



Governance Policy

V.5 August 2022

Policy Number	C.07			
Document Owner	Corporate			
Review Frequency	3 yearly			
Reviewed by	Corporate Manager			
Date Approved	August 2022			
Next Review Due	August 2025			
Version Number	5			
Consultation Required	Yes		No	x
Equalities Impact Assessment	Yes		No	x
Add to Website	Yes	x	No	
Update YEAR	Yes		No	x

SHR Reference	Regulatory Standards of Governance & Financial Management
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Related Documents

- Code of Conduct for Committee Members
- Entitlements , Payments and Benefits Policy
- Standing Orders
- Delegated Authorities
- Committee Members Expenses Policy

Translation Statement

If you have any difficulties reading this information or need further help understanding our processes please contact us. We can make this document available in a variety of formats. All you need to do is let us know what you need and we will try to assist.

Compliance

This policy has been drafted to ensure that it complies with current legislation and industry good practice.

Equality & Diversity

Fyne Homes is committed to providing services which embrace diversity and which promote equality of opportunity. As an employer we are also committed to equality and diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day-to-day working practices.

Openness & Confidentiality

Fyne Homes believes that its members, tenants and other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

Data Protection

Fyne Homes recognises that the Data protection Act 1998 is an important piece of legislation to protect the rights of individuals in respect to any personal information that we may keep about them, whether on computer or in manual systems. We are registered with the Information Commissioner as a Data Controller under the Data Protection Act and must ensure that our practices in the handling of personal information are of a high standard and comply fully with the Act.

1. Introduction

- 1.1 Fyne Homes is a Scottish Registered Charity (SC 009152) and a registered Society under the Co-operative and Community Benefits Societies Act 2014 (Reg No 1454R[S])with the Industrial and Provident Societies Act. We operate three subsidiary companies- Fyne Energy Ltd, Fyne Initiatives Ltd and Fyne Futures which is a Registered Charity No 279734.
- 1.2 Fyne Homes is committed to the highest standards of conduct, honesty, integrity and probity in the governance of the Association. The Association is also committed to open communication and accountability in decision making and dissemination of information.
- 1.3 The aim of this policy is to ensure compliance with all relevant legislation and good practice as set out in Scottish Housing Regulator's (SHR) Regulation of Social Housing in Scotland , the "Regulatory Standards of Governance and Financial Management" contained within it and the Associations Rules

2. Aim

- 2.1 The overall aim of this policy is to ensure the Association shows good governance which complies with the SHR Regulatory Standards.
- 2.2 Whilst the Regulatory Standards aims to support a consistent approach, we will apply flexibility to suit individual circumstances to confirm and improve the governance and financial management policies and practices.

3. Links to vision and strategic priorities

- 3.1 This policy aims to fulfil the needs of the Association's Strategic Priorities and vision 'Building Sustainable Communities'.

4. Legal framework

- 4.1 Housing (Scotland) Act 2010
- 4.2 Regulatory Standards of Governance and Financial Management

5. SHR Regulation of Social Housing in Scotland

- 5.1 The SHR's Standards of Governance and Financial Management cover 7 key areas:
 - 5.1.1 The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.
 - 5.1.2 The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.
 - 5.1.3 The RSL manages its resources to ensure its financial well-being, while keeping rents at a level that tenants can afford to pay.
 - 5.1.4 The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.

5.1.5 The RSL conducts its affairs with honesty and integrity.

5.1.6 The governing body and senior officers have the skills and knowledge they need to be effective.

5.1.7 The RSL ensures that any organisational changes or disposal it makes safeguard the interests of, and benefit, current and future tenants.

6. Powers and Duties of the Management Committee

6.1. Management Committee core functions are:

6.1.1 To supply leadership to the association and determine its strategy.

6.1.2. To control the association's affairs and ensure compliance.

6.2. In relation to its strategic and leadership function, the core responsibilities of the Management Committee are to:

6.2.1 Determine the association's central purpose, its values and its culture, and ensure that they are consistent with our constitution.

6.2.2 Determine and keep under review our strategic direction and business aims.

6.2.3 Develop and maintain an understanding of the operating environment of the association, and take this into account in assessing our strategy.

6.2.4 Disseminate and ensure compliance with our values.

6.2.5 Establish a framework for the development, approval and review of policies and plans to achieve our business objectives.

6.2.6 Ensure that the organisation is adequately resourced to meet its business objectives.

6.2.7 Identify and manage the risks associated with our strategy.

6.2.8 Decide on and keep under review formal partnerships and alliances with other organisations.

6.2.9 Build up strategic links with external bodies and foster relationships with senior staff to enable them to discharge their strategic and leadership duties.

