



SCHEME OF DELEGATION & RESERVATION OF POWERS TO THE BOARD



October 2016

STANDARD

SCHEME OF DELEGATION
&
RESERVATION OF POWERS TO THE BOARD

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Section C: SCHEMES OF RESERVATION AND DELEGATION

1. Introduction

Standing Order 5.1(1) states that “Subject to such directions as may be given by the Secretary of State, the Board may make arrangements for the exercise, on behalf of the Board, of any of its functions by a committee, sub-committee appointed by virtue of Standing Order 4, or by an officer of the Trust, or by another body as defined in Standing Order 5.1(2), in each case subject to such restrictions and conditions as the Trust thinks fit. The Code of Accountability for NHS Boards (see Section B, Appendix B) also requires that the Standing Orders include a schedule of decisions reserved for the Board.

The Scheme of Reservation and Delegation of Powers clarifies the powers reserved to the Trust Board – generally matters for which it is held accountable to the Secretary of State, while at the same time delegating to the appropriate level the detailed application of Trust policies, guidelines and procedures. However, the Board remains accountable for all of its functions; even those delegated to the Chairman, individual directors or officers, and would therefore expect to receive information about the exercise of delegated functions to enable it to maintain a monitoring role.

2. Role of the Chief Executive

The Chief Executive shall exercise all powers of the Trust which have not been retained as reserved by the Board or delegated to an executive committee or sub-committee on behalf of the Board. The Chief Executive shall prepare a Scheme of Delegation identifying which functions he/she shall perform personally and which functions have been delegated to other directors and officers. The Scheme of Delegation will be reviewed at least annually and changed as necessary if any of the duties or responsibilities of the specified Trust office changes.

All powers delegated by the Chief Executive can be re-assumed by him/her should the need arise. As Accountable Officer, the Chief Executive is accountable to the Accounting Officer of the Department of Health for the funds entrusted to the Trust.

3. Caution over use of Delegated Powers

Powers are delegated to directors and officers on the understanding that they will not exercise them in a matter that in their judgement is likely to be a cause for public concern.

4. Directors’ ability to delegate their own Delegated Powers

The Scheme of Delegation shows only the “top level” of delegation within the Trust. The Scheme is to be used in conjunction with the system of budgetary control and other established procedures within the Trust.

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5. Absence of directors or officers to whom powers have been delegated

In the absence of a director or officer to whom powers have been delegated, those powers shall be exercised by that director's or officer's superior unless alternative arrangements have been approved by the Trust Board. If the Chief Executive is absent, powers delegated to him/her may be exercised by the Acting Chief Executive after taking appropriate advice from the Chairman.

6. Reservation of powers to the Board

The Code of Accountability which has been adopted by the Trust requires the Board to determine those matters on which decisions are reserved unto it. These reserved matters are set out in the section below.

7. SCHEME OF RESERVATION

The Trust Board shall not delegate under Standing Order 5.1(1) its functions in respect of the following:

DECISIONS RESERVED TO THE BOARD
<p>General Enabling Provision The Board may determine any matter, for which it has delegated or statutory authority, it wishes in full session within its statutory powers.</p>
<p>Regulations and Control</p> <ol style="list-style-type: none"> 1. Amendments to and annual approval of Standing Orders (SOs), the Schemes of Reservation and Delegation, and Standing Financial Instructions (SFIs); at least three-yearly review and approval of the Standards of Business Conduct Policy. 2. Suspension of Standing Orders. 3. Ratification of any urgent decisions taken by the Chairman and Chief Executive in accordance with SO 5.2. 4. Require and receive directors' declarations of interests and, where there is conflict with Trust business, determine the extent to which that director may remain involved with the matter under consideration. 5. Require and receive declarations of officers' interests that may conflict with those of the Trust. 6. Adopt the organisation structures, processes and procedures to facilitate the discharge of business by the Trust and to agree modifications thereto.

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DECISIONS RESERVED TO THE BOARD

7. Receive reports from committees including those that the Trust is required by the Secretary of State or other regulation to establish and to take appropriate action thereon.
8. Confirm the recommendations of the Trust's committees where the committees do not have executive powers.
9. Establish and regularly review the terms of reference and reporting arrangements of all committees and sub-committees that are established by the Board.
10. Ratify or otherwise instances of failure to comply with Standing Orders brought to the Chief Executive's attention in accordance with SO 5.6.
11. Discipline members of the Board who are in breach of statutory requirements or Standing Orders.
12. Recognition or withdrawal of recognition of Specialist Advisory Committees.
13. Approval of arrangements relating to discharge of Trust's responsibilities as a corporate trustee for funds held on trust.
14. Approval of arrangements relating to Trust's responsibility as a bailee for patient's property
15. Ratify use of the Trust Seal.
16. Approve arrangements for dealing with complaints.

Appointments/Dismissal

1. Appoint and dismiss the Vice Chairman of the Board.
2. Appoint and dismiss committees (and individual members) that are directly accountable to the Board.
3. Confirm appointment of members of any committee of the Trust as representatives on outside bodies.
4. Approve proposals of the remuneration committee regarding directors and senior employees and those of the Chief Executive for staff not covered by the remuneration committee.

Strategy, Plans and Budgets

1. Define the mission statement and strategic aims and objectives of the Trust.
2. Approve proposals for ensuring quality and developing clinical governance in services provided by the Trust, having regard to any guidance issued by the Secretary of State.
3. Approve the Trust's Risk Management Strategy and Policy following annual review.
4. Approve annual revenue budgets and the Trust's capital programme.
5. Approve annually Trust's proposed organisational development proposals.
6. Ratify proposals for acquisition, disposal or change of use of land and/or buildings.

