



Your Homes
Newcastle

Scheme of Delegations

Version 3: September 2009

Scheme of Delegations

Contents

1	Introduction	... 3
2	Scheme of Delegations	... 3
3	Part A: Matters reserved to Board	... 3
	3.2 Major decisions	... 5
	3.3 Matters delegated to Committees	... 6
4	Part B: Responsibilities of the Chair and Vice Chairs	... 15
	4.1 Chairs's responsibilities	... 15
	4.2 Vice Chairs' responsibilities	... 16
5	Part C: Matters delegated to Officers	... 17
	5.1 General	... 17
	5.2 Conditions	... 17
	5.3 Staffing Conditions	... 18
	5.4 Chief Executive and Management team Responsibilities	... 19
6	Officers' areas of responsibility	... 20
	6.1 Functions and responsibilities of Chief Executive	... 20
	6.2 Functions of the Company Secretary	... 22
	6.3 Functions of the Director of Finance and Resources	... 23

1 Introduction

The purpose of this Scheme of Delegations is to:

- (a) enable decisions to be taken efficiently and effectively;
 - (b) enable the Board to provide clear leadership to the organisation and to ensure it works in partnership with tenants, the Council, businesses and other organisations;
 - (c) support the active involvement of tenants in the process of local authority decision-making;
 - (d) help Board members carry out their role more effectively;
 - (e) create a powerful and effective means of holding decision-makers to public account;
 - (f) ensure that no one will review a decision in which they were directly involved;
 - (g) ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions;
- and
- (h) provide a means of improving the delivery of services to the community.

2 Scheme of Delegations

The following scheme gives details of the governance arrangements and the allocation of responsibilities within Your Homes Newcastle. It includes details of any delegations from the Board to its Committees and Officers.

Within this scheme decisions of Your Homes Newcastle are divided into:

- A** Matters that are reserved to the Board
- B** Responsibilities of the Chair and Vice Chair
- C** Matters that are delegated to Officers

3 Part A: Matters Reserved to the Board

3.1 The Board reserves to itself the following powers except only to the extent that such powers have either in part or in their entirety been expressly delegated by the Board to a Committee or an officer:

- (a) adopting and changing the governance arrangements;
- (b) approving and adopting strategies, policies, business plans and work programmes and the budget;
- (c) approving the statement of accounts, income and expenditure and balance sheets;
- (d) appointing the Vice Chairs of the Board;
- (e) agreeing and/or amending terms of reference for Committees, deciding on their composition and making appointments to them including the appointment of Chairs;

- (f) approving procedures for the recruitment for tenant board members;
- (g) recommending persons for appointment as independent board members;
- (h) approving the Your Homes Newcastle Delivery Plan;
- (i) approving proposals to provide services on behalf of other organisations;
- (j) making recommendations to general meetings of the company;
- (k) appointing external auditors;
- (l) approving membership of, and appointing representatives to, outside bodies unless the function has been delegated to an officer;
- (m) confirming the appointment of the Chief Executive;
- (n) making arrangements for the discharge of any of Your Homes Newcastle's functions by another organisation;
- (o) considering recommendations from the Council and/or Chief Executive or make recommendations to the Council and/or Chief Executive regarding action following receipt of reports of external auditors, external inspectorate and the Local Ombudsman;
- (p) agreeing changes to policies, strategies and procedures that are a major decision;
- (q) making decisions about any functions that by law are the responsibility of Your Homes Newcastle and have not been delegated to a Committee or Officer;
- (r) approving the Your Homes Newcastle Budget.
- (s) agreeing the Investment Programme delegated to Your Homes Newcastle;
- (t) reporting to the Council on the management of the Housing Revenue Account;
- (u) making recommendations to the Council on its Housing Strategy, Lettings Policy, Community Safety Strategy and other matters within the Council's Policy Framework;
- (v) monitoring the Your Homes Newcastle budget, performance and implementation of policy decisions;
- (w) undertaking activities relating to virement and other issues specified under Financial Procedure Rules;
- (x) forming partnerships as necessary to facilitate the delivery of the objectives of Your Homes Newcastle;
- (y) considering and responding to consultation papers from Government, Council or other bodies;
- (z) agreeing personnel policies, other than minor or technical changes to existing policies which do not affect the underlying principles of the policies;
- (aa) changes to staffing levels or organisational structures that have an additional cost of £100,000 a year or more or where there is no budget provision unless in either case the change is incidental to a key decision taken by the Board.

3.2 Major Decisions

3.2.1 Major decisions referred to in 3.1 are:

- (a) any decision in relation to Your Homes Newcastle's function which results in the incurring of expenditure which is significant, having regard to the Your Homes Newcastle's budget for the service or function to which the decision relates

OR

- (b) any decision that is likely to have a significant impact on two or more electoral wards within the Council.

The threshold for "significant expenditure" [under (a)] is £100,000.

The definitions are qualified by the following...

