

RESERVATION OF POWERS TO THE BOARD

AND

DELEGATION OF POWER

Version Control

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Responsible Directorate:	Corporate
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This version of the Trust's Reservation of Powers to the Board and Delegation of Powers incorporates amendments approved at the following meetings.

Version	Date	Author	Meeting
2010			Audit Committee
2011	04.10.11	Alex Manu	Audit Committee
2012	16.10.12	Alex Manu	Audit Committee
2013	14.01.14	Martin Davies	Audit Committee
2014	16.09.14	Martin Davies	Audit Committee
2014	29.09.14	Martin Davies	Trust Board
2015	03.11.15	Martin Davies	Audit Committee
2015	16.11.15	Martin Davies / Barry Ray	Trust Board
2016	18.07.16	Martin Davies	Trust Board
2016	14.11.16	Martin Davies	Audit Committee
2016	28.11.16	Martin Davies	Trust Board
2017	13.11.16	Martin Davies	Audit Committee
2017	27.11.17	Martin Davies	Trust Board
2018	12.11.18	Martin Davies	Audit Committee
2018	26.11.18	Martin Davies	Trust Board
2019	11.11.19	Nina van Markwijk	Audit Committee
2019	25.11.19	Nina Van Markwijk	Trust Board
2020	16.11.20	Martin Davies	Audit Committee

The Trust's Reservation of Powers to the Board and Delegation of Powers are maintained by the Head of Financial Assurance on behalf of the Trust Board. Enquiries regarding the interpretation of these Reservation of Powers to the Board and Delegation of Powers should be directed to the Head of Financial Assurance in the first instance.

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1. INTRODUCTION

- 1.1 NHS Trusts are required to demonstrate the existence of comprehensive governance arrangements which may be delegated in accordance with Section 15 of Schedule 7 of the National Health Service Act 2006.
- 1.2 This document is the Reservation of Powers to the Board and Delegation of Powers for Barnet, Enfield and Haringey Mental Health Trust, which sets out those decisions which are reserved for the Trust Board and those which may be delegated to a committee, sub-committee, or a Director or Officer of the Trust.
- 1.3 The arrangements are to be read in conjunction with and subject to the Standing Orders and Standing Financial Instructions adopted by the Trust. Details of the Delegation of Duties implied from Standing Orders and Standing Financial Instructions are given in Section 5 of this document.
- 1.4 It should be noted that the Trust 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. RESERVATION OF POWERS TO THE BOARD

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

DECISIONS RESERVED TO THE TRUST BOARD

General Enabling Provisions

- The Board may determine any matter it wishes in full session within its statutory powers.

Regulation and Control

- Approve Standing Orders (SOs), a schedule of matters reserved to the Board and Standing Financial Instructions for the regulation of its proceedings and business

Suspend Standing Orders

- Vary or amend the Standing Orders.
- Ratify any urgent decisions taken by the Chairman and Chief Executive in public/private session in accordance with Standing Orders.
- Approve a scheme of delegation of powers from the Board to committees
- Require and receive the declaration of Board members' interests that may conflict with those of the Trust and determining the extent to which that member may remain involved with the matter under consideration.

DECISIONS RESERVED TO THE TRUST BOARD

- Approve arrangements for dealing with complaints
- Adopt the organisation structures, processes and procedures to facilitate the discharge of business by the Trust and to agree modifications thereto.
- Receive reports from committees including those that the Trust is required by regulation to establish and to take appropriate action on.
- Confirm the recommendations of the Trust's committees where the committees do not have executive powers.
- Approve arrangements relating to the discharge of the Trust's responsibilities as a corporate trustee for funds held on trust.
- Establish terms of reference and reporting arrangements of all committees and sub-committees that are established by the Board.
- Approve arrangements relating to the discharge of the Trust's responsibilities as a bailee for patients' property.
- Authorise use of the seal
- Ratify or otherwise instances of failure to comply with Standing Orders brought to the Chief Executive's attention
- Discipline members of the Board or employees who are in breach of statutory requirements or SOs.

Appointments/ Dismissals

- Ratify the appointment of the Vice-Chairman
- Appoint and dismiss committees (and individual members) that are directly accountable to the Board.
- Appoint, appraise, discipline and dismiss Executive Directors (subject to SO 3.11.3).
- Confirm appointment of members of any committee of the Trust as representatives on outside bodies.
- 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, Budgets and Direct Operational Decisions

- Define the strategic aims and objectives of the Trust.
- To approve such business plans, budgeted and capital programmes submitted by the Chief Executive on at least an annual basis, including the approval of Cost Improvement Programmes.

