the requisition.

### **5.3 Sub-Committees**

- 5.3.1 Each Standing Sub-Committee shall meet in accordance with a calendar of suitable dates and times to be agreed by the Management Committee. Each Sub-Committee will meet quarterly as an absolute minimum.
- 5.3.2 Timing of Sub-Committee meetings may be altered, and additional meetings held, subject to the agreement of the Convener of the Sub-Committee and the Secretary.
- 5.3.3 The Management Committee shall be responsible for the on-going monitoring and evaluation of the use of delegated powers.

## **6. Membership of Sub-Committees**

- 6.1 The minimum number of members for any Sub-Committee is 4.
- 6.2 The Management Committee can delegate its powers to Sub-Committees made up of Committee Members and Co-optees or to staff or Office Bearers of the Association. The Sub-Committees and staff or Office Bearers must follow the written instructions given to them by the Committee. Co-opted members do not count as part of a quorum nor are they eligible to vote in the election of Office Bearers or membership matters.
- 6.3 The meetings and procedures of Sub-Committees will be the same as those of the Management Committee as set out in the rules, except the quorum.
- 6.4 The quorum for Sub-Committees is 3 – or at least two thirds of the members of the sub-committee present, for the meeting to take place – whichever is the highest.

## **7. Appointment of Sub-Committee Conveners**

- 7.1 At the first meeting of each Sub-Committee following the AGM, the Sub-Committees will appoint a convener from within its membership.

## **8. “Ex Officio” Appointments**

- 8.1 The Chairperson of the Management Committee and Secretary shall be a member “ex officio” of each standing Sub-Committee.

## **9. Management Committee Members Assessment**

- 9.1 The Committee shall assess annually the skills, knowledge, diversity and objectivity that it needs for its decision making and what is contributed by the Committee Members, by way of annual performance reviews. The Committee must satisfy itself that any Committee Member seeking re-election to the Committee after service as a Committee Member for a continuous period in excess of nine-years can demonstrate their continued effectiveness as a Committee Member.
- 9.2 Each of the Committee Members shall, in exercising their role as a Committee Member, act in the best interests of the Association, its tenants and service users and will not place any personal or other interests ahead of their primary duty to the Association; and, in particular, must:-
- seek, in good faith, to ensure that the Association acts in a manner which is in accordance with its objects.
  - act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person.
  - in circumstances giving rise to the possibility of a conflict of interest between the Association and any other party:-
    - put the interests of the Association before that of the other party, in taking decisions as a Committee Member;
    - where any other duty prevents him/her from doing so, disclose the conflicting interest to the Association and refrain from participating in any discussions or decisions involving the other Committee Members with regard to the matter in question
  - ensure that the Association complies with any direction, requirement, notice or duty imposed on it by the Charities and Trustee Investment (Scotland) Act 2005.

## **Conduct of Meetings**

### **10. Appointment of Office Bearers**

- 10.1 The Management Committee will appoint from its number a Chairperson and Secretary and any other Office Bearers as are considered necessary to discharge the Committee's business. Office Bearers must be elected Committee Members and must not be Co-optees.
- 10.2 All Office Bearers will be appointed at the first meeting of the Management Committee following the Annual General Meeting and shall serve for one year. Retiring Office Bearers shall be eligible for re-election. The Chairperson may not serve for more than five consecutive years.
- 10.3 The Committee may remove any Office Bearer on a vote supported by two thirds of the Committee, at a Special Meeting called for the purpose. Any Office Bearer who ceases to be a member of the Management Committee will automatically cease to hold office.

- 10.4 Where the retiral or removal of an Office Bearer is noted on the notice calling a Management Committee meeting the vacancy may be filled at the meeting; otherwise a casual vacancy arising through retiral of an Office Bearer will be filled at the next meeting after the vacancy arises.

## **11. Convening of Committee Meetings**

- 11.1 The Chairperson of the Management Committee shall convene all meetings of the Management Committee. In the absence of the Chairperson, or if the Chairperson is not willing to act, the Committee present shall elect one of their number to convene the meeting. If the Chairperson arrives late, he / she will take over as Chairperson of the Committee Meeting as soon as the current agenda item is concluded.
- 11.2 In the absence of the Convener, members of a Sub-Committee shall elect one of their number to convene the meeting.
- 11.3 All questions of order arising at any meeting shall be decided by the Convener of the meeting. The Convener of a Management Committee meeting, whether the Chairperson or substitute, shall have both a deliberative and a casting vote.