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DECISIONS RESERVED TO THE BOARD

7. Approve PFI proposals.
8. Approve the banking arrangements
9. Approve the award of individual contracts (other than NHS contracts) of a capital or revenue nature amounting to, or likely to amount to, **£1,000,000** (excluding VAT) or over during the period of the contract. Subject to any required TDA approval.
10. Authorise the arrangement of operational or finance leases with a total lifecycle value (including residual value) of more than **£1,000,000**.
11. Approve waivers of competition or waivers of Standing Financial Instructions where it is proposed not to accept the lowest priced tender in respect of the award of individual contracts (other than NHS contracts) of a capital or revenue nature amounting to, or likely to amount to **£100,000** (excluding VAT) or above during the period of the contract.
12. Approve expenditure in excess of approved revenue and capital budgets or cash limits above **£100,000**.
13. The discontinuation of any significant activity or operation. An activity or operation will be deemed significant if it has a gross annual income or expenditure (that is before any set off) in excess of **£500,000**.
14. Approval of individual compensation payments over **£50,000**.
16. To agree on litigation against or on behalf of the Trust
17. Approve Trust responses to consultations on major changes in health policy and health care provision both nationally and locally.
18. Approve decisions to make formal representations to government or other authorities on matters of major policy.

Policy Determination

1. Review and approval of the following Trust core policies:
 - the Standing Orders, Reservation and Delegation of Powers and Standing Financial Instructions;
 - the Risk Management Strategy and Policy;
 - the Standards of Business Conduct Policy; and the
 - Raising Concerns (Whistleblowing) Policy.

Audit

1. In line with the Local Audit and Accountability Act to appointment (and where necessary dismissal) of External Auditors.
2. Receive of the annual management letter received from the external auditor and agree proposed action, taking account of the advice, where appropriate, of the Audit Committee.
3. Receive the Head of Internal Audit Opinion and agree action on recommendations, where appropriate, of the Audit Committee.

Annual Reports and Accounts

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DECISIONS RESERVED TO THE BOARD

1. Receipt and approval of the Trust's Annual Report and Annual Accounts.
2. Receipt and approval of the Annual Report and Accounts for any funds held on trust.
3. Receipt and approval of the Trust's Quality Account.

Financial and performance monitoring and reporting

1. Receive such reports as the Board sees fit from committees in respect of their exercise of powers delegated.
2. Continuous appraisal of the affairs of the Trust by means of the receipt of reports from directors, committees and officers of the Trust. Monitoring returns required by the Department of Health shall be reported, at least in summary form, to the Board.
3. Receive reports from the Director of Finance on financial performance against budget/financial plans.
4. Receive reports from the Director of Finance on actual and forecast income from SLAs.
5. Approval of the Trust's annual end-year Information Governance Toolkit submission.

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8. DECISIONS/DUTIES DELEGATED BY THE BOARD TO COMMITTEES IN STANDING ORDERS

REF	COMMITTEE	DECISIONS/DUTIES DELEGATED TO COMMITTEES IN STANDING ORDERS
SO 4.8.2	Audit committee	<p>The Committee will review establishment and maintenance of effective systems of internal control and risk management. In particular it will review:</p> <ol style="list-style-type: none"> 1. Oversee Internal (including Counter Fraud) and External Audit services; 2. Review financial and information systems and monitor the integrity of the financial statements and review significant financial reporting judgments; 3. Review the establishment and maintenance of an effective system of integrated governance, risk management and internal control, across the whole of the organisation's activities (both clinical and non-clinical), that supports the achievement of the organisation's objectives; 4. Monitor compliance with Standing Orders and Standing Financial Instructions; 5. Review schedules of losses and compensations and make recommendations to the Board; 6. Review schedules of debtors/creditors balances over 6 months and £5,000 old an explanations/action plans; 7. Review the arrangements in place to support the Assurance Framework process prepared on behalf of the Board and advising the Board accordingly; 8. Periodically (as defined in its Terms of Reference) review the Waiver Register.
SO 4.8.3	Quality Committee	<p>Governance</p> <p>The Committee will monitor, review and report on the quality of services provided by the Trust. In particular it will review:</p> <ol style="list-style-type: none"> 1. The governance, risk management and internal control systems to ensure the delivery of safe, high quality, patient-centred care; quality indicators flagged as of concern through escalation reporting or as requested by the Trust Board; and progress in implementing action plans to address shortcomings in the quality of services, should they be identified. 2. Receive assurance as to the Trust's compliance with Care Quality Commission statutory registration requirements. 3.

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SO 4.8.4	Remuneration and Nominations Committee	<p>The Remuneration Committee shall have delegated authority from the Trust Board to determine the broad remuneration policy and performance management framework and to decide the remuneration, allowances and other terms and conditions of office for the Trust's senior managers.</p> <p>The Committee will appoint and remove the Chief Executive and, together with the Chief Executive, to appoint and remove other Executive Directors.</p>
SO 4.8.5	Finance, Investment and Performance Committee	<p>The Committee will</p> <ol style="list-style-type: none"> 1. Undertake objective scrutiny of the Trusts financial plans, investment policy and major investment decisions; 2. Review the Trust's monthly financial performance and identify key issues and risks requiring discussion or decision by the Trust Board. 3. Oversee Cost Improvement Programmes 4. Approve Outline and Final Business Cases for capital investment, including leased assets, above £250,000 subject to Trust Board approval of the Trust's overall Capital Programme. 5. Approve business case proposals with a cost implication of up to £1 million per annum. If business cases are approved that have a subsequent alteration to financial implications these must be re-presented to the Finance Committee 6. Approve proposed asset disposals where value of asset exceeds £1 million. 7. Review operational performance
SO 4.8.6	Workforce Committee	<p>The committee will:</p> <ol style="list-style-type: none"> 1. Agree targets for workforce and organisational development and monitor the Trust's performance against those targets 2. Consider workforce and organisational development strategies and make recommendations to the Trust board on the proposed strategies 3. Receive reports on key matters including: employee relations, occupational health, workforce, medical staffing, organisational development and learning and development