1. Decisions that are a direct consequence of implementing a major decision will not, in themselves, be "major". An example is the delivery of individual Capital schemes already agreed as part of the annual Investment Programme.
2. Decisions to bid for sums over £100,000 are not included, provided that expenditure is within the agreed budget and policies of the company.
3. "Significant impact on two or more wards" means any decision which is likely to have a significant positive or negative impact in environmental, physical, social or economic terms on people living or working in communities in two or more wards.
4. Any decision involving the making of a grant or loan to any organisation or individual will require the approval of the Board, unless it is less than £10,000 or in accordance with a policy already approved.

3.2.2 Because of the cycle of Board meetings, there is likely to be the need to make urgent major decisions ahead of the next Board meeting. In this event, an urgent major decision will be made as follows:

1. The Chief Executive of Your Homes Newcastle will prepare a report in the format of the Board report for the Chair of Your Homes Newcastle, who may then approve the major decision, subject to approval by one other Board member, who should be a Vice Chair of the Board or Chair of a Committee of the Board.
2. The full report and the decision of the Chair and other Board member should then be reported to the next available Board meeting for information.

3.3 Matters delegated to Committees

3.3.1 Audit Committee

1 Purpose

- 1.1 The purpose of the Audit Committee is to make sure that the organisation's internal financial control systems and risk management systems are effective and meet regulatory requirements.

2 Delegations

- 2.1 The Committee will satisfy themselves that there are proper systems and allocations of responsibilities for the following areas of activity:
- Internal audit
 - External audit
 - Internal financial control system
 - Risk Management systems
- 2.2 The Committee will oversee the following areas of activity:
- 2.2.1 Monitoring the integrity of the financial statements of the company and any formal announcements relating to the company's financial performance, reviewing significant financial reporting judgements contained in them;
- 2.2.2 Reviewing the organisation's internal financial controls and the company's internal control and risk management systems;
- 2.2.3 Monitoring and reviewing the effectiveness of the company's internal audit function;
- 2.2.4 Recommending to the Board the appointment of the external auditor
- 2.2.5 Recommending the remuneration and terms of engagement of the external auditor;
- 2.2.6 Reviewing and monitoring the external auditor's independence and objectivity and the effectiveness of the audit process, taking into consideration relevant UK professional and regulatory requirements;
- 2.2.7 Developing and implementing policy on the engagement of the external auditor to supply non-audit services, taking into account relevant ethical guidance regarding the provision of non-audit services by the external audit firm.

3 Matters Reserved to Board

- 3.1 The following matters will be reserved to Board for decision:
- 3.1.1 Approval of the Directors' Annual Report and Financial Statements
- 3.2 Committee will report to Board on any matters in respect of which it considers that action or improvement is needed and making recommendations as to the steps to be taken.
- 3.3 Where a matter has a financial implication under £100,000 but has a major or material impact or change the Lead Officer in consultation with the Committee Chair or Vice Chair will determine whether the matter should be decided by Board or Committee.

4 Responsibility of Committee Members

- 4.1 Committee members will be expected to prepare themselves for meetings by reading the committee papers in advance. Where committee members are unable to attend a meeting, they should forward their views/comments on the matters to be discussed to the Lead Officer before the meeting.

5 Reporting to Board

- 5.1 Minutes of committee meetings will be submitted to Board for review.

5.2 The Committee Chair will report to Board twice a year on the work of the Committee.

5.3 Where there are matters that (a) require board approval under delegations and/or (b) matters that have arisen during the course of the committee's work and require board's approval, these should be reported to Board as needed (outside of the twice yearly reporting programme).

6 Reporting between Committees

6.1 There may be occasions when Committee wishes a particular piece of work to be carried out that is not within these terms of reference. The Remit Protocol should be used to make a request to the appropriate Committee.

7 Membership

7.1 The membership of the committee will be made up of board members from each of the three constituent groups.

7.2 Membership and chairs of committees will be proposed annually by the Chair for agreement by Board at the first meeting after the Annual General Meeting.

7.2 The Committee will appoint a Vice Chair.

8 Frequency of Meetings

The Committee will meet quarterly. The date and time of committee meetings will be agreed by the committee members.

9 Quorum

The quorum for a meeting of the Committee will be three board members.

10 Lead Officer

The Lead Officer for Audit Committee is the Director of Finance and Resources. Heads of Services will attend committee meetings in support of the Lead Officer. The Lead Officer will nominate an officer to co-ordinate the agenda and reports for each committee meeting.

11 Agenda dispatch and Minuting of meetings

Democratic Services will allocate a named Democratic Services Officer to support the Customer & Service Delivery Committee. This officer will dispatch the agenda and papers and minute meetings of the Committee. Lead Officers (or a nominated officer) will be responsible for making sure that the agenda and papers are provided to Democratic Services to meet agreed deadlines.

3.3.2 Finance and Resources Committee

1 Purpose

- 1.1 The purpose of the Finance and Resources Committee is to keep under review the financial position of the organisation, and to ensure that suitable arrangements are in place to secure economy, efficiency and effectiveness in the use of all resources and that the arrangements are working effectively.

