

Barnet, Enfield and Haringey  
Mental Health NHS Trust



*A University Teaching Trust*

# **RESERVATION OF POWERS TO THE BOARD**

**AND**

# **DELEGATION OF POWER**

## Version Control

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Policy Lead/Author & Position:	Martin Davies, Head of Financial Control
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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

The Trust's Reservation of Powers to the Board and Delegation of Powers are maintained by the Head of Financial Control 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 Control in the first instance.

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## SECTION C

### 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

## DECISIONS RESERVED TO THE TRUST BOARD

involved with the matter under consideration.

- 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 Deputy 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 & Terms of Service Committee.

### **Strategy, Plans, Budgets and Direct Operational Decisions**

- Define the strategic aims and objectives of the Trust.

## DECISIONS RESERVED TO THE TRUST BOARD

- 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.
- 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 NHSLA 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.

## DECISIONS RESERVED TO THE TRUST BOARD

### **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
- 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 Annual 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 Executive Director of Nursing, Quality and Governance 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, which is available from the mental Health Law Manager.

#### **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 NHS Internal Audit Manual and best practice.
2.4	Audit Committee	Ensure cost-effective external audit.
3.1.2	Chief Finance and Investment Officer	Submit budgets.
3.1.3	Chief Finance and Investment Officer	Monitor performance against budget, submit to Board financial estimates and forecasts.

SFI REF	DELEGATED TO	DUTIES DELEGATED
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	Remuneration & Terms of Service Committee
	Chief Executive	Variation to funded establishment of any department.
	Chief Executive	Staff, including agency staff, appointments.
	Remuneration Committee	Report in writing to the Board 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
	Executive Director of Workforce	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 Executive 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.
14.2	Chief Finance and Investment Officer	Demonstrate that the use of private finance represents best value for money and transfers risk to the private sector.
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.



SFI REF	DELEGATED TO	DUTIES DELEGATED
18.2	Chief Executive	Responsible for ensuring patients and guardians are informed about patients' money and property procedures on admission.
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><b>1. Management of Budgets</b></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 Director</p> <p>Executive Directors</p> <p>Chief Finance and Investment Officer or designated Executive Director</p>	<p>SFIs Section 4</p>
<p><b>2. SLAs and contracts</b></p> <p>a) Signing of contracts or SLAs for Services provided by the Trust for an amount of below £100,000 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	Clinical Director	
<b>3. Partnership Arrangements</b> a) Signing of contracts and agreements for Partnership arrangements other than those described in section (2) above	Executive Director of Patient Services and Chief Executive	
<b>4. Maintenance / Operation of Bank Accounts</b>	Chief Finance and Investment Officer	SFIs Section 6
<b>5. Non Pay Revenue and Capital Expenditure</b> a) Approving a Requisition <ul style="list-style-type: none"> <li>• All requisitions up to £499</li> <li>• All requisitions up to £4,999</li> <li>• All requisitions up to £9,999</li> <li>• all requisitions up to £24,999</li> <li>• all requisitions up to £99,999</li> <li>• all requisitions up to £249,999</li> <li>• all requisitions up to £499,999</li> <li>• all requisitions over £500,000</li> <li>• Pharmacy orders up to £99,999</li> <li>• Pharmacy orders over £100,000</li> </ul>	<ul style="list-style-type: none"> <li>Ward Manager or equivalent</li> <li>Designated budget manager</li> <li>The responsible Associate Director</li> <li>The responsible Clinical Director or equivalent</li> <li>Any Executive Director</li> <li>Chief Finance and Investment Officer and responsible director</li> <li>Chief Finance and Investment Officer and any other Executive Director</li> <li>Chief Executive and Chief Finance and Investment Officer</li> <li>Trust Head of Pharmacy</li> <li>Medical Director and Chief Finance and Investment Officer or Chief Executive</li> </ul>	SFIs Section 8

