



## **CHELTENHAM BOROUGH HOMES**

### **SCHEME OF DELEGATIONS**

**November 2016**

The functions set out below are hereby delegated to the specified officers and committees of the Board. Save as provided for below, no function shall be undertaken without the approval of the Board.

All delegations must be exercised within and subject to the terms of Company Regulations and procedures (including financial) approved by Board that are relevant to that function.

It is intended that all operational matters necessary for the proper and efficient running of the company are delegated to officers. In the event that such a matter has not specifically been delegated to officers below, it shall be treated as having been delegated to the Chief Executive Officer who may in turn delegate responsibility for it to another officer providing that the delegation is in line with the level of delegations made for other matters as set out below. A written note of any exercise of this power shall be placed with this scheme of delegations and the matter reported to the Board.

Should an officer named in the Scheme have concerns over the exercise of their delegated power (eg matters of a sensitive nature) they should consult with the Chief Executive Officer as to whether their delegations should be exercised. The Chief Executive Officer will determine whether the matter should be referred to Board unless the matter is urgent in which case the Chief Executive Officer shall consult with the Chair (or Vice Chair if the Chair is unavailable) of the Board who will give directions to the officer as to how to proceed.

Functions delegated to an officer may be further delegated by that officer to other officers as appropriate to the grade and designation of the officer involved.

If an officer to whom a function has been delegated is personally involved in the outcome of any decision, the decision shall be made by their line manager or, in the case of the Chief Executive Officer, by the Board, save where is otherwise expressly provided for within these delegations.

The Chief Executive Officer may amend, by certificate, delegations to officers where there has been a change of job title or rearrangement of responsibilities between officers, provided that there is no overall increase in the level of delegation.

References to "Management Agreement" mean the agreement between Cheltenham Borough Council and Cheltenham Borough Homes for the delivery of housing management services.

## THE DELEGATIONS

The Power	The Delegation
<p><b>Emergency Powers</b></p> <p>To take any decision which requires Board approval but where there is no time to convene a Board meeting and adverse consequences will flow from a failure to act without delay</p>	<p>Chief Executive Officer in consultation with the Chair (or Vice Chair in the Chair's absence), who must report the decision taken to all Board members without delay</p>
<p><b>Legal Proceedings</b></p> <p>To approve the taking, defending, prosecution, intervening in or appearing in any legal proceedings before any court or tribunal, including the approval of instruction of solicitors and counsel and the giving of undertakings on behalf of the company in any case where the interests of the company (whether on its own behalf or in its capacity as agent) are involved.</p> <p>Provided that:</p> <ul style="list-style-type: none"> <li>(i) it is in the ordinary course of the business of the company; and</li> <li>(ii) Board approval is given for any Judicial Review proceedings or other substantial litigations; and</li> <li>(iii) it does not present a material financial, strategic or reputational risk for the company</li> </ul>	<p>Chief Executive Officer in consultation with the Chair and Vice Chair of the Board</p>
<p><b>Contracts</b></p> <ul style="list-style-type: none"> <li>(i) to enter into contracts on behalf of the company (excluding all of the contract powers reserved for Board which include the acquisition of any interest in land) in accordance with the Company's Financial Regulations</li> <li>(ii) To terminate contracts on behalf of the company where it is in the ordinary course of the business, and termination is not material by reason of size, finances or strategically.</li> </ul>	<p>The relevant post holders identified in the Company's Financial Regulations</p> <p>Executive Director for the area in question in consultation with the Chief Executive Officer</p>

<p><b>Payments</b></p> <p>To pay accounts due for payment</p>	<p>Head of Finance &amp; Reporting</p>
<p><b>Establishment</b></p> <p>To determine appropriate policies and procedures with respect to recruitment, employment and termination of employment of employees</p> <p><b>Pay Structure</b></p> <p>To determine the grading of Leadership Team posts</p> <p>To determine the grading of all other posts (excluding those of the Chief Executive Officer and Executive Team)</p> <p>To meet the obligations arising under sections 5 and 7 of Schedule 2 of the management agreement for matters not otherwise dealt with in these delegations</p>	<p>Head of Human Resources</p> <p>To be determined by the Executive Team</p> <p>The Executive Team</p> <p>The Leadership Team in conjunction with a trained CBH Job Evaluation Panel</p> <p>Chief Executive Officer</p>
<p><b>Appointment of staff</b></p> <p>Executive Director</p> <p>Direct Reports to the Executive Directors</p> <p>Other staff</p>	<p>Chief Executive Officer with the Chair or Vice Chair present at the final interview; and after a previous panel involving Board members</p> <p>(Note, it is expected that the Chief Executive would not appoint any person to such a post without the process having the endorsement of the full Board)</p> <p>Executive Director after consultation with the Chief Executive Officer</p> <p>Line Manager in consultation with the relevant Leadership Team member</p>
<p><b>Dismissal of staff</b></p> <p>Executive Director</p> <p>Direct reports to the Executive Directors</p> <p>Other staff</p>	<p>Chief Executive Officer with at least 1 Board Member</p> <p>Executive Director in consultation with the Executive Team</p> <p>Leadership Team member in consultation with the relevant Executive Director</p>

