

SCHEME OF DELEGATION

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Board of Management

Policy Implementation Checklist	
Policy Owner:	Governance & Administration
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HAPPY TO TRANSLATE

Scheme of Delegation

Introduction

This Scheme of Delegation is intended to ensure that the work of Bield is carried out efficiently and effectively, within the strategic and policy framework agreed by Bield's Board. The Scheme may only be amended by the Board and shall be subject to a review every five years.

This Scheme of Delegation covers delegated authority from the Board to Office Bearers, Committees and to staff, represented by the Chief Executive. The Chief Executive will arrange for powers delegated to him/her to be exercised by staff elsewhere in Bield. Within the operational Scheme of Delegation the principle of subsidiarity will be applied whereby decisions will be delegated as close to the point of service delivery as is appropriate in the circumstances.

The Scheme of Delegation forms part of Bield's Standing Orders and should be applied alongside the Financial Regulations and the Authorisation & Approval Procedures.

The provisions of the Scheme of Delegation are intended to assist in the efficient and effective management of Bield's activities and to foster a culture of responsiveness to customers and service users.

In applying the Scheme, staff should pay due regard to the need for appropriate reporting of delegated decisions to Board members both for information purposes and to allow members to properly discharge their scrutiny role.

Office Bearers, (consisting of the Chair and two Vice Chairs) where appropriate, acting with senior staff, have authority to:

- represent Bield on official business, consistent with agreed policies and principles;
- implement agreed emergency procedures and the provisions of Bield's Business Continuity Policy;
- take urgent decisions and/or action between meetings, in consultation with the Chief Executive and in accordance with agreed procedures;
- take decisions on specific issues between meetings that have been delegated to one or more Office Bearers by the Board.

The **Chief Executive**, in consultation with the Senior Management Team (SMT), has authority to

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

Scheme of Delegation

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

Governance

Authority for	Delegated to
Approval and monitoring of Bield's governance arrangements including formulation and amendment of Standing Orders	Board
Formulation and amendment of Scheme of Delegation	Board
Preparation and issue of notice, agenda, papers and minutes for Annual General Meeting or Special General Meeting	Chief Executive, in consultation with Chair
Preparation and issue of notice, agenda, papers and minutes for meetings of Board	Chief Executive, in consultation with Chair
Approval of draft minutes of Board meetings	Chair
Preparation and issue of notices, agenda, papers and minutes of Committees	Chief Executive, in consultation with Committee Chair
Approval of draft minutes of Committee meetings	Committee Chair
Approval of creation, lifespan and membership of short-life working groups requiring Board member involvement	Board
Approval and amendment of Board Members' Code of Conduct	Board
Initiation of investigation of alleged breach of Board Members' Code of Conduct	Chair and Chief Executive in consultation with Board
Approval of strategic and business critical policies	Board
Approval of the Financial Regulations and the Authorisation & Approval Procedures	Board
Approval of Business Strategy including statement of vision, mission, values and strategic objectives	Board
Approval of authorised signatories	Board
Carrying out duties and responsibilities as defined in the Remit for the Performance & Audit Committee	Performance & Audit Committee
Carrying out duties and responsibilities as defined in the Remit for the Remuneration Committee	Remuneration Committee
Creation of Group Structure	Board

Regulation & Compliance

Authority for	Delegated to
Ensuring compliance with Regulatory Standards and guidance published by Scottish Housing Regulator and Care Inspectorate	Chief Executive
Reporting of notifiable events to the Scottish Housing Regulator	Chief Executive or Chair
Implementing recommendations of any improvement plans following inspections by the Scottish Housing Regulator or the Care Inspectorate	Chief Executive
Approving Annual Returns to Scottish Government (SG) and Scottish Housing Regulator (SHR) Signing Annual Returns to SG/SHR Submission of Returns to SG/SHR	Board Chair and/or Chief Executive, following approval from Board Chief Executive
Signing Annual Returns to Office of Scottish Charity Regulator (OSCR) Submission of Returns to OSCR	Chair Chief Executive or Governance & Administration Manager
Signing Annual Returns to Financial Conduct Authority (FCA) Submission of Returns to FCA	Chair Chief Executive or Governance & Administration Manager
Approving and monitoring of all Registers required by Regulators	Chair
Maintaining all Registers required by Regulators	Chief Executive
Approving the Annual Assurance Statement to the SHR	Board
Approving the annual Modern Slavery Statement	Board

Regulation & Compliance (continued)