## **12. Duties of Convener**

- 12.1 The Convener of a meeting shall have the following duties: -
- To determine all questions of order arising at the meeting.
  - To exercise both a deliberative and a casting vote.
  - To ensure that the business of the meetings follows the order of the Agenda (the Convener may alter the order of business at any stage).
  - To determine the relevance or otherwise of any motion or amendment.
  - To determine the order of debate.
  - To certify an original copy of all minutes presented for approval at the meeting.

## **13. Notice of Committee Meetings**

- 13.1 Agendas for all meetings of the Management Committee shall be prepared by the Director or delegated staff member of the Association in consultation with the Secretary of Provanhall Housing Association.
- 13.2 Agendas for Sub-Committee meetings shall be prepared by the Convener of the Sub-Committee in conjunction with the Director / Technical Services Manager / Housing Services Manager.

- 13.3 Notice of ordinary meetings of the Committee, or Standing Sub-Committees, shall be sent to members by the Secretary not less than seven days before the date of the meeting. All matters of business for the agenda shall be in the hands of the Secretary by 4.00pm, SEVERN days prior to the date of the meeting.
- 13.4 Notice of a Special Meeting of the Committee shall be sent to members at least SEVEN days before the date of the meeting.
- 13.5 Agendas and papers for consideration at a meeting of a Standing Sub-Committee shall be sent to all members of the Management Committee including, for information only, those Committee Members not on the Standing Sub-Committee.
- 13.6 Proceedings at any meeting shall not be invalidated by any accidental omission to send notice of the meeting to any member, or any other accidental defect in the arrangements for calling the meeting.

#### **14. Order of Business**

- 14.1 The business at meetings shall normally follow the order of the agenda, but the Convener shall have power to alter the order of business at any stage. With the consent of the members present, business not on the agenda may be transacted at an Ordinary Meeting, but not at a Special Meeting. The Committee shall have power to adjourn any meeting to such date and time as it, or the Chairperson, may determine, and, when any adjourned meeting is resumed, the proceedings shall commence at the point at which they were adjourned, and shall extend only to items on the agenda for the original meeting.

#### **15. Quorum**

- 14.1 Four Committee Members shall constitute a Quorum for all Management Committee meetings. Neither the Management Committee nor any standing Sub-Committee shall have any of its normal powers unless a Quorum is present.
- 14.2 For Sub-Committees the quorum shall be any three members of the Sub-Committee, or at least two thirds of the members of the sub-committee present for the meeting to take place – whichever is the highest. Co-opted Committee Members do not count towards quorum.

#### **15. Minutes**

- 15.1 The Director of Provanhall Housing Association or their nominated deputy, in consultation with the Secretary of the Association, and Convener of any Committee Meeting, shall prepare minutes of that meeting, and these minutes shall be submitted for approval to the following ordinary meeting of the Management Committee. Where they have been previously circulated, the minutes shall be treated as read. Where they have not been previously



circulated, members shall be given time to read them before the Committee is asked to approve them.

- 15.2 Minutes of a Sub-Committee meeting should normally be proposed as accurate by the Convener of the meeting to which the minutes relate. In the absence of the Convener, or in the event of them refusing so to move, any member present at said meeting may so move. Following confirmation of their accuracy any member of the Committee may propose that the minute be adopted.
- 15, 3 Minutes of Management Committee meetings shall be deemed to be accurate unless altered by the decision of a majority of members present and voting at the meeting at which they are considered.

## **16. Voting**

- 16.1 Voting shall normally be by show of hands, but shall be by secret ballot if such procedure is requested by one third of the members present at any meeting. A simple majority shall normally be sufficient to determine any matter. In the case of a motion to suspend Standing Orders a two-thirds majority of the members present in favour of the motion shall be necessary. Co-opted members cannot vote on membership matters or the election of Office Bearers. In the event of a tied vote, the Chairperson will have a second and deciding vote.

## **17. Dissent**

- 17.1 Any member of the Committee or of a Sub-Committee may, without given reasons, ask that their dissent from any resolution be recorded in the minutes, provided that the request is made at the meeting at which the resolution has been passed.

## **18. Motions and Amendments**

- 18.1 All motions and amendments must be relevant to the subject under discussion, and the Convener of any meeting shall have the power to rule out of order any motion of amendment which is, in their option, irrelevant or incompetent.
- 18.2 Any motion or amendment shall require to be proposed and seconded before being put to the meeting.

