

# ***Scheme of Delegated Authority***

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## 1. Introduction and Purpose

- 1.1 It is fundamental to the effectiveness and efficiency of Rosehill that the key responsibilities and delegated authorities are set out clearly. This enables all of those concerned with the management and operation of Rosehill to be well informed about where the lines of responsibility lie and to exercise due control.
- 1.2 Responsibility for putting Rosehill's policies into practice, and managing the organisation and service delivery is delegated to the staff team, under the leadership of the Director. The purpose of this Scheme of Delegated Authority sets out what decisions the Committee needs to make, and what decisions and activities it has delegated to the Director and Management Team.
- 1.3 In all day to day operational matters, the Director and Management Team of Rosehill are authorised and empowered to manage Rosehill and its operations even where certain activities are not specifically mentioned in this scheme of delegated authority. Where responsibility is delegated to the staff team, the Management Committee receives regular reports on various areas of Rosehill's activities including relevant performance information.
- 1.4 The Director may require any member of staff to seek their authority to do something even where this scheme of delegated authority gives the staff member power to do it.

## 2. Legal, Regulatory and Constitutional Framework

- 2.1 The Scheme of Delegated Authority forms part of our governance framework. This document along with our Standing Orders contribute to our compliance with Regulatory and Constitutional requirements and in particular:

Regulatory Standard 1 - The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

### **Guidance –**

1.2 The RSL's governance policies and arrangements set out the respective roles, responsibilities and accountabilities of governing body members and senior officers, and the governing body exercises overall responsibility and control of the strategic leadership of the RSL.

## Rules

### Powers of the Committee of Management

Rule 42 – The Committee is responsible for directing the affairs of the Association and its business and may do anything lawful which is necessary or expedient to achieve the objects of the Association. The Committee is not permitted to exercise any powers which are reserved to the Association in general meetings either by these Rules or by statute. The Committee is responsible for the leadership, strategic direction and control of the Association with the aim of achieving good outcomes for its tenants and other service users in accordance with Regulatory Standards and Guidance issued by the Scottish Housing Regulator from time to time. The Committee is responsible for ensuring that the Association can demonstrate its governance and financial arrangements are such as to allow The Scottish Housing Regulator to regulate effectively and exercise its full regulatory powers.

### Sub-Committees

Rule 55.1 – The Committee can delegate its powers to sub-committees or to staff or to Office Bearers. The Committee will establish the terms of reference for such delegation, which will be set down in writing and communicated to the recipient of the delegated powers. Such delegation will be set down in writing in standing orders, schemes of delegated authority or other appropriate documentation. In the case of a sub-committee such delegation shall include the purposes of the sub-committee, its composition and quorum for meetings. A minimum number of members for a sub-committee shall be three. There must be at least three of the members of a sub-committee present for the meeting to take place. The Committee shall be responsible for the ongoing monitoring and evaluation of the use of delegated powers.

## 3. Guiding Principles

### 3.1 The following principles underpin the application of the Scheme of Delegated Authority (SDA):

- Transparency and Accountability – it should be clear from this SDA where and how decisions are made.
- Effectiveness and Efficiency – the SDA should facilitate prompt but well informed decision making. This is achieved by ensuring decisions are taken at a level appropriate for the nature of the decision being taken.
- Review – the SDA will be reviewed at least every 3 years to ensure it continues to reflect the required decision making processes at Rosehill.

#### 4. Associated Documents

4.1 This document should be read in conjunction with the following:

- Financial Regulations
- Rosehill's Rules
- Standing Orders
- Purchasing, Procurement and Tenders Policy

4.2 Rosehill has a raft of policies governing all aspects of its business in which further information is provided about the level of authority/responsibility. Therefore for specific matters this Scheme of Delegated Authority should be read in conjunction with the associated Policy.

4.3 Appendix 1 sets out the Financial Limits contained in the Financial Regulations.

## 1. Strategy, Policy, Performance and Business Management

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<ol style="list-style-type: none"> <li>1. Setting the overall strategy for Rosehill</li> <li>2. Approval of Business Plan, Annual Plan, Annual Section Operational Plans and Annual Operational Targets and all other plans or documents that fall within the strategic role of the Management Committee.</li> <li>3. Approval of 30 year projections and annual budget.</li> <li>4. Approval of all Policies (new and revised)</li> <li>5. Monitoring and overview of the financial, organisational and service performance of Rosehill.</li> <li>6. Ensuring our compliance with legal, regulatory and constitutional requirements</li> </ol>	<p><b>Audit &amp; Risk Sub-Committee:</b></p> <ol style="list-style-type: none"> <li>1. Monitor compliance with legal and regulatory requirements (including the standards of governance and financial management). Reporting any issues/recommended action to the Management Committee</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of Business Plan and other strategies approved by the Management Committee.</li> <li>2. Ensure policies meet legal and regulatory requirements.</li> <li>3. Implementation of all approved Policies.</li> <li>4. Monitor compliance with legal and regulatory requirements (including the standards of governance and financial management). Reporting any issues/recommended action to the Management Committee.</li> </ol>	<ol style="list-style-type: none"> <li>1. Management Team is responsible for reporting progress with the delivery of and achievement of our business objectives and all aspects of Rosehill's performance.</li> </ol>