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>b) Authorising an Invoice for Payment for Goods &amp; Services acquired without purchase order or prior agreement of charges in writing in accordance with limits above.</p> <ul style="list-style-type: none"> <li>• up to £499</li> <li>• £500 to £4,999</li> <li>• £5,000 to £9,999</li> <li>• £10,000 to £24,999</li> <li>• £25,000 to £99,999</li> <li>• £100,000 to £249,999</li> <li>• £250,000 to £499,999</li> <li>• over £500,000</li> <li>• Pharmacy invoices up to £99,999</li> <li>• Pharmacy invoices over £100,000</li> </ul> <p>With the exception of the Chief Finance and Investment Officer and the Chief Executive no one individual can approve a requisition and approve the same purchase order</p> <p>c) Approving expenditure in excess of tender price up-to 10% or £15k whichever is the higher</p> <p>d) Approving expenditure in excess of tender price &gt; 10% or more than £15k.</p>	<p>Ward Manager or equivalent</p> <p>Designated budget manager</p> <p>The responsible Associate Director</p> <p>The responsible Clinical Director or equivalent</p> <p>Any Executive Director</p> <p>Chief Finance and Investment Officer and responsible Director</p> <p>Chief Finance and Investment Officer and any other Executive Director</p> <p>Chief Executive and Chief Finance and Investment Officer</p> <p>Trust Head of Pharmacy</p> <p>Medical Director and Chief Finance and Investment Officer or Chief Executive</p> <p>Chief Finance and Investment Officer or Designated Executive Director</p> <p>Chief Executive</p>	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<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>Responsible Director</p> <p>Responsible Director and Executive Director</p> <p>Chief Finance and Investment Officer</p> <p>Chief Executive</p>	
<p><b>6. Capital Schemes</b></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"> <li>• Up to £50,000</li> <li>• Over £50,000</li> </ul> <p>a) Appointment of architects, quantity surveyors, consultant engineer and other professional advisors within EU regulations:</p> <ul style="list-style-type: none"> <li>• up to £25,000</li> <li>• over £25,000</li> </ul> <p>b) Financial monitoring and reporting on all capital scheme expenditure ;</p> <p>To the Trust Board</p> <p>To the Executive Group / Senior Management Team</p>	<p>Capital Review Group</p> <p>Executive Board</p> <p>Director of Estates &amp; Facilities Chief Finance and Investment Officer</p> <p>Executive Director or Director of Estates &amp; Facilities. Chief Executive or Chief Finance and Investment Officer</p> <p>Chief Finance and Investment Officer / nominated Deputy</p> <p>Director of Estates and Facilities</p>	<p>SFIs Section 14</p>

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

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<ul style="list-style-type: none"> <li>• Above £1.5m</li> </ul> <p><b>c) Other Service developments (use service development template)</b></p> <ul style="list-style-type: none"> <li>• less than £50,000</li> <li>• between £50,000 and £500,000</li> <li>• between £500,000 and £1m</li> <li>• Above £1m but below the Trust Delegated Limit.</li> <li>• All cases with investment greater than delegated limit – Follow 5 Case format and require TDA approval require SOC, OBC and FBC</li> </ul>	<p>Trust Board</p> <p>Responsible Director if within plan/budget</p> <p>Trust Executive Team</p> <p>Finance and Investment Committee</p> <p>Trust Board</p> <p>Trust Board and NHSI</p>	
<p><b>8. Quotation, Tendering &amp; Contract Procedures</b></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"> <li>a) Obtaining <b>2 minimum verbal quotations</b> for goods/services over £1,000 and up to £4,999</li> <li>b) Obtaining <b>3 written quotations</b> for goods/services from £5,000 to £9,999</li> <li>c) Obtaining <b>4 written quotations</b> for goods/services from £10,000 to £74,999</li> <li>d) Obtaining <b>4 written competitive tenders</b> for goods/services from £75,000 to £249,999</li> </ul>	<p>Designated Budget manager</p> <p>Designated budget manager and responsible Director</p> <p>Responsible Director and Head of Procurement</p> <p>Director and Chief Finance and Investment Officer</p>	<p>SFIs Sections 8;</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
e) Obtaining competitive tenders for goods/services over £250,000 f) Waiving of quotations & tenders subject to SFIs g) Opening Tenders and Quotations <ul style="list-style-type: none"> <li>• Up to £100,000</li> <li>• Over £100,000</li> </ul> h) Signing of contracts for Expenditure <ul style="list-style-type: none"> <li>• Up to £24,999</li> <li>• £25,000 to £99,999</li> <li>• £100,000 to £249,999</li> <li>• £250,000 to £499,999</li> <li>• £500,000 to £999,999</li> <li>• Over £1,000,000</li> </ul>	Chief Executive and Chief Finance and Investment Officer  Two Executive Directors  Two senior Officers/managers Executive Director + 1 senior Officer/manager  All Directors, and nominated deputies  Any Executive Director  Chief Finance and Investment Officer  Chief Executive  Chief Executive and Chief Finance and Investment Officer  Chief Executive and Chairman	Reservation of Powers to the Board 1.7.3
<b>9. Setting of Fees and Charges</b>  a) Private Patients, Overseas Visitors, Income Generation and other patient related services.  b) Price of NHS Contracts Charges for all NHS Contracts, be they block, cost per case, cost and volume, spare capacity,	Chief Finance and Investment Officer or nominated deputy  Chief Finance and Investment Officer and appropriate Director of service	SFIs Section 7  SFIs Section 7
<b>10. Engagement of Staff Not On the Establishment</b>  Any engagement must be compliant with employment and tax law and best practice		



DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
a) Non Medical Consultancy Staff Where aggregate commitment in any one year (or total commitment) is less than £4,999  b) Where aggregate commitment in any one year is more than £5,000 and less than £24,999  c) Where aggregate commitment in any one year is more than £25,000  d) Engagement of Trust's Solicitors  e) Booking of Bank or Agency Staff	Budget Holder  Director of service or Executive Director  Chief Executive or Chief Finance and Investment Officer  Chief Executive or responsible Executive Director  Director of service or nominated deputy	SFIs Section 10
<b>11 Expenditure from Charitable and Endowment Funds</b>  <input type="checkbox"/> Annual expenditure plans  <input type="checkbox"/> Specific Expenditures	Trust and Charitable Funds Committee  Trust and Charitable Funds Committee	SFIs Section 19
<b>12. Property Agreements/Licenses</b>  a) Preparation and signature of all tenancy agreements/licenses for all staff subject to Trust Policy on accommodation for staff  b) Extensions to existing leases  c) Letting of premises to outside organisations  d) Approval of rent based on professional assessment	Director of service  Chief Finance and Investment Officer  Chief Finance and Investment Officer and Executive Director  Director of Estates and Facilities	
<b>13. Condemning &amp; Disposal</b>  a) Items (excluding IT) obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively  i) with current/estimated purchase price <£100	Designated budget manager	SFIs Section 16

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<ul style="list-style-type: none"> <li>ii) with current purchase new price &gt;£100</li> <li>iii) disposal of mechanical and engineering plant (subject to estimated income of less than £1,000 per sale)</li> <li>iv) disposal of mechanical and engineering plant (subject to estimated income exceeding £1,000 per sale)</li> <li>b) IT equipment</li> </ul>	<ul style="list-style-type: none"> <li>Director of service</li> <li>Director of Estates and Facilities</li> <li>Chief Finance and Investment Officer</li> <li>Chief Finance and Investment Officer and Chief Information Officer</li> </ul>	
<p><b>14. Losses, Write-off &amp; Compensation</b></p> <ul style="list-style-type: none"> <li>a) Losses and Cash due to theft, fraud, overpayment &amp; others Up to £50,000</li> <li>b) Fruitless Payments (including abandoned Capital Schemes) Up to £250,000</li> <li>c) Bad Debts and Claims Abandoned. Private Patients, Overseas Visitors &amp; Other Up to £50,000</li> <li>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</li> <li>e) Compensation payments made under legal obligation</li> <li>f) Extra Contractual payments to contractors Up to £50,000 Over £50,000</li> </ul> <p><u>Ex-Gratia Payments</u></p> <ul style="list-style-type: none"> <li>g) Patients and staff for loss of personal effects Less than £1,000</li> </ul>	<ul style="list-style-type: none"> <li>Chief Executive and Chief Finance and Investment Officer</li> <li>Chief Executive and Chief Finance and Investment Officer</li> <li>Chief Executive or Chief Finance and Investment Officer</li> <li>Chief Executive or Chief Finance and Investment Officer</li> <li>Chief Executive or Chief Finance and Investment Officer</li> <li>Chief Executive or Chief Finance and Investment Officer Board approval</li> <li>Chief Finance and Investment Officer</li> </ul>	<ul style="list-style-type: none"> <li>SFIs Section 16</li> <li>Reservation of Powers to the Board 1.7.4</li> </ul>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<p>£1,000 to £50,000</p> <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>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 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><b>15. Reporting of Incidents to the Police</b></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 a fraud is involved</p>	<p>Duty Manager</p> <p>Director of service</p> <p>Director of service and Chief Finance and Investment Officer</p>	<p>SFIs Section 2 &amp; 16</p>
<p><b>16. Petty Cash Disbursements</b></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 Control or nominated deputy</p> <p>Appropriate clinician</p>	<p>SFIs Section 6</p>

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

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 &amp; 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 &amp; 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>All Directors</p> <p>Chief Executive or Chief Finance and Investment Officer</p> <p>Executive Director of Workforce or nominated deputy</p> <p>Director of service</p> <p>Director of service</p> <p>Director of service</p> <p>Director of service</p> <p>Remuneration Committee</p> <p>Immediate line manager</p> <p>Immediate line manager</p> <p>Director of service</p> <p>Immediate line manager</p>	<p>Agenda for Change Conditions of Service</p>

