

Putting People 1st

Committee Structure, Standing Orders and Delegated Authority Policy

G.09

Reviewed 29 Sept 2020

Updated April 2021 to remove HSSSC as per 29/04/21 CoM decision

Date next due for review: Sept 2023

This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers.

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Review Details:

25 November 2014

10 August 2017

Interim Changes:

(Amendment agreed CoM 30/01/18 re delegated authority to approve eviction)

03 July 2018 – update to reflect changes to sub-committee structure

28 April 2020 – re sub-committee option and addendum to cover Covid19

Updated Feb 2021 to remove Treasurer and replace with 2nd Vice-Chair.

29 April 2021 – removal of HSSSC

Terms of Reference:

- **PHA Rules**
- **SHR Regulatory Standards of Governance & Financial Management**
- **Code of Conduct**
- **Entitlements, Payment & Benefits Policy**
- **Financial Regulations & Procedures**
- **Equality Act 2010**

1. Introduction

This Policy sets out the Committee Structure, Standing Orders for Committee Meetings and Delegated Authorities for Committee and Staff.

The Management Committee may delegate any of its powers to permanent or occasional sub-Committees consisting of such Committee members and other persons as it thinks fit to carry out such functions entrusted to them by the Management Committee. The Management Committee will ensure that such sub-Committees and individuals conform to the instructions given to them. This document outlines how and when the Committee will delegate powers and provides details on remits where applicable.

We have taken account of the Regulatory Standards of Governance and Financial Management in reviewing this document, particularly sections 1.2, 1.3, 1.4 and 1.5 which seek to ensure that the Committee *leads and directs the Association to achieve good outcomes for its tenants and services users* (Regulatory Standard #1).

This document also takes account of the Association's Rules. The 2013 model Rules were adopted by the membership at a special general meeting in August 2014. In the event of a conflict between this document and the Rules, the Rules will prevail.

2. Policy Aims

- To provide a Committee Structure that will reflect the needs of our membership.
- To make best use of Committee and Staff time.
- To ensure that everyone is clear on their areas of responsibility

3. Equality & Diversity

The Association seeks to promote and achieve equality and diversity through the operation of an Equality and Diversity Policy, the requirements of which both in the letter and spirit will apply to this policy.

4. Committee Structure

The governing body is the Management Committee and has overall responsibility for the Association's activities and actions. Supporting and advising the Management Committee are:

- Any Sub Committee that the Management Committee may determine is required from time to time; each sub-committee must be established with the approval of the Management Committee which must specify the remit and delegated authority for the sub-committee's purpose and approve its membership

Composition of Committee

The Management Committee will comprise of all Committee Members (minimum 7 and maximum 15, in accordance with the Association's Rules).

The sub-committee will comprise a maximum of 7 committee members and a minimum of 4.

In accordance with the Association’s Rules, co-optee members must not make up more than 1/3 of the total number of the Committee or sub-committee members at any one time.

The below tables summarise the maximum number of co-optees:

Management Committee:

Elected (including casual) Members	Co-optee spaces available
15	0
14	1
13	2
12	3
11	4
10	5
9	4
8	4
7	3
6	Special circumstances

Sub-Committee:

Elected (including casual) Members	Co-optee spaces available
7	0
6	1
5	2
4	2

Section 10 sets out the remits for which each of the Committees and the senior officer are responsible.

In order to effectively discharge their duties, Committee members are expected to participate in skills/training assessments and to attend any resultant training courses. These include the training sessions held jointly with our DRUMCOG partners but may also relate to specific courses delivered by organisations such as EVH or SHARE.

Committee members may also attend conferences but, owing to the costs associated with these, each request will be considered by the Committee as a whole.

5. Office Bearers

In line with Rule 59.1, the Association must have a Secretary, a Chairperson, and any other office bearers the Committee considers necessary. The duties and delegated powers of these Office Bearers will be as agreed by the Management Committee and incorporated in these standing orders.

The current Office Bearer roles at Pineview as as follows:

- Chairperson
- Vice – Chairperson x2
- Secretary

Co-optee member cannot fill the role of an office bearer.

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-appointment, apart from as outlined below.

The Chairperson may be re-elected but may not hold office continuously for more than five consecutive Annual General Meetings. On the expiry of five continuous terms of office, the retiring Chairperson will not be eligible for appointment as Chairperson during the ensuing twelve months.