<p>7. Approval of ICT and major purchasing decisions relating to infrastructure, hardware and software.</p> <p>8. Deciding policy on business growth or diversification and any matters involving material changes to existing policy.</p>			
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## 2. Governance

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<p>1. Approval of any changes to the Rules for recommendation to the Members.</p> <p>2. Deal with any appeals relating to refusal of membership applications.</p> <p>3. Appointment of Office Bearers.</p> <p>4. The establishment and dissolution of sub-committees; approval of</p>	<p><b>Membership Sub-Committee:</b></p> <p>1. Approval/Refusal of applications for membership</p> <p>2. Approval of use of seal for membership certificates</p> <p><b>All Sub-Committees:</b></p> <p>1. Appointment of sub-committee Chairs</p>	<p><b>Director:</b></p> <p>1. Fulfilling the duties of Secretary in relation to membership and other required matters.</p> <p>2. Submission of statutory returns, following approval by Management Committee, where required.</p> <p>3. Must submit any Notifiable Events to SHR in relation</p>	<p>1. <b>Chair</b> – has delegated authority to deal with all potential breaches of the Committee Code of Conduct in line with the Protocol</p> <p>2. If potential breaches of Committee Code of Conduct involve the Chair, the Vice Chair will take on responsibility for dealing with breach in line with the Protocol. In the event both the Chair and Vice Chair</p>

<p>their remits and delegated powers; and appointment of their members.</p> <p>5. The filling of any casual vacancies on the Management Committee and, appointment/replacement of Co-opted members.</p> <p>6. To consider any investigation reports and decide what action, if any, is to be taken in relation to potential breaches of the Committee Code of Conduct.</p> <p>7. Removal of Committee Member(s), where permitted by our Rules.</p> <p>8. Application and reporting of the 9 Year Rule for Committee Members.</p> <p>9. Approval of Rosehill's delegated authority arrangements, Standing Orders, Financial Regulations and</p>		<p>to performance and service delivery issues or financial and funding issues and report to Management Committee promptly. Must also notify SHR of any disposals, constitutional and organisational changes.</p>	<p>are involved in the potential breach, other Committee Members as agreed by the Management Committee will take on the responsibility.</p> <p>3. Urgent business and emergency decisions can be dealt with by holding an additional Management Committee meeting. However, if there is a time limit to deal with such matters, the Chair, Vice Chair and Director can meet and decide on such matters. All such matters must be reported to the next Management Committee meeting.</p>
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<p>Purchasing, Procurement and Tender Policy</p> <p>10. Approval of the creation or dissolution of subsidiaries, and appointment of directors to subsidiaries and other bodies.</p> <p>11. Approval of payments and/or benefits where required in accordance with our Entitlements, Payments &amp; Benefits Policy.</p> <p>12. Annual inspection of all required Registers.</p> <p>13. Approval of use of Seal.</p> <p>14. Approval, where required, of statutory and regulatory returns including ARC.</p> <p>15. Approval of Annual Assurance Statement (AAS). <b>Chair</b> must notify SHR of any changes to the AAS.</p>		<p>4) The Approving Officer as per the E,P &amp; B Policy re: use of Rosehill's contractors.</p>	
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<p>16. <b>Chair</b> must submit any Notifiable Events to SHR in relation to governance or organisational issues and, report to Management Committee promptly.</p> <p>17. Making urgent/emergency decisions between Committee Meetings</p>			
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### 3. Financial Management

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<ol style="list-style-type: none"> <li>1. Approval of Audited Financial Statements, Letter of Representations and Management Letter</li> <li>2. Approval of medium and long-term financial projections.</li> <li>3. Review of quarterly management accounts highlighting significant variances against budget</li> </ol>		<p><b>Finance Manager:</b></p> <ol style="list-style-type: none"> <li>1. Prepare and present draft financial statements</li> <li>2. Recommend insurance cover/types and levels and sign any documentation required for the purpose of obtaining such cover.</li> </ol>	<ol style="list-style-type: none"> <li>1. The Management Committee will seek independent, professional advice on matters such as Pensions.</li> </ol>

