

Policy No. F02

Trust Policy for Scheme of Reservation and Delegation of Powers

The following personnel have direct roles and responsibilities in the implementation of this policy:

- All Trust Staff

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Trust Contact:	Assistant Director of Finance – Chief Accountant
Executive Lead:	Director of Finance

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Version Control Schedule

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1	December 2014	Document issued to create a standalone policy, previously integrated with F01. Document updated to reflect current practices and adherence to current Department of Health guidelines
2	January 2017	Approved by Audit Committee 27 January 2017
3	April 2017	Approved by Audit Committee 28 April 2017

University Hospitals of North Midlands

NHS Trust

Statement on Trust Policies to be included in all policies

Staff Side and Trade Unions

The University Hospitals of North Midlands NHS Trust is committed to ensuring that, as far as is reasonably practicable, the way in which we provide services to the public and the way in which we treat our staff reflects their individual needs and does not discriminate against individuals or groups on any grounds.

Equality and Diversity

The University Hospitals of North Midlands aims to promote equality and diversity and value the benefits this brings. It is our aim to ensure that all staff feel valued and have a fair and equitable quality of working life.

Equality Impact Assessment

The organisation aims to design and implement services, policies and measures that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. The Equality Impact Assessment tool is designed to help you consider the needs and assess the impact of your policy.

Information Governance

Any Trust policy which impacts on or involves the use and disclosure of personal information (patient or employee) must make reference to and ensure that the content of the policy is comparable with the relevant statutory or legal requirement and ethical standards

Data Protection Bill, General Data Protection Regulations (GDPR) and the NHS Code of Confidentiality

GDPR replaces the EU Data Protection Directive of 1995 and supersedes the law of member states that were developed in compliance with the Data Protection Directive 95/45/EC. Its purpose is to protect the “right and freedom” of natural persons (i.e. living individuals) and to ensure that personal data is not processed without their knowledge, and, wherever possible, that it is processed with their consent.

Processing includes holding, obtaining, recording, using and disclosing of information and applies to all forms of media, including paper and images. It applies to confidential patient information but is far wider in its scope, e.g. it also covers personal records

While GDPR applies to both patient and employee information, the Confidentiality Code of Practice (COP) applies only to patient information. The COP incorporates, the requirements of GDPR and other relevant legislations together with the recommendations of the Caldicott report and medical ethics considerations, in some cases extending statutory requirements and provides detailed specific guidance.

Freedom of Information Act 2000

The Freedom of Information Act 2000 (FOIA) is an Act which makes legal provision and creates a legal gateway and timetable for the disclosure, to the public, of the **majority** of corporate information held (but not necessarily created) by this Trust. The Trust has a legal responsibility to proactively provide a large amount of information to the public and to pro-actively respond to specific requests for information. Information will not be disclosed when the Trust can claim legal exemption. Any non-disclosure must be conveyed in writing; quoting the relevant exemption together with signposting to internal and external methods of complaint. Locally, guidance on the DPA, FOIA and COP can be obtained from the Information Governance Manager or the Caldicott Guardian.

Mental Capacity Act

Any Trust policy which may affect a person who may lack capacity should comply with the requirements of the Mental Capacity Act 2005 (MCA)

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The MCA and its associated Code of Practice provides the framework for making decisions on behalf of individuals who lack the mental capacity to do these acts or make these decisions for themselves. Everyone working with and/or caring for adults who lack capacity, whether they are dealing with everyday matters or life-changing events in the lives of people who lack capacity must comply with the Act.

In a day to day context mental capacity includes making decisions or taking actions affecting daily life – when to get up, what to wear, what to eat etc. In a legal context it refers to a person's ability to do something, including making a decision, which may have legal consequences for the person lacking capacity, or for other people.

The Code provides guidance to all those working with and/or caring for adults who lack capacity, including family members, professionals and carers. It describes their responsibilities when acting or making decisions with, or on behalf of, individuals who lack the capacity to do this for themselves. In particular, it focuses on those who will have a duty of care to a person lacking capacity and explains how the legal rules set out in the Act will work in practice.

The Health Act: Code of Practice for the Prevention and Control of Health Care Associated Infections

The purpose of the Code is to help NHS bodies plan and implement how they can prevent and control HCAI. It sets out criteria by which managers of NHS organisations are to ensure that patients are cared for in a clean, safe environment, where the risk of HCAI is kept as low as possible. Failure to observe the Code may either result in an Improvement Notice being issued by the Care Quality Commission, or in the Trust being reported for significant failings and placed on 'Special Measures'.