## **17. Order of Debate**

- 17.1 The Convener of the meeting shall determine the order of debate and a member shall not normally be permitted to speak more than once on the same issue, unless to reply to a question, or with the permission of the Convener of the meeting. The proposer of a motion shall have the right to reply before a vote is taken, but may not introduce any new matter at that stage. After the

proposer of the motion has exercised his right of reply, no other member may speak on the question, unless to raise a point of order.

## **18.0 Points of Order**

18.1 Any member may raise a point of order in the course of a meeting, and all questions of order shall be decided by the Convener of the meeting. No other member shall be permitted to speak to the point of order, unless with the Convener's permission.

## **19. Declaration of Interest**

19.1 If any member or officer has a personal or pecuniary interest, direct or indirect, in any matter under discussion at a meeting of the Committee or of a Sub-Committee, he / she shall declare that interest as soon as practicable after the commencement of the meeting, and shall take no part in the discussion or vote on the matter.

## **20. Relatives of Committee or Staff Members**

20.1 Members of the immediate family of current Committee Members or of staff of the Association, and those of Staff or committee members within the last 12 months, shall be eligible for staff appointment with the Association, where such appointments comply with the Entitlements, Payments and benefits policy.

## **21. Confidentiality**

21.1 All matters discussed at Committee or Sub-Committee meetings shall be treated in strict confidence by members and officers in attendance, whether or not a particular matter is specifically described as confidential.

21.2 This confidentiality shall only be relaxed by agreement of the Management Committee.

## **22. Closure of Meetings**

22.1 No meeting of the Management Committee or Sub-Committee shall continue for more than 2-hours beyond the time for which the meeting is called, unless the approval of the majority of members present agree to continue the meeting after the expiry of that time. A meeting shall be automatically adjourned after 2-hours and 30 minutes from the time for which it was called.

## **23. Enforcement of Standing Orders**

23.1 It shall be the duty of the Convener of any meeting, in consultation with the Director or their nominated deputy or the Secretary, to ensure that Standing Orders are observed and enforced at that meeting.

## **24. Representations to Management Committee**

- 24.1 Any person wishing to be heard by the Management Committee should submit a written application to the Secretary and may appoint a representative to speak on their behalf. Committee Members should not normally act as representatives to the Management Committee on behalf of close relations unless that relation is unable to act on their own behalf. Any Committee Member intending to act as representative for a close relation should notify the Secretary of their intention to do so, prior to the meeting.
- 24.2 When any person is making representations to the Management Committee, Committee Members should restrict their contribution to questions addressed to the person making representations.

## **25. Appointment of Representatives**

- 25.1 The Management Committee may appoint any person from the Committee, Staff or its approved Contractors or Consultants, including Solicitors, to represent the Association in dealing with outside bodies or to serve as the Association's representative on any body. Any such appointments can be terminated at any time and will in any event be reviewed at the first meeting of the Management Committee following the Annual General Meeting.
- 25.2 Any reasonable expenses incurred by representatives to outside bodies will be reimbursed by the Association in line with the Committee members Expenses Policy, Staff conditions of service, or the individual contract with the Consultant as agreed by the Management Committee.

## **26. Attendance at Training Events / Conferences**

- 26.1 The HR Finance & Audit Sub-Committee, in consultation with the Director, shall be authorised to arrange for the Association to be represented at training events and conferences relevant to the work of the Association. Details of the event attended, including names of the Association's representatives and the costs incurred in attending the event shall be reported to the following meeting of the HR Finance & Audit Sub-Committee.
- 26.2 In fulfilling their responsibilities under this Standing Order due regard shall be paid to the annual budget for attendance at such events and to the Association's policies in relation to the repayment of necessary expenses.

## **27. Conduct of Committee Members**

- 27.1 While recognising the right of Association members in general meeting to elect Committee Members subject only to provisions in the rules it shall be the responsibility of the Management Committee to ensure, so far as is practicable, that Committee Members carry out their duties in such a manner as to protect the interest of the Members and to uphold the reputation of the Association.