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9. SCHEME OF DELEGATION DERIVED FROM ACCOUNTABLE OFFICER MEMORANDUM

REF	DELEGATED TO	DUTIES DELEGATED
7	CHIEF EXECUTIVE (CE)	Accountable through NHS Accounting Officer to Parliament for stewardship of Trust resources.
9	DIRECTOR OF FINANCE (DoF)	Ensure the accounts of the Trust are prepared under principles and in a format directed by the Secretary of State for Health. Accounts must disclose a true and fair view of the Trust's income and expenditure and its state of affairs. Sign the accounts on behalf of the Board.
10	CHIEF EXECUTIVE	Sign a statement in the accounts outlining responsibilities as the Accountable Officer. Sign a statement in the accounts outlining responsibilities in respect of Internal Control.
12 & 13	CHIEF EXECUTIVE	Ensure effective management systems that safeguard public funds and assist the Trust Chairman to implement requirements of corporate governance including ensuring managers: <ul style="list-style-type: none"> • have a clear view of their objectives and the means to assess achievements in relation to those objectives • be assigned well defined responsibilities for making best use of resources • have the information, training and access to the expert advice they need to exercise their responsibilities effectively.
12	CHAIRMAN	Implement requirements of corporate governance.
13	CHIEF EXECUTIVE	Achieve value for money from the resources available to the Trust and avoid waste and extravagance in the organisation's activities. Follow through the implementation of any recommendations affecting good practice as set out on reports from such bodies as the Audit Commission.
14	DIRECTOR OF FINANCE	Approve the opening of bank accounts Managing banking arrangements, including provision of banking services, operation of accounts, preparation of instructions and list of cheque signatories. Review the banking arrangements of the Trust at regular intervals to ensure they reflect best practice and represent best value for money. Ensure competitive tenders are sought at least every 5 years. (Board approves arrangements.)
15	DIRECTOR OF FINANCE	Operational responsibility for effective and sound financial management and information.
15	CHIEF EXECUTIVE	Primary duty to see that DoF discharges this function.

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REF	DELEGATED TO	DUTIES DELEGATED
16	CHIEF EXECUTIVE	Ensuring that expenditure by the Trust complies with Parliamentary requirements.

10. SCHEME OF DELEGATION FROM THE CODE OF CONDUCT AND ACCOUNTABILITY

REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
1	BOARD	Approve procedure for declaration of hospitality and sponsorship (within Standards of Business Conduct Policy).
2	BOARD	Ensure proper and widely publicised procedures for voicing complaints, concerns about misadministration, breaches of Code of Conduct, and other ethical concerns.
3	ALL BOARD MEMBERS	Subscribe to Code of Conduct.
4	BOARD	Board members share corporate responsibility for all decisions of the Board
5	CHAIR AND NON EXECUTIVE/OFFICER MEMBERS	Chair and non-officer members are responsible for monitoring the executive management of the organisation and are responsible to the Secretary of State for Health for the discharge of those responsibilities.
6	BOARD	The Board has six key functions for which it is held accountable by the Department of Health on behalf of the Secretary of State: <ol style="list-style-type: none"> 1. to ensure effective financial stewardship through value for money, financial control and financial planning and strategy; 2. to ensure that high standards of corporate governance and personal behaviour are maintained in the conduct of the business of the whole organisation; 3. to appoint, appraise and remunerate senior executives; 4. to ratify the strategic direction of the organisation within the overall policies and priorities of the Government and the NHS, define its annual and longer term objectives and agree plans to achieve them; 5. to oversee the delivery of planned results by monitoring performance against objectives and ensuring corrective action is taken when necessary; 6. to ensure effective dialogue between the organisation and the local community on its plans and performance and that these are responsive to the community's needs.
7	BOARD	It is the Board's duty to: <ol style="list-style-type: none"> 1. act within statutory financial and other constraints; 2. be clear what decisions and information are appropriate to the Board and draw up

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REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
		<p>Standing Orders, a schedule of decisions reserved to the Board and Standing Financial Instructions to reflect these,</p> <ol style="list-style-type: none"> 3. ensure that management arrangements are in place to enable responsibility to be clearly delegated to senior executives for the main programmes of action and for performance against programmes to be monitored and senior executives held to account; 4. establish performance and quality measures that maintain the effective use of resources and provide value for money; 5. specify its requirements in organising and presenting financial and other information succinctly and efficiently to ensure the Board can fully undertake its responsibilities; 6. establish Audit and Remuneration Committees on the basis of formally agreed terms of reference that set out the membership of the sub-committee, the limit to their powers, and the arrangements for reporting back to the main Board.
8	CHAIR	<p>It is the Chairman's role to:</p> <ol style="list-style-type: none"> 1. provide leadership to the Board; 2. enable all Board members to make a full contribution to the Board's affairs and ensure that the Board acts as a team; 3. ensure that key and appropriate issues are discussed by the Board in a timely manner, 4. ensure the Board has adequate support and is provided efficiently with all the necessary data on which to base informed decisions; 5. lead Non-Executive Board members through a formally-appointed Remuneration Committee of the main Board on the appointment, appraisal and remuneration of the Chief Executive and (with the latter) other Executive Board members; 6. appoint Non-Executive Board members to an Audit Committee of the main Board; 7. advise the Secretary of State on the performance of Non-Executive Board members.
9	CEO	<p>The Chief Executive is accountable to the Chairman and Non-Executive members of the Board for ensuring that its decisions are implemented, that the organisation works effectively, in accordance with Government policy and public service values and for the maintenance of proper financial stewardship. The Chief Executive should be allowed full scope, within clearly defined delegated powers, for action in fulfilling the decisions of the Board.</p> <p>The other duties of the Chief Executive as Accountable Officer are laid out in the Accountable Officer Memorandum.</p>
10	NON EXECUTIVE	Non-Executive Directors are appointed by THE Trust Development Authority to bring

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REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
	DIRECTORS	independent judgement to bear on issues of strategy, performance, key appointments and accountability through the Department of Health to Ministers and to the local community.
11	CHAIR AND DIRECTORS	Declaration of conflict of interests.
12	BOARD	NHS Boards must comply with legislation and guidance issued by the Department of Health on behalf of the Secretary of State, respect agreements entered into by themselves or in on their behalf and establish terms and conditions of service that are fair to the staff and represent good value for taxpayers' money.