The Code relates to healthcare provided by all NHS bodies. Each NHS body is expected to have systems in place sufficient to comply with the relevant provisions of the Code, so as to minimise the risk of HCAI to patients, staff and visitors.

The Trust Board must have an agreement outlining its collective responsibility for minimising the risks of infection and the general means by which it prevents and controls such risks.

Effective prevention and control of HCAI must be embedded into everyday practice and applied consistently by all staff.

Human Rights

The Trust is committed to the principles contained in the Human Rights Act. We aim to ensure that our employment policies protect the rights and interests of our staff and ensure that they are treated in a fair, dignified and equitable way when employed at the Trust.

Sustainable Development

The University Hospitals of North Midlands NHS Trust (UHNM) is committed to demonstrating leadership in sustainability and has a Trust Board approved Sustainable Development Management Plan (SDMP): Our 2020 Vision: Our Sustainable Future which sets out the route to developing a world-class healthcare system that is financially, socially and environmentally sustainable.

There are three 'Key Priorities' to aim for by 2020. With the help of employees, key partners and other stakeholders the trust will embed opportunities to:

1. Reduce our environmental impact, associated carbon emissions and benefit from a healthier environment;
2. Improve the resilience of our services and built environment as a result of severe environmental and climatic changes;
3. Embed sustainable models of care and support our local community to be well-connected, healthy, resilient, independent and managing their lives in a positive way.

The SWITCH campaign is designed to achieve these priorities. It is relevant to all departments and all members of staff. The focus is on using resources sustainably in order to provide better patient care, improve health and our working environment.

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1. INTRODUCTION

- 1.1 Standing Order (SO) 4 “Arrangements for the exercise of Trust functions by delegation” states that subject to such directions as may be given by the Secretary of State, the Trust Board may make arrangements for the exercise, on behalf of the Trust Board, of any of its functions by a Committee, Sub-Committee appointed by virtue of SO 4, or by an officer of the Trust, or by another body as defined in SO 4.1.2, in each case subject to such restrictions and conditions as the Trust thinks fit.
- 1.2 The purpose of this policy is to set out the powers reserved by the Trust Board, while at the same time delegating to the appropriate level the detailed application of Trust policies and procedures. The Trust Board remains accountable for all of its functions; even those delegated to the Chairman, individual directors or officers and therefore, expect to receive information about the exercise of delegated functions to enable it to maintain a monitoring role.

2. STATEMENT

- 2.1 To provide details of the powers reserved by the Trust Board and the powers delegated to other officers of the Trust.

3. SCOPE

- 3.1 This policy applies to all areas of the Trust and all individuals employed by the Trust including contractors, voluntary workers, students, locum and agency staff and those holding honorary contracts.

4. DEFINITIONS

- 4.1 Detailed below is a list of terms used in this document and a definition of their meaning.

Term	Definition
Budget	Resource, expressed in financial terms, proposed by the Trust for the purpose of carrying out, for a specific period, any or all of the functions of the Trust. The budget should, wherever possible, also be supported by budgets relating to workforce and workload.
Budget Administrator	Employee with delegated authority from a Budget Manager (to a limit of £5,000 inclusive of VAT) to manage finances (income and expenditure) for a specific cost centre or group of cost centres
Budget Manager	Employee with delegated authority from a Budget Holder (to a limit of £25,000 inclusive of VAT) to manage finances (income and expenditure) for a specific cost centre or group of cost centres
Budget Holder	Director or employee with delegated authority to manage finances (Income and expenditure to a limit of £50,000) for a

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Term	Definition
	specific area of the organisation
Chairman	The person appointed to lead the Trust Board and to ensure that it successfully discharges its overall responsibility for the Trust as a whole
Chief Executive	Chief officer of the Trust
Chief Officer for Finance and Performance	Chief Financial Officer of the Trust
Director of Finance	Financial Director for the Trust with powers delegated from the Chief Officer for Finance and Performance
He/she or his/her	Where this term appears this term is to be taken as referring to the post holder and is interchangeable as the gender of that post holder changes
Scheme of Reservation and Delegation of Powers	Document which sets out the powers reserved by the Trust Board, while at the same time delegating to the appropriate level the detailed application of Trust policies and procedures.
Standing Financial Instructions (SFIs)	Document detailing the financial responsibilities, policies and procedures adopted by the Trust.
Trust	University Hospital of North Midlands NHS Trust
Trust Board	Board of the Trust

Table 1

- 4.2 Wherever the title Chief Executive, Director of Finance or other nominated officer is used in this Scheme of Reservation and Delegation of Powers, it shall be deemed to include such other Director or employees who have been duly authorised to represent them.
- 4.3 Wherever the term “employee” and the context permits, it shall be deemed to include employees of third parties contracted to the Trust when acting on behalf of the Trust.