DECISIONS RESERVED TO THE TRUST BOARD

- 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.
- Approve the Trust's policies and procedures for the management of risk.
- Approve Outline and Final Business Cases for Capital Investment in excess of £1m.
- Approve budgets.
- Approve annually Trust's proposed organisational development proposals.
- Ratify proposals for acquisition, disposal or change of use of land and/or buildings through the approval of the annual capital programme. Transactions of more than £1 million within the programme or any transaction not included within the annual approved programme must be ratified individually.
- Approve PFI proposals.
- Approve the appointment of bankers (including the opening of bank accounts) and insurance brokers.
- Approve proposals for action on litigation against or on behalf of the Trust.
- Decide upon the use of NHS Resolution risk pooling schemes /insurance/self insurance to cover insurable risk.
- To review proposals on service policies and priorities as negotiated with Commissioners.
- To consider advice from any such Professional Advisory Committees as the Board may establish or recognise.
- Where urgent action is required the Chief Executive should act on behalf of the Trust and consult with the Chairman, or Vice- Chairman in his/her absence, and report action taken at the next meeting of the Board.
- To approve business cases requiring additional revenue resources.
- The introduction or discontinuance of any significant activity or operation. This decision can be made through the acceptance of a business plan/budget for a period where the introduction or discontinuance is clearly described. An activity or operation shall be regarded as significant if it has a gross annual income or expenditure (that is before any set off) in excess of £1m.

Audit

- Review of the annual management letter received from the external auditor and agreement of proposed action, taking account of the advice, where appropriate, of the Audit Committee

DECISIONS RESERVED TO THE TRUST BOARD

- To consider external auditor's reports on the affairs and accounts of the Trust.

Annual Report and Accounts

- Receipt and approval of the Trust's Annual Report and Accounts.

Monitoring

- Receipt of such reports as the Board sees fit from committees in respect of their exercise of powers delegated.
- Board may require reports from directors, committees, and officers of the Trust as set out in management policy statements.
- Receive reports from Chief Finance and Investment Officer on financial performance against budget and business plans.
- Receive reports from Chief Finance and Investment Officer on actual and forecast income from service contracts.
- To receive reports from the Chief Executive and Chief Finance and Investment Officer upon the implementation of, and variances from, agreed business plans, service level agreements, budgets and capital programmes, and where appropriate take necessary action.
- To receive reports of external and internal issues affecting the services within the Trust from the Chief Executive and the other Directors and take action where necessary.

Buildings, Land and Equipment

- To ensure that the capital programme is within the terms of the Prudential Borrowing Code.
- To approve all material asset disposals and transfers.
- To determine matters relating to land and property transactions other than those covered by any delegation to the Chief Executive and to approve any transactions being subject to procedures set by the Secretary of State.
- To approve capital programmes and determine guidelines within which the Chief Executive and/or Capital Review Group may approve variations to the programme.

DECISIONS RESERVED TO THE TRUST BOARD

General

- To establish and maintain relationships with other relevant external bodies.
- To consider any other matters not falling within the established policies and practice of the trust of which officers think desirable or expenditure to be considered by the Trust Board.
- To establish management arrangements as appropriate and to consider specific management of other aspects of the Trust's responsibilities.
- To appoint Directors and Officers to represent the Trust on other bodies.
- To receive Mental Health Act Appeal Panel decisions via Committee.
- To approve the appointment of professional advisors where such approval is required in accordance with Standing Orders.
- To approve significant Trust policies as required.
- To approve any changes to the Trust's Corporate Governance Framework.
- Establishment and agreement of terms of reference and constitution of Committees and sub committees of the Board.

3. DELEGATION OF POWERS

3.1 Delegation to Committees

The Trust Board may determine that certain of its powers shall be exercised by Standing Committees. The composition and terms of reference of such committees shall be that determined by the Trust Board from time to time taking into account where necessary the requirements of the Secretary of State (including the need to appoint an Audit Committee and Remuneration and Terms of Service Committee and a Risk Committee). The Trust Board shall determine the reporting requirements in respect of these committees. In accordance with SO 5.5.1 committees may not delegate executive powers to sub committees unless expressly authorised by the Trust Board.

3.2 Delegation to Officers

Standing Orders and Standing Financial Instructions set out in some detail the financial responsibilities of the Chief Executive, the Chief Finance and Investment Officer and other directors. Certain matters needing to be covered in the scheme of delegation are not covered in SFIs or SOs or they do not specify the responsible officer. These are:

Area of responsibility Overall Responsibility

- **Data Protection Act** - Chief Executive has overall accountability, however day to day responsibility is delegated to the Chief Information Officer.

- **Health & Safety Arrangements** - Chief Executive has overall accountability, however lead responsibility is delegated to the Chief Finance and Investment Officer with operational responsibility devolved to all Directorates.

3.2.1 **Role of the Chief Executive**

All powers of the Trust which have not been retained as reserved by the Board of Directors or delegated to an executive committee or sub-committee shall be exercised on behalf of the Trust Board by the Chief Executive. A detailed Scheme of Delegation identifying which functions the Chief Executive shall perform personally and which functions have been delegated to other Directors and Officers, is shown in Section 4.

The Chief Executive will establish appropriate management arrangements to ensure that senior Officers pursue the Trust's policies in a corporate manner.