- 27.2 The attention of all Committee Members is drawn to the Association's Code of Conduct for Committee Members.
- 27.3 It shall be the duty of the Secretary on receiving a complaint in writing in respect of the conduct of any Committee Member to place the matter on the agenda of the Management Committee and in the meantime in consultation with the Director carry out such investigations as are necessary to properly advise the meeting at which the matter is to be considered. Before reaching any determination the Management Committee must give the Committee Members concerned the opportunity to reply to any allegations made as regards their conduct.
- 27.4 In disposing of such a matter the Management Committee may take no action or may issue the Member concerned with a written warning as to future conduct.
- 27.5 A Committee Member must leave the Committee if two thirds of the remaining Committee Members vote in favour of this at a special meeting of the Committee convened for the purpose. The vote to ask a Committee Member to leave the Committee must relate to one of the following issues:-
- failure to perform to the published standards laid down by the Scottish Federation of Housing Associations and the regulatory body (The Scottish Housing Regulator) adopted and operated by the Association,
  - failure to sign or failure to comply with the Association's Code of Conduct for Committee Members,
  - a serious breach of the Association's rules or standing orders,
  - a serious breach of the Entitlements, Payments And Benefits policy.
- 27.6 In the event that a Committee Member, having been removed from the Committee is subsequently nominated for election, the Committee shall report on the Member's conduct at the General Meeting at which the nomination is to be considered.
- 27.7 Any former Committee Member, having been removed from the Committee under this Standing Order during a prior term of office may not be co-opted to the Committee or appointed to fill a Casual Vacancy.
- 27.8 Whereas it is the particular responsibility of Office Bearers of the Association to ensure that any action in breach of this Standing Order is brought to the Management Committee's attention, it is the responsibility of all Members to ensure that the Committee is able to effectively enforce this Standing Order.

## **29. Whistleblowing**

- 29.1 "Whistle blowing" has been described as raising concerns about misconduct within an organisation or within an independent structure associated with it, or giving information (usually to the authorities) about illegal or underhand practices.

- 29.2 The Association recognises that Staff and Committee Members may see or suspect misconduct or wrongdoing within the organisation. The Association wishes to encourage all members of Staff or Committee to keep their eyes open and to raise concerns in a sound way to demonstrate and ensure good practice in all our activities.
- 29.3 Accordingly, the Committee has approved a policy on whistleblowing that makes clear that the Association is committed to tackling fraud and abuse, whether the perpetrators are inside or outside. All Committee Members are expected to make themselves familiar with this policy. Committee Members are expected to act in accordance with the policy, whether by reporting concerns to the relevant Office Bearer or the Director or by respecting and paying heed to legitimate concerns raised by Staff members or by other members of the Committee.

### **30. Public Statements on Behalf of the Association**

- 30.1 It is recognised that in discharging their responsibilities, members of the Committee and Staff of the Association will be required to make public statements (e.g. while representing the Association at outside bodies). In making such statements a clear distinction should be drawn between the expression of a personal view and a statement endorsed by the Association. Where it is necessary to state a position on behalf of the Association every effort should be made to confirm this with the Committee or, where there is a matter of urgency, where possible, with the Chairperson or Director.
- 30.2 The Chairperson or Director or their nominated deputy shall make all statements to the press on behalf of the Association.

### **Delegation of Powers to Sub-Committees**

#### **31. General Competence**

- 31.1 i) The Management Committee shall conduct the business of the Association.
- ii) The Management Committee may *inter alia* delegate any of its powers to Sub Committees appointed in accordance with rule 59.1 and may at any time revoke or alter such delegation.
- iii) The Management Committee shall approve all statements of policy and may alter and revoke such policies.
- iv) Any power exercisable by the Association which is not reserved in the rules to be exercised by the Association in General Meeting and which is not the subject of a specific delegation to a Sub-Committee is retained by the Management Committee.

31.2 For the avoidance of doubt the following powers are not included in the delegation of powers to the relevant Sub-Committees and are to be exercised by the Management Committee.