Authority for	Delegated to
Approval and review of the Health and Safety Policy and receipt of a twice yearly report from the Health & Safety Management Group	Board
Implementation of the Health & Safety Policy and ensuring compliance with relevant Health & Safety legislation and guidance	Chief Executive
Application for housing from a relative of a staff member	Office Bearers
Application for employment from a relative of a staff member	Office Bearers
Application for housing from a relative of Board/Committee Member	Board
Application for employment from a relative of a Board/Committee Member	Board

Financial

Authority for	Delegated to
Approval of the Financial Strategy and long-term financial projections	Board
Approval of the Annual Revenue & Capital Budget	Board
Amend the Revenue Budget under individual cost headings, provided that either compensating savings are made elsewhere or corresponding increases in income are achieved, subject to a maximum variation of £100,000 on any one cost heading	Chief Executive
Amend the Capital Budget, provided that either compensating savings are made elsewhere or corresponding increases in income are achieved, subject to a maximum variation of £100,000 on any one project	Chief Executive
Approval of the Annual Accounts	Board
Monitoring financial performance and reporting to Board within agreed reporting framework	Chief Executive

Financial (continued)

Authority for	Delegated to
Incur and instruct payment of all items of budgeted expenditure within the terms of agreed budgets and the Financial Regulations	Chief Executive
Incur revenue expenditure beyond the agreed budget to a maximum of 10% or £10,000 whichever is the lesser on any one item, with a report to the next meeting of the Board. All such expenditure must be consistent with Bield's aims and objectives	Chief Executive
Incur capital expenditure beyond the agreed budget to a maximum of 5% of the approved project costs but subject to an overall limit for all projects of £200,000 in any one financial year, with a report to the next meeting of the Board. All such expenditure must be consistent with Bield's aims and objectives	Chief Executive
Write off of existing and former customer arrears and bad debts up to a value of £2,000 per customer	Chief Executive
Approval of the Treasury Management Policy and annual treasury management strategy	Board
Approval of new borrowing and amendments to existing borrowing arrangements	Board
Negotiating terms of borrowing	Chief Executive
Ensuring all borrowings and investments comply with statutory and regulatory requirements and Bield's Rules	Chief Executive
Agree action to address short term cash flow difficulties	Chief Executive
Approval of the corporate fundraising strategy	Board
Agree the opening and closing of bank or building society accounts in Bield's name in accordance with Financial Regulations	Chief Executive
Approve the terms of all insurances required by Bield	Chief Executive
Approval to proceed to legal action for recovery of debts	Chief Executive

Audit/...

Audit

Authority for	Delegated to
Approval of recommendation to the AGM on the appointment of the external auditors	Board
Approval of appointment of internal auditors	Performance & Audit Committee
Approval of an annual plan of internal audits	Performance & Audit Committee
Agreement of the response to the external auditor's management letter, ensuring there are no outstanding areas of disagreement and ensuring that all recommendations are implemented as agreed	Performance & Audit Committee
Approval of the letter of representation to the external auditor each year	Board

Staffing

Authority for	Delegated to
Changes to staffing establishment with budgetary consequences.	Board
Recruitment of Chief Executive	Board
Recruitment of Senior Management Team and Company Secretary	Board and Chief Executive
Recruitment of Staff (other than Senior Management Team) within agreed establishment	Chief Executive
Line Management of Chief Executive	Chair
Line Management of Senior Management Team and Company Secretary	Chief Executive
Grievance and Disciplinary issues relating to Chief Executive	Office Bearers
Grievance and Disciplinary issues relating to Senior Management Team members	Chief Executive and Chair
Grievance and Disciplinary issues relating to all other staff	Chief Executive
Appeals relating to grievance and disciplinary issues relating to Chief Executive/Senior Management Team	Board

Staffing (continued)

Authority for	Delegated to
Development and negotiation of terms and conditions of employment	Board, acting on recommendations from Remuneration Committee
Ensuring appropriate arrangements within agreed policy and budget for working environment, training and development and dignity at work	Chief Executive
Approval of People Strategy	Board

Property & Development

Authority for	Delegated to
Approval of the Development Strategy, Design Guide and annual programme	Board
Approving feasibility reports for proposed new developments	Board
Approving site acquisitions within agreed plans	Board
Ensuring targets specified with the Development Strategy and annual programme are achieved	Chief Executive
Approving individual development design proposals	Chief Executive
Negotiating grant to fund individual developments	Chief Executive
Approval of the Asset Management Strategy	Board
Implementing the recommendations of the Asset Management Strategy	Chief Executive

Partnerships & Contracts

Authority for	Delegated to
Approving strategic agreements or partnerships with other parties	Board
Approving the Procurement Strategy	Board
Ensuring compliance with procurement legislation and regulation	Chief Executive

Partnerships & Contracts (continued)

Authority for	Delegated to
Approving criteria for approved contractors and consultants	Board
Approving inclusion of contractors and consultants on Bield's approved list	Chief Executive