All powers delegated by the Chief Executive can be re-assumed by him/her should the need arise. The Chief Executive is the Accountable Officer of the Trust (Paragraph 16(1) of Schedule 7 to the 2006 Act).

3.2.2 **Directors' Ability to Delegate their own Delegated Powers**

A detailed Scheme of Delegation is shown in Section 4, and includes delegated procedures for the approval of the expenditure. It should be used in conjunction with the system of budgetary control and other established procedures within the Trust.

3.2.3 **Management Team**

Decisions taken on the basis of this document should also have regard to the relevant Trust policies and procedures. The Chief Executive will establish appropriate management arrangements to ensure that senior Officers pursue the Trust's policies in a corporate manner.

3.2.4 **Absence of Directors or Officer 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 the person acting on behalf of that officer in his/her absence and to whom authority has been delegated.

3.2.5 **Financial Delegation**

Managers will exercise financial delegation and virement arrangements in accordance with the Trust's Budgetary Rules.

Where more than one Officer has delegated authority to commit expenditure from a fund, those Officers have an obligation to consult with each other to ensure that the total committed does not exceed the approved Budget for the year, or the balance in the fund at any time as appropriate.

3.3 **Mental Health Act Scheme of Delegation**

Details of the particular groups or members of staff to whom the Board has delegated its various powers and responsibilities under the Mental Health Act are set out in the Mental Health Act Scheme of Delegation, appended to this scheme.

4. **DERIVED SCHEMES OF DELEGATION**

4.1 The Schemes of Delegation outlined in Section 3 cover those duties delegated to Committees, Directors, or Officers from the following documents

- The codes of Conduct and Accountability
- Standing Orders
- Standing Financial Instructions

5. SCHEME OF DELEGATION IMPLIED

5.1 Scheme of Delegation Implied by Standing Orders

SO REF	DELEGATED TO	DUTIES DELEGATED
1.1	Chairman	Final authority in interpretation of SOs.
3.1	Chairman	Calling meetings.
3.9	Chairman	Chair all board meetings and associated responsibilities.
3.13	Audit Committee	Audit Committee to review every decision to suspend Standing Orders (power to suspend Standing Orders is reserved to the Board of Directors).
5.2	Chairman & Chief Executive	The powers which the Board of Directors 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 Directors.
5.3	Board of Directors	Formal delegation of powers to sub committees or joint committees and approval of their constitution and terms of reference.
5.4.2	Chief Executive	The Chief Executive shall prepare a Scheme of Delegation (within the Reservation of Powers document) identifying his/her proposals which shall be considered and approved by the Board of Directors , subject to any amendments agreed during the discussion.
5.4	Chief Executive	Designate an officer responsible for receipt and custody of electronic and postal tenders before opening.
5.4	Two Senior officers	Open tenders.

SO REF	DELEGATED TO	DUTIES DELEGATED
5.4	Chief Executive or nominated officer	Decide whether any late tenders should be considered.
7.2	Chief Executive	Register of interests.
8.1 8.3	Chief Executive	Keep seal in safe place and maintain a register of sealing.
8.4	Chief Executive /Chief Finance and Investment Officer or nominated officers	Approve and sign deed and lease documents relating to buildings, property and land.
8.4	Chief Executive or nominated officers	Approve and sign all documents which will be necessary in legal proceedings
8.4	Chief Executive or nominated officers	Sign on behalf of the Trust any agreement or document not requested to be executed as a deed.

5.2. Scheme of Delegation Implied by Standing Financial Instructions

SFI REF	DELEGATED TO	DUTIES DELEGATED
1.2.4	Chief Executive	To ensure all employees and directors, present and future, are notified of and understand Standing Financial Instructions.
1.2.5	Chief Finance and Investment Officer	Responsible for implementing the Trust's financial policies and coordinating corrective action and ensuring detailed financial procedures and systems are prepared and documented.
1.2.6	All directors and employees	Responsible for security of the Trust's property, avoiding loss, exercising economy and efficiency in using resources and conforming to Standing Orders, Standing Financial Instructions and financial procedures.
1.2.8	Chief Finance and Investment Officer	Form and adequacy of financial records of all departments.
2.1.1	Audit Committee	Provide independent and objective view on internal control and probity.
2.2.1 (c)	Chief Finance and Investment Officer	Decide at what stage to involve the police in cases of misappropriation and other irregularities not involving fraud or corruption.
2.3	Head of Internal Audit	Review, appraise and report in accordance with guidance from NHSI, Public Sector Internal Audit Standards and best practice.
2.4	Audit Committee	Ensure cost-effective external audit.
3.1.2	Chief Finance and Investment Officer	Submit budgets.