2 Delegations

- 2.1 The Committee will oversee the following areas of activity:

- Revenue Monitoring and Medium Term Plan implications¹
- Investment Programme high level expenditure and funding monitoring
- YHN and HRA Budgets
- Income Management
- Service Charges
- Financial implications of relevant service reviews
- Key IT functions and initiatives
- Key OD functions and initiatives
- Key HR functions and initiatives
- Corporate Procurement
- Creation of, review of and re procurement of Service Level Agreements

- 2.2 In accordance with the Articles of Association, Board has delegated to the Committee responsibility for the following:

- 2.2.1 Reviewing and monitoring the Housing Revenue Account income and expenditure;
- 2.2.2 Reviewing and monitoring the YHN income and expenditure;
- 2.2.3. Reviewing and monitoring the YHN Investment programme expenditure and funding;
- 2.2.4 Reviewing the Procurement Action Plan
- 2.2.5 Reviewing the YHN Management Fee
- 2.2.6 Approving changes to the YHN Management Fee from the HRA
- 2.2.7 Reviewing and monitoring income management
- 2.2.8 Monitoring key IT plans, strategies and initiatives
- 2.2.9 Monitoring key HR plans, strategies and initiatives
- 2.2.10 Monitoring key OD plans, strategies and initiatives
- 2.2.11 Review the financial implications of service reviews
- 2.2.12 Reviewing Service Level Agreements

3 Matters Reserved to Board

- 3.1 The following matters will be reserved to Board for decision:

- 3.1.1 Virements over £100,000
- 3.2.2 Approval of the annual rent increase and service charges

- 3.2 Where a matter has a financial implication under £100,000 but has a major or material impact or change the Lead Officer in consultation with the Committee Chair or Vice Chair will determine whether the matter should be decided by Board or Committee.

4 Responsibility of Committee Members

- 4.1 Committee members will be expected to prepare themselves for meetings by reading the committee papers in advance. Where committee members are unable to attend a meeting, they should forward their views/comments on the matters to be discussed to the Lead Officer before the meeting.

¹ HRA and YHN

5 Reporting to Board

- 5.1 Minutes of committee meetings will be submitted to Board for review.
- 5.2 The Committee Chair will report to Board twice a year on the work of the Committee.
- 5.3 Where there are matters that (a) require board approval under delegations and/or (b) matters that have arisen during the course of the committee's work and require board's approval, these should be reported to Board as needed (outside of the twice yearly reporting programme).
- 5.4 The Medium Term Plan (MTP) should be reported to Board on a quarterly basis.

6 Reporting between Committees

- 6.1 There may be occasions when Committee wishes a particular piece of work to be carried out that is not within these terms of reference. The Remit Protocol should be used to make a request to the appropriate Committee.

7 Membership

- 7.1 The membership of the committee will be made up of board members from each of the three constituent groups.
- 7.2 Membership and chairs of committees will be proposed annually by the Chair for agreement by Board at the first meeting after the Annual General Meeting.
- 7.2 The Committee will appoint a Vice Chair.

8 Frequency of Meetings

The Committee will meet every six weeks. The date and time of committee meetings will be agreed by the committee members.

9 Quorum

The quorum for a meeting of the Committee will be three board members.

10 Lead Officer

The Lead Officer for the Finance and Resources Committee is the Director of Finance and Resources. Heads of Services will attend committee meetings in support of the Lead Officer. Lead Officers will nominate an officer to co-ordinate the agenda and reports for each committee meeting.

11 Agenda dispatch and Minuting of meetings

Democratic Services will allocate a named Democratic Services Officer to support the Customer & Service Delivery Committee. This officer will dispatch the agenda and papers and minute meetings of the Committee. Lead Officers (or a nominated officer) will be responsible for making sure that the agenda and papers are provided to Democratic Services to meet agreed deadlines.

3.3.3 Customer and Service Delivery Committee

1 Purpose

The purpose of the Customer and Service Delivery Committee is to make sure that decisions relating to the delivery of services and activities for our tenants and leaseholders are at the heart of what we do.

2 Delegations

The Committee will oversee the following areas of activity:

- The Investment Programme
- Asset Management
- Repairs Service
- Support and Care
- Housing Management
- Customer Service
- Citywide Services
- Leasehold Management Service
- Tenant Involvement and Positive activities
- Environmental Issues

In accordance with the Articles of Association, Board has delegated to the Committee responsibility for the following:

- 2.2.1 Within the overall budget allocated by Board to agree in-year re-allocations to contractor partners.
- 2.2.2 To agree replacement rules/specifications
- 2.2.3 To agree changes to the Investment Delivery Programme
- 2.2.4 To agree changes to the housing management service
- 2.2.5 To agree Local Lettings Plans
- 2.2.6 To agree changes to engagement with customers
- 2.2.7. To agree service reviews
- 2.2.8 To scrutinise, review, comment on the Lettings Policy for recommendation to Board
- 2.2.9 To scrutinise, review and recommend to Board matters relating to Supporting People commissioning
- 2.2.10 To scrutinise, review and recommend to Board matters relating to the development of new services.