The Committee may remove the Chairperson at a special Management Committee meeting called for this specific purpose. In line with Rule 59.6, a majority of those members present must agree to remove the Chair from his/her role as Chair. Although Rule 59.6 deals only with the role of Chair, the principle will apply to any other Office Bearers. (It should be noted that this section refers only to the removal of an individual from an Office Bearer position; the individual will remain a Committee member unless removed under Rule 44).

In addition to the detail given below, the Association has a Role Description for Governing Body Members and Office Bearers, adapted from the SFHA Model.

Roles of the Office Bearers – Chairperson

Rule 59.5 outlines the role of the Chairperson as noted below.

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 that:

- the Committee works effectively with the senior staff
- an overview of business of the Association is maintained
- the agenda for each meeting is set
- meetings are conducted effectively
- minutes are approved and decisions and actions arising from meetings are implemented
- he standing orders, code of conduct for Committee Members and other relevant policies and procedures affecting the governance of the Association are complied with
- where necessary, decisions are made under delegated authority for the effective operation of the Association between meetings
- the Committee monitors the use of delegated powers
- the Committee receives professional advice when it is needed
- the Association is represented at external events appropriately
- appraisal of the performance of Committee members is undertaken, and that the senior staff officer's appraisal is carried out in accordance with the agreed policies and procedures of the Association
- the training requirements of Committee members, and the recruitment and induction of new Committee members, is undertaken

Roles of the Office Bearers – Vice-Chairperson

The Vice-Chairperson will deputise for the Chairperson when s/he is absent, unavailable or has resigned as Chair. This will involve fulfilling the duties outlined above.

It is not necessarily intended or expected that the Vice-Chairperson will eventually take on the role of Chairperson.

Roles of the Office Bearers – Secretary

Rule 59.3 outlines the role of the Secretary as noted below.

The Secretary's duties include the following (these duties can be delegated to an appropriate employee with the Secretary assuming responsibility for ensuring that they are carried out in an effective manner):

- calling and going to all meetings of the Association and all the Committee Meetings
- keeping the minutes for all meetings of the Association and Committee
- sending out letters, notices calling meetings and relevant documents to Members before a meeting
- preparing and sending all the necessary reports to the Financial Conduct Authority and The Scottish Housing Regulator
- ensuring compliance with the Association's Rules
- keeping the Register of Members and other registers required under the Rules
- supervision of the Association's seal

Following the 2017 AGM, as provided by Rule 59.1, the Committee determined that the role of Secretary will be undertaken by the Association's Director. This will be reviewed each year following each AGM.

6. Meetings

Meeting Timetable

Meetings will be held as follows:

Management Committee
Monthly (excluding July & December)

A schedule of meetings for the year will be prepared following the AGM and will be distributed to Committee and Staff.

Agendas & Papers for Meetings

Agendas for meetings will be prepared by the Director as Company Secretary, in liaison with the Chairperson of the relevant meeting.

Committee Members must be sent written notice of Committee meetings posted, or delivered, by hand or sent by fax or email to the last such address for such

communications given to the Secretary, at least seven days before the date of the meeting. The accidental failure to give notice to a Committee Member or the failure of the Committee Member to receive such notice shall not invalidate the proceeding of the relevant meeting.

Committee members are welcome to contact the relevant staff member(s) prior to the meeting if there is anything which is unclear.

When Policies are being reviewed, Committee will discuss and amend as required, recommendations from staff. Committee members will be issued with a full copy of the policy. Writing of procedures and re-wording of Policies to meet the Committee's decisions will be the responsibility of the officer concerned and need not come back to Committee for approval.

All paperwork relating to the Committee will be sent either by email or in hard copy, depending on each individual member's preference (with the exception of confidential reports – see below). Members receiving papers electronically may receive a device (tablet/laptop) for this purpose if requested – the device remains the property of the Association at all times, must only be used for Association official business, and must be returned if the member leaves the Committee or decides to receive papers in hard copy.

Where a report is confidential, it will be sent confidentially to members either by post in an appropriately marked envelope or electronically with appropriate password protection (for example, through Decision Time or similar) or will be tabled at the meeting. Only a small number of reports are confidential and are normally those that contain sensitive or confidential information relating to staff, consultants/contractors or sensitive strategic issues.