SFI REF	DELEGATED TO	DUTIES DELEGATED
3.1.3	Chief Finance and Investment Officer	Monitor performance against budget, submit to Board financial estimates and forecasts.
3.2	Chief Executive	Delegate budgets to budget holders and submit monitoring returns.
4	Chief Finance and Investment Officer	Devise and maintain systems of budgetary control.
5	Chief Finance and Investment Officer	Annual accounts and reports.
6	Chief Finance and Investment Officer	Banking arrangements.
7	Chief Finance and Investment Officer	Income systems.
8.12	Chief Executive	Nominate an officer to oversee and manage the contract on behalf of the Trust.
8.13	Chief Executive	Nominate officers to enter into contracts of employment, regrading staff, agency staff or consultancy service contracts.
8.16	Chief Executive	Best value for money is demonstrated for all services provided under contract or in-house. Nominate an officer to oversee and manage the contract on behalf of the Trust
9	Chief Executive	Negotiating contracts for provision of patient services.

SFI REF	DELEGATED TO	DUTIES DELEGATED
10	Board	Establish Remuneration Committee
	Chief Executive	Variation to funded establishment of any department.
	Chief Executive	Staff, including agency staff, appointments.
	Remuneration Committee	Record in writing its advice and its bases about remuneration and terms of service of directors and senior employees.
10.4	Chief Finance and Investment Officer	Payroll – payment procedures
	Director of People and Organisational Development	Payroll – determination of amounts, timetables and maintenance of records
11.1	Chief Executive	Determine, and set out, level of delegation of non-pay expenditure to budget managers.
11.2.3	Chief Finance and Investment Officer	Prompt payment of accounts.
11.2.5	Chief Executive	Authorise who may use and be issued with official orders.
11.2.7	Chief Executive	Ensure that Standing Orders are compatible with NHS requirements re building and engineering contracts.
11.3	Chief Finance and Investment Officer	Grants to local authorities and voluntary bodies up to £100,000 for provision of patient services.
	Chief Executive	Grants to local authorities and voluntary bodies up to £500,000 for provision of patient services.

SFI REF	DELEGATED TO	DUTIES DELEGATED
12	Chief Finance and Investment Officer	Advise Board on borrowing and investment needs and prepare procedural instructions.
14	Chief Executive	Capital investment programme
14.1.5	Chief Finance and Investment Officer	Monitoring the capital programme.
14.3	Chief Finance and Investment Officer	Maintenance of asset registers
14.4	Chief Executive	Overall responsibility for fixed assets.
14.4	All staff	Responsibility for security of Trust assets including notifying discrepancies to Chief Finance and Investment Officer, and reporting losses and damages in accordance with Trust procedure.
15	Chief Finance and Investment Officer	Responsible for systems of control over stores and receipt of goods.
15.2	Chief Executive	Identify persons authorised to requisition and accept goods from Supplies Trust stores.
16.2	Chief Finance and Investment Officer	Prepare procedures for recording and accounting for losses and special payments and informing NHS Executive of all frauds and informing police in cases of suspected arson or theft.
17	Chief Executive	Responsible for accuracy and security of computerised financial data.
18.2	Chief Executive	Responsible for ensuring patients and guardians are informed about patients' money and property procedures on admission.

SFI REF	DELEGATED TO	DUTIES DELEGATED
19	Chief Finance and Investment Officer	Shall ensure each fund held on trust is managed appropriately (subject to the discretion and approval of the Trust and Charitable Funds Committee).
21	Chief Executive	Retention of document procedures
22	Chief Executive	Risk management programme
22.4	Chief Finance and Investment Officer	Insurance arrangements

6. DETAILED SCHEME OF DELEGATION

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

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>1. Management of Budgets</p> <p>Responsibility for keeping expenditure within budgets</p> <p>a) At individual budget level (Pay and Non Pay)</p> <p>b) At Directorate level</p> <p>c) For the totality of services covered by Clinical Service Manager, Admin and Clerical Service Manager or equivalent</p> <p>d) For all other areas:</p>	<p>Designated budget manager</p> <p>Responsible Managing Director</p> <p>Executive Directors</p> <p>Chief Finance and Investment Officer or designated Executive Director</p>	<p>SFIs Section 4</p>
<p>2. SLAs and contracts</p> <p>a) Signing of contracts or SLAs for Services provided by the Trust for an amount of below £250,000 per annum</p> <p>b) Signing of contracts or SLAs for Services provided by the Trust for an amount of less than £500,000 per annum</p> <p>c) Signing of contracts for SLAs or services provided by the Trust for an amount of below £1,000,000 per annum</p> <p>d) Signing of contracts for SLAs for services provided by the Trust for an amount of above £1,000,000 per annum</p>	<p>Any Executive Director</p> <p>Chief Finance and Investment Officer</p> <p>Chief Executive</p> <p>Chief Executive and Chief Finance and Investment Officer</p>	<p>SFIs Section 9.1</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
e) Ensuring that there is an SLA contract covering services provided by the Trust	Managing Director	
3. Partnership Arrangements a) Signing of contracts and agreements for Partnership arrangements other than those described in section (2) above	Chief Operating Officer and Chief Executive	
4. Maintenance / Operation of Bank Accounts	Chief Finance and Investment Officer	SFIs Section 6
5. Non Pay Revenue and Capital Expenditure a) Approving a Requisition <ul style="list-style-type: none"> • All requisitions up to £499 • All requisitions up to £4,999 • all requisitions up to £24,999 • all requisitions up to £99,999 • all requisitions up to £249,999 • all requisitions up to £499,999 • all requisitions over £500,000 • Pharmacy orders up to £99,999 • Pharmacy orders over £100,000 	<ul style="list-style-type: none"> Ward Manager or equivalent Designated budget manager The responsible Senior Service Lead, Service Lead or Corporate Heads of Service The responsible Managing Director or Corporate Deputy Director Responsible Executive Director Executive Director and Chief Finance and Investment Officer Chief Executive Officer and Chief Finance and Investment Officer Trust Head of Pharmacy Medical Director or Chief Finance and Investment Officer 	SFIs Section 8