<p>and approving improvement/remedial actions where appropriate</p> <ol style="list-style-type: none"> <li>4. Approval of Financial Regulations.</li> <li>5. Approval of authorised signatories</li> <li>6. Approval of Treasury Management Policy and Annual Treasury Management Strategy</li> <li>7. Approve bank loans and any other necessary action to ensure sufficient funds are available for investment and management, and to maintain adequate reserves.</li> <li>8. Approval of private funding, grant offers and the granting of security over Rosehill's assets.</li> </ol>		<p><b>Director:</b></p> <ol style="list-style-type: none"> <li>1. Authorise overspends within limits set out in the Financial Regulations.</li> </ol> <p><b>Director and/or Finance Manager:</b></p> <ol style="list-style-type: none"> <li>2. Authorisation of property acquisitions in accordance with Acquisitions Strategies</li> </ol> <p><b>Managers or Director:</b></p> <ol style="list-style-type: none"> <li>3. Authorise write offs up to the value of £100</li> </ol>	
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<p>9. Approval of the opening and closing of all bank accounts.</p> <p>10. Approve financial and other returns to SHR and FCA and authorise their signature where required.</p> <p>11. Approval of write offs of former tenant arrears, rechargeable repairs and factoring arrears.</p> <p>12. Approve insurance cover and levels.</p> <p>13. Disposal/purchase of any property.</p>			
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#### 4. Audit and Risk Management

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<p>1. Approval of appointment/re-appointment of external auditor for recommendation to the Members (AGM).</p>	<p><b>Audit &amp; Risk Sub-Committee:</b></p> <p>1. Oversee tendering process e.g. conduct interviews with prospective companies for external and internal auditors.</p>	<p><b>Director and/or Finance Manager:</b></p> <p>1. Carryout a tendering exercise for the appointment of external and internal auditors in line</p>	<p>If the Audit &amp; Risk Sub-Committee instructs any investigations, it can obtain any internal or external support or advice it deems necessary.</p>

<ol style="list-style-type: none"> <li>2. Approval of the response to the Auditor's Management Letter.</li> <li>3. Ensure recommendations of Internal Auditor are implemented.</li> <li>4. Annual review of strategic and material risks</li> <li>5. Approval of Annual Risk Strategy Statement.</li> <li>6. Determine Rosehill's Risk appetite and apply this when considering Rosehill's involvement in new projects or activities.</li> </ol>	<ol style="list-style-type: none"> <li>2. Approve the remuneration and terms of engagement of the External and Internal Auditors.</li> <li>3. Recommend appointment of the External Auditor to the Management Committee.</li> <li>4. Issue of external and internal auditors' letters of engagement and approval of approach and programme.</li> <li>5. Approval of internal audit needs assessment and 3 yearly and yearly programme of audit.</li> <li>6. Consideration and approval of IA reports; monitor implementation of all agreed recommendations and report to Management Committee.</li> <li>7. Instructing investigations into suspected</li> </ol>	<p>with the Purchasing, Procurement and Tendering Policy</p>	
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	<p>irregularities or failures in management and control systems.</p> <p>8. Monitor and oversee strategic and material risks.</p> <p>9. Monitor and oversee our assurance processes to ensure compliance with legal, regulatory and constitutional requirements.</p>		
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## 5. Staffing, Employment and Health & Safety

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<ol style="list-style-type: none"> <li>1. Approval of any proposed increases or reductions in staff.</li> <li>2. Appointment of Director.</li> <li>3. Appraisal of Director (carried out by Chair).</li> <li>4. Approval of annual pay increases.</li> </ol>	<p><b>Staffing and H&amp;S Sub-Committee:</b></p> <ol style="list-style-type: none"> <li>1. Recruitment of Managers.</li> <li>2. Approval of creation and continuation of temporary posts exceeding 12 months duration.</li> </ol>	<p><b>Director:</b></p> <ol style="list-style-type: none"> <li>1. Appointment of Managers.</li> <li>2. Recruitment and appointment of vacancies and new posts (subject to Committee approval) for Grades 8 and below.</li> </ol>	<ol style="list-style-type: none"> <li>1. Recruitment for Director's post will be carried out by an external organisation e.g. EVH.</li> <li>2. Interview panel for Director's post will consist of 1 rep from external recruitment agency; the Chair and a Member of the</li> </ol>