Management Committee Meetings

Meetings will generally begin at 6.00 pm and end by 8.00 pm. Minutes should record the time meetings started and the time they ended. For the meeting to continue beyond 8.00 pm, a motion to continue must be approved by 2/3rds of those attending the meeting, and must set a time limit which shall be no greater than 1 hour.

Committee members are required to regularly attend ordinary meetings of the Management Committee. Apologies, where applicable, should be submitted to the office by 4.00pm on the date of the meeting to which they relate.

To be quorate, at least four members of the Management Committee must be in attendance. Co-optee members do not count toward the quorum.

If Members of the Committee wish to call a Special Meeting of the Management Committee, this can be done either by the Chairperson or by two Committee Members giving notice in writing to the Secretary specifying the business to be transacted. Details of how this will be dealt with are contained in Rules 56.1 – 57.

The Chairperson of the Association will Chair the Management Committee Meetings and in his/her absence the Vice Chair will take the Chair (if all absent another non co-optee member will act as Chair for the meeting).

Sub Committee Meetings

The Chair for any sub committees will be determined at the first Committee meeting following the AGM.

Meetings will generally begin at 6.00 pm and end by 8.00 pm. Minutes should record the time meetings started and the time they ended. For the meeting to continue beyond 8.00 pm, a motion to continue must be approved by 2/3rds of those attending the meeting, and must set a time limit which shall be no greater than 1 hour.

To be quorate, at least three members of the Sub Committee must be in attendance. Co-optee members do not count toward the quorum.

Minutes of all Sub-Committees will require to be presented to and approved by the Management Committee. The Management Committee will have the authority to overturn a decision made by any Sub-Committee if they feel it is detrimental to the Association.

As the governing body, the Management Committee retains a power of veto against any decisions made by a sub-Committee. However, in some instances, it may be difficult to exercise the power of veto if staff have already acted upon the sub-Committee's decision and committed the Association to a certain course of action.

Exercising a power of veto should not occur (or should only occur extremely rarely) in a well-functioning governing body with clear and appropriate delegated authorities.

In the event that the Management Committee does wish to veto a decision, the extent to which the sub-Committee's decision has been enacted needs to be ascertained. If it is possible for the Association to "reverse" its decision without financial loss, reputational loss or threat of court action, then the Director will take steps to do this at his/her earliest convenience. Where the decision has been actioned and it is not practical to reverse it, the Committee will accept the sub-Committee's decision. In such circumstances, the steps leading to the decision will be investigated and any appropriate follow-up action taken.

Attendance at Meetings

Committee have an attendance KPI (key performance indicator) set at a minimum of 70% of all Management Committee meetings. Attendance at residential conferences may be subject to satisfactory attendance at meetings.

Where four meetings in a row are missed, the Committee Member will cease to be a Committee Member unless they have been granted special leave of absence

Special leave may be granted in the following circumstances:

- Family illness or bereavement of a close relative or a funeral
- Serious illness, e.g. in hospital for operation, not colds etc
- On Committee business such as training courses or other meetings
- Working, but this is restricted to anyone requiring to work away from home temporarily who can normally attend meetings

- Holidays
- Maternity/paternity leave
- Other personal issues which affect ability to attend meetings

The period of leave granted will normally be for four meetings at a time, subject to review, with the exception of a funeral which will be for one meeting. Special leave will be noted in the Minutes.

Procedures at Meetings

All matters discussed at Management Committee or sub-Committee meetings will be treated in strict confidence by the members and employees in attendance.

Committee members will accept collective responsibility for all decisions made. The business at meetings will normally follow the order of the agenda, but the Chairperson or substitute will have the power to alter the order of business at any stage.

All business must be undertaken with reference to the Association's Rules, Code of Conduct and all relevant policies.

While it is not intended to restrict Members from making a contribution at meetings, all speakers must address the Chair. As per the Associations Rules, all Committee Members must remain quiet and maintain order while this is happening. The Chairperson will decide who can speak and for how long and no Member may speak more than once on any issue except to clarify a point, until every other member has had the opportunity to speak on the same issue. If any point arises which is not covered in the Rules, the Chairperson will give his/her ruling which will be final.

The Chairperson of the meeting will determine the order of debate. The proposer of any motion will 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/her right of reply, no other member may speak on the question, unless to raise a point of order.