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>d) Approving expenditure in excess of tender price > 10% or more that £15k.</p> <p>e) Letters of intent</p> <p>Up to £50,000</p> <p>£50,000 – £100,000</p> <p>£100,000 - £150,000</p> <p>Over £150,000</p>	<p>Chief Executive</p> <p>Responsible Director</p> <p>Responsible Director and Executive Director</p> <p>Chief Finance and Investment Officer</p> <p>Chief Executive</p>	
<p>6. Capital Schemes</p> <p>All amounts refer to total contract values, not annual values</p> <p>Approval of Capital Schemes up to £250,000</p> <p>Approval of capital schemes up to £1,000,000, previously approved in the Trust's annual capital programme</p> <p>Approval of virements to capital scheme budgets within approved capital programme;</p> <ul style="list-style-type: none"> • Up to £50,000 • Over £50,000 <p>a) Appointment of architects, quantity surveyors, consultant engineer and other professional advisors within EU regulations:</p> <ul style="list-style-type: none"> • up to £25,000 • over £25,000 <p>b) Financial monitoring and reporting on all capital scheme expenditure ; To the Trust Board</p>	<p>Capital Review Group</p> <p>Executive Management Team</p> <p>Director of Estates & Facilities Chief Finance and Investment Officer</p> <p>Executive Director or Director of Estates & Facilities. Chief Executive or Chief Finance and Investment Officer</p> <p>Chief Finance and Investment Officer / nominated Deputy</p>	<p>SFIs Section 14</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>To the Executive Management Team / Senior Management Team</p> <p>c) Granting and Termination of leases with annual rent <£100k</p> <p>d) Granting and termination of leases of >£100k</p> <p>e) Capital works orders after appropriate tendering / quotation:</p> <ul style="list-style-type: none"> • Up to £99,999 • £100,000 to £249,999 • £250,000 to £999,999 • £1,000,000 and over 	<p>Director of Estates and Facilities</p> <p>Chief Finance and Investment Officer</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Director of Estates and Facilities</p> <p>Chief Finance and Investment Officer & Director of Estates and Facilities</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Trust Board</p>	
<p>7. Approval of Business cases</p> <p>All amounts refer to total contract values, not annual values</p> <p>a) Capital Investment, equipment and estates expenditure</p> <ul style="list-style-type: none"> • Investment less than £50,000, (business case for capital expenditure format) • Investment greater than £50,000 but less than £500,000 (business case in the capital format) • Investment greater than £500,000 but less than £1m (prepare a business case in the capital format). • Above £1m <p>b) Limits of Authorisation for bids for new business</p> <ul style="list-style-type: none"> • Less than £50,000 • Between £50,000 and £500,000 • Between £500,000 and £1.5m • Above £1.5m 	<ul style="list-style-type: none"> • Chief Finance and Investment Officer if within plan/budget • Executive Management Team • Finance and Investment Committee • Trust Board <ul style="list-style-type: none"> • Responsible Managing Director • Executive Management Team • Finance and Investment Committee • Trust Board 	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>c) Other Service developments (use service development template)</p> <ul style="list-style-type: none"> • less than £50,000 • between £50,000 and £500,000 • between £500,000 and £1m • Above £1m but below the Trust Delegated Limit. • All cases with investment greater than delegated limit – Follow 5 Case format and require NHSI approval require SOC, OBC and FBC 	<ul style="list-style-type: none"> • Responsible Managing Director if within plan/budget • Executive Management Team • Finance and Investment Committee • Trust Board • Trust Board and NHSI 	
<p>8. Quotation, Tendering & Contract Procedures</p> <p>All amounts refer to total contract values, not annual values</p> <p>Authority to award after proper procedures :</p> <ul style="list-style-type: none"> a) Obtaining 2 minimum written quotations for goods/services over £5,000 and up to £9,999 b) Obtaining 3 written quotations for goods/services from £10,000 to £74,999 c) Obtaining 4 written competitive tenders for goods/services from £74,999 to OJEU threshold level for schedule 1 public bodies (£122,976 as at 1 November 2020) d) Obtaining competitive tenders for goods/services over OJEU threshold level for schedule 1 public bodies (£122,976 as at 1 November 2020) e) Waiving of quotations & tenders subject to SFIs f) Opening Tenders and Quotations 	<p>Designated Budget manager</p> <p>Responsible Director and Head of Procurement</p> <p>Director and Chief Finance and Investment Officer</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Any Executive Director</p>	<p>SFIs Sections 8;</p> <p>Reservation of Powers to the Board 1.7.3</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<ul style="list-style-type: none"> • Up to £100,000 • Over £100,000 <p>g) Signing of contracts for Expenditure</p> <ul style="list-style-type: none"> • Up to £99,999 • Up to £99,999 • Up to £499,999 • Up to £999,999 • Over £1,000,000 	<p>Two senior Officers/managers Executive Director + 1 senior Officer/manager</p> <ul style="list-style-type: none"> • All Directors, and nominated deputies • Any Executive Director • Any Executive Director and Chief Finance and Investment Officer • Chief Executive and Chief Finance and Investment Officer • Chief Executive and Chairman 	