**32. HR Finance and Audit:**

1. Approval of an annual budgetary forecast and any revisions as required.
2. Approval of the Association's Standing Orders, Financial Regulations and Procedures and Accounting Policies.
3. Approval of the Committee report and financial statements to be submitted to the Association's Annual General Meeting.
4. The writing off of any sums owed to the Association as bad debts.
5. Making recommendation to the Association's Annual General Meeting regarding appointment of the Association's Auditors.
6. Appointment of Solicitors to act on behalf of the Association.
7. Making recommendations to the Association's Annual General Meeting regarding amendments to the Association's rules.
8. Directing the Secretary to call general meetings of the Association and determining the business to be conducted at all such meetings other than meetings called under rule 22.1.2.
9. Appointment of representatives to, and monitoring the activities of, organisations to which the Association is affiliated; and ensuring that the Association's views are conveyed to such organisations.
10. Appointment of a Management Committee Member as Internal Audit Convener and receiving reports relating to that function.
11. Approval of the Association's Staff Structure and any variations other than regrading of an existing member of staff.
12. The Association's Conditions of Service and the appointment of anybody to represent the Association in dealing with matters relating to the employment of its staff.
13. The Association's responsibilities to its staff, tenants, contractors and other agencies concerning Health and Safety.
14. Consider Annual Budget for approval by Management Committee.
15. Consider and approve Quarterly Management Accounts.
16. Review and introduce all policies and procedures relating to the financial operations of the Association.
17. To consider all issues raised as part of the Management letter arising from the External Audited Accounts.
18. To consider all matters relating to Treasury Management.
19. To consider all matters and issues which have a financial impact or affect the cash flow of the Association.
20. To act as the monitor of the Internal Audit Plan and consider any action required from this Plan.
21. Review the Association's insurance cover and rates of premium.
22. Review the Association's private finance arrangements.
23. Review the Association's position re VAT.

### **33. Technical Services**

1. Approval of the Association's future programme of investment in the acquisition, improvement and construction of housing.
2. Approving adaptations to Association properties to meet the needs of existing tenants where the expenditure on any one property exceeds £15,000.

### **34 Housing Services**

1. Authorising allocations as required by Entitlements, Payments and Benefits Policy.
2. Decisions to evict a tenant.

#### 28.4 Staffing Matters

### **35. Technical Services Sub-Committee Remit**

35.1 The Technical Services Sub-Committee shall have delegated authority in relation to the following functions:

- i) preparing and recommending for the approval of the Management Committee the future acquisition and development programme,
- ii) arranging the acquisition of property subject to the availability of grant and within the programme approved by the Management Committee,
- iii) briefing of consultants,
- iv) approving lists of Contractors to be invited to submit tenders for rehabilitation of new build projects,
- v) liaising with consultants, contractors and other parties in relation to matters arising in the course of building contracts,
- vi) approving plans for improvement, conversion and new build projects, after consultation with the Housing Services Sub-Committee and existing tenants, where appropriate,
- vii) liaising with Glasgow City Council departments appropriate over the provision of adequate public utilities (e.g. lighting, roads, etc.) within the Association area,
- viii) making recommendations to the Management Committee on matters of policy in relation to acquisition and development matters,
- ix) in consultation with the Housing Services Sub-Committee, drawing up and supervising decant arrangements to avoid interference with the development programme and with the future allocation of houses,

- x) monitoring and implementing legislation affecting the Association's development work,
- xi) the implementation of any building contracts associated with the Association's programme of non-housing initiatives,
- xii) The Director and Consultants, where required, may attend Sub-Committee meetings. Other staff will attend with the approval of the Sub-Committee.
- xiii) establishing procedures for the maintenance and repair of housing property owned by the Association,
- xiv) the establishment and regular monitoring of a maintenance / repair budget in consultation with the Management Committee,
- xv) establishing and monitoring the implementation of a cyclical maintenance programme and budget for all Association property,
- xvi) liaising with the Management Committee on matters of unforeseen maintenance / repair items.

### **36. Housing Services Sub-Committee Remit**

36.1 The Housing Services Sub-Committee shall have delegated authority for the following functions:-

- i) the Housing Services Sub-Committee will oversee the letting of dwellings owned by the Association in accordance with the Allocation Policy adopted by the Association,
- ii) advising the Committee on a quarterly basis on the status of the housing waiting list.
- iii) all matters relating to tenancies, other than matters affecting the Association's agreed policies or conditions of tenancy,
- iv) establishing and reviewing the methods by which rent payments are made by tenants,
- v) monitoring the level of rent arrears and taking appropriate action to secure the payment of rent, taking all available steps to recover arrears of rent, including court action where necessary, and advising the Management Committee when recovery is impossible.
- vi) advising the Management Committee on changes in housing policy and on the implication of legislation affecting its role as a landlord,



- vii) advising the Management Committee on an Allocation Policy for the Association's housing property and on any amendments required to the Policy,
- viii) monitoring of allocation procedures, and ensuring that the Association's houses are not left vacant without good reason,
- ix) reviewing the Association's factoring operations and considering the position re legal action on factoring arrears.