<p><b>Removal and relocation expenses</b></p> <p>Power to approve claims for removal and relocation expenses (excluding the Chief Executive Officer)</p>	<p>Executive Director (Finance &amp; Resources) unless these relate to the ED (F&amp;R) in which case the Chief Executive Officer</p>
<p><b>Training</b></p> <p>To approve staff attendance on training courses, conferences, seminars etc</p>	<p>Budget holder (and Line Manager if necessary) in line with approved budgets</p>
<p><b>Salaries</b></p> <p>To grant additional pay eg honoraria to officers temporarily undertaking additional duties</p> <p>To authorise overtime</p> <p>Approval of temporary market supplements in exceptional circumstances</p> <p>To implement pay awards agreed by the Board</p>	<p>The Leadership Team in consultation with the Executive Team</p> <p>Member of Leadership Team with responsibility for the person in question in line with approved budget</p> <p>Leadership Team in consultation with the Executive Team</p> <p>Chief Executive Officer</p>
<p><b>Leave</b></p> <p>Authority to permit carrying over of leave: of up to 5 days</p> <p>In excess of 5 days</p> <p>For Executive Directors</p> <p>Authority to grant leave of absence (other than annual leave) for any purpose:</p> <p>All matters relating to the Chief Executive Officer</p>	<p>Line Manager with overall management responsibility for the person in question</p> <p>Chief Executive Officer and the relevant Executive Director</p> <p>Chief Executive Officer</p> <p>In line with company policy</p> <p>Chair or in their absence the Vice Chair</p>
<p><b>Sick Pay</b></p> <p>Review and revise the Company's sick pay arrangements</p> <p>Implementation of the company's sick pay arrangements</p>	<p>Executive Team following consultation with the Leadership Team, employees and Trades Unions</p> <p>Head of Human Resources</p>

<p>Power to extend sick pay beyond normal contractual arrangements</p> <p>Power to authorise payment of medical expenses in relation to ill health arising from an employee's discharge of duties</p>	<p>Chief Executive Officer in consultation with the relevant Executive Director</p> <p>The Executive Team</p>
<p><b>Other staff vehicle/transport assistance</b></p> <p>Power to determine and allocate user allowances</p> <p>Power to allocate car park permits</p>	<p>In line with Company policy</p> <p>The Leadership Team</p>
<p><b>Subsistence/travelling allowances</b></p> <p>Power to approve any claims for subsistence/travelling allowances to a maximum of £250</p> <p>Power to approve any claims for subsistence/travelling allowances over £250</p> <p>In respect of all expenses related to the Chief Executive Officer</p> <p>In respect of all expenses related to Board members</p>	<p>Line Manager with management responsibility for the person in question</p> <p>Relevant Leadership Team member</p> <p>Chair or in their absence the Vice Chair</p> <p>Executive Director (Finance &amp; Resources)</p>
<p><b>External activities</b></p> <p>Power to approve additional employment of staff outside of the company</p>	<p>Line Manager in consultation with the Head of Human Resources</p>
<p><b>Professional subscriptions</b></p> <p>Power to pay officer's subscriptions to professional associations related to company business where it is essential for the performance of duties</p> <p>Power to authorise subscriptions to professional associations related to company business where it is essential for the performance of the Chief Executive Officer's duties</p>	<p>In line with Company policy</p> <p>Chair or in their absence the Vice Chair</p>
<p><b>Telephone allowances</b></p> <p>Power to allocate telephone allowances to officers for use of their personal telephone on company business</p>	<p>In line with Company policy</p>