<p>9. Setting of Fees and Charges</p> <p>a) Private Patients, Overseas Visitors, Income Generation and other patient related services.</p> <p>b) Price of NHS Contracts Charges for all NHS Contracts, be they block, cost per case, cost and volume, spare capacity,</p>	<p>Chief Finance and Investment Officer or nominated deputy</p> <p>Chief Finance and Investment Officer and appropriate Managing Director of service</p>	<p>SFIs Section 7</p> <p>SFIs Section 7</p>
<p>10. Engagement of Staff Not On the Establishment</p> <p>Any engagement must be compliant with employment and tax law and best practice, with advice being obtained from Workforce and specific consideration being given to consideration of IR35 regulations</p> <p>a) Non Medical Consultancy Staff Where aggregate commitment in any one year (or total commitment) is less than £4,999</p> <p>b) Where aggregate commitment is more than £5,000 and less</p>	<p>Budget Holder</p> <p>Director of service or Executive Director</p>	<p>SFIs Section 10</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>than £24,999</p> <p>c) Where aggregate commitment is more than £25,000 but less than £50,000</p> <p>d) Where the aggregate commitment is £50,000 or more</p> <p>e) Engagement of Trust's Solicitors</p> <p>f) Booking of Bank or Agency Staff</p>	<p>Chief Executive or Chief Finance and Investment Officer</p> <p>Chief Executive, Chief Finance and Investment Officer and NHSI approval via business case</p> <p>Chief Executive or responsible Executive Director</p> <p>Managing Director, Clinical Director or Head of Nursing of service</p>	
<p>11 Expenditure from Charitable and Endowment Funds</p> <p>a) Annual expenditure plans</p> <p>a) Specific Expenditures</p>	<p>Trust and Charitable Funds Committee</p> <p>Trust and Charitable Funds Committee</p>	<p>SFIs Section 19</p>
<p>12. Property Agreements/Licenses</p> <p>a) Preparation and signature of all tenancy agreements/licenses for all staff subject to Trust Policy on accommodation for staff</p> <p>b) Extensions to existing leases</p> <p>c) Letting of premises to outside organisations</p> <p>d) Approval of rent based on professional assessment</p>	<p>Director of service</p> <p>Chief Finance and Investment Officer</p> <p>Chief Finance and Investment Officer and Executive Director</p> <p>Director of Estates and Facilities</p>	
<p>13. Condemning & Disposal</p> <p>a) Items (excluding IT) obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively</p> <p>i) with current/estimated purchase price <£100</p> <p>ii) with current purchase new price >£100</p>	<p>Designated budget manager</p> <p>Director of service</p>	<p>SFIs Section 16</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<ul style="list-style-type: none"> iii) disposal of mechanical and engineering plant (subject to estimated income of less than £1,000 per sale) iv) disposal of mechanical and engineering plant (subject to estimated income exceeding £1,000 per sale) b) IT equipment 	<ul style="list-style-type: none"> Director of Estates and Facilities Chief Finance and Investment Officer Chief Finance and Investment Officer and Chief Information Officer 	
<p>14. Losses, Write-off & Compensation</p> <ul style="list-style-type: none"> a) Losses and Cash due to theft, fraud, overpayment & others Up to £50,000 b) Fruitless Payments (including abandoned Capital Schemes) Up to £250,000 c) Bad Debts and Claims Abandoned. Private Patients, Overseas Visitors & Other Up to £50,000 d) Damage to buildings, fittings, furniture and equipment and loss of equipment and property in stores and in use due to Culpable causes (e.g. fraud, theft, arson) or other up to £50,000 e) Compensation payments made under legal obligation f) Extra Contractual payments to contractors Up to £50,000 Over £50,000 <p><u>Ex-Gratia Payments</u></p> <ul style="list-style-type: none"> g) Patients and staff for loss of personal effects Less than £5,000 £5,000 to £50,000 	<ul style="list-style-type: none"> Chief Executive and Chief Finance and Investment Officer Chief Executive and Chief Finance and Investment Officer Chief Executive or Chief Finance and Investment Officer Board approval Chief Finance and Investment Officer Chief Executive and Chief Finance and Investment 	<ul style="list-style-type: none"> SFIs Section 16 Reservation of Powers to the Board 1.7.4