### **37. HR Finance & Audit Sub-Committee Remit**

- i) Approving and reviewing Grading Guidelines, Staff Appraisal system, Conditions of Service (including Discipline & Grievance Procedure), Contracts of Employment, Health and Safety Policy and Pension Fund arrangements.
- ii) Interpreting and applying the above.
- iii) Administering (with full delegated powers) the appropriate stages of the Discipline & Grievance Procedure.
- iv) Approving and adopting Salary Scales.
- vi) Reviewing Salary Scales (including Comparability Reviews).
- vii) Initiating and conducting Staff recruitment (with input from other Sub-Committees).
- viii) Approving Learning and Development Policy for Committee and Staff, including arrangements for day release and payment of fees, travel and other expenses, establishing and reviewing Training Budget.
- ix) Agreeing office accommodation, furnishing and equipment.
- x) Monitoring Staff timesheets, holidays and seasonal cover.
- xi) Approving a computer strategy, monitoring performance of computer hardware and software and of suppliers and consultants.
- xii) Approving the terms of appointment of consultants and other specialists when not within the remit of another Sub-Committee.

### **38.0 General Principles of Delegation to Sub-Committee**

- 38.1 Each Sub-Committee shall observe strictly the Scheme of Administration and Delegation of Powers, and shall exercise in any matter only the degree of authority delegated to it by the Management Committee.

- 38.2 Any item to be considered by a Sub-Committee under its delegated powers must clearly be identified on the Notice calling the meeting. Business transacted which was not on the agenda included with the notice calling the meeting shall be excluded from the scheme of Delegation of Powers.
- 38.3 The Management Committee may, at any time, consider the matter included in a Sub-Committee, and may alter, retract, or recall any reference to a Sub-Committee or any powers delegated to a Sub-Committee. The Chairperson shall decide any matter or dispute arising at a Management Committee meeting regarding the reference of any matter to a particular Sub-Committee.

## **Scheme of Administration and Delegation of Powers**

### **Delegation of Powers to Office Bearers and Officials**

#### **39. General Principles**

- 39.1 It is recognised that the effective execution of the Association's work will often require decisions to be taken without awaiting Committee or Sub-Committee approval, and that many routine matters will fall to be decided by Office Bearers. Accordingly, this Scheme of Delegation sets out the basis on which the Association's Office Bearers shall exercise delegated powers. The Committee's purpose in approving this Scheme of Delegation of Powers is to ensure that the work of the Association is not unnecessarily delayed for decisions that are clearly within the general terms of Association policy. Accordingly, the Office Bearers shall, in all cases, seek to use delegated powers to maintain progress in the various areas of work, provided that no policy decisions are taken or major financial commitments entered into without the approval of the Association or the appropriate Sub-Committee.

#### **40. Chairperson**

- 40.1 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:-
- to ensure the Committee works effectively with the senior staff;
  - to maintain an overview of business of the Association
  - to finalise the Agenda for each meeting;
  - to ensure efficient management of meetings;
  - to approve minutes and ensure decisions and actions arising from meetings are implemented;
  - to ensure that the standing orders, code of conduct for Committee Members and other relevant policies and procedures affecting the governance of the Association are complied with;

- to ensure that, where necessary, decisions are made under delegated authority for the effective operation of the Association between meetings;
- to ensure that the Committee monitors the use of delegated powers;
- to ensure that the Committee receives professional advice when it is needed;
- to represent the Association at external events from time to time;
- to undertake appraisal of the performance of Committee Members, and to ensure that the senior staff officer's appraisal is carried out in accordance with the agreed policies and procedures of the Association; and
- to oversee the training requirements of Committee Members, and the recruitment and induction of new Committee Members.

#### **41. Secretary**

- 41.1 It shall be understood that, in all cases where discretionary authority is delegated to the Chairperson, the same authority shall be delegated to the Secretary in the absence of the Chairperson and that all matters on which the Secretary has authorised action shall be reported to the following meeting of the Committee or standing Sub-Committee.
- 41.2 Notwithstanding, the foregoing, the Secretary, in consultation with the Director of Provanhall Housing Association, shall have authority for the following:-
- i) carrying out the duties of Secretary as laid down in the Association's Rules, and to ensure the proper completion and scrutiny of all legal documents.
- 41.3 The Secretary may delegate some of their duties to the Director and Senior Staff of the Association. Only the Secretaries responsibilities in relation to Rule 59.3 can be delegated in this manner.