3 Matters Reserved to Board

3.1 The following matters will be reserved to Board for decision:

- 3.1.1 Annual Contractor Allocations
- 3.1.2 Reviews of services that have staffing implications for redundancies/compulsory redundancy
- 3.1.3 Service Reviews that have a significant impact
- 3.1.4 Lettings Policy
- 3.1.5 Supporting People commissioning
- 3.1.6 New development of new services
- 3.1.7 New provision that is over £100,000

3.2 Where a matter has a financial implication under £100,000 but has a major or material impact or change the Lead Officer in consultation with the Committee Chair or Vice Chair will determine whether the matter should be decided by Board or Committee.

- 3.3** Matters relating to New Build will be reserved to Board or Leazes Homes (as appropriate) for decision.

4 Responsibility of Committee Members

- 4.1 Committee members will be expected to prepare themselves for meetings by reading the committee papers in advance. Where committee members are unable to attend a meeting, they should forward their views/comments on the matters to be discussed to the Lead Officer before the meeting.

5 Reporting to Board

- 5.1 Minutes of committee meetings will be submitted to Board for review.
- 5.2 The Committee Chair will report to Board twice a year on the work of the Committee.
- 5.3 Where there are matters that (a) require board approval under delegations and/or (b) matters that have arisen during the course of the committee's work and require board's approval, these should be reported to Board as needed (outside of the twice yearly reporting programme).

6 Reporting between Committees

- 6.1 There may be occasions when Committee wishes a particular piece of work to be carried out that is not within these terms of reference. The Remit Protocol should be used to make a request to the appropriate Committee.

7 Membership

- 7.1 The membership of the committee will be made up of board members from each of the three constituent groups.
- 7.2 Membership and chairs of committees will be proposed annually by the Chair for agreement by Board at the first meeting after the Annual General Meeting.
- 7.2 The Committee will appoint a Vice Chair.

8 Frequency of Meetings

The Committee will meet bi monthly. The date and time of committee meetings will be agreed by the committee members.

9 Quorum

The quorum for a meeting of the Committee will be three board members

10 Lead Officer

The Lead Officer(s) for the Customer and Service Delivery Committee are the Director of Tenancy Services and the Assistant Chief Executive & Director of Business. Attendance by the Lead Officer(s) will be determined by the matters being considered at each meeting. Heads of Services will attend committee meetings in support of the Lead Officer. Lead Officers will nominate an officer to co-ordinate the agenda and reports for each committee meeting.

11 Agenda dispatch and Minuting of meetings

Democratic Services will allocate a named Democratic Services Officer to support the Customer & Service Delivery Committee. This officer will dispatch the agenda and papers and minute meetings of the Committee. Lead Officers (or a nominated officer) will be responsible for making sure that the agenda and papers are provided to Democratic Services to meet agreed deadlines.

3.3.4 Performance Committee

1 Purpose

- 1.1 The purpose of the Performance Committee is to support and deliver Your Homes Newcastle's mission by monitoring and driving performance.

2 Delegations

- 2.1 The Committee will oversee the following areas of activity to provide assurance and challenge that the key service targets are being delivered by:

- Monitoring the Top 20 Performance Indicators
- Reviewing and monitoring Compliments, Complaints, and Comments
- Reviewing and scrutinising performance in the following areas of activity:
 - Service Standards
 - Repairs Service including gas servicing
 - Capital Programme
- Review and Monitoring the Repairs and Maintenance contract Performance
- Reviewing and monitoring HouseMark Performance Indicators
- Reviewing and monitoring National Indicators
- Reviewing the results of the annual STATUS survey
- Reviewing the result of benchmarking exercises

- 2.2 In accordance with the Articles of Association, Board has delegated to the Committee responsibility for the following:

- 2.2.1 To ensure that there are appropriate performance management systems within Your Homes Newcastle to ensure the successful delivery of all targets and external assessments
- 2.2.2 To provide appropriate assurance in respect of performance systems and processes enabling robust reporting and advice to the Board;
- 2.2.3 To review, scrutinise and challenge delivery plans, targets and performance information;
- 2.2.4 To review and challenge poor performance against targets';
- 2.2.5 To agree action plans to improve poor performance

3 Matters Reserved to Board

- 3.1 The following matters will be reserved to Board for decision:

3.1.1 The Annual Delivery Plan

- 3.2 Where a matter has a financial implication under £100,000 but has a major or material impact or change, the Lead Officer in consultation with the Committee Chair or Vice Chair will determine whether the matter should be decided by Board or Committee.

4 Responsibility of Committee Members

- 4.1 Committee members will be expected to prepare themselves for meetings by reading the committee papers in advance. Where committee members are unable to attend a meeting, they should forward their views/comments on the matters to be discussed to the Lead Officer before the meeting.

5 Reporting to Board

- 5.1 Minutes of committee meetings will be submitted to Board for review.
- 5.2 The Committee Chair will report to Board twice a year on the work of the Committee.
- 5.3 Where there are matters that (a) require board approval under delegations and/or (b) matters that have arisen during the course of the committee's work and require board's approval, these should be reported to Board as needed (outside of the twice yearly reporting programme).

6 Reporting between Committees

- 6.1 There may be occasions when Committee wishes a particular piece of work to be carried out that is not within these terms of reference. The Remit Protocol should be used to make a request to the appropriate Committee.