5. ROLES AND RESPONSIBILITIES

5.1 Role of Chief Executive

- 5.1.1 All powers of the Trust which have not been retained as reserved by the Trust Board or delegated to an Executive Committee or Sub-Committee shall be exercised on behalf of the Trust Board by the Chief Executive. The Chief Executive shall prepare a Scheme of Delegation identifying which functions they shall perform personally and which functions have been delegated to other Directors and Officers.
- 5.1.2 All powers delegated by the Chief Executive can be reassumed by him/her should the need arise. As Accounting Officer the Chief Executive is accountable for the funds entrusted to the Trust.

5.2 Role of all Directors and Officers

- 5.2.1 Powers are delegated to Directors and Officers on the understanding that they would not exercise delegated powers in a matter in which their judgment was likely to be cause for public concern.

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

5.2.3 In the absence of a Director or Officer to whom powers have been delegated, those powers shall be exercised by that Director or Officers deputy unless alternative arrangements have been requested by the Trust Board.

6. EDUCATION/TRAINING AND PLAN OF IMPLEMENTATION

6.1 Training or support on the use of this policy can be obtained from the Assistant Director of Finance – Chief Accountant.

7. MONITORING AND REVIEW ARRANGEMENTS

7.1 Monitoring Arrangements

7.1.1 In accordance with SOs, the Trust Board shall formally establish a committee of independent members, as an Audit Committee, with formal Terms of Reference, which includes ensuring compliance with the Scheme of Reservation and Delegation of Powers.

As well as ensuring policy compliance through the Trust’s own internal systems and controls, this policy is also audited as part of the key financial systems and controls annual audit and any such breaches are reported to audit committee

7.1.2 Failure to comply with this policy will be recorded by the Director of Finance. Failure to comply with the policy is a disciplinary matter, which may be reported to the Audit Committee, and could result in dismissal.

7.1.3 All members of the Trust Board and employees have a duty to disclose any non-compliance with this policy to the Director of Finance as soon as possible.

7.2 Review

7.2.1 This policy will be reviewed 1 year post ratification of version 1, and every 3 years thereafter unless changes in national legislation override this or there has been a specific request to review earlier.

8. REFERENCES

Trust’s Standing Orders
Trust’s Standing Financial Instructions

Appendix A – RESERVATION OF POWERS TO THE TRUST BOARD

1. GENERAL

1.1 The Code of Accountability which has been adopted by the Trust requires the Trust Board to determine those matters on which decisions are reserved unto itself. These reserved powers are set out in 1.2 – 1.9 below.

1.2 General Enabling Provision

1.2.1 The Trust Board may determine any matter, for which it has delegated or statutory authority, it wishes in full session within its statutory powers.

1.3 Regulation and Control

1.3.1 Approval of Standing Orders (SOs), a schedule of matters reserved to the Trust Board and Standing Financial Instructions (SFIs) for the regulation of its proceedings and business.

1.3.2 Suspend SOs.

1.3.3 Vary or amend the SOs.

1.3.4 Ratify any urgent decisions taken by the Chairman and Chief Executive in public session in accordance with SO 4.2.

1.3.5 Approve a scheme of delegation of powers from the Trust Board to Committees.

1.3.6 Require and receive the declaration of Trust 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.

1.3.7 Require and receive the declaration of officers' interests that may conflict with those of the Trust.

1.3.8 Disciplining Directors who are in breach of statutory requirements or SOs.

1.3.9 Approve arrangements for dealing with complaints.

1.3.10 Adopt the organisation structures, processes and procedures to facilitate the discharge of business by the Trust and to agree modifications thereto.

1.3.11 Receive reports from Committees including those that the Trust is required by the Secretary of State or other regulation to establish and to take appropriate action on.

1.3.12 Confirm the recommendations of the Trust's Committees where the Committees do not have executive powers.

1.3.13 Approve arrangements relating to the discharge of the Trust's responsibilities as a corporate trustee for funds held on trust.

1.3.14 Establish Terms of Reference and reporting arrangements of all Committees and Sub-Committees that are established by the Board.