<p><b>Ex gratia payments</b></p> <p>Power to approve and pay claims for damage or loss to personal property of employees (or the property of others whilst in the care of the employee) where the damage occurs on company property or on company business</p>	<p>Head of Finance &amp; Reporting in consultation with the Executive Director (Finance &amp; Resources)</p> <p>In respect of the Chief Executive Officer, the Chair and Vice Chair</p>
<p><b>Housing Management and anti-social behaviour</b></p> <p>Duty to undertake general housing management responsibilities delegated to the company including those set out in Schedule 2 of the Management Agreement</p> <p>Power to authorise service of (and to serve) any required notice prior to the commencement of possession or other proceedings for arrears, breach of condition or anti-social behaviour.</p> <p>Power to determine any review of a decision to issue a Notice of Proceedings for possession in respect of an Introductory Tenancy (pursuant to s.129 Housing Act 1996)</p> <p>Power to authorise the Service of a Notice extending an Introductory Tenancy by six months (pursuant to s.125a Housing Act 1996)</p> <p>Power to determine any review of a decision to serve a Notice extending an Introductory Tenancy</p>	<p>Executive Director (Property &amp; Communities)</p> <p>Head of Community Services; Head of Housing Services; Neighbourhood Performance Manager; Independent Living Service Manager; Safer Estates Manager; Neighbourhood Services Manager; any Senior Neighbourhood Housing Officer; Senior Housing Revenues Officer; any Safer Estates Officer</p> <p>Head of Community Services; Head of Housing Services; Safer Estates Manager; Neighbourhood Services Manager</p> <p>Head of Community Services; Head of Housing Services; Neighbourhood Services Manager; Safer Estates Manager; any Senior Neighbourhood Housing Officer; any Safer Estates Officer</p> <p>Head of Housing Services; Head of Community Services; Safer Estates Manager; Neighbourhood Services Manager</p>
<p>Power to authorise eviction proceedings, including eviction of squatters.</p> <p>Power to take and pursue legal proceedings, to include instituting or defending any appeals and the instruction of Counsel</p> <p>Administration of Right to Buy</p>	<p>Head of Housing Services; Head of Community Services; Safer Estates Manager; Independent Living Service Manager; Neighbourhood Services Manager</p> <p>Head of Community Services; Safer Estates Manager and/or Neighbourhood Services Manager with advice and support from OneLegal/other external law agency</p> <p>Head of Housing Services</p>

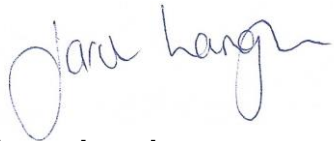
<p><b>Homelessness and Housing Advice</b></p> <p>Duty to undertake and exercise the housing and homelessness advice and assistance responsibilities under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002 as set out in the contract between the Company and Cheltenham Borough Council.</p> <p>Power to make decisions under Part VII Section 184 of the Housing Act 1996, (as amended by the Homelessness Act 2002)</p> <p>Power to undertake a Review and make a decision under Part vii, Section 202 of the Housing Act 1996 (as amended by Homelessness Act 2002)</p>	<p>Executive Director (Property &amp; Communities); Head of Housing Services; Head of Community Services</p> <p>Housing Options Manager; Housing Options Officer</p> <p>Head of Housing Services; Head of Community Services; Housing Options Manager</p>
<p><b>Business Development and Performance Management</b></p> <p>Responsibility for Business Development and Performance Management, including the company's responsibilities under section 2 of Schedule 2 of the management agreement</p>	<p>Chief Executive Officer (supported by the Executive and Leadership Teams)</p>
<p><b>Finance</b></p> <p>Responsibility for company finances, investment, account preparation and those responsibilities under section 3 of Schedule 2 of the Management Agreement (save for those that fall under Housing Management above)</p>	<p>Overall responsibility is delegated to the Executive Director (Finance &amp; Resources). At all times the Company's Financial Regulations must be complied with. Where the Financial Regulations provide for an act or function to be undertaken by a particular post holder(s) the responsibility for undertaking that act or function is delegated to that person(s).</p>
<p><b>CBC Tenant Debt Write-Off</b></p> <p>Authority to inform the Council of a request to write-off a tenant/former tenant debt. Note: CBC tenant debt write-offs are subject to further approval by the CBC Section 151 Officer</p> <p><b>CBH Tenant Debt Write-Off</b></p> <p>Responsibility for approving the write-off of a CBH tenant/former tenant debt.</p>	<p>Head of Housing Services and CBC Section 151 Officer</p> <p>Head of Housing Services and Head of Finance &amp; Reporting</p>
<p><b>Capital Programme, repairs and maintenance</b></p> <p>Responsibility for the maintenance of dwellings and other buildings that the</p>	<p>Executive Director (Property &amp; Communities); Head of Technical &amp; Investment and Head of</p>