6.3 In relation to its control and compliance function, the core responsibilities of the Management Committee are to:

6.3.1 Establish and oversee a framework for delegation to office bearers, to sub-committees and to staff.

6.3.2 Establish and regularly review systems of internal and external control, including Standing Orders, external audit, internal audit, financial control and performance reporting.

6.3.3 Establish and oversee a framework for the identification and management of risk, in order to protect the housing association and its assets.

6.3.4 Ensure the solvency of the housing association, approve the annual budget, and approve the annual accounts prior to publication

- 6.3.5 Monitor and assess the housing association's performance against plans, budgets, controls and targets, taking into account customer feedback and the performance of comparable housing associations.
 - 6.3.6 Establish and oversee a framework for the employment of staff.
 - 6.3.7 Appoint, support, appraise and (if necessary) dismiss the Director, and decide his/her remuneration
 - 6.3.8 Ensure that the association meets all its statutory obligations and acts in accordance with regulatory expectations and accepted good practice standards.
 - 6.3.9 Ensure that the association acts in accordance with its own rules
 - 6.3.10 Assess periodically the Management Committee's own effectiveness
 - 6.3.11 Assess how well the Management Committee members follow its Code of Conduct.
- 6.4 The operational management of the housing association is delegated to the association's staff, within a framework of controls set up by the Management Committee. In practice this distinction involves a strong element of partnership between the Management Committee and staff, and demands mutual respect, trust and support.
- 6.5 Standing Orders are in place which outline the composition and remit of our Management Committee, role and election of office bearers and conduct of meetings etc.
- 6.6 The Management Committee will adopt and implement a framework for the support, training and annual review of the contributions of individual members and for the recruitment of Board and sub-committee members.
- 7. Management and Control**
- 7.1 No committee member may act as such until they agree to and sign a Code of Conduct for Committee Members
- 7.1.1 The Association subscribes to the terms of the SFHA Code of Conduct for Committee members which will require to be signed by members on an annual basis.
 - 7.1.2 All members of the Management Committee will endeavour at all times to comply with the terms of the Code of Conduct.
- 7.2 Failure by a Committee Member to follow the Code of Conduct could have serious consequences for the association. The work or the reputation of the association could be damaged as result of a member's action.
- 7.2.1 Our Code of Conduct for Management Committee Members covers arrangements to investigate breaches of standards of conduct and for taking appropriate disciplinary action when needed.
- 7.3 The Association recognises the importance of supplying high quality information to ensure that voluntary members can exercise effective governance:

- 7.3.1 Management Committee will receive regular report performance information in accordance with the Regulatory Standards and Scottish Social Housing Charter.
 - 7.3.2 An annual Assurance Statement will be published which confirms the association meets the regulatory requirements and standards for Governance and Financial Management.
 - 7.3.3 Risks are recognised by the Association in its broadest sense including operational and reputation risk as well as financial risks
 - 7.3.4 The Association is committed to developing practical and appropriate methods for managing risk and these methods will involve Management Team and staff in the identification, management and monitoring of risk on a regular basis. Full details are set out in the Risk Management Policy.
- 7.4 The Management Committee will include a statement in its audited accounts about the organisation's systems of internal financial control.
- 7.5 Internal audit is a key part of good governance and in the identification of control and risks. The association uses independent internal audit appraisals to deliver this function.
- 7.6 Membership should have a broad representation of the communities and groups that we serve.
- 7.6.1 Committee members should encourage eligible people to join the Association.
 - 7.6.2 Membership is determined by the Rules of the organisation and further information can be found in the Association's Membership Policy.
- 7.7 Ensure that effective procedures for handling complaints and appeals are set up (Complaints Policy)
- 7.8 Ensure that effective procedures for confidentially raising concerns about the propriety and probity of the conduct of the Association's business are established.(Whistleblowing Policy)

8. Information availability and confidentiality

Openness and accountability are part of the ethos of the voluntary housing movement. From the 11th November 2019 housing associations are classified as public authorities and will have a legal obligation to make certain information publically available.

In order to comply with this legislative requirement we will develop a Freedom of Information Policy and a Publication Framework detailing information that is available and where it can be found.

In making information available we will also take into account the requirements of General Data Protection Regulations.

The association will use all practical means to publicise its activities including newsletter, tenants and sharing owners handbooks, leaflet, Annual Performance Report, website the AGM and social media. Other formats are available to ensure that all individuals have access to them.

9. Reviewing process

- 9.1 This policy will be reviewed in line with the respective current Fyne Homes' policies, and/or where a change in legislation arises.
- 9.2 If there is a procedural delay in the policy revision then the relative legislation in force at the time will prevail.

Version number	Revision Date	Part of doc revised	Reason for revision	Approved by
4	August 2019	all	3 yearly review	Mgt Comm
5	August 2022	-	Documents reviewed no significant changes recommended	Mgt Committee