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11. SCHEME OF DELEGATION FROM STANDING ORDERS (SOs)

SO REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
1.1	CHAIRMAN	Final authority in interpretation of Standing Orders (SOs).
2.4	BOARD	Appointment of Vice Chairman.
3.1	CHAIRMAN	Call meetings
3.9	CHAIRMAN	Chair all Board meetings and associated responsibilities.
3.10	CHAIRMAN	Give final ruling in questions of order, relevancy and regularity of meetings.
3.12	CHAIRMAN	Having a second or casting vote.
3.13	BOARD	Suspension of Standing Orders.
3.13	AUDIT COMMITTEE	Review every decision to suspend Standing Orders
3.14	BOARD	Waiver, variation or amendment of Standing Orders.
4.1	BOARD	Formal delegation of powers to sub committees or joint committees and approval of their constitution and terms of reference.
5.2	CHAIRMAN & CHIEF EXECUTIVE	The powers which the Board has retained to itself within these Standing Orders may in emergency be exercised by the Chair and Chief Executive after having consulted at least two Non-Executive members.
5.4	CHIEF EXECUTIVE	The Chief Executive shall prepare a Scheme of Delegation identifying his/her proposals that shall be considered and approved by the Board, subject to any amendment agreed during the discussion.
5.6	ALL	Disclosure of non-compliance with Standing Orders to the Chief Executive as soon as possible.
7.1	BOARD	Declare relevant and material interests.

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SO REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
7.6	DIRECTOR OF CORPORATE DEVELOPMENT, GOVERNANCE AND ASSURANCE	Maintain Register(s) of Interests.
7.10	ALL	Comply with national guidance contained in HSG 1993/5 "Standards of Business Conduct for NHS Staff" and the Code of Conduct for NHS Managers 2002.
7.10	ALL	Disclose relationship between self and candidate for staff appointment. (CE to report the disclosure to the Board.)
8.1 / 8.3	DIRECTOR OF CORPORATE DEVELOPMENT, GOVERNANCE AND ASSURANCE	Keep the Trust Seal in a safe place and maintain a Register of Sealings.
8.4	CHIEF EXECUTIVE / EXECUTIVE DIRECTOR	Approve and sign all documents which will be necessary in legal proceedings.

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12. OTHER DELEGATED FUNCTIONS

REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
1	Chief Executive and Director of Facilities and Capital Development	Arrangements for the management of land, buildings and other assets belonging to or leased by the Trust.
2	Director of Facilities and Capital Development	Preparation of tenancy agreements.
3	Medical Director and Clinical Director for R&D	Authorisation of sponsorship deals and research projects.
4	Relevant Divisional General Manager or Corporate Director	Management and control of stocks.
5	Chief Operating Officer	Management and control of IT systems and facilities.
6	Director of Facilities and Capital Development Director of Corporate Development, Governance and Assurance Director of HR Medical Director and Director of Nursing Director of Strategy and Partnerships	- Property issues - Medical staff and clinical litigation issues - HR issues - Commercial legal issues Engaging the Trust's legal advisers
7	Director of Facilities and Capital Development and Director of Corporate Development, Governance and Assurance	Health and safety operational management arrangements including statutory compliance and fire.

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REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
8	Director of Corporate Development, Governance and Assurance	Compliance with the Data Protection Act and the Freedom of Information Act.
9	Director of Corporate Development, Governance and Assurance	Management of the NHS Litigation Authority and medical litigation and personal injury claims.
10	Director of Corporate Development, Governance and Assurance	Membership of the NHSLA non-clinical insurance schemes and other non-clinical insurance arrangements.
11	Head of Communications	Arrangements for dealing with the media.
12	Director of Finance	Approve arrangements relating to the discharge of the Trust's responsibilities as a bailer for patients' property.
13	Director of Finance	Approve proposals in individual cases for the write off of losses or making of special payments above the limits of delegation to the Chief Executive and Director of Finance (for losses and special payments) previously approved by the Board.
14	Director of Finance and Director of Workforce and Transformation	Approve individual compensation payments.

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13. SCHEME OF DELEGATION FROM STANDING FINANCIAL INSTRUCTIONS (SFIs)

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
10.1.3	DIRECTOR OF FINANCE	Approval of all financial procedures
10.1.4	DIRECTOR OF FINANCE	Advice on interpretation or application of SFIs.
10.1.6	ALL MEMBERS OF THE BOARD AND EMPLOYEES	Have a duty to disclose any non-compliance with the SFIs to the Director of Finance as soon as possible.
10.2.4	CHIEF EXECUTIVE	Responsible as the Accountable Officer to ensure financial targets and obligations are met and have overall responsibility for the system of Internal Control.
10.2.4	CHIEF EXECUTIVE AND DIRECTOR OF FINANCE	Accountable for financial control but will, as far as possible, delegate their detailed responsibilities
10.2.5	CHIEF EXECUTIVE	To ensure all Board members, officers and employees, present and future, are notified of and understand SFIs.
10.2.6	DIRECTOR OF FINANCE	Responsible for: <ul style="list-style-type: none"> a) Implementing the Trust's financial policies and coordinating corrective action; b) Maintaining an effective system of financial control including ensuring detailed financial procedures and systems are prepared and documented; c) Ensuring that sufficient records are maintained to explain Trust's transactions and financial position; d) Providing financial advice to members of Board and staff; e) The design, implementation and supervision of systems of internal control. f) Maintaining such accounts, certificates, etc. as required for the Trust to carry out its statutory duties.
10.2.7	ALL MEMBERS OF THE BOARD AND EMPLOYEES	Responsible for security of the Trust's property, avoiding loss, exercising economy and efficiency in using resources and conforming with the requirements of Standing Orders, Standing Financial Instructions, Financial Procedures and the Scheme of Delegation.
10.2.8	CHIEF EXECUTIVE	Ensure that any contractor or employees of a contractor who is empowered by the Trust to commit the Trust to expenditure or who is authorised to obtain income are made aware of these instructions and their requirement to comply.
11.1.1	AUDIT COMMITTEE	Provide independent and objective view on internal control and probity.
11.1.2	CHAIR OF AUDIT COMMITTEE	Raise the matter at the Board meeting where Audit Committee considers there is evidence of ultra vires transactions or improper acts.

