



**Lincolnshire Housing Partnership
Roles and Delegations
July 2022**

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RESPONSIBILITIES

1. The Chair of the Board

1.1 These are set out below and will be kept under review. They also apply to any ViceChair acting as Chair (if any).

1.2 The Chair shall have the following responsibilities:

- To ensure the efficient and proper conduct of Company, Board and Committee meetings, ensuring that all Board 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 (e.g., those without a conflict of interest) and vote, are invited to do so.
- To establish a constructive working relationship with, and provide support for, the Chief Executive, and to ensure when necessary that the Chief Executive is replaced in a timely and orderly fashion.
- To ensure that the Board makes proper arrangements to appraise the performance of the Chief Executive and to determine the remuneration of the Chief Executive and members of the Executive Leadership team.
- To ensure the Board sets financially sustainable plans to ensure that LHP has the resources it needs to deliver its strategy.
- To ensure that the Board arranges its own appropriate annual appraisal, and the appraisal of the Chair of the Board (for which the Senior Independent Director (SID), if any, shall be responsible), and individual Board Members, and that the Board has arrangements in place for the replacement of Board Directors.
- To ensure that the business of LHP is carried on effectively between Board Meetings, to exercise the authority delegated by the Board under urgent decision-making powers and to ensure that the Board monitors and, where appropriate, ratify the use of delegated powers.
- To ensure that the Board delegates sufficient authority to its Committees, the Chairs, the Chief Executive, and others, to enable the business of LHP to be carried on effectively between meetings of the Board and to ensure that the Board monitors the use of these delegated powers.
- To take decisions that are delegated to the Chair of the Board.
- To ensure that the Board receives professional advice when it is needed either from its ELT or external sources.
- To ensure that LHP, save where exceptions have been agreed by the Board, complies with the NHF Code of Governance.
- To ensure that the affairs of LHP are conducted in accordance with accepted codes of performance and propriety.
- To agree the first draft of the Board minutes before they are circulated to the

rest of the Board and be satisfied that the minutes of Board meetings are approved by the Board, as an accurate and complete record. Once approved the Chair must sign the minutes for recording in the Minutes Register.

- To be satisfied that all Company meetings have been properly convened by notice to the members, and that all Company and Board meetings are quorate.
- To guide the Board members through agenda items in the order they appear (unless modified with the agreement of the meeting), ascertaining the 'sense of the meeting,' and summing up the general agreement on a particular conclusion.
- To give immediate rulings on complaints or queries relating to the procedure and conduct of the meeting, the Chair's ruling being final, adjourning any meeting of the Board or Committee for the purpose of restoring order or where required to do so by a majority of members.
- To act as a lead under the Member Conduct, Performance and Grievance Policy and to suspend a Board member pending discussions and/or investigations if the issue being considered is very serious/gross misconduct.

2. The role of the Senior Independent Director (SID)

2.1 If appointed, the SID, in common with all Board Members, has the same general legal responsibilities to LHP as any other Board Member. The Board is collectively responsible for promoting the success of LHP.

2.2 The SID shall have the following responsibilities:

- To act as a sounding board for the Chair, providing support for the Chair in the delivery of their objectives
- To have the authority to call a meeting of the Board Members if it is necessary
- To act as a conduit to the LHP Board for the communication of concerns when other channels of communication are inappropriate
- To ensure that the views of the other Board Members are given due consideration
- Be a conduit, as required, for views by other Board Members on the performance of the Chair and carry out a formal annual evaluation with the Board (excluding the Chair) to review the Chair's performance
- Conduct the Chair's annual performance appraisal
- To work with the Chair and other Board Members to resolve significant issues and to interfere to maintain Board stability in the following circumstances:

- where there is a dispute between the Chair and the Chief Executive
- where Board Members have expressed concerns that are not being addressed by the Chair or the Chief Executive
- where the strategy being followed by the Chair and the Chief Executive is not supported by the entire Board
- where the relationship between the Chair and the Chief Executive is particularly close and decisions are being made without the approval of the full Board
- where succession planning is being ignored
- Act as a trusted intermediary for Board Members where this is required to help them to challenge and contribute effectively
- Take the initiative in discussion with the Chair or other Board Members if it should seem that the Board is not functioning effectively
- To act as a lead under the Member Conduct, Performance and Grievance Policy and to suspend a Board member pending discussions and/or investigations if the issue being considered is very serious/gross misconduct.