Any member may raise a point of order in the course of a meeting, specifying the relevant standing order to which the point of order relates. All questions of order will be decided by the Chairperson of the meeting. No other member will be permitted to speak to the point of order, unless with the Chairperson's permission.

It will be the duty of the Chairperson of any meeting to ensure that standing orders are observed and enforced at that meeting.

If any member or employee has a personal or pecuniary interest, whether direct or indirect, in any matter under discussion at a meeting of the Management Committee or of a sub-Committee, he/she shall declare that interest at the beginning of the meeting or, if unable to do so at the beginning, then as soon as practicable after the commencement of the meeting. The person in question will leave the room when the issue in which s/he has an interest is being discussed.

All Committee Members will be entitled to one vote. Voting will normally be by show of hands but will be by secret ballot if such procedure is requested by one third of the

members present at the meeting. The Chairperson of the meeting shall have a Casting Vote at any Management Committee or Sub-Committee meeting. Where there is an equality of votes, the Chairperson will have a second and deciding vote.

When a discussion overruns the time limit set out by the Chair, the discussion may be brought to an end by taking a show of hands or by continuing the discussion to a future meeting. When Agenda items have not been covered within the time limit specified above, the item may be carried forward to the next appropriate Committee Meeting. Where an item is too important to wait until the next programmed meeting, the Committee may agree to suspend standing orders to extend the current meeting, or agree to hold an additional meeting to conclude discussion of the item.

Where a decision has been taken on a particular item at a meeting, re-discussion of the item will not take place until the next review unless a majority of Committee wish it to be discussed or significant new information becomes available which requires to be considered by the committee.

7. Emergency Decisions

In circumstances where the decision making authority is not already delegated to the senior officer, the Association's Office Bearers will have delegated authority to take decisions on urgent matters that cannot be delayed until the next scheduled meeting, including during any recess.

Such circumstances would include instances where delaying the decision until the next Management Committee or relevant sub-Committee meeting would:

- Risk causing harm to the Association, its tenants, its staff, Committee, consultants/contractors, customers, visitors or other stakeholders,
- Put the Association's or the sector's reputation at risk,
- Cause or risk financial loss that could be avoided by taking prompt action.

Where this occurs, the Director (or most senior officer available) will telephone the Association's Office Bearers. If time permits, and the decision requires, a special meeting will be convened within 48 hours; if an immediate decision is required, then this can be done via the telephone/electronic communication. Where no Office Bearers are available and a decision must be taken, it will fall to the most senior member of staff available – if this is not the Director, then all reasonable attempts should be made to contact the Director whether or not s/he is on leave. Where possible, other staff and the finance agent should also be consulted.

A written report on the decision, including reasons why it had to be taken urgently, will be presented to the next meeting of the Management Committee.

By definition, we would not expect such decisions to be taken routinely.

8. Committee Code of Conduct, Entitlements and Payments & Benefits and Interest Management

The Association has a Code of Conduct for committee members; a Code of Conduct for staff members and an Entitlements, Payments and Benefits Policy to which all staff and committee must agree to comply with.

These describe the actions expected of committee and staff members and the entitlements, payments or benefits that our people are able to receive. They also describe what is not permitted and the arrangements that we have in place to ensure that the requirements of this policy are observed.

No Committee Member may take office until they have agreed to and signed the Association's code of conduct for Committee Members.

If a person serves on the Committee or any sub-committee he/she must declare any personal or other external interests on at least an annual basis in accordance with the Association's Code of Conduct for Committee Members. If while serving on the Committee that person has any conflict of interest in any contract or other matter about to be discussed at a meeting, he/she must declare this and tell the Committee. He/she will be required to leave the meeting while the matter is discussed and will not be allowed to vote on the matter or to stay in the meeting while any vote on the matter is being held. If that person is inadvertently allowed to stay in the meeting and vote on the matter, his/her vote will not be counted.

If a person serves on the Committee or any sub-committee he/she must not receive any payment or benefit unless it is permitted by the Charities and Trustee Investment (Scotland) Act 2005 and as set out in the Association's policy referred to in Rule 38.1. He/she shall also comply with the requirements of the Charities and Trustee Investment (Scotland) Act 2005 in respect of any conflict of interest that might arise.

9. Appeals

The Association recognises that there will be times when current/future residents/customers may wish to lodge appeals against decisions that have been made where a Policy contains a Right to Appeal. These will not be treated as complaints if the appropriate Policy and Procedures have been followed but will be treated as appeals against the decision taken.