7 Membership

7.1 The membership of the committee will be made up of board members from each of the three constituent groups.

7.2 Membership and chairs of committees will be proposed annually by the Chair for agreement by Board at the first meeting after the Annual General Meeting.

7.2 The Committee will appoint a Vice Chair.

8 Frequency of Meetings

The Committee will meet every 6 weeks. The date and time of committee meetings will be agreed by the committee members.

9 Quorum

The quorum for a meeting of the Committee will be three board members.

10 Lead Officer

The Lead Officer for the Performance Committee is the Assistant Chief Executive & Director of Business.

Heads of Services will attend committee meetings in support of the Lead Officer.

The Lead Officer will nominate an officer to co-ordinate the agenda and reports for each committee meeting.

11 Agenda dispatch and Minuting of meetings

Democratic Services will allocate a named Democratic Services Officer to support the Performance Committee. This officer will dispatch the agenda and papers and minute meetings of the Committee.

The Lead Officer (or a nominated officer) will be responsible for making sure that the agenda and papers are provided to Democratic Services to meet agreed deadlines.

3.3.5 Remuneration Committee

1 Purpose

- 1.1 The purpose of the Remuneration Committee is to review on an annual basis the level of remuneration of the Chief Executive and to agree the level of remuneration that should be paid to the Chief Executive.

The Committee will also be provided periodically with information by the Chief Executive relating to the remuneration of the senior management team (currently the Assistant Chief Executive & Director of Business; Director of Finance & Resources; and Director of Tenancy Services).

2 Delegations

- 2.1 The Committee will carry out the following duties on behalf of the Board:
- 2.1.1 Determine and agree the framework or broad policy for the remuneration of the Chief Executive.
 - 2.1.2 Determine the remuneration package for the Chief Executive within the terms of the agreed framework or policy. The Committee will make its decision after taking into consideration remuneration packages of other ALMOs, relevant Boards and Newcastle City Council's Executive Management Team.
 - 2.1.3 Be responsible for establishing the selection criteria, selecting, appointing and setting the terms of reference for any consultants who advise the committee.
 - 2.1.4 Receive information periodically from the Chief Executive about the remuneration of senior management team, taking account of any other specific pay issues of a significant and strategic dimension.

NB: No officer shall be involved in any decisions about their own remuneration.

- 2.2 The Chair and nominated Committee Members will be the panel for the appointment of the Chief Executive together with a representative of Newcastle City Council and a relevant external person.
- 2.3 For the appointment of the senior management team, the interview panel will include the Chair of the Board and another member of Remuneration Committee.
- 2.4 Committee will review its terms of reference on an annual basis and recommend any necessary changes to the Board.

3 Matters reserved to Board

- 3.1 The following matters will be reserved to Board:
- 3.1.1 The appointment of the Chief Executive
 - 3.1.2 The dismissal of the Chief Executive
 - 3.1.3 The appraisal of the Chief Executive

4 Reporting to Board

- 4.1 The Chair will report to Board on decisions taken by the Committee.
- 4.2 Committee will report to Board annually on its overall work programme.

5 Membership

- 5.1 Membership of the Committee will be made up of the Chair of the Board, the Board Vice Chairs and the Chairs of Audit; Customer & Service Delivery; Finance & Resources; and Performance Committees.

Membership will be agreed annually by Board at the first meeting after the Annual General Meeting.

- 5.2 The Chair of the Board will chair meetings of the Committee.
- 5.3 The Company Administrator will act as Secretary to the Committee.
- 5.4 The H R Manager will attend all or part of meetings of the Committee by invitation to advise on matters of remuneration / policy.

6 Frequency of Meetings

- 6.1 The Committee will meet as necessary but is not expected to need to meet more than three times each year.

7 Responsibility of Committee Members

- 7.1 Committee members will be expected to prepare themselves for meetings by reading the committee papers in advance. Where committee members are unable to attend a meeting, they should forward their views/comments on the matters to be discussed to the Lead Officer before the meeting.

7 Quorum

- 7.1 The quorum necessary for the transaction of business at meetings of the Committee will be the Chair and three of the members at 5.1.

9 Administration of Meetings

- 9.1 Meetings of the Committee shall be arranged by the Company Administrator at the request of the Chair.
- 9.2 The Company Administrator will ensure that minutes are taken at all meetings. Minutes will formally record any decisions made and include the names of those present and in attendance.
- 9.3 Unless otherwise agreed, notice of each meeting together with an agenda and papers for discussion, will be forwarded to each member of the Committee no later than five working days before the date of the meeting.