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- 1.3.15 Approve arrangements relating to the discharge of the Trust's responsibilities as a bailer for patients' property.
- 1.3.16 Authorise use of the seal.
- 1.3.17 Ratify or otherwise instances of failure to comply with SOs brought to the Chief Executive's attention in accordance with SO 4.6.
- 1.3.18 Approval of disciplinary procedure for Directors and Officers of the Trust.

1.4 Appointments and dismissals

- 1.4.1 Appoint and dismiss Committees (and individual members) that are directly accountable to the Trust Board.
- 1.4.2 Appoint the Vice Chairman of the Board.
- 1.4.3 Appoint, appraise, discipline and dismiss Executive Directors.
- 1.4.4 Confirm appointment of Members of any Committee of the Trust as representatives on outside bodies.
- 1.4.5 Appoint, appraise, discipline and dismiss the Associate Director of Corporate Affairs.
- 1.4.6 Approve proposals from the Remuneration and Nominations Committee regarding directors and senior employees and those of the Chief Executive for staff not covered by the Remuneration and Nominations Committee.

1.5 Policy determination

- 1.5.1 The approval of management policies including Human Resources policies incorporating the arrangements for the appointment, removal and remuneration of staff.

1.6 Strategy and Business Plans and Budgets

- 1.6.1 Define the strategic aims and objectives of the Trust.
- 1.6.2 Approve proposals for ensuring quality and developing clinical governance in services provided by the Trust, having regard to any guidance issued by the Secretary of State.
- 1.6.3 Approve and monitor the Trust's policies and procedures for the management of risk.
- 1.6.4 Approve the Capital Programme.
- 1.6.5 Approve annually plans in respect of health investment & services provision and the application of available financial resources.
- 1.6.6 Approve annually Trust's proposed organisational development proposals.
- 1.6.7 Ratify proposals for acquisitions and disposals.
- 1.6.8 Approve PFI proposals for new PFI schemes.

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- 1.6.9 Approve proposals on individual contracts (other than NHS contracts) of a capital or revenue nature as per scheme of delegation approved limits.
- 1.6.10 Approve proposals for action on litigation against or on behalf of the Trust.
- 1.6.11 Review use of NHS Litigation Authority (NHSLA) risk pooling schemes (LPST/CNST/ RPST).

1.7 Direct Operational Decisions

- 1.7.1 Acquisition, disposal or change of use of land and/or buildings.
- 1.7.2 The introduction or discontinuance of any significant activity or operation. An activity or operation shall be regarded as significant if it has a gross (i.e. including VAT) annual income or expenditure (that is before any set off) of £500,000.
- 1.7.3 Approval of individual compensation payments over £25,000.
- 1.7.4 Agree action on litigation against or on behalf of the Trust.

1.8 Financial and Performance Reporting Arrangements

- 1.8.1 Continuous appraisal of the affairs of the Trust by means of the receipt of reports as it sees fit from Directors, Committees and officers of the Trust as set out in management policy statements. All monitoring returns required by NHS Improvement and the Charity Commission shall be reported, at least in summary, to the Trust Board.
- 1.8.2 Approve the opening and closing of bank accounts.
- 1.8.3 Receipt and approval of a schedule of NHS contracts signed in accordance with arrangements approved by the Chief Executive.
- 1.8.4 Receipt and approval of the Trust's Annual Report including the annual accounts.

1.9 Audit Arrangements

- 1.9.1 Receipt of the annual management letter received from the external auditor and agreement of action on the recommendations, where appropriate, of the Audit Committee.
- 1.9.2 Receipt of the annual report received from the internal auditor and agreement of action on the recommendations, where appropriate, of the Audit Committee.
- 1.9.3 Ratify the approval of the appointment or dismissal of the external auditor.
- 1.9.4 Approval of external auditor's arrangements for the separate audit of funds held on Trust.

Appendix B – RESERVATION OF POWERS TO THE COMMITTEES OF THE TRUST BOARD

1. Delegation to Committees

1.1 The Trust Board may determine that certain 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 Department of Health, NHS Improvement and/or the Charity Commission. The Trust Board shall determine the reporting requirements in respect of these committees. In accordance with SO 4.3 committees may not delegate executive powers to their sub groups unless expressly authorised by the Trust Board.

2. Audit Committee

2.1 The Audit Committee will support the Trust Board in their responsibilities for issues of risk control and governance by reviewing the comprehensiveness of assurances in meeting the Trust Board and Accounting Officer's assurance needs and review the reliability and integrity of these assurances.