Appeals will generally be dealt with by senior staff and outcomes reported anonymously to Committee. If a customer is not satisfied with the outcome of the appeal process they have recourse to raise the matter as a complaint through the Complaints Handling Policy.

10. Delegated Authority & Remits

The powers of the Management Committee are outlined in Rules 45 – 47. The remit detailed within the standing orders are clarification of, or additions to, the Rules. The Rules always supersede any policy. Delegated authorities for expenditure are supported through the Financial Regulations Policy and Procedures and are reviewed three yearly or where there are changes to the staffing/committee structure.

The delegated authority to members of committee are taken from the Rules and from remits agreed as part of this policy.

10.1 Management Committee Remit

THE MANAGEMENT COMMITTEE SERVICED BY DIRECTOR AND OTHER STAFF AS APPROPRIATE

General Matters

- Oversee and direct the duties and actions of the Chairperson, Secretary and other Office Bearers of the Association to ensure that these are undertaken in accordance with the rules and aims of the Association.
- Consider and approve applications for Membership of the Association in accordance with the Rules and Policies of the Association.
- Ensure that the Annual General Meeting and any General Meetings of the Association are called and conducted in accordance with the Rules of the Association.
- Ensure that all Committee members are subject to annual performance reviews to assess their contribution and effectiveness.
- Ensure that any Committee member seeking re-election after nine years' continuous service is able to demonstrate their continued effectiveness in bringing objectivity and independent challenge to familiar practices and thinking
- Approve affiliation to the Scottish Federation of Housing Associations and other similar bodies and receive reports on same.
- Agree the Association's forward strategy and approve the Internal Management Business Plan.
- Ensure that the recommendations or directions made by the Scottish Housing Regulator in the course of its statutory functions are implemented.
- Approve Minutes of any subcommittee and discuss and, if appropriate, approve recommendations with respect to staff structure, conditions of service, etc.
- Receive Reports from EVH relating to Conditions of Service and salary negotiations.
- Receive reports on Health and Safety issues.
- Appoint Auditors, Legal Advisers and others as required.
- Consider Committee Training requirements and agree Policies on this and attendance at Conferences, Seminars etc.
- Receive reports on new Guidance issued by the Scottish Housing Regulator.
- Approve Offers of Grant from DRS or other funding authorities/agencies.
- Agree development strategy and approve the Strategy & Development Funding Plan.
- Approve Wider Role Strategy and acceptance of any offers of grant issued in respect thereof.

Finance

- Ensure there is an adequate financial control system and that appropriate books of accounts are kept to protect the Association's interests.
- Agree Staff and Committee who are authorised to sign cheques, documents etc.
- Agree delegated authority for expenditure and spend commitment.
- Discuss and approve Annual Budget and rent increase.
- Monitor spend against Budget and receive quarterly Management Accounts.
- Ensure preparation of Annual Accounts and receive Annual Accounts for audit.
- Receive, consider and make recommendations based on the Auditor's Management Letter.
- Recommend re-appointment or change of Auditors.
- Ensure that adequate insurances are in place and approve insurance quotes for acceptance.
- Receive an updated Report quarterly on the Debtor balances due to the Association
- Approve individual items of expenditure in excess of £5,000 that are not included in the budget.
- Receive Reports to ensure that the Association fulfils its obligations in filing Management Accounts, Annual Accounts Submission, 5 Year Budgets, Annual Returns and Loan Portfolio Return with the Scottish Housing Regulator, the Financial Conduct Authority, OSCR and the Association's Lenders.
- Discuss and approve private borrowing and receive reports on the Association's loan portfolio through Treasury Management reports quarterly.
- Receive reports on the Association's Bank and Investment Accounts through quarterly Treasury Management and Management Accounting Reports.
- Receive quarterly reports on the Association's investment strategy and approve any recommended changes.
- Receive report(s) on the Internal Audit which will be carried out annually.

Housing Services

- Monitor Homeless Referrals from Glasgow City Council.
- Receive Reports on and monitor Transfer and Housing List numbers, allocations, voids, rent account, arrears, property inspections, etc.