3.3.6 Time Limited Committees

Purpose

- To scrutinise in closer detail areas of concern identified by the board
- To ensure that all the relevant issues are identified and dealt with
- To act as a forum for debate on potential courses of action
- To consider good practice and/or innovation elsewhere
- To ensure that action is taken and the impact evaluated
- To report back to the Board at regular intervals and at the end of the time-limited project

Membership

- Three Board Members, one from each constituent group. Chair of the time-limited committee to be a member of the most appropriate committee (i.e. from Finance for Rent Arrears and Property for District Heating)
- One Area Board member, preferably independent
- One expert critical friend
- One City Council nominee (officer or Cllr)
- One Tenants' Fed rep

Principles of operation

- The committee's inaugural meeting will set out the required end result and will identify key milestones
- Clear tasks, roles, timescales and resources will be set out in a project plan which will be used to monitor and evaluate progress
- A working group of officers will carry out the tasks directed by the committee
- The officer group will be cross-divisional and will build a portfolio area of expertise
- Where possible the officer group will develop expertise previously developed through Best Value Reviews and the programme workstreams
- The focus will be on issue resolution, service and performance improvement
- The Committee would be empowered by Board, where something needs to be done, to do it without referring to the Board for approval
- The Committee would not get embroiled in operations, but oversee them
- Committee members would need to commit time to understand and therefore add value to the subject in question
- The Committee will give the lead officers clarity about the content and periodicity of progress reports
- Quorum will be two board members

4 Part B: Responsibilities of the Chair and Vice Chairs

4.1 Chair's responsibilities

Strategic Direction

- To establish constructive working relationships with the Chief Executive and Senior Management Team and attend meetings with the Chief Executive on a regular basis.
- To represent Your Homes Newcastle at public occasions on outside bodies and meet with tenants on a regular basis.
- To make comments on behalf of Your Homes Newcastle to the press and other media.
- To take decisions (if any) delegated to the Chair with the advice of the Chief Executive.
- To ensure when a vacancy arises that the Chief Executive is replaced in a timely and orderly fashion.
- To agree with the Chief Executive the agenda for all the Board's meetings.
- To take action on disciplinary and other personnel matters concerning the Chief Executive in accordance with Your Homes Newcastle's personnel procedures.
- To liaise with the Chief Executive on the strategic development and planning of the organisation, bringing such reports and recommendations to the Board for discussion and approval.
- To meet regularly with the Leader, Chief Executive and senior officers of Newcastle City Council.
- To review the performance of individual board members on an annual basis.
- To ensure that an annual review of the performance of the Chief Executive is carried out.
- To attend such training programmes that may be considered necessary.
- Not to engage in any activity or practice that is likely to bring Your Homes Newcastle into disrepute and abide by all policies and procedures as appropriate.
- To be an ex-officio member of all committees and area boards and attend meetings as appropriate.
- To Chair the Your Homes Newcastle Remuneration Committee.

(i) Conduct of Meetings

- To ensure the efficient and proper conduct of the Board's business and general meetings of the company.
- To ensure that all members are given the opportunity to express their views before any important decision is taken, but at the same time to ensure that only those who are eligible to speak (for example, those without a conflict of interest) are invited to do so.
- On a resolution where there is an equality of votes, the chair shall have a second or casting vote and shall use it to vote against any resolution which proposed to alter the existing situation **unless** this would be detrimental to the best interests of Your Homes Newcastle.
- To ensure that the Board delegates sufficient authority to any committees and officers it may establish to enable the business of your Homes Newcastle to be carried on effectively between meetings of the Board and also to ensure that the Board monitors the use of these delegated powers.
- To invite members of staff to comment as appropriate and ensure that the Board receives professional advice when it is needed.

- To ensure that the Board complies with Your Homes Newcastle's governance arrangements.
- To determine at Board meetings whether any late items will be accepted onto the agenda.
- Where new members or observers are present or in attendance at Board or general meetings, to invite members and staff to introduce themselves.
- To satisfy him/herself that the minutes of the Board's meetings are an accurate and complete record and if so satisfied, to sign the same.
- To satisfy him/herself that every meeting of the Board has been properly convened by notice and properly constituted by the attendance of a quorum.
- To attend consultation meetings with tenants, leaseholders and residents.
- To guide the meeting through the items on the agenda in the order they appear (unless modified with the agreement of the meeting).
- To give immediate rulings on complaints or queries relating to the procedure and conduct of the meeting, the Chair's ruling being final.
- At the end of each item on the agenda, to ascertain the 'sense of the meeting' and sum up the general agreement of the members on a particular conclusion.
- To ensure that questions from members of the public are dealt with in the manner provided in the governance arrangements.
- To adjourn any meeting of the Board or Committee for the purposes of restoring order or where required to do so by a majority of members.

4.2 Vice Chairs' responsibilities

- To assist and support the Chair in fulfilling his/her duties and responsibilities.
- To deputise for the Chair in his/her absence.
- To assume responsibility for a particular area of responsibility or interest as may be agreed by the Board, such as chairing a committee.
- To meet with the Chair and Chief Executive as required in between Board Meetings.
- To undertake such other duties as may be delegated to them by the Board.

5 Part C: Matters delegated to Officers

5.1 General

This scheme delegates to the Chief Executive and other Officers the powers and duties necessary for the discharge of Your Homes Newcastle's functions subject to the specific conditions stated in 4.2 and 4.3 below. It is adopted with the aim of streamlining and simplifying the decision making processes of Your Homes Newcastle and accordingly the scheme should be interpreted widely rather than narrowly. Where functions are delegated these should be taken to include all powers and duties necessary to carry out those functions delegated by the City Council to the Company.

Where under these delegations a function has been delegated to a specific officer ("delegated officer") the decision may be taken in the name of (but not personally by) such delegated officer by another officer ("authorised officer") in accordance with arrangements made from time to time by such delegated officer for this purpose.