Other

Authority for	Delegated to
Ensuring compliance with the requirements of the Equality Act 2010 and promoting equality and diversity across Bield	Board and Chief Executive
Approval of the Risk Management Strategy	Board
Review and approval of functional risk maps	Performance & Audit Committee
Promotion and monitoring of continuous improvement and best value initiatives across Bield	Chief Executive
Approval of business continuity plan and ensuring an annual test is conducted	Board
Approval of the Marketing Strategy and annual marketing plan	Board
Approval for making statements to the media, including social media or other public statements on behalf of Bield	Chief Executive or Chair
Approval of the business critical Key Performance Indicators (KPIs) and periodically monitoring performance against these targets	Board
Establishment of a comprehensive performance management system	Board
Agreement of operational KPIs and on-going monitoring of performance	Performance & Audit Committee
Issue of Notice of Proceedings and proceeding to Court to evict	Chief Executive
Approval to evict (with a report to next meeting of the Board)	Chief Executive

Authorised Signatories

Authorised Signatories are required for all documents including contracts, annual returns to Regulators, tenders and tenancy agreements. The Chief Executive may delegate signing authority consistent with job descriptions.

Bield's **principal authorised signatories** are:

- (i) Board members
- (ii) Members of the Senior Management Team
- (iii) Company Secretary
- (iv) Heads of Service – for payments only

Individual documents can be signed on behalf of Bield by the following:

Legal documents requiring the use of the Seal	Two Board members and the Company Secretary
<i>Contracts of Employment:</i> Chief Executive Other staff	Chair Chief Executive, Director of Finance & Resources or Head of HR
Annual Returns to regulators (including SHR and OSCR)	Chair (where required) Chief Executive and/or Company Secretary
Invitations to Tender	Chief Executive, SMT or Heads of Service
Tenancy and Occupancy Agreements	Chief Executive, Director of Customer Services or Area Heads of Service
Low Cost Home Ownership documentation including dispositions on outright sale Consents by Bield as superior of private retirement houses to dispositions by private owners	Any principal authorised signatory Any principal authorised signatory
Share certificates in favour of persons approved by the Board to be Bield members	Any 2 Board members and Company Secretary

<p>Agreements, contracts, dispositions, securities, servitudes or other deed or document of any description having a value not exceeding £50,000. These procedures do not apply to documentation pertaining to the normal operation of Bield's business as provided for in the Business Strategy and Annual Budget.</p>	<p>Any principal authorised signatory</p>
<p>Agreements, contracts, dispositions, securities, servitudes or other deed or document of any description having a value exceeding £50,000 but not exceeding £200,000. These procedures do not apply to documentation pertaining to the normal operation of Bield's business as provided for in the Business Strategy and Annual Budget.</p>	<p>Any principal authorised signatory, subject to written authorisation having been given by two of the three Office Bearers</p>
<p>Agreements, contracts, dispositions, securities, servitudes or other deed or document of any description having a value exceeding £200,000. These procedures do not apply to documentation pertaining to the normal operation of Bield's business as provided for in the Business Strategy and Annual Budget.</p>	<p>Any principal authorised signatory subject to express authorisation having been given by the Board</p>
<p>Applications for grants, acceptances of grant offers, grant certifications and project submissions</p>	<p>Chief Executive</p>
<p>Loan documentation</p>	<p>Any principal authorised signatory as specified by the lender, subject to Board approval of the terms</p>
<p>Electronic payment authorisations: Up to £10,000 Exceeding £10,000 but up to £500,000 £500,000 and over</p>	<p>Any one principal authorised signatory Any two principal authorised signatories Any two principal authorised signatories, one of whom shall be a Board member</p>

No authorised signatory shall sign an electronic payment authorisation (excluding payroll and staff expenses) if he/she is the payee. In exceptional circumstances where a document which requires

Board approval requires to be signed prior to the next scheduled meeting of the Board, written authorisation may be given by two of the three Office Bearers.

All legal documents (excluding tenants agreements and occupancy agreements) signed under these procedures shall be recorded in a register and reported to the Board.

The Company Secretary shall be responsible for affixing the Seal on behalf of Bield in accordance with a specific decision of the Board.

Equality and Diversity

In operating this policy, Bield seeks to achieve equality of opportunity and will not discriminate against anyone on grounds of age; disability; gender re-assignment; pregnancy and maternity; race, including ethnic or national origin, colour and nationality; religion or belief; sex and sexual orientation

Review of Policy

The effectiveness of the policy will be monitored by the Board, to ensure that the objectives are being met. The policy will be reviewed every 5 years by the Board of Management, or more frequently should circumstances require.