2. Company Secretary

2.3 The Company Secretary will perform the following duties:

- The distribution of Notices and Agendas of Meetings of the Board, any Committee, Working Group, Annual General Meetings and/or Special General Meetings
- The recording and distribution of the Minutes of the proceedings of the Board, Committees, Sub-Committees and General Meetings of LHP, including agreeing the first draft of the minutes with the Chair before they are circulated to the othermembers
- To advise LHP on the application of its Rules
- To monitor the operation of general meetings, Board meetings and company secretarial functions to ensure that LHP operates within its constitution and in accordance with relevant legislation
- To ensure that proxy votes are recorded and considered
- At the Annual General Meeting, to supervise the election of Board Members in accordance with LHP's Rules
- The maintenance of a Register of Shareholders
- The making of all statutory returns on behalf of LHP
- To ensure that Audited Annual Accounts are presented to the Board
- Ensuring that LHP meets the Regulatory Code for the time being in force

- Responsibility for the completion of the Regulator's information requirements
- Responsibility for the completion of all other statutory and regulatory returns
- Keep a record of all declarations of interests of Board members and employees made at meetings

3. The Chief Executive

- 3.1 The Chief Executive is given delegated powers by Board for the management and day to day running of the Group and its business, including with the strategic and policy framework set by Board and its Committees.
- 3.2 The Chief Executive is empowered to delegate further these functions and powers to other employees as a matter of efficiency, practicality and to reflect business needs and expertise. This forms the **Delegation Schedule** at Appendix A which includes both financial and general delegations. These give individual and/or level of employees' specific authority with financial limits for such matters as placement of orders, authorising invoices, bank mandates, entering contracts, special payment requests, petty vouchers, and decoration vouchers and similar.
- 3.3 The Delegation Schedule is an important document. This is because an action or decision by an employee without formal authority from the Schedule could be challenged as unlawful. This could lead to financial losses and damage to reputation as a consequence and even disciplinary action if the employee has acted beyond his/her authority and when not authorised to act on behalf of LHP.
- 3.4 Under the Delegation Schedule:
 - Each employee exercising a delegated power should record the decision taken and reasons for it unless it is evident from the papers or file or not appropriate given the subject matter.
 - The exercise of a delegated power must be on behalf of LHP and subject to, and taking account of LHP's:
 - Policy framework
 - Budgets
 - Constitution
 - Corporate Objectives and Values
 - Value for Money requirements
 - Probity Policy and Codes of Conduct
 - Anti-Fraud and Corruption and Bribery Policies
 - Anti-Money Laundering and Anti-Slavery
 - Where appropriate proportionality under Human Rights Act
 - For avoidance of doubt, any exercise of delegated powers is subject to

having any required budgetary approvals secured.

- Any power or delegation within this Scheme shall be widely construed so as to incorporate anything which is ancillary or conducive to the discharge of the function or the power.
- Unless otherwise specified a power to approve includes a power to refuse or impose appropriate conditions.
- Employees should always consult appropriate colleagues for technical or professional advice before exercising the function and should consider consultation with a Head of Service, Executive Director, or the Chief Executive in potentially controversial or sensitive matters which might involve the reputation of LHP and/or the Group.
- Delegations granted may be withdrawn at any time generally or in specific cases and/ or be the subject of directions.
- The Company Secretary will maintain this Scheme and is authorised to update it to reflect any re-organisational changes or change in legislation.
- Delegations are given to employees at various levels of authority and expenditure commensurate with the responsibilities and seniority of the post holder.