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<ul style="list-style-type: none"> <li>v) Compassionate leave up to 6 days</li> <li>vi) Special leave arrangements * carers leave - up to 1 working week per annual leave year</li> <li>vii) Leave without pay</li> <li>viii) Medical Staff Leave of Absence (paid and unpaid)</li> <li>ix) Time off in lieu</li> <li>x) Maternity Leave - paid and unpaid</li> <li>h) <u>Sick Leave</u> <ul style="list-style-type: none"> <li>i) Extension of sick leave on half pay up to three months</li> <li>ii) Return to work part-time on full pay to assist recovery</li> <li>iii) Extension of sick leave on full pay</li> </ul> </li> <li>i) <u>Study Leave</u> <ul style="list-style-type: none"> <li>i) Study leave</li> </ul> </li> <li>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).           <ul style="list-style-type: none"> <li>i) up to £5,000</li> <li>ii) over £5,000</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>All Directors</li> <li>Immediate line manager</li> <li>Immediate line manager</li> <li>Medical Director in conjunction with Director of service</li> <li>Immediate line manager</li> <li>Automatic approval with guidance</li> <li>Director in conjunction with Assistant Director of Workforce</li> <li>Director in conjunction with Assistant Director of Workforce</li> <li>Director in conjunction with Assistant Director of Workforce</li> <li>Director of Service or nominated deputy</li> <li>Director and Assistant Director of Workforce</li> <li>Chief Executive</li> </ul>	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<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> <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>Assistant Director of Workforce</p> <p>Director or Assistant Director</p> <p>Director</p> <p>Assistant Director of Workforce and All Directors</p> <p>As per Trust Policy</p> <p>As per Trust Policy</p>	<p>Trust Grievance Procedure</p>
<p>r) <u>Dismissal</u></p>	<p>All Directors and or dismissing officer as per Trust Policy</p>	<p>Disciplinary Procedures</p>
<p><b>22. Monitoring and Reporting of New Drugs</b></p> <ul style="list-style-type: none"> <li>▪ Estimated total yearly cost up to £25,000</li> <li>▪ Estimated total yearly cost above £25,000</li> </ul>	<p>Medical Director</p> <p>Drugs and Therapeutic Committee and Executive Director and referred to Audit Committee for information</p>	<p>SFIs Section 9</p>
<p><b>23. Authorisation of Sponsorship deals</b></p>	<p>Directors</p>	
<p><b>24. Authorisation of Research Projects</b></p>	<p>Chairman of Research Committee, Director of R&amp;D</p>	
<p><b>25. Authorisation of Clinical Trials</b></p>	<p>Ethics Committee and Director of R&amp;D</p>	

DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
<b>26. Insurance Policies and Risk Management</b>	Chief Executive and Chief Finance and Investment Officer Executive Director of Nursing, Quality and Governance	SFIs Section 22
<b>27. Patients &amp; Relatives Complaints</b>  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.	Clinical Director  Clinical Director  Chief Executive	
<b>28. Relationships with Press</b>  Enquiries <ul style="list-style-type: none"> <li>○ Within Hours</li> <li>○ Outside Hours</li> </ul>	Chief Executive or nominated officer  Officer on call or Director	
<b>29. Management of Infectious Diseases &amp; Notifiable Outbreaks</b>	Medical Director	
<b>30. Facilities for staff not employed by the Trust to gain practical experience</b>  <ul style="list-style-type: none"> <li>• Professional Recognition, Honorary Consultant Contracts, &amp; Insurance of Medical Staff.</li> <li>• Other contracts</li> <li>• Work experience students</li> </ul>	Executive Management Team  Relevant Executive Director Assistant Director of Workforce	
<b>31. The keeping of a Declaration of Interests Register</b>	Chief Executive	SOs Section 7



DELEGATED MATTER	AUTHORITY DELEGATED TO	REFERENCE DOCUMENTS
32. <b>Attestation of sealings in accordance with Standing Orders</b>	Chairman/Chief Executive	SOs Section 8
33. <b>The keeping of a register of Sealings</b>	Chief Executive	SOs Section 8
34. <b>Retention of Records</b>	Chief Executive	SFIs Section 21
35. <b>Clinical Audit</b>	Chief Executive	SFIs Section 22

## GLOSSARY OF TERMS

In this Scheme of Delegation the following titles will apply:

<b>Title</b>	<b>Definition</b>
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 Group (excluding Executive Director)
Director of Service	All Directors.
Budget manager	Officer with designated responsibility for managing a defined budget or range of budgets
Responsible Director	Director responsible for the function
Senior Officer	Assistant Director or above