For the purposes of these delegations the "management team", headed by the Chief Executive, consists of:

- Assistant Chief Executive and Director of Business
- Director of Finance and Resources and Company Secretary
- Director of Tenancy Services

5.2 Conditions

- 5.2.1 The scheme does not delegate to the Chief Executive or other Officers any major decisions. Major decisions are defined in 2.2
- 5.2.2 All powers and duties that the Chief Executive or other Officer is authorised to exercise or perform must be exercised or performed on behalf of and in the name of Your Homes Newcastle and in accordance with the governance arrangements and, in the case of a Senior Manager or other Officer, any direction and/or advice of the Chief Executive.
- 5.2.3 Where any matter involves professional or technical considerations not within the sphere of the competence of the Chief Executive or other officer they must consult the appropriate professional or technical officer of Your Homes Newcastle and/or the Council before authorising action.
- 5.2.4 In exercising delegated powers the Chief Executive or other Officer should only act within the approved policies and budgets.
- 5.2.5 The Chair of the Board must be consulted about draft responses to consultation papers issued by Government departments or national or regional bodies.
- 5.2.6 Consultants may only be appointed in accordance with Contract Procedure Rules and subject to the approval of the Chief Executive.
- 5.2.7 Any reference to the Chief Executive or other officer includes any other person authorised by that officer to act on their behalf.

- 5.2.8 In addition to the general powers conferred upon them as Chief Executives, these officers will be authorised to exercise all the powers and duties specifically conferred on subordinate officers in their department. All powers and duties conferred upon subordinate officers will be exercised in accordance with any direction issued by the Chief Executive.
- 5.2.9 Reference to any statutory provision includes any statutory provision amending, consolidating, or replacing it for the time being in force.

5.3 Staffing Conditions

5.3.1 The Chief Executive will be responsible for appointing, managing, disciplining and dismissing all employees within Your Homes Newcastle subject to complying with:

- employment policies and conditions of service.
- any appropriate schemes or arrangements laid down by Your Homes Newcastle or the Board.
- any directions that may be issued from time to time by the Board

5.3.2 The following matters must be dealt with by the Board:

- agreeing personnel policies, other than minor or technical changes to existing policies which do not affect the underlying principles of the policies.
- changes to staffing levels or organisational structures that have an additional cost of £100,000 a year or more or where there is no budget provision unless in either case the change is incidental to a key decision taken by the Board.

5.3.3 The following matters must be dealt with by the Chief Executive or his delegated officers in consultation with the Your Homes Newcastle's H R Manager, who will take consult with the City Council's Head of Organisational Development:

- authorising payments of honoraria that exceed £2,000 in the case of any one employee or in circumstances that are not covered by the policy guidelines.
- reviewing and authorising changes to departmental structures and establishments where there is a cost of less than £100,000 in a financial year and there is budget provision.
- determining applications from employees for their post to be regraded.
- authorising payments for employees in the case of early retirement, voluntary redundancy and redeployment.
- authorising the creation of additional temporary posts for more than 6 months, where budget provision exists.
- authorising requests for leave which are either not covered by a policy or which exceed the limits in the relevant policy.
- paying compensation to employees for pain and suffering incurred by them as a result of assault and/or harassment and/or attacks by animals whilst undertaking their duties and responsibilities.

5.4 Chief Executive and Management Team Responsibilities

The Chief Executive in conjunction with his/her management team is responsible for:

- taking action to secure the safety and welfare of employees and to take immediate action where in his/her opinion there is danger to life and limb.
- developing, reviewing and monitoring personnel policy and standards.
- establishing and maintaining effective consultation and negotiation arrangements with recognised trade unions.
- developing, reviewing and monitoring employment policy in relation to equality of opportunity.
- reviewing annually the amounts of compensation provided for in the Council's employment policies to make sure they remain at appropriate levels and in line with inflation.
- approving the implementation of grades resulting from the job evaluation process.
- approving changes to terms and conditions of employment where there is a cost of less than £100,000 in a financial year.

6. Officers' areas of responsibility

6.1 Functions and responsibilities of the Chief Executive of Your Homes Newcastle

The Chief Executive will have responsibility for all management, operational and non major decisions about the following functions and areas of responsibility. The Board has delegated to the Management Team the responsibility of jointly assuming the powers and duties of the Chief Executive in his/her absence.

6.1.1 Core Work Areas

1. Provide effective leadership across the organisation demonstrating sound management style to ensure that the agreed management framework is consistently implemented and to provide advice, support and guidance to managers and others.
2. Manage, motivate, develop and communicate effectively with managers who report direct.
3. Approve and join up business plans for the services provided making sure that they are clearly aligned to and contribute to the achievement of Your Homes Newcastle's vision and strategy.
4. Establish an achievement orientated and responsive performance culture by:
 - determining key management performance indicators and supplying appropriate, agreed information to the Board for monitoring.
 - monitoring and challenging performances.
 - reality checking.
 - celebrating successes.
 - seeking feedback from service users and the community.
5. Contribute to the development of appropriate policy and strategy for Homes Newcastle and when approved, be accountable for consistent and effective communications, implementation and monitoring of policy in all areas of the organisation.
6. Support Board members by:
 - providing advice.
 - ensuring effective implementation of decisions.
 - taking delegated decision within the policy, budgetary and legal framework.
 - supervising the preparation of documents for consideration by the Board.
 - ensuring the provision of induction and training programmes for Board members.