<p>5. Approval of changes to Terms and Conditions.</p> <p>6. Approval of Rosehill's Pension Schemes and options available. Approval of any changes to contribution levels (subject to staff consultation).</p> <p>7. Receive any reports on significant grievance and disciplinary issues/action.</p> <p>8. Appeals following Stage 3 of the disciplinary process.</p> <p>9. Ensure Rosehill's overall compliance with Health &amp; Safety requirements.</p>	<p>3. Approval of changes to staff roles and grades (with the exception of Managers and Director)</p> <p>4. Cases relating to the Director.</p> <p>5. Serious complaints against the Director ((incur any reasonable expenditure related to independent professional advice, guidance and/or investigation.)</p> <p>6. Cases relating to dismissal of any employee (Stage 3)</p> <p>7. Grievances (Stage 3)</p> <p>8. Monitor Rosehill's compliance with H&amp;S requirements including: reviewing all H&amp;S audits and monitoring progress with any action plans. Report outcomes to Management Committee.</p> <p>9. Hear appeals about repayment of fees (applies to professional</p>	<p>3. Recruitment and appointment of temporary staff for periods of up to 1 year.</p> <p>4. Extension of temporary contracts but overall period must not exceed a year.</p> <p>5. Approval of internal secondments.</p> <p>6. Approval of courses of study and associated costs.</p>	<p>Staffing and H&amp;S Sub-Committee.</p> <p>3. Staffing and H&amp;S Sub-committee will decide whether to use an external organisation for recruitment of Managers.</p> <p>4. Interview panel for Managers' posts will consist of the Director, 2 members of the staffing and H&amp;S sub-committee or 1 Member of the sub-committee and either the Chair or a rep from the external recruitment agency.</p> <p>5. Interview panel for Grade 8 Posts and below will consist of the Director, the Corporate Services &amp; HR Manager and the relevant Manager. (this includes any fixed term contracts)</p> <p>6. All other required interview panels will be determined by the Director.</p>
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	qualifications and other courses of study)		7. The disciplinary and grievance procedures (set out in the Terms and Conditions) state levels of authorisation for the Director and Managers.
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## 6. Housing Services

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<ol style="list-style-type: none"> <li>1. Approval of Annual Rent Review/Increases.</li> <li>2. Approval of annual increases to service charges and factoring fees.</li> <li>3. Approval and monitoring of Rosehill's strategies for tenancy sustainment, tenant participation and engagement and, digital inclusion.</li> <li>4. Approval of the tenancy agreement.</li> <li>5. Final stage Appeal Hearings for suspensions in relation to applicants and allocations.</li> </ol>		<p><b>Director:</b></p> <ol style="list-style-type: none"> <li>1. Stage 2 appeal hearings for suspensions (applicants and allocations)</li> <li>2. Authorisation to pursue and implement Decrees for eviction.</li> </ol> <p><b>Housing Services Manager:</b></p> <ol style="list-style-type: none"> <li>1. Stage 1 appeal hearings for suspensions (applicants and allocations)</li> </ol>	



6. Approval of recommendations from Tenant Scrutiny Group.			
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## 7. Technical Services

Reserved to Management Committee	Delegated to Sub-Committees	Delegated to Management Team	Comments
<ol style="list-style-type: none"> <li>1. Approval of Asset Management Plan.</li> <li>2. Selection and appointment of consultants and contractors based on Procurement Policy and Financial Regulations</li> <li>3. Appointment of consultants and contractors based on Procurement Policy and Financial Regulations</li> <li>4. Approval of Tender Acceptance in accordance with Procurement Policy and Financial Regulations.</li> </ol>		<p><b>Director:</b></p> <ol style="list-style-type: none"> <li>1. Approve contractors on a trial basis (reactive repairs).</li> <li>2. Remove non performing contractors from approved list.</li> </ol> <p><b>Technical Services Manager:</b></p> <ol style="list-style-type: none"> <li>1. Implementation of Asset Management Plan.</li> <li>2. Signing/approving grant offer of Stage 3 Adaptations.</li> <li>3. Selection and appointment of</li> </ol>	

<ol style="list-style-type: none"> <li>5. Approval of project procurement strategy / methods.</li> <li>6. Settlement of contractual claims.</li> <li>7. Purchase of land and buildings for development.</li> <li>8. Approval of housing mix and project briefs for development projects.</li> <li>9. Signing of formal building contracts.</li> <li>10. Approval of Planned and Cyclical maintenance programmes.</li> <li>11. Approval of replacement building elements and specifications.</li> </ol>		<p>consultants and contractors based on Procurement Policy and Financial Regulations.</p> <ol style="list-style-type: none"> <li>4. Signing of works contracts.</li> <li>5. Additional contract expenditure in line with the limits detailed in the financial regulations. (where works already approved by the Management Committee).</li> <li>6. Approval / refusal of tenant alterations/ improvement requests.</li> <li>7. Authorising applications for statutory permissions and consents.</li> </ol>	
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