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SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
11.1.3 & 11.2.1	DIRECTOR OF FINANCE	Ensure an adequate Internal Audit service is provided and the Audit Committee shall be involved in the selection process when/if an Internal Audit service provider is changed Ensure the annual audit report is prepared for consideration by the Audit Committee
11.2.1	DIRECTOR OF FINANCE	Decide at what stage to involve police in cases of misappropriation and other irregularities not involving fraud or corruption.
11.3	HEAD OF INTERNAL AUDIT	Review, appraise and report in accordance with NHS Internal Audit Manual and best practice.
11.4	AUDIT COMMITTEE	Ensure cost-effective External Audit.
11.5	CHIEF EXECUTIVE & DIRECTOR OF FINANCE	Monitor and ensure compliance with Secretary of State's on fraud and corruption including the appointment of the Local Counter Fraud Specialist.
11.6	CHIEF EXECUTIVE	Monitor and ensure compliance with Directions issued by the Secretary of State for Health on NHS security management including appointment of the Local Security Management Specialist.
12.1.1	CHIEF EXECUTIVE	Compile and submit to the Board an Annual Plan which takes into account financial targets and forecast limits of available resources. The Annual Plan will contain: <ul style="list-style-type: none"> a statement of the significant assumptions on which the plan is based; details of major changes in workload, delivery of services or resources required to achieve the plan.
12.1.2 & 12.1.3	DIRECTOR OF FINANCE	Submit revenue and capital budgets to the Board for approval. Monitor performance against budget; submit to the Board financial estimates and forecasts.
12.1.6	DIRECTOR OF FINANCE	Ensure adequate training is delivered on an ongoing basis to budget holders.
12.2.1	CHIEF EXECUTIVE	Delegate budget to budget holders.
12.2	ANY EXECUTIVE DIRECTOR OR DIVISIONAL DIRECTOR	Authorisation of unbudgeted expenditure up to £10,000 only if required due to unforeseen circumstances
12.3	DIRECTOR OF FINANCE CHIEF EXECUTIVE	Authorisation of unbudgeted expenditure between £50,000 and £100,000 Authorisation of unbudgeted expenditure between £100,000 and £250,000
12.3.1	DIRECTOR OF FINANCE	Authorisation and approval to utilise Trust Reserves
12.4.1	DIRECTOR OF FINANCE	Devise and maintain systems of budgetary control.
12.4.2	BUDGET HOLDERS	Ensure that <ul style="list-style-type: none"> a) no overspend or reduction of income that cannot be met from virement is incurred without prior consent of Board; b) approved budget is not used for any other than specified purpose subject to rules of virement; c) with the exception of Medical and Dental Consultants, no permanent employees are appointed without the approval of the Chief Executive other than those provided for

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SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
		<p>within available resources and manpower establishment.</p> <p>(d) no new Medical or Dental Consultant posts can be created other than those agreed to in the Annual Business Plan or by approval of a business case by the relevant Trust committee according to terms of reference.</p> <p>(e) identifying and implementing cost improvements, cost savings and income generation initiatives to achieve a balanced budget; and</p> <p>(f) effective systems exist within the directorate to ensure that all expenditure is authorised in advance of commitment (e.g. operation of authorised signatory systems) and that the individuals incurring expenditure fully understand their budgetary control responsibilities.</p>
12.4.3	CHIEF EXECUTIVE	Identify and implement cost improvements and income generation activities in line with the Annual Plan.
12.6.1	CHIEF EXECUTIVE	Submit monitoring returns
13.1	DIRECTOR OF FINANCE	Preparation of annual accounts and reports.
14	DIRECTOR OF FINANCE	<p>Approve the opening of bank accounts</p> <p>Managing banking arrangements, including provision of banking services, operation of accounts, preparation of instructions and list of cheque signatories.</p> <p>Review the banking arrangements of the Trust at regular intervals to ensure they reflect best practice and represent best value for money.</p> <p>Ensure competitive tenders are sought at least every 5 years.(Board approves arrangements.)</p>
15	DIRECTOR OF FINANCE	Income systems, including system design, prompt banking, review and approval of fees and charges, debt recovery arrangements, design and control of receipts, provision of adequate facilities and systems for employees whose duties include collecting or holding cash.
15.2	ALL EMPLOYEES	Duty to inform DoF of money due from transactions which they initiate/deal with. An advanced deposit must be obtained for all self-pay elective activity equivalent to the estimated cost of the treatment in advance of any treatment being provided.
16	CHIEF EXECUTIVE	Tendering and contract procedure.
16.5.1	DIRECTOR OF FINANCE	Waive formal tendering procedures for contracts below £100,000. Subject to EU legislation
16.5.2	TRUST BOARD	Waive formal tendering procedures for contracts above £500,000. Subject to EU legislation
16.5.3	DIRECTOR OF FINANCE	Report waivers of tendering procedures to the Audit Committee.
16.5.4	CEO	Waive formal tendering procedures for contracts below ≤100,000. Subject to EU legislation
16.5.5	DIRECTOR OF FINANCE	Approve seeking tenders from building or engineering construction works supplier not on the approved list and record in waivers register and report to Audit Committee.
16.6.2	DIRECTOR OF CORPORATE	Responsible for the receipt, endorsement safe custody and opening of tenders