2.2 The Committee will advise the Trust Board and Accounting Officer on:

- (a) The strategic processes for risk, control and governance and the Annual Governance Statement
- (b) The accounting policies, the accounts, and the annual report of the organisation, including the process for review of the accounts prior to submission for audit, levels of error identified, and management's letter of representation to the external auditors
- (c) The planned activity and results of both internal and external audit including Counter Fraud arrangements
- (d) Adequacy of management response to issues identified by audit activity, including external audit's management letter
- (e) Assurances relating to the corporate governance requirements for the organisation
- (f) (Where appropriate) proposals for tendering for either internal or external audit services, or for purchase of non-audit services from contractors who provide audit services
- (g) Anti-fraud policies, whistle-blowing processes, and arrangements for special investigations

3. Remuneration and Nominations Committee

3.1 The Committee will:

- (a) Advise the Trust Board about appropriate remuneration and terms of service for the Executive Directors (i.e.: Trust Board voting and no-voting members) and the Chief Executive. For those senior posts reporting directly to the Chief Executive, the decision on remuneration and terms of service remains with

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the Chief Executive/Medical Director or Executive Director lead. This will include:

- (i) All aspects of salary (including any performance-related elements/bonuses)
 - (ii) Provisions for other benefits, including pensions and cars
 - (iii) Arrangements for termination of employment and other contractual terms
- (b) Monitor and evaluate the performance of individual Directors (with the advice of the Chief Executive)
- (c) Advise on and oversee appropriate contractual arrangements for Executive Directors, and when required, consider issues relating to remuneration, terms of service and performance issues for senior management staff
- 3.2 The Committee Chairman shall make recommendations to the Trust Board regarding the Composition of the Trust Board to ensure there are robust processes in place to review the role and performance of Non-Executive Directors and the Chairman, and to advise the Chairman regarding the filling of Non-Executive Vacancies.
- 3.3 The Committee is also responsible for reviewing and advising the Trust Board on the appointment process for Non-Executive Directors.

4. Quality and Assurance Committee

- 4.1 The Quality Assurance Committee will assure the Trust Board of the organisation's performance against quality and research objectives. This assurance is secured through the Assurance Framework, the Corporate Risk Register and the audit plans, which focus on the quality and research objectives of the Trust.
- 4.2 The primary duties of the Committee are:
- (a) To provide assurance to the Trust Board, of the level, adequacy and maintenance of integrated governance, risk management and internal control across quality and research governance activities
 - (b) In respect of this Committee, quality is defined as made up of three elements; patient safety, clinical best practice and patient experience.

5. Finance and Efficiency Committee

- 5.1 The Finance and Efficiency Committee will oversee all aspects of the Trust's financial, workforce and performance management arrangements, and provide robust assurance in these areas to the Trust Board. The Trust Board will continue to have primary responsibility for the financial, organisational development and business performance of the Trust and all Trust Board Directors will continue to be accountable in this respect.
- 5.2 The Committee will:
- (a) Oversee the development and maintenance of the Trust's medium and long term financial strategy/integrated business plan

- (b) Review and monitor short and long term financial plans and their link to operational performance
- (c) Oversee financial risk evaluation, measurement and management
- (d) Review the risk mitigation plan from the Corporate Risk Register that has been assigned to the Committee
- (e) Escalation to Trust Board as deemed appropriate by the Chair of the Committee

6. Professional Standards and Conduct Committee

- 6.1 The Committee will review the management and governance arrangements in respect of managing concerns about the professional standards and clinical conduct of Trust employees, including conduct which is potentially damaging to the Trust's reputation.
- 6.2 The Committee will:
 - (a) Provide assurance to the Trust Board and, in the case of medical staff, will ensure compliance with Maintaining High Professional Standards, that appropriate and timely management processes are in place

7. Charity Committee

- 7.1 The Committee will:
 - (a) Be responsible for all aspects of the management of the investment of funds held in the Trust (i.e. Charitable Funds) and for the effective utilisation of those funds
 - (b) Ensure Charities Commission requirements are fulfilled
 - (c) Provide assurance to the Trust Board that systems have been established to manage the funds ensuring that the identification, assessment and management of risk is linked to the achievement of the charity's operational objectives.