7. Contribute directly and effectively to community working including providing support and information to Panels, Committees and other forum linked to the work of Newcastle Homes Newcastle.
8. Maximise opportunities and benefits arising from:
 - partnership and multi agency working.
 - additional funding from available and appropriate sources.
9. Manage and monitor financial resources in line with financial and audit requirements.
10. Encourage new ideas and innovation designed to improve the standards of services.
11. Maintain an efficient and prompt investigation of complaints in line with policy and procedures.
12. Co-ordinate activities with the City Council, implementing policies, programmes and initiatives as agreed between the Council and Your Homes Newcastle.
13. Consult with trade unions seeking to gain their active support and participation in making Your Homes Newcastle successful.
14. Ensure equality of access and opportunity in service provision and personnel practices.
15. Represent Your Homes Newcastle at external meetings.

6.1.2 Statutory Executive Functions

To ensure proper exercise of the functions of the Council as the housing authority as delegated to Your Homes Newcastle under the Services Agreement, in particular:

- provision and management of housing by the Council.
- public sector housing regeneration and maintenance.

6.1.3 Acting as Authorised/Proper Officer for the following matters

The Chief Executive of Your Homes Newcastle is the appointed/proper Officer for all purposes concerned with the local authority landlord function under the Housing Act 1985 in particular has delegated authority to authorise:

- notices of seeking possession under s83 Housing Act 1985 (for secure tenancies) and s128 Housing Act 1996 (for introductory tenancies) and notices to quit for other tenancies and licences of Council dwellings, garages, garage sites and other land and premises.
- institution of possession proceedings for such properties and sites.

- eviction proceedings in all such cases
- institution of possession proceedings against any persons in unlawful occupation of Council dwellings

6.1.4 Assisting in the drawing up of the following Policies that form part of the Council

The plans and strategies that comprise the Housing Investment Programme, Lettings Policy and other items within the Council Budget and Policy framework.

6.1.5 Legal proceedings by Your Homes Newcastle

The Chief Executive of Your Homes Newcastle is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Board or in any case where the Chief Executive of Your Homes Newcastle considers that such action is necessary to protect the company's interests.

6.1.6 Structure

The Chief Executive will determine and publicise a description of the overall departmental structure of Your Homes Newcastle showing the management structure and deployment of officers. The Chief Executive will report to the Board on the manner in which the discharge of Your Homes Newcastle's functions is co-ordinated the number of officers required for the discharge of functions and the organisation of officers.

6.2 Functions of the Company Secretary

(a) Governance Arrangements.

The Company Secretary will maintain an up-to-date version of the Governance Arrangements and will ensure that it is widely available for consultation by members, staff and the public.

(b) Ensuring lawfulness and fairness of decision making

After consulting with the Chief Executive and Director the Company Secretary will report to the Board if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) Standards of Conduct.

The Company Secretary will contribute to the promotion and maintenance of high standards of conduct through provisions of the Code of Conduct.

- (d) **Receiving reports**
The Company Secretary will receive and act on reports concerning codes of conduct and ethical standards in comparable organisations.
- (e) **Conducting investigations**
The Company Secretary will conduct investigations into matters concerning the code of conduct and make reports or recommendations in respect of them to the Board.
- (f) **Proper officer for access to information**
The Company Secretary will ensure that Board decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether Board decisions are within the budget and policy approved by Your Homes Newcastle**
The Company Secretary will advise whether decisions of the Board are in accordance with the policies and budgets of Your Homes Newcastle and consistent with its Services Agreement with the City Council.
- (h) **Providing advice**
The Company Secretary will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and governance issues to all Board members.
- (i) **Governance consent**
The Company Secretary shall advise the Board and the Council of any matters under consideration which appears to modify the application for consent made by the Council under s27 of the Housing Act 1985 and therefore must be subject to one month's prior written notice to the Secretary of State before implementation.
- (j) **Restrictions on posts**
The Chief Executive cannot act as the company Secretary.

6.3 Functions of the Director of Finance and Resources

- (a) **Ensuring lawfulness and financial prudence of decision making**
After consulting with the Chief Executive and Company Secretary, the Director of Finance and Resources will report to the Board in relation to its functions, and Your Homes Newcastle's external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if Your Homes Newcastle is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs**
The Director of Finance and Resources will have responsibility for the administration of the financial affairs of Your Homes Newcastle.

- (c) **Contributing to corporate management**
The Director of Finance and Resources will contribute to the corporate management of Your Homes Newcastle, in particular through the provision of professional financial advice.
- (d) **Providing advice**
The Director of Finance and Resources will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy issues to all board members and will support and advice board members and officers in their respective roles.
- (e) **Give financial information**
The Director of Finance and Resources will provide financial information to the media, members of the public and the community.