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SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
	DEVELOPMENT, GOVERNANCE & ASSURANCE	
16.6.3.	ANY TWO TRUST BOARD DIRECTORS	Responsible for the opening of electronic process sealed tenders
16.6.3	DIRECTOR OF FINANCE / DIRECTOR OF CORPORATE DEVELOPMENT, GOVERNANCE AND ASSURANCE	Responsible for the opening of paper tenders
16.6.3	DIRECTOR OF FINANCE / DIRECTOR OF CORPORATE DEVELOPMENT, GOVERNANCE AND	Maintain a register to show each set of competitive tender invitations dispatched.
16.6.5	DIRECTOR OF FINANCE	Determine admissibility of tenders if the tenders received are not strictly competitive.
16.6.5	DIRECTOR OF FINANCE	Responsible for treatment of late tenders.
16.6.6	CHIEF EXECUTIVE / DIRECTOR OF FINANCE	No tender shall be accepted which will commit expenditure in excess of that which has been allocated by the Trust and which is not in accordance with these Instructions except with the authorisation of the Chief Executive as advised by the Director of Finance.
16.6.7	DIRECTOR OF FINANCE/ DIRECTOR OF FACILITIES & CAPITAL DEVELOPMENT	Will appoint a manager to maintain a list of building and engineering construction works approved firms.
16.6.8	DIRECTOR OF FINANCE/ DIRECTOR OF FACILITIES & CAPITAL DEVELOPMENT	Shall ensure that appropriate checks are carried out as to the technical and financial capability of those firms that are invited to tender or quote.
16.7	DIRECTOR OF FACILITIES & CAPITAL DEVELOPMENT	Responsible for the provision and updating of the Procurement of Goods and Services policy.
16.7.1	DIRECTOR OF FINANCE/ DIRECTOR OF FACILITIES & CAPITAL DEVELOPMENT	The Director of Finance and / or the Director of Facilities and Capital Development or nominated officer e.g. Head of Procurement and the respective Directorate should evaluate the tender/quotation and select the quote which gives the best value for money.
16.7.3	CHIEF EXECUTIVE / DIRECTOR OF FINANCE	No quotation shall be accepted which will commit expenditure in excess of that which has been allocated by the Trust and which is not in accordance with these Instructions except with the authorisation of the Chief Executive advised by the Director of Finance

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
16.8	EXECUTIVE DIRECTOR	Authorisation of Tenders and Competitive Quotations; Under £100,000 (excluding VAT and over the life of the contract), with professional guidance from the Head of Procurement
16.8	DIRECTOR OF FINANCE & DIRECTOR OF FACILITIES	Authorisation of Tenders and Competitive Quotations; Up to Between £100,000 and £500 000 (excluding VAT and over the life of the contract), with professional guidance from the Head of Procurement
16.8	CEO	Authorisation of Tenders and Competitive Quotations; Up to £1,000000(excluding VAT and over the life of the contract), with professional guidance from the Head of Procurement
16.8	BOARD	Authorisation of Tenders over £1,000,000
16.10	CEO	The Chief Executive shall demonstrate that the use of private finance represents value for money and genuinely transfers risk to the private sector.
16.10	BOARD	All PFI proposals must be agreed by the Board.
16.11	CEO	The Chief Executive shall nominate an officer who shall oversee and manage each contract on behalf of the Trust.
16.12	CEO	The Chief Executive shall nominate officers with delegated authority to enter into contracts of employment, regarding staff, agency staff or temporary staff service contracts. With the exception of Medical Consultant staff and, subject to compliance with existing HR and financial controls, this will be Divisional General Managers and Corporate Directors.
16.18	CEO	The Chief Executive shall be responsible for ensuring that best value for money can be demonstrated for all services provided on an in-house basis.
16.22	DIRECTOR OF FINANCE	Authorise the arrangement of operational or finance leases with a total lifecycle value (including residual value) of less than £1,000,000.
16.22	BOARD	Authorise the arrangement of operational or finance leases with a total lifecycle value (including residual value) of more than £1,000,000.
17.1.1.	CEO	Must ensure the Trust enters into suitable Service Level Agreements (SLAs) with service commissioners for the provision of NHS services.
17.3	CEO	As the Accountable Officer, ensure that regular reports are provided to the Board detailing actual and forecast income from the SLA.
18.1.1	BOARD	Establish a Remuneration Committee.
18.1.2	REMUNERATION COMMITTEE	Agree the remuneration and terms of service of the Chief Executive, other officer members and senior employees to ensure they are fairly rewarded having proper regard to the Trust's circumstances and any national agreements. Monitor and evaluate the performance of individual senior employees.
18.2.2	CEO	Approval of variation to funded establishment of any department. Delegated to DoF or DoW&T
18.3	CEO	Staff, including agency staff, appointments and re-grading.

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
18.3.5	DIRECTOR OF WORKFORCE AND TRANSMFORMATION / DIRECTOR OF FINANCE	Approve redundancy payments, non-contractual payments and compromise agreements less than £50 000 with larger amounts requiring TDA approval.
18.3.5	REMUNERATION COMMITTEE	Agree those Compromise Agreements, Settlements and Redundancy Payments which require final approval by NHS London/HM Treasury as well as any proposed termination payment to the Chief Executive or an Executive Director. Approve redundancy payments, non-contractual payments and compromise agreements less than £50 000 or up to £100 000 where TDA approval not required Receive reports on all other redundancy payments, non-contractual payments and compromise agreements.
18.4.1 and 18.4.2	DIRECTOR OF FINANCE	Payroll: a) specifying timetables for submission of properly authorised time records and other notifications; b) final determination of pay and allowances; c) making payments on agreed dates; d) agreeing method of payment; e) issuing instructions (as listed in SFI 18.4.2).
18.4.3	NOMINATED MANAGERS*	Submit time records in line with timetable. Complete time records and other notifications in required form. Submitting termination forms in prescribed form and on time.
18.4.4	DIRECTOR OF FINANCE	Ensure that the chosen method for payroll processing is supported by appropriate (contracted) terms and conditions, adequate internal controls and audit review procedures and that suitable arrangement are made for the collection of payroll deductions and payment of these to appropriate bodies.
18.5	NOMINATED MANAGERS*	Ensure that all employees are issued with a Contract of Employment in a form approved by the Board and which complies with employment legislation; and deal with variations to, or termination of, contracts of employment.
19.1	CEO	Determine, and set out, level of delegation of non-pay expenditure to budget managers, including a list of managers authorised to place requisitions, the maximum level of each requisition and the system for authorisation above that level.
19.1.3	CEO	Set out procedures on the seeking of professional advice regarding the supply of goods and services.
19.2.1	REQUISITIONER*	In choosing the item to be supplied (or the service to be performed) shall always obtain the best value for money for the Trust. In so doing, the advice of the Trust's adviser on supply