8. Trust Executive Committee

- 8.1 The Committee will execute actions delegated from the Trust Board and to support the operational management of the Trust in accordance with the Trust's Standing Orders and the Standing Financial Instructions.
- 8.2 The Committee:
 - (a) Is the executive arm of the Trust through which all officer-led Forum/Steering Groups within the Trust report
 - (b) Is the Trust's nominated risk committee
 - (c) Will advise the Chief Executive on key issues, which affect the delivery of services within the Trust to reach clear executive decision and action

Appendix C - SCHEME OF DELEGATION

1. General

- 1.1.1 The Scheme of Delegation has been designed to be a comprehensive response to the range of delegated matters identified in nationally promulgated guidance to the NHS and in the Trust's own SFIs and SOs.
- 1.1.2 Delegated matters in respect of decisions which may have a far reaching effect must be reported to the Chief Executive. The delegation shown below is the lowest level to which authority is delegated. Delegation to lower levels is only permitted within the written approval of the Chief Executive who will, before authorising such delegation, consult with other Senior Officers as appropriate.
- 1.1.3 Certain matters needing to be covered in the Scheme of Delegation are not covered by SFIs or SOs or they do not specify the responsible officer. These are included in the Detailed Scheme of Delegation (section 5).
- 1.1.4 This Scheme of Delegation covers only matters delegated by the Trust Board to Directors and certain other specific matters referred to in SFIs. Each Director is responsible for the delegation within his/her directorate. He/she must produce a scheme of delegation for matters within his/her directorate, which must receive the written approval of the Chief Executive. In particular the Scheme of Delegation should include how the directorate budget and procedures for approval of expenditure are delegated.

2. Duties delegated as per the Accounting Officer Memorandum

2.1 The Accounting Officer Memorandum is strictly applicable to NHS bodies accountable to the Secretary of State.

2.2 Chief Executive

2.2.1 Duties delegated:

- (a) Accountable through NHS Accounting Officer to Parliament for stewardship of Trust resources
- (b) Sign a statement in the accounts outlining responsibilities as the Accountable Officer
- (c) Ensure effective management systems that safeguard public funds and assist the Trust Chairman to implement requirements of corporate governance including ensuring managers:
 - (i) Have a clear view of their objectives and the means to assess achievements in relation to those objectives
 - (ii) Be assigned well defined responsibilities for making best use of resources
 - (iii) Have the information, training and access to the expert advice they need to exercise their responsibilities effectively
- (d) Achieve value for money from the resources available to the Trust and avoid waste and extravagance in the organisation's activities
- (e) Follow through the implementation of any recommendations affecting good practice as set out in reports from such bodies as the External Auditors
- (f) Primary duty to see that Director of Finance discharges this function.
- (g) Ensuring that expenditure by the Trust complies with Parliamentary requirements.
- (h) If the Chief Executive considers the Trust Board or Chairman is doing something that might infringe probity or regularity, he/she should set this out in writing to the Chairman and the Trust Board. If the matter is unresolved, he/she should ask the Audit Committee to inquire and if necessary NHS Improvement (NHSI) and Department of Health
- (i) If the Board or Chairman is contemplating a course of action that raises an issue not of formal propriety or regularity but affects the Chief Executive's responsibility for value for money, the Chief Executive should draw the relevant factors to the attention of the Trust Board. If the outcome is that the Chief Executive is overruled it is normally sufficient to ensure that the Chief Executive's advice and the overruling of it are clearly apparent from the papers. Exceptionally, the Chief Executive should inform NHS Improvement (NHSI) and the Department of Health. In such cases, and in those described in paragraph 19 of the Accountable Officer Memorandum, the Chief Executive

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should, as a Member of the Trust Board, vote against the course of action rather than merely abstain from voting.

2.3 Chief Executive and Chief Officer for Finance and Performance

2.3.1 Duties delegated:

- (a) Ensure the accounts of the Trust are prepared under principles and in a format directed by the Secretary of State. Accounts must disclose a true and fair view of the Trust's income and expenditure and its state of affairs
- (b) Sign the accounts on behalf of the Trust Board
- (c) Chief Executive, supported by Chief Officer for Finance and Performance, to ensure appropriate advice is given to the Trust Board on all matters of probity, regularity, prudent and economical administration, efficiency and effectiveness

2.4 Director of Finance

2.4.1 Duties delegated:

- (a) Operational responsibility for effective and sound financial management and information

2.5 Chairman and Associate Director of Corporate Affairs

2.4.1 Duties delegated:

- (a) Implement requirements of Corporate Governance

3. Duties delegated from the Code of Conduct and Accountability

3.1 The Codes of Conduct and Accountability represent standard good practice within the NHS and are applicable to the behaviour of Directors and officers of the