DELEGATIONS

4. The Chief Executive

- 4.1 The following summarises the general delegations to the Chief Executive for management and operational purposes. Functions are listed under generic headings of strategy and governance, employment and performance, maintenance, and development, housing management and sealing documents. The Chief Executive will designate post holders and allocate specific authority against appropriate functions listed under these generic headings.
- 4.2 The establishment and maintenance of an organisation capable of implementing the policies and pursuing the objects of LHP.
- 4.3 To advise and assist in the formulation of policy including matters pertaining to the Constitution including Standing Orders, Financial Regulations, and other rules of LHP.
- 4.4 To review and amend policies within an agreed policy review cycle or where legislation or regulatory requirements change subject to Board approval for those policies reserved to it or where a fundamental change of direction or principle is proposed.
- 4.5 The preparation of plans, financial budgets, accounts, and regular reports, in an agreed format, for consideration by the LHP Board and Committees.
- 4.6 The establishment and maintenance of accounting and information systems requisite to the day-to-day management and control of the business of LHP and compliance with statutory and legislative requirements.

- 4.7 To exercise financial control over the business of LHP in adherence to approved Financial Regulations, the requirements, and directions of the Regulator of Social Housing and/or the Secretary of State and all applicable law.
- 4.8 Manage the affairs of LHP in accordance with the general policies and specific decisions of the Board.
- 4.9 Help the Board determine LHP's strategy and ensure effective consultation and communication on all relevant matters.
- 4.10 Ensure that LHP complies with the law and the Regulatory Standards and remains solvent.
- 4.11 Ensure that the attention of the Board and of any relevant Committee is drawn to matters that they must consider and decide
- 4.12 Ensure that the Board and all Committees are given the information necessary to perform their duties.
- 4.13 Ensure that proper systems of monitoring and control are established, maintained, and have overall responsibility for the LHP's internal audit function of LHP.
- 4.14 Ensure the supervision, with the guidance of the Chair, of the preparation of documents for consideration by the Board and relevant Committee.
- 4.15 Ensure that the relevant Chair receives appropriate support to enable the business of the Board or relevant committee to be properly conducted.
- 4.16 Lead and manage the employees of LHP and ensure that their performance is appraised.
- 4.17 To pursue, within agreed plans and budgets, the recruitment, training, motivation and direction of staff and their activities requisite to the promotion of the policies and object of Group.
- 4.18 Ensure that all proposals including those for new developments and activities and the acquisition or construction of properties, include a risk assessment which:
 - Identifies the key risk associated with the proposal including the likelihood of planning permission where appropriate
 - Assesses the impact of these risks
 - Assesses the probability of the risks crystallizing
 - Identifies an officer of LHP responsible for controlling and monitoring the risk
 - Contains proposals for controlling the risk
 - Explains how the risk will be monitored
 - Recommends an appropriate risk strategy
- 4.19 Appraise the performance of the other Executive Directors.
- 4.20 To promote and represent the interests of LHP and the Group in its relationship

with the Regulator of Social Housing, Homes England, Local Authorities, Government Departments, Professional Bodies and Organisations, the NHF, the National Housing and Planning Council and such other organisations with which the Group may establish links or become affiliate.

- 4.21 To exercise appropriate day to day control and direction over all the business of the Group and those in its employ.
- 4.22 To perform such other tasks and duties as may from time to time be required by the Board.
- 4.23 To facilitate good working relationships between ELT and the Board and its Committees.
- 4.24 Subject to these Standing Orders including Financial Regulations, the Chief Executive may, without further reference to the Board or any Committee, take the action they consider necessary to ensure the efficient and effective management and administration of the LHP's activities consistent with the policies of LHP. Under the management of and through the Chief Executive, the duties and responsibilities set out above and below may be further delegated to the other Executive Directors or other employees whom the Chief Executive shall decide from time to time shall be authorised to so act and/or whose job descriptions would normally include such activity.

5. The Human Resources

- 5.1 Within approved policies, settle Terms and Conditions of Service, salaries. And other emoluments.
- 5.2 Decide the following matters:
 - Employee recruitment, selection, deployment, and management and, subject to approved disciplinary policies and procedures, employee discipline and dismissal and the authorisation of candidates' expenses and appointees' relocation expenses, accommodation and travelling expenses.
 - Except for major changes to structures which must be approved by the Board, changes to employee structures and establishment provided that costs are met from within agreed budgets.
 - Extension of sick pay entitlements and the exercise of discretions approved under the Local Government Pension Scheme regulations 1997 (as amended).
 - Development, approval and implementation of employment policies and procedures, including all employee welfare matters, that support the overall human resource and organisational development strategies, policies, and values of LHP.
 - Operation of a performance appraisal scheme.
 - Authorisation of casual and temporary appointments and the determination

of their rates of pay and allowances.