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
		shall be sought.
19.2.2	DIRECTOR OF FINANCE	Shall be responsible for the prompt payment of accounts and claims.
19.2.3	DIRECTOR OF FINANCE	<p>a) Advise the Board regarding the setting of thresholds above which quotations (competitive or otherwise) or formal tenders must be obtained; and, once approved, the thresholds should be incorporated in standing orders and regularly reviewed;</p> <p>b) Prepare procedural instructions [where not already provided in the Scheme of Delegation or procedure notes for budget holders] on the obtaining of goods, works and services incorporating the thresholds;</p> <p>c) Be responsible for the prompt payment of all properly authorised accounts and claims;</p> <p>d) Be responsible for designing and maintaining a system of verification, recording and payment of all amounts payable;</p> <p>e) Be responsible for a timetable and system for submission to the Director of Finance of accounts for payment; provision shall be made for the early submission of accounts subject to cash discounts or otherwise requiring early payment;</p> <p>f) Instructions to employees regarding the handling and payment of accounts within the Finance Department;</p> <p>g) Be responsible for ensuring that payment for goods and services is only made once the goods and services are received</p>
19.2.3	DIRECTOR OF FINANCE	Approve requisitions within budget not exceeding £1,000,000
19.2.4	APPROPRIATE EXEC DIRECTOR	Make a written case to the DoF to support the need for a prepayment
19.2.4	DIRECTOR OF FINANCE	Approve proposed prepayment arrangements
19.2.4	BUDGET HOLDER	Ensure that all items due under a prepayment contract are received (and immediately inform DoF if problems are encountered).
19.2.5	CEO	Authorise who may use and be issued with official orders.
19.2.6	MANAGERS AND DIRECTORS	Ensure that they comply fully with the guidance and limits specified by the Director of Finance
19.2.8	CEO AND DIRECTOR OF FINANCE (DIRECTOR OF FACILITIES & CAPITAL DEVELOPMENT)	<p>Ensure that the arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the guidance contained within CONCODE and ESTATECODE.</p> <p>The technical audit of these contracts shall be the responsibility of the relevant Director.</p>
19.3	DIRECTOR OF FINANCE	Lay down procedures for payments to local authorities and voluntary organisations made under the powers of section 28A of the NHS Act.
20.1.1	DIRECTOR OF FINANCE	The DoF will advise the Board on the Trust's ability to pay dividend on PDC and report,

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
	(DoF)	periodically, concerning the PDC debt and all loans and overdrafts.
20.1.2	BOARD	Approve a list of employees authorised to make short term borrowings on behalf of the Trust. (This must include the CE and DoF.)
20.1.3	DIRECTOR OF FINANCE	Prepare detailed procedural instructions concerning applications for loans and overdrafts.
20.1.5	CEO / DIRECTOR OF FINANCE	Be on an authorising panel comprising one other member for short term borrowing approval.
20.2.2	DIRECTOR OF FINANCE	Will advise the Board on investments and report, periodically, on performance of same.
20.2.3	DIRECTOR OF FINANCE	Prepare detailed procedural instructions on the operation of investments held.
21	DIRECTOR OF FINANCE	Ensure that Board members are aware of the Financial Framework and ensure compliance
22.1.1 & 2	CEO	Capital investment programme: a) ensure that there is adequate appraisal and approval process for determining capital expenditure priorities and the effect that each has on plans b) responsible for the management of capital schemes and for ensuring that they are delivered on time and within cost; c) ensure that capital investment is not undertaken without availability of resources to finance all revenue consequences; d) ensure that a business case is produced for each proposal
22.1.2	DIRECTOR OF FINANCE	Certify professionally the costs and revenue consequences detailed in the business case for capital investment.
22.1.3	CEO	Issue procedures for management of contracts involving stage payments.
22.1.4	DIRECTOR OF FINANCE	Assess the requirement for the operation of the construction industry taxation deduction scheme.
22.1.5	DIRECTOR OF FINANCE	Issue procedures for the regular reporting of expenditure and commitment against authorised capital expenditure.
22.1.6	CEO	Issue manager responsible for any capital scheme with authority to commit expenditure, authority to proceed to tender and approval to accept a successful tender. Issue a scheme of delegation for capital investment management.
22.1.7	DIRECTOR OF FINANCE	Issue procedures governing financial management, including variation to contract, of capital investment projects and valuation for accounting purposes.
22.2.1	DIRECTOR OF FINANCE	Demonstrate that the use of private finance represents value for money and genuinely transfers significant risk to the private sector.
22.2.1	BOARD	Proposal to use PFI must be specifically agreed by the Board.
22.3.1	CEO	Maintenance of asset registers (on advice from Director of Finance and Director of Facilities and Capital Development.