- Consider referral arrangements from outside Agencies and Special Cases in accordance with Allocations Policy.
- Approve any allocation of houses to current or recent members of the Management Committee, Staff or any of their connected people in line with the requirements of the Entitlements, Payments & Benefits Policy. The Management Committee or staff member concerned shall be excluded from such discussions.
- Ensuring procurement to achieve competitiveness, reliability and good performance.
- Receive reports on Reactive Repairs including number of repairs, contractor's performance and tenant satisfaction.
- Approve and monitor the annual programme for cyclical maintenance.
- Approve annual budget prepared to cover day to day repairs cyclical maintenance and planned renewal programme, and monitor spend against same.
- Approve the Association's Planned Maintenance Programme.
- Monitor Insurance Claims, Rechargeable Repairs and Disabled Adaptations.

Policy Review

- Discuss and approve new Policies, Policy Reviews and Policy Amendments for all areas of the Association's activities.
- Discuss, approve and review tenancy agreements, leases, etc.
- Ensure all policies are reviewed to take account of any Guidance, changes in legislation etc.

Health and Safety and Staffing Matters

- Receive updates to the Health & Safety Control Manual.
- Receive and review outcomes of Health & Safety inspections of the office premises.
- Receive and review outcomes of the Health & Safety drill schedule.
- Receive and review outcomes of the Health & Safety accident and incident reporting.
- Receive and review updates on EVH/ACS services.
- Receive and review updates on initiatives such as Health Working Lives.
- Receive and review any issues relating to staff welfare.
- Review staff complement and structure as required.

- Monitor staff toil, sickness etc. and approve salary review and increments outwith those approved on recruitment. Receive reports on annual Staff Appraisals and approve/review the Association's training policy.
- Review Job Descriptions as required for new posts, otherwise delegated to Director.
- Carry out Director's Staff Appraisal (Office Bearers).
- Subject to it being within the agreed staff structure, assist Director with staff recruitment including short listing and interviewing.
- Hear appeals on disciplinary and grievance issues in accordance with EVH guidance and disciplinary procedure. Issue warnings to the Director and terminate the employment of staff members in accordance with the Association's Discipline and Grievance Procedures.
- Deal with any issues relating to staff welfare.

Appeals

- Hear appeals against decision that have been made in line with Policy and Procedures.

10.2. Remits and delegated powers to sub-committees

General

- The Management Committee may decide to form sub-Committees. These sub-Committees will be recorded in the minute of Management Committee meeting agreeing to the formation of the specific sub-Committee.
- The following will apply to each sub-Committee:
- Each sub-Committee will observe its remit which details delegated powers and will exercise in any matter only the degree of authority delegated to it by the Management Committee.
- Any item to be considered by a sub-Committee under its delegated powers must clearly be identified on the agenda issued calling for the meeting.
- There must be three elected committee members present for the meeting to take place (Rule 58.1). In the event of a quorum not being present by thirty minutes after the scheduled start of the meeting, the meeting may be reconvened at another mutually accepted time. Alternatively, with the consent of those present, the meeting may continue, as may a meeting which becomes inquorate after the start, but all decisions made at any inquorate meeting will need to be approved at the following meeting of the Management Committee before being implemented.
- Each sub-Committee will have its own Chairperson who must be an elected member. This appointment will be agreed by the Management Committee. The Chairperson will convene meetings and set the agenda in conjunction with the Director. In the Chairperson's absence the meeting will be chaired by a member elected from those present.
- Each sub-Committee will submit the minutes of each meeting to the following Management Committee for information and, where required, ratification of recommendations and decisions.
- The Director and/or the relevant officers for the service area will attend sub-Committee meetings and submit written reports as required by the sub-Committee.
- Decisions will be by a majority of the members present. In the event of a tie the Chairperson of the sub-Committee will have a second and casting vote.

10.3 Delegated Powers to Staff (Senior Officer)

The senior officer (Director) has overall responsibility for the day-to-day management of the Association. In carrying out these duties, the Director has authority to:

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

In order for the senior officer to discharge his/her duties in a responsible and controlled manner, the Committee has delegated authority to him/her. It should be noted that some of the following may be delegated to other staff members, but the Director will retain overall responsibility so long as other staff members are acting within the agreed delegated authorities.