- Informal and formal communications, consultations, and negotiations with employee representatives.
- Leave of absence in excess of normal entitlement.
- Employee training arrangements and attendance at employee courses, subject to approval by the Board of the strategic training and development plan for employees.
- Extensions of service.
- Determining ex-gratia payments to employees in cases of loss or damage to possessions in connection with the work of LHP.
- Conducting disciplinary hearings as provided for in the approved Disciplinary Policy and procedures.
- Establish, approve, and implement health and safety policies, procedure, and practice in accordance with overall policy on Health and Safety to be approved by the Board.

6. Finance

6.1 As determined under **Annex 7 the Financial Regulations**.

7. Maintenance, Property and Development

- 7.1 Applications for planning permission and the invitation and acceptance of tenders and entering of formal contracts for house construction, improvement, and repair schemes subject to the provision of Financial Regulations, Procurement Rules and within approved budgets.
- 7.2 Delivery (which includes all necessary actions) of development programmes and opportunities identified under the approved annual programme within the Asset Growth Strategy approved by Board.
- 7.3 Implementation of approved Disinvestment Strategies and programmes approved by Board either specific to identified properties or by reference to an annual financial target or capped number of properties to be identified and evaluated.
- 7.4 Negotiating and completing the ad hoc disposal of property and other assets with an individual value of up to £25,000 and the authorisation of payments in connection with this activity.
- 7.5 Determining the use of land for housing development which is not immediately required for development purposes.
- 7.6 Approval of terms for short term leases with partner agencies, miscellaneous licences and rights, wayleaves, and easements.
- 7.7 Legal and other appropriate action in connection with property and land holdings including defending and settling disrepair claims (within approved financial

delegated authority) and consultation with leaseholders and tenants in respect of rechargeable works and services (“section 20 consultation”).

8. Housing Management

- 8.1 The overall management of the housing stock including selection of tenants, letting and licensing of dwellings, garages, and other buildings, rent collection etc., in accordance with the LHP’s approved policies.
- 8.2 The termination of tenancies and leases, including the issue of appropriate legal notices and all necessary legal action, in respect of all dwellings, garages or other accommodation and land and the repossession of properties for breach of tenancy conditions.
- 8.3 Subject to the relevant Tenancy Agreement, approval of tenants’ requests in respect of sub-tenants, changes of use, alterations and extensions and erection of other structures.
- 8.4 Assessment of rents in accordance with the Regulatory Framework, approved policies and schemes and appropriate notification to tenants.
- 8.5 Determination of applications for minor alterations to boundaries.
- 8.6 Carry out repairs, improvement and modernisation programmes within approved budgets and policies.
- 8.7 Management of the warden service (Sheltered Housing Service) and the provision of supported housing and other care needs within the community in accordance with LHP’s policies.
- 8.8 Liaison with the local housing authority on matters relating to homelessness and other contractual obligations arising from the Transfer of Housing Stock Agreement between Northeast Lincolnshire Council and Boston Borough Council and LHP.
- 8.9 Administration of the Prescribed Right to Buy and Right to Acquire Schemes in accordance with the legal provisions and other schemes enabling tenants to acquire interests in their own homes.
- 8.10 Legal action to enforce or waive covenants, rights and restrictions relating to all properties of LHP subject to legal advice.
- 8.11 Instituting appropriate action to enforce conditions of sale.
- 8.12 Action to contest or agree adverse possession claims relating to land subject to legal advice.

9. Authority to attest the use of the seal and sign documents as a Deed

- 9.1 Two Board members or a Board member and Company Secretary may attest the use of LHP’s seal on documents requiring the affixing of the seal.
- 9.2 Board may grant a Power of Attorney to the Chief Executive and such members of the ELT as it determines appropriate to sign documents on its behalf as a Deed.