<p>company is responsible for including those functions under Schedule 2 of the Management Agreement</p> <p>Determination of applications by tenants to make alterations to their properties</p>	<p>Building Services</p> <p>Head of Technical &amp; Investment, Head of Building Services and Head of Community Services</p>
<p><b>Health and Safety</b></p> <p>Implementation and operation of the Board's approved Health and Safety Policy</p>	<p>Chief Executive Officer supported by the Executive and Leadership Teams with the Company Secretary as lead officer</p>
<p><b>Equal Opportunities Policy</b></p> <p>Implementation and operation of the Board's approved Single Equality Scheme</p>	<p>Chief Executive Officer supported by the Executive and Leadership Teams with Head of Community Services as lead officer</p>
<p><b>Communications and PR</b></p> <p>All communications and PR in response to external media enquiries of an operational/service delivery nature</p> <p>Where enquiries relate to:</p> <ul style="list-style-type: none"> <li>▪ Business/Company direction</li> <li>▪ Legislative/regulatory compliance issues (eg DHR, Social Housing Regulator)</li> <li>▪ Significant company-wide policy areas (eg H&amp;S, industrial action)</li> <li>▪ Politically sensitive, difficult or contentious issues</li> <li>▪ Significant policy areas (eg new build)</li> <li>▪ Civil emergencies</li> </ul> <p>Where contact is made by the Government, the Social Housing Regulator or similar organisation</p>	<p>Communications Manager in consultation with the Business Support Manager (with support from the relevant service area)</p> <ul style="list-style-type: none"> <li>▪ As above but with approval of the CEO</li> <li>▪ As above but with approval of the CEO</li> <li>▪ As above but with the approval of at least one member of the Executive Team</li> <li>▪ As above but with the approval from the relevant Executive/Leadership Team member</li> <li>▪ As above but with the approval from the relevant Executive/Leadership Team member</li> <li>▪ As above but co-ordinated through CBC and/or relevant established "Command" structure with approval from the relevant Executive/Leadership Team member</li> <li>▪ As above but with the approval of at least one member of the Executive Team</li> </ul>
<p><b>Insurances</b></p> <p>The taking out of such insurances as are considered necessary on behalf of the company</p>	<p>Executive Director (Finance &amp; Resources) supported by the Head of Finance &amp; Reporting</p>

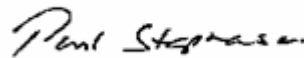


<p><b>Complaints (and Compensation)</b></p> <p>The handling of complaints</p>	<p>Those identified as being responsible in the company's complaints policy including the Designated Tenants' Panel</p>
<p><b>Tenants' Compensation Scheme</b></p> <p>Processing and payment of claims by tenants for compensation for qualifying improvements under S.99A Housing Act 1985 (or such other provision as may replace it)</p>	<p>Head of Technical &amp; Investment and the Head of Finance &amp; Reporting</p>
<p><b>Data Protection, Freedom of Information and Transparency</b></p> <p>Adherence to the legislative requirements of the Acts</p> <p>Production and maintenance of relevant policies and procedures to enable the effective management and discharge of legislative duties</p> <p>Responses to requests for information submitted to CBH that adhere to legislative requirements</p> <p>Sharing of information with external partners</p>	<p>The Chief Executive Officer and relevant Executive Director with support from the Business Support Manager</p> <p>Business Support Manager in consultation with the Executive and Leadership Team</p> <p>Business Support Manager in consultation with the Executive and Leadership Team members as necessary</p> <p>In accordance with the adopted GISPA (Gloucestershire Information Sharing Partnership Agreement) and the approval of the relevant Leadership Team member in each case</p>
<p><b>Company Seal</b></p> <p>Affixing of company seal to approved documents</p>	<p>Company Secretary</p>
<p><b>Miscellaneous</b></p> <p>To maintain stock of materials and any other items necessary for the efficient running of the company</p> <p>To supply goods to the company's contractors, public bodies, tenants and staff</p> <p>To purchase, lease, hire and dispose of all vehicles, equipment and mobile plant</p>	<p>Relevant Leadership Team member</p> <p>Relevant Leadership Team member</p> <p>In line with the Company's Financial Regulations</p>
<p><b>Delegations to Committees</b></p> <ul style="list-style-type: none"> <li>▪ monitor and review policies and procedures relating to the</li> </ul>	<p style="text-align: center;"><b>Audit &amp; Risk Committee</b> (for recommendation to Board for approval)</p>

<p>Company's system of internal control</p> <ul style="list-style-type: none"> <li>▪ review and monitor the financial arrangements of the Company</li> <li>▪ review documents and systems relating to the Company's approach to risk management</li> <li>▪ monitor and review the effectiveness of the Company's internal audit function in the context of the Company's overall risk management system</li> <li>▪ oversee the relationship with the external auditor and consider external audit reports</li> <li>▪ review the consistency and integrity of accounting policies on a year to year basis</li> <li>▪ compliance, whistleblowing and fraud</li> </ul>	
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**Jason Langley**  
**Chair of the Board**



**Paul Stephenson**  
**Chief Executive Officer**

**Amended November 2016**