#### **42. Emergency Arrangements**

- 42.1 Where urgent decisions with policy implications become necessary when it is impracticable to call a Committee meeting, the Chairperson, or in his / her absence, the Secretary, shall consult with the appropriate Sub-Committee Conveners, and the Director and shall only take such decisions as shall involve the least possible policy commitment on behalf of the Association. The decisions taken shall be reported to the Committee as soon as possible thereafter for ratification.

#### **Delegation of Powers to Officials**

#### **43. Director**

- 43.1 The Director, or in their absence such person as may be authorised to deputise for him/her shall be responsible for: -
- i) ensuring the day-to-day prosecution of the Association's business within the limits of the Management Committee's policy,
  - ii) authorising revenue expenditure as provided for in the Association's Financial Procedures,
  - iii) in consultation with the Secretary, for issuing agendas and compiling minutes of meetings of the Management Committee and Sub-Committees,
  - iv) preparing and administering, with Management Committee approval, a training programme to meet the needs of the Management Committee members, and staff,
  - v) promoting the work and reputation of the Association through selective use of the media and other channels, and in consultation with the Chairperson act as Press and Publicity Officer,
  - vi) promoting a greater member participation and involvement in the work of the Association at all levels,
  - vii) authorising capital payments to contractors and consultants where the necessary loan finance or grant has been obtained or will shortly be obtained from The City Council or other funding body, and subject to the necessary certification in each case,
  - viii) conducting negotiations with contractors and consultants regarding the terms and conditions of engagement to be used in relation to work for the Association,
  - ix) liaising with consultants working on the Association's contracts and taking any emergency decisions necessary to maintain progress; subject to all such decisions being consistent with the Association's approved policies and reported to the next meeting of the Technical Services Sub-Committee,
  - x) taking such emergency or short-term action as may be necessary to protect or promote the Association's financial position, subject to the reporting of all such action to the following meeting of the Finance Sub-Committee.

#### **44. Technical Services Manager**

The Technical Services Manager shall be responsible for the following: -

- i) maintaining day-to-day contact with the Association's tenants and with group's representatives of tenants,

- ii) approving requests from the Association's tenants for permission to make improvements to their properties and reporting on such decisions to the next meeting of the Technical Services Sub-Committee,
- iii) ensuring that all routine matters affecting the Association's housing policy and its role as a landlord are effectively handled,
- iv) authorising maintenance expenditure provided for in the Association's Financial Procedures,
- iii) processing claims for the payment of grant aid on terms and conditions approved by the Management Committee,
- iv) conducting negotiations with contractors and consultants regarding the terms and conditions of engagement to be used in relation to work for the Association
- v) authorising capital payments to contractors and consultants where the necessary loan finance or grant has been obtained or will shortly be obtained from The City Council or other funding body, and subject to the necessary certification in each case,

#### **45. Housing Services Manager**

- i) Allocating tenancies to applicants on the waiting list within the terms of the Allocations Scheme approved from time to time by the Committee, and subject to the reporting of all such allocations to the Housing Services Sub-Committee.
- ii) issuing notices to tenants considered to be in breach of their obligations to the Association, including the issue of Notice of Proceedings for Recovery of Possession where considered appropriate, subject to each Notice of Proceedings issued being reported to the Housing Services Sub-Committee.
- iii) taking such emergency or short-term action as may be necessary to ensure the efficient prosecution of the Association's housing policy, subject to the reporting of all such actions to the Housing Services Sub-Committee.

#### **46. Senior Finance Officer**

In consultation with the Chairperson, Director and other staff as appropriate the Finance Manager / Agent shall have delegated responsibility for the following: -

- i) approving revenue expenditure provided for in the Association's Financial Procedures,

- ii) processing payments of capital expenditure, including consultants' fees and expenses,
- iii) all payments to staff in accordance with the approved salary scale and related payments to the Inland Revenue and Retirement & Death Benefit Scheme,
- iv) payments to Scottish Housing Regulator in accordance with the Housing Association Grant Scheme in respect of improved property,
- v) repayment of Loan Finance.

#### **47. Review**

- 47.1 These standing orders will be reviewed every three years or as necessary, as a result of any change to the Association's Rules, legislation, regulation or best practice.