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>h) For clinical negligence up to £249,999 (negotiated settlements)</p> <p>For clinical negligence over £250,000</p> <p>i) For personal injury claims involving negligence where legal advice has been obtained and guidance applied Up to £249,999 (including plaintiff's costs)</p> <p>Over £250,000</p> <p>j) Other, except cases of maladministration where there was no financial loss by claimant £50,000</p> <p>k). Write off of Debtors</p> <p>For items a) – e), g), j) and k) any item exceeding the value stated requires authorisation from the Department of Health and Social Care</p>	<p>Officer</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Board approval</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Board approval</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Chief Finance and Investment Officer and reported to Audit Committee</p>	
<p>15. Reporting of Incidents to the Police</p> <p>a) Where a criminal offence is suspected</p> <p>i) criminal offence of a violent nature</p> <p>ii) other</p> <p>b) Where fraud and/or bribery is involved</p>	<p>Duty Manager Managing or Clinical Director of service</p> <p>Director of service and Chief Finance and Investment Officer and Local Counter Fraud Specialist</p>	<p>SFIs Section 2 & 16</p>
<p>16. Petty Cash Disbursements</p> <p>a) Expenditure up to £50 per claim</p> <p>b) Expenditure in excess of £50 per claim</p> <p>c) Reimbursement of patients monies up to £50</p>	<p>Petty Cash Holder</p> <p>Petty Cash holder and Head of Financial Assurance or nominated deputy</p> <p>Appropriate clinician</p>	<p>SFIs Section 6</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>d) Reimbursement of patients monies in excess of £50</p> <p>e) Monies to support prompt discharge – up to £100 per patient</p>	<p>Appropriate clinician and Head of Financial Assurance or nominated deputy</p> <p>Executive Director</p>	<p>Petty Cash policy</p>
<p>17. Receiving Hospitality</p> <p>Applies to both individual and collective hospitality receipt items. In excess of £25.00 per item received</p>	<p>Managing Director of service to register with Chief Executive's Office.</p>	<p>Standards of Business Conduct policy</p>
<p>18. Implementation of Internal and External Audit Recommendations</p>	<p>Responsible Director</p>	<p>SFIs Section 2</p>
<p>19. Maintenance & Update on Trust Financial Procedures</p>	<p>Chief Finance and Investment Officer</p>	<p>SFIs Sections 1</p>
<p>20. Investment of Funds (including Charitable & Endowment Funds)</p>	<p>Chief Finance and Investment Officer</p>	<p>SFIs Section 10</p>
<p>21. Personnel & Pay</p> <p>a) Authority to fill funded post on the establishment with permanent staff.</p> <p>b) Authority to appoint staff to post not on the formal establishment.</p> <p>c) <u>Variation to Pay</u></p> <p>All requests for variations shall be dealt with in accordance with Trust procedures</p> <p>d) <u>Upgrading & Regrading</u></p> <p>All requests for upgrading/regrading shall be dealt with in accordance with Trust Procedure</p>	<p>All Directors</p> <p>Executive Director</p> <p>All Directors and Executive Director of Workforce</p> <p>All Directors and Executive Director of Workforce</p>	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>e) <u>Establishments</u></p> <p>i) Additional staff to the agreed establishment within specifically allocated finance.</p> <p>ii) Additional staff to the agreed establishment without specifically allocated finance.</p> <p>f) <u>Pay</u></p> <p>i) Authority to complete standing data forms effecting pay, new starters, variations and leavers</p> <p>ii) Authority to complete and authorise positive reporting forms</p> <p>iii) Authority to authorise overtime</p> <p>iv) Authority to complete and authorise positive reporting forms</p> <p>v) Authority to authorise travel & subsistence expenses</p> <p>vi) Approval of Performance Related Pay Assessment</p> <p>g) <u>Leave</u></p> <p>i) Approval of annual leave</p> <p>ii) Annual leave - approval of carry forward (up to maximum of 5 days or in the case of Ancillary & Maintenance staff as defined in their initial conditions of service).</p> <p>iii) Annual leave - approval of carry over in excess of 5 days</p> <p>iv) Compassionate leave up to 3 days</p> <p>v) Compassionate leave up to 6 days</p>	<p>All Directors</p> <p>Chief Executive or Chief Finance and Investment Officer</p> <p>Executive Director of Workforce or nominated deputy</p> <p>Managing Director of service</p> <p>Managing Director of service</p> <p>Managing Director of service</p> <p>Managing Director of service</p> <p>Remuneration Committee</p> <p>Immediate line manager</p> <p>Immediate line manager</p> <p>Managing Director of service</p> <p>Immediate line manager</p> <p>All Directors</p>	<p>Agenda for Change Conditions of Service</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
vi) Special leave arrangements * carers leave - up to 1 working week per annual leave year	Immediate line manager	
vii) Leave without pay	Immediate line manager	
viii) Medical Staff Leave of Absence (paid and unpaid)	Medical Director in conjunction with Managing Director of service	
ix) Time off in lieu	Immediate line manager	
x) Maternity Leave - paid and unpaid	Automatic approval with guidance	
h) <u>Sick Leave</u>		
i) Extension of sick leave on half pay up to three months	Managing Director in conjunction with Deputy Director of Workforce	
ii) Return to work part-time on full pay to assist recovery	Managing Director in conjunction with Deputy Director of Workforce	
iii) Extension of sick leave on full pay	Managing Director in conjunction with Deputy Director of Workforce	
i) <u>Study Leave</u>		
i) Study leave	Managing Director of Service or nominated deputy	
j) <u>Removal Expenses, Excess Rent and House Purchases</u>		
Authorisation of payment of removal expenses incurred by officers taking up new appointments (providing consideration was given during the appointment process and included in the formal offer of appointment being made).		
i) up to £5,000	Executive Director and Deputy Director of Workforce	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>ii) over £5,000</p> <p>k) <u>Grievance Procedure</u></p> <p>All grievances cases must be dealt with strictly in accordance with the Grievance Procedure and the advice of a Human Resources Officer must be sought when the grievance reaches the level of Director</p> <p>l) <u>Mobile Phone Users</u></p> <p>Requests for new posts to be authorised as mobile telephone users</p> <p>m) <u>Renewal of Fixed Term Contract</u></p> <p>n) <u>Redundancy</u></p> <ul style="list-style-type: none"> • Up to £99,999 • £100,000 and over <p>o) <u>Premature retirement</u></p> <p>p) <u>Ill Health Retirement</u></p> <p>Decision to pursue retirement on the grounds of ill-health</p>	<p>Chief Executive</p> <p>Deputy Director of Workforce</p> <p>Managing Director or Senior Service Lead</p> <p>Executive or Managing Director</p> <p>Remuneration Committee Remuneration Committee and NHS Improvement</p> <p>As per Trust Policy</p> <p>As per Trust Policy</p>	<p>Trust Grievance Procedure</p>
<p>q) <u>Dismissal</u></p>	<p>All Directors and or dismissing officer as per Trust Policy</p>	<p>Disciplinary Procedures</p>
<p>22. Monitoring and Reporting of New Drugs</p> <ul style="list-style-type: none"> ▪ Estimated total yearly cost up to £25,000 ▪ Estimated total yearly cost above £25,000 	<p>Medical Director</p> <p>Drugs and Therapeutic Committee and Executive Director and referred to Finance and Investment Committee for information</p>	<p>SFIs Section 9</p>
<p>23. Authorisation of Sponsorship deals</p>	<p>Directors</p>	
<p>24. Authorisation of Research Projects</p>		