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
22.3.5	DIRECTOR OF FINANCE	Approve procedures for reconciling balances on fixed assets accounts in ledgers against balances on fixed asset registers.
22.3.8	DIRECTOR OF FINANCE	Calculate and pay capital charges in accordance with Department of Health requirements
22.4.1.	CEO	Overall responsibility for fixed assets.
22.4.2	DIRECTOR OF FINANCE	Approval of fixed asset control procedures.
22.4.4	BAORD AND ALL SENIOR STAFF	Responsibility for security of Trust assets including notifying discrepancies to DoF, and reporting losses in accordance with Trust procedure
23.2	CEO	Delegate overall responsibility for control of stores (subject to DoF responsibility for systems of control). Further delegation for day-to-day responsibility subject to such delegation being recorded.
23.2	DIRECTOR OF FINANCE	Responsible for systems of control over stores and receipt of goods.
23.2	HEAD OF PHARMACY	Responsible for controls of pharmaceutical stocks
23.2	DIRECTOR OF FACILITIES & CAPITAL DEVELOPMENT	Responsible for control of stocks of fuel oil and coal.
23.2	NOMINATED OFFICERS*	Security arrangements and custody of keys.
23.2	DIRECTOR OF FINANCE	Set out procedures and systems to regulate the stores.
23.2	DIRECTOR OF FINANCE	Agree stocktaking arrangements
23.2	DIRECTOR OF FINANCE	Approve alternative arrangements where a complete system of stores control is not justified.
23.2	DIRECTOR OF FINANCE	Approve system for review of slow moving and obsolete items and for condemnation, disposal and replacement of all unserviceable items.
23.2	NOMINATED OFFICERS *	Operate system for slow moving and obsolete stock, and report to DoF evidence of significant overstocking.
23.3	CEO	Identify persons authorised to requisition and accept goods from NHS Supplies stores
24.1.1	DIRECTOR OF FINANCE	Prepare detailed procedures for disposal of assets including condemnations and ensure that these are notified to managers.
24.2.1	DIRECTOR OF FINANCE	Prepare procedures for recording and accounting for losses, special payments and informing police in cases of suspected arson or theft.
24.2.2	ALL STAFF	Discovery or suspicion of loss of any kind must be reported immediately to either head of department or nominated officer. The head of department / nominated officer should then inform the CE and DoF.
24.2.2	DIRECTOR OF FINANCE	Where a criminal offence is suspected, DoF must inform the police if theft or arson is involved. In cases of fraud and corruption DoF must inform the relevant Local Counter Fraud Service and CFSMS Regional Team in line with SoS directions.

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
24.2.2	DIRECTOR OF FINANCE	Notify CFSMS and External Audit of all frauds.
24.2.3	DIRECTOR OF FINANCE	Notify Board and External Auditor of losses caused theft, arson, neglect of duty or gross carelessness (unless trivial).
24.2	SEE SCHEDULE III	Authority to write off losses and make and Special Payments
24.2.4	BOARD	Approve write off of losses (within limits delegated by DH).
24.2.6	DIRECTOR OF FINANCE	Consider whether any insurance claim can be made.
24.2.7	DIRECTOR OF FINANCE	Maintain losses and special payments register.
25.1	DIRECTOR OF FINANCE	Responsible for accuracy and security of computerised financial data.
25.1	DIRECTOR OF FINANCE	Satisfy him/ herself that new financial systems and amendments to current financial systems are developed in a controlled manner and thoroughly tested prior to implementation. Where this is undertaken by other organisation assurances of adequacy must be obtained from them prior to implementation.
25.1.3	DIRECTOR OF CORPORATE DEVELOPMENT, GOVERNANCE AND ASSURANCE	Shall publish and maintain a Freedom of Information Publication Scheme.
25.2.1	RELEVANT OFFICERS	Send proposals for general computer systems to Director responsible for IT
25.3	CHIEF OPERATING OFFICER	Ensure that contracts with other bodies for the provision of computer services for financial applications clearly define responsibility of all parties for security, privacy, accuracy, completeness and timeliness of data during processing, transmission and storage, and allow for audit review. Seek periodic assurances from the provider that adequate controls are in operation.
25.4	CHIEF OPERATING OFFICER	Ensure that risks to the Trust from use of IT are identified and considered and that disaster recovery and business continuity plans are in place.
25.5	DIRECTOR OF FINANCE/ CHIEF OPERATING OFFICER	Where computer systems have an impact on corporate financial systems satisfy himself that: a) systems acquisition, development and maintenance are in line with corporate policies; b) data assembled for processing by financial systems is adequate, accurate, complete and timely, and that a management trail exists; c) DoF and staff have access to such data; d) such computer audit reviews as are considered necessary are being carried out.
26.2	CEO	Responsible for ensuring patients and guardians are informed about patients' money and property procedures on admission.
26.3	DIRECTOR OF FINANCE	Provide detailed written instructions on the collection, custody, investment, recording,

STANDARD

SFI REF	DELEGATED TO	AUTHORITIES / DUTIES DELEGATED
		safekeeping, and disposal of patients' property (including instructions on the disposal of the property of deceased patients and of patients transferred to other premises) for all staff whose duty is to administer, in any way, the property of.
26.3.4	DEPARTMENTAL MANAGERS	Inform staff of their responsibilities and duties for the administration of the property of patients.
27	DIRECTOR OF FINANCE/ DIRECTOR OF CORPORATE DEVELOPMENT, GOVERNANCE AND ASSURANCE	Ensure all staff are made aware of the Trust policy on the acceptance of gifts and other benefits in kind by staff.
28	CEO	Retention of document procedures in accordance with HSC 1999/053.
29.1	CEO	Risk management programme.
29.1	BOARD	Approve and monitor risk management programme.
29.2	BOARD	Decide whether the Trust will use the risk pooling schemes administered by the NHS Litigation Authority or self-insure for some or all of the risks (where discretion is allowed). Decisions to self-insure should be reviewed annually
29.4	DIRECTOR OF FINANCE	Where the Board decides to use the risk pooling schemes administered by the NHS Litigation Authority the DoF shall ensure that the arrangements entered into are appropriate and complementary to the risk management programme. The Director of Finance shall ensure that documented procedures cover these arrangements. Where the Board decides not to use the risk pooling schemes administered by the NHS Litigation Authority for any one or other of the risks covered by the schemes, the DoF shall ensure that the Board is informed of the nature and extent of the risks that are self-insured as a result of this decision. The Director of Finance will draw up formal documented procedures for the management of any claims arising from third parties and payments in respect of losses that will not be reimbursed.
29.4	DIRECTOR OF FINANCE	Ensure documented procedures cover management of claims and payments below the deductible.
30.2	DIRECTOR OF FINANCE	The DoF shall ensure that each trust fund which the Trust acts as Corporate Trustee is managed appropriately with regard to its purpose and to its requirements.

STANDARD