The following matters in relation to governance:

- Signing and submitting returns on the Association's behalf to the Scottish Housing Regulator, OSCR, FCA and Scottish Government once they have been approved by the Management Committee;
- Agreement to payments & benefits and gifts & hospitality under the limits outlined in the associated policy documents so long as these are recorded and reported in the prescribed fashion;
- Preparation and issue of notices, agendas, papers and minutes for Committee meetings, sub-Committee meetings and general/special meetings;
- Initiation of any investigation into alleged breach of the Committee members' Code of Conduct;
- Signing any other document for which the Director has specific authority.

The following matters in relation to finance and staffing:

- Recruitment of staff up to and including EVH Grade 8 so long as the post has been agreed by the Management Committee;
- Recruitment of temporary staff within budgeted contingency;
- Reviewing staff job descriptions;
- Grievance and/or disciplinary procedures;
- Staff training programmes and conference attendance (within agreed budget levels);
- Monitoring financial performance and reporting to the Management Committee within the agreed framework;
- Agreeing and implementing remedial action identified during the annual external and internal audits;
- Incur and instruct payments of all items of budgeted expenditure within the terms of agreed budgets and financial regulations;
- Incur expenditure beyond the agreed budget to a maximum of £5,000 on any one item, providing that this is reported at the next Management Committee meeting;
- Agree action to address short-term cashflow difficulties, providing that this is reported at the next Management Committee meeting.

The following matters in relation to housing services matters:

- Approve eviction in respect of any breaches of tenancy where repossession is being sought.

The following matters in relation to housing services matters (delegated to HSM):

- Signing tenancy agreements (further delegated to HO/AHO);
- Signing leases, protocols etc with external agencies.
- Instructing legal action for recovery of a tenancy;
- Agreeing the terms of the periodic resident satisfaction survey;
- Appointing planned and cyclical maintenance contractors in line with the agreed planned and cyclical programmes (following Committee approval of any tender or priced submission);
- Appointing reactive maintenance contractors in line with the agreed procurement framework (following Committee acceptance of any tenders or priced submissions);
- Appointing consultants and advisors to assist in the delivery of agreed programmes up to £10,000;
- All other repairs and maintenance as outlined in the financial procedures.

The delegated powers to staff must be considered in conjunction with the financial regulations and, in the event of any conflict with the financial regulations or constitution, the latter will prevail.

Any authority exercised outwith the points noted above must only be done in exceptional circumstances that could not reasonably be foreseen where failure to act could damage or have significant consequences for the Association. Where this has occurred, it must be reported at the next Management Committee meeting and an appropriate amendment made to these delegated authorities in order to ensure their ongoing relevance.

Any inadvertent breach of these delegated authorities must be reported at the next Management Committee meeting. The Committee will then decide what, if any, action is required. This may involve engaging an external advisor to assist the Association.

11. Review

This Policy will be reviewed at least every three years to ensure that it best meets the requirements of the Management Committee.

Addendum to Policy – Initially Agreed 28 April 2020

Covid-19 Temporary Provisions

In response to the Covid-19 epidemic the Committee has resolved that the Association's standing orders be amended to include the following provisions which are intended to apply during the period of the epidemic.

1. Rule 51 of the Rules of the Association provides that meetings of the Committee can take place in any manner which permits those attending to hear and comment on the proceedings. In furtherance of this rule it is anticipated that during the period of the epidemic meetings are likely to be held in such manner (perhaps by conference call or video conferencing or combination of those). The Committee should take appropriate steps to facilitate participation in meetings in this way. Committee Members attending in this way shall count towards the quorum for such meetings (except for co-optees). The minutes of the meeting should record the means by which Committee Members are participating if not present in person.
2. The Committee is required in terms of the Rule 48 to meet at least six times each year. Meetings held where Committee Members attend using appropriate technologies instead of attending in person shall constitute a meeting of the Committee for the purposes of Rule 48.
3. Where the Committee believes that a Committee Member is suffering from Covid-19 it will grant leave of absence in accordance with Rule 44.3.
4. Where required the Chairperson or Director shall determine that the business of the Committee shall be undertaken by written resolution in accordance with Rule 55.
5. During the period of the epidemic circumstances might arise requiring that urgent business be undertaken between meetings of the management committee. If, in the opinion of the Director, such circumstances arise decision making shall proceed in accordance with the emergency procedures set out in the standing orders.
6. These provisions shall apply (in so far as relevant) also to the conduct of the business of sub-committees.
7. Where a Committee member is unable to participate in meetings due to lack of facility, the Committee will grant leave of absence in accordance with Rule 44.3.