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
	Medical Director	
25. Authorisation of Clinical Trials	Ethics Group and Medical Director	
26. Insurance Policies and Risk Management	Chief Executive and Chief Finance and Investment Officer Executive Director of Nursing, Quality and Governance	SFIs Section 22
27. Patients & Relatives Complaints <ul style="list-style-type: none"> a) Overall responsibility for ensuring that all complaints are dealt with effectively b) Responsibility for ensuring complaints relating to a directorate are investigated thoroughly. c) Medico - Legal Complaints Co-ordination of their management. 	Managing Director Managing Director Chief Executive	
28. Relationships with Press <ul style="list-style-type: none"> Enquiries <ul style="list-style-type: none"> o Within Hours o Outside Hours 	Chief Executive or nominated officer Officer on call or Director	
29. Management of Infectious Diseases & Notifiable Outbreaks	Medical Director	
30. Facilities for staff not employed by the Trust to gain practical experience <ul style="list-style-type: none"> • Professional Recognition, Honorary Consultant Contracts, & Insurance of Medical Staff. • Other contracts • Work experience students 	Executive Management Team Relevant Executive Director Deputy Director of Workforce	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
31. The keeping of a Declaration of Interests Register	Chief Executive	SOs Section 7
32. Reporting of sealings in accordance with Standing Orders	Chief Executive	SOs Section 8
33. The keeping of a register of Sealings	Chief Executive	SOs Section 8
34. Retention of Records	Chief Executive	SFIs Section 21
35. Clinical Audit	Chief Executive	SFIs Section 22

GLOSSARY OF TERMS

In this Scheme of Delegation the following titles will apply:

Title	Definition
Chairman	Chairman of the Trust
Chief Executive (CE)	Chief Executive of the Trust
Chief Finance and Investment Officer (CFIO)	Director with responsibility for the Finance department
Executive Director	Member of the Trust Board
Director	Member of the Executive Management Team (excluding Executive Director)
Director of Service	All Directors including Managing Director.
Budget manager	Officer with designated responsibility for managing a defined budget or range of budgets
Responsible Director	Director responsible for the function
Senior Officer	Senior Service Lead or above