

1. GOVERNANCE

<p>LEVEL 1 Reserved to Board of Management</p>	<p>LEVEL 2 Delegated to Sub-Committees/Subsidiary Co Boards</p>	<p>LEVEL 3 Delegated to Management</p>
<ol style="list-style-type: none"> 1. Deciding applications for shareholding membership 2. Appointment of the Association’s Office Bearers and determining their roles 3. Establishment and dissolution of sub-committees, and approval of their membership, remits, terms of reference and delegated powers 4. Approval of the Association’s Scheme of Delegated Authority, Standing Orders and Financial Regulations 5. Approval of the Association’s codes of conduct for Board members and employees, and all related group governance policies 6. <u>Investigation into alleged breaches of the code of conduct.</u> 7. Appointment of co-opted committee members and filling of casual vacancies 8. If required, removal of members of committees, sub-committees or boards of any Group Member 9. Approval of payments or benefits where required by the Association’s Policy. 10. Approval of use of the seal (where the seal is used rather than signing/witnessing to execute documents) 11. Conduct of the AGM and oversight of elections. 	<ol style="list-style-type: none"> 1. Approve all appointments to the board of LHAPS Ltd and the appointment of the LHAPS Chairperson. 2. Approve all appointments to the board of LCR Committee and the appointment of the LCR Chairperson. 	<ol style="list-style-type: none"> 1. Processing of applications for membership and maintaining the Association’s register of shareholders 2. Administration and cancellation of shares, as provided for in the Rules. 3. Maintaining the Association’s governance registers including the register of interests; register of payments and benefits; and register of gifts and hospitality. 4. Payment of committee members’ expenses in accordance with the Association’s procedures 5. Performance of those functions of the Secretary that have been delegated to staff, as stated in the Secretary’s role description. 6. Ensuring compliance with Data Protection Law and FoI requests.

2. LEGAL COMPLIANCE

<p>LEVEL 1 Reserved to Board of Management</p>	<p>LEVEL 2 Delegated to Sub-Committees/Subsidiary Co Boards</p>	<p>LEVEL 3 Delegated to Management</p>
<ol style="list-style-type: none"> 1. Ensure compliance with all Health & Safety legislation and best practice 2. Ensure compliance with all Employment legislation 3. Ensure compliance with all UK legislation around <ol style="list-style-type: none"> (i) Criminal Finances Act 2017 (ii) Freedom of Information (Scotland) Act 2002 (iii) GDPR and other Data Protection Legislation (iv) Equality Act 2010 (v) All Scottish Charity law (vi) All UK Procurement legislation (vii) All contractual terms agreed with suppliers (viii) All Statutory Consents (ix) All Taxation legislation (x) The Bribery Act 2010 (xi) All Whistleblowing legislation such as the Public Interest Disclosure Act 1998 3. Ensure compliance with Co-operative and Community Benefits Act (2014) 4. Ensure compliance with the Companies Act (2006) 5. Ensure compliance with the Charity Trustees and Investment (Scotland) Act (2005) 6. Ensuring compliance with all Companies House requirements. 		<ol style="list-style-type: none"> 1. To advise the Governing Body on all legal obligations and Best Practice 2. Ensuring and evidencing organisational compliance 3. Ensuring the availability of internal and external expertise. 4. Maintaining all necessary certificates and records required, including required under Company law. 5. Ensuring the implementation of all necessary procedures to achieve legislative compliance.

3. REGULATORY COMPLIANCE

LEVEL 1 Reserved to Board of Management	LEVEL 2 Delegated to Sub-Committees/Subsidiary Co Boards	LEVEL 3 Delegated to Management
<ol style="list-style-type: none"> 1. Ensuring Compliance with Regulatory Standards of Governance and Financial Management. 2. Approving the Annual Assurance Statement 3. Ensuring the timely submission of all Regulatory Returns 4. Approval of all regulatory returns including: <ol style="list-style-type: none"> (i) Annual Return on the Charter (ii) Five/Thirty Year Financial Projections (iii) Loan Portfolio Returns (iv) Any other return required by the Regulator 5. Ensuring compliance with Notifiable Events 6. Ensuring compliance with all OSCR reporting requirements 	<ol style="list-style-type: none"> 1. Approve all appointments to the board of LHAPS Ltd and the appointment of the LHAPS chairperson. 2. Approve all appointments to the Board of LCR 2. Appointing Internal Auditors 3. Approval of the annual Internal Audit plan 4. Consideration of all Internal Audit recommendations and their acceptance or rejection. 	<ol style="list-style-type: none"> 1. Ensure compliance with and submission of all statutory returns including filings with Companies House, OSCR, FCA, Scottish Housing Regulator and The Pensions Trust. 2. Provision of all supporting information 3. Management of the Internal Audit process including the implementation of agreed recommendations.

4. STRATEGY, POLICY AND PERFORMANCE

LEVEL 1 Reserved to Board of Management	LEVEL 2 Delegated to Sub-Committees/Subsidiary Co Boards	LEVEL 3 Delegated to Management
<ol style="list-style-type: none"> 1. Setting group objectives and strategy for the Association and its subsidiaries. 2. <u>The principles underpinning how the Association works and the values expected to be exhibited by Board members and staff.</u> 3. Approval and monitoring of the Association's business plan 4. Maintaining a strategic overview of both subsidiaries' performance and risks 5. Approval of any other plans, policies, projections, or documents that fall within the strategic role of the Board of Management, unless delegated to sub-committees 6. Determining the Association's policy on business growth or diversification, and on any matters involving material changes/departure from existing policy 7. Monitoring customer complaints data at an aggregate level (as opposed to individual cases). 	<ol style="list-style-type: none"> 1. Monitoring service/business performance for matters within each Sub-Committee's/subsidiaries remit 2. Review and approval of policies for service delivery/business management as delegated by the Board of Management, based on the annual programme of policy reviews. 3. <u>The approval for the re-appointment of the Association's External Auditors.</u> 	<ol style="list-style-type: none"> 1. Implementation of the Association's Business Plan and other strategies approved by the Board of Management 2. Provision of regular reports to the Board of Management, subsidiaries and sub committees in relation to all aspects of the Association's performance. 3. Implementing the Association's Risk Management Strategy.

4. STRATEGY, POLICY AND PERFORMANCE (CONT)

<p>LEVEL 1 Reserved to Board of Management</p>	<p>LEVEL 2 Delegated to Sub-Committees/Subsidiary Co Boards</p>	<p>LEVEL 3 Delegated to Management</p>
<p>8. Approval to instigate legal proceedings (except for actions relating to rent arrears or other tenancy breaches which are delegated to the executive).</p> <p>9. Deciding the Association's response to regulatory reports.</p> <p>10. <u>The nature, timing and extent of any report requested by the Board.</u></p>		

5. FINANCIAL MANAGEMENT

LEVEL 1 Reserved to Management Committee	LEVEL 2 Delegated to Sub-Committees	LEVEL 3 Delegated to Management
<ol style="list-style-type: none"> 1. Commitment of expenditure, without limit (Note 1). 2. Approval/monitoring of the Association's Business Plan including cashflows and financial projections. 3. Approval/monitoring of the Association's annual budget 4. Approval of quarterly management accounts 5. Approval of all loans, overdrafts <u>and terms</u> and/or granting of security and of any on-lending to the Association's subsidiaries 6. Monitoring compliance with loan covenants 7. Approval to open or close bank accounts 8. Approval of investments 9. Approval of financial regulations 10. Approval of annual rent review 11. Approval to dispose of any of the Association's property assets. 12. Approval of Director's expenses (Chairperson) 13. Signature of cheques, per the Financial Regulations 	<ol style="list-style-type: none"> 1. Commitment of budgeted expenditure, where the Financial Regulations permit 2. <u>Agree to increased budgetary provision where significant overspend is forecast.</u> 	<ol style="list-style-type: none"> 1. Commitment/authorisation of budgeted expenditure, subject to the limits set out in the Financial Regulations and departmental policies and procedures. 2. Administration of all insurance matters. 3. Approval of Board member expenses 4. Signature of cheques, per the Financial Regulations 5. Maintenance and control of the Association's bank accounts (including payments and the moving of monies by electronic means) 6. Treasury management transactions and executive decisions relating to investments and cash management, in accordance with the Association's financial regulations. 7. Payroll administration, control of petty cash and the payment of expenses to the Association's employees 8. Administration of taxation payments, including those relating to VAT, PAYE and National Insurance

Notes

(1) CEO and Chairperson have authority to commit expenditure in emergency situations and/or in excess of approved budget (subject to Committee reporting)

6. STAFFING AND ORGANISATIONAL MANAGEMENT

LEVEL 1
Reserved to Management Committee

1. Approval of annual budget for staffing, ICT and other organisational management costs
2. Approval of any major restructuring of staffing or organisational resources
3. Appointment of the Association's senior managers
4. Arrange performance appraisal of CEO.
5. Approval of staff pension arrangements and monitoring compliance with pensions legislation.
6. To decide on which bodies the Association should become members of and what accreditations to seek.
7. Approval of the Succession Planning Policy

LEVEL 2
Delegated to Management

1. Subject to budget, recruitment for all established posts (other than senior management posts) and temporary posts
2. Staff performance appraisals, other than for the CEO.
3. Issuing of employment contracts on behalf of the Board of Management
4. Administration/implementation of staff training and development
5. Payroll, approval of staff expenses and overtime, administration of pensions
6. Grievance and disciplinary matters as per our Terms and conditions of Employment
7. Health and safety administration
8. Management of the Association's offices and other facilities
9. Management of the Association's ICT systems, including purchasing within the limits specified in the Financial Regulations
10. All operational human resources management issues falling within the conditions of service and the Association's established policies

7. AUDIT AND RISK MANAGEMENT

LEVEL 1 Reserved to Management Committee	LEVEL 2 Delegated to Audit and Governance Sub-Committee	LEVEL 3 Delegated to Management
<ol style="list-style-type: none"> 1. Appointment of Audit & Governance Sub-Committee members 2. Approval of appointment of external and internal auditors (including re-appointment and removal) 3. Formal approval of annual financial statements 4. Approval of the Association's overall risk management strategy 5. Decision-making on matters raised by the Audit & Governance Sub-Committee or the Association's auditors that involve substantive and material risks to the Association's financial position, reputation, or ability to meet its statutory and contractual obligations. 6. Approve business continuity policy/plans. 7. Oversee ICT strategy, policies, and recovery plans. 	<p>Audit:</p> <ol style="list-style-type: none"> 1. Advise the Board of Management on the appointment and remuneration of external and internal auditors (including any circumstances involving the resignation or termination of the auditor's appointment) 2. Issue of external auditor's Letter of Engagement and approval of proposed programme/approach 3. Approval of internal audit needs assessment and annual programme of internal audit 4. Review external/internal auditor recommendations and the external auditor's Management Letter and advise the Management Committee on agreed recommendations and actions required. 5. Monitor the effectiveness of external and internal audit services. 6. Scrutiny of the annual financial statements, prior to submission to the Management Committee for approval 	<ol style="list-style-type: none"> 1. All routine liaison with the external and internal auditors 2. Liaison with the external auditors on the audit of the draft annual financial statements 3. Implementation of external and internal auditors' recommendations, and submission of reports to the Audit & Governance Sub-Committee and Board of Management 4. Implementation of the Association's Risk Management Strategy and procedures

7. AUDIT AND RISK MANAGEMENT (CONT)

<p>LEVEL 1 Reserved to Board of Management</p>	<p>LEVEL 2 Delegated to Sub-Committees/Subsidiary Co Boards</p>	<p>LEVEL 3 Delegated to Management</p>
	<p>Risk Management and Assurance:</p> <ul style="list-style-type: none"> 7. Monitor implementation of the Association’s Risk Management Strategy 8. Advise the Board of Management (a) quarterly, on material changes to strategic risks, and (b) annually, following an overall review of the risk register. 9. Approval of office/business insurances when the policy is re-tendered. 10. Instruct investigations for the purposes of reviewing service/activity areas, or to examine suspected irregularities or failures in management and control systems. 	

8. HOUSING MANAGEMENT

LEVEL 1 Reserved to Management Committee	LEVEL 3 Delegated to Management
<ol style="list-style-type: none"> 1. Approval of the Association's policies and budgets for housing services and for tenant consultation and participation 2. Approval of the annual rent increase 3. Monitor and report overall performance in relation to the Scottish Social Housing Charter 4. Monitor organisation-wide performance in relation to housing management service standards and targets. 5. Approval of the granting of tenancies or other service-related issues, where required by the Association's Policy on payments and benefits. 6. Approval of discretionary payments to tenants and service users, in accordance with the Association's policies 7. Approve enforcement of decrees for eviction 8. Promote tenant involvement in work relating to the work of LHA. 9. <u>Approve the remit, planned work and supplier for any Tenant Satisfaction Survey.</u> 	<ol style="list-style-type: none"> 1. Interpretation and implementation of all approved policies and service plans 2. Management of empty properties, including abandoned properties 3. The allocation of properties (unless prior Board approval is required under the Policy on Payments and Benefits) in accordance with the Association's allocations policy and statutory requirements. 4. The provision of accommodation for homeless persons, including referrals under Section 5 of the Housing (Scotland) Act 2001 5. The granting of tenancies and occupancy agreements 6. All tenancy management matters, including compliance of landlord and tenant responsibilities, tenancy successions, and all applications for landlord permissions. 7. Initiating and managing legal actions in respect of rent arrears and other breaches of tenancy conditions, up to the stage of enforcing decrees for eviction 8. The management of leases and management agreements with third parties 9. Making all statutory payments to tenants and any discretionary payments provided for in the Association's policies. 10. The collection of rents, service charges and factoring charges, including arrears 11. Implementation of the Tenant Participation Strategy 12. All matters relating to neighbour relations and anti-social behaviour. 13. Implementation of the Estate Management Policy 14. Assessment and resolution of tenant complaints and appeals, under the Complaints Policy

SCHEME OF DELEGATED AUTHORITY

LEVEL 1 Reserved to Management Committee	LEVEL 3 Delegated to Management
	15. Processing of shared ownership sales, including signing of dispositions

9. ASSET MANAGEMENT

LEVEL 1 Reserved to Management Committee	LEVEL 2 Delegated to Management
<ol style="list-style-type: none"> 1. Approval of the Association's policies, budgets and programmes for repairs and planned/cyclical works. 2. Approval of the Association's main contracts for repairs and cyclical works 3. Monitor compliance with the Association's legal obligations for stock/tenant safety. 4. Monitor overall performance in relation to the Scottish Social Housing Charter 5. Monitor organisation-wide performance in relation to repairs service standards and targets (quarterly). 6. <u>The Health and Safety of Tenants in so far as practicable.</u> 	<ol style="list-style-type: none"> 1. Interpretation and implementation of all approved policies and service plans 2. All budgeted property expenditure, up to the limits specified in the Financial Regulations 3. Instructing works of an emergency nature in excess of the approved property budget and/or the limits stated in the Financial Regulations (CEO and Chairperson) 4. Implementing/monitoring all cyclical works 5. Managing/monitoring works for stock/ tenant safety, including gas servicing, and asbestos management 6. Quality management and inspections 7. Decision-making on tenant re-charges 8. Approval of payments under the statutory Right to Repair scheme. 9. Approval of decoration allowances 10. Approval of permissions to carry out alterations or improvements and of compensation payments at tenancy end. 11. Ensuring compliance with the Association's health and safety obligations

10. DEVELOPMENT

**LEVEL 1
Reserved to Board of Management**

1. Approval of the Association's Development Strategy and Asset Management Strategy
2. Approval of the Association's annual budget (and associated programme proposals relating to development, major works and adaptations)
3. Approval to purchase land or buildings for development.
4. Approval of borrowings and of security to be offered for approved development projects or major works projects.
5. Approval of cost over-runs following contract acceptance
6. Approval to settle any contractual claims.
7. Approval for disposal of land or buildings

**LEVEL 2
Delegated to Management**

1. Operational management of the Association's programmes for development, major works and property adaptations
2. Making grant applications to the Scottish Government and others
3. Acceptance of grant offers from the Scottish Government and any other sources.
4. Signing of building contracts
5. Supervision and performance review of professional consultants and contractors
6. Issuing client instructions to consultants and contractors
7. Approval of home loss payments and statutory disturbance payments
8. Approval of non-statutory disturbance payments or compensation payments up to the limits stated in the Association's procedures.
9. Submission of applications for Scottish Housing Regulator consent where required under Part 9 of the Housing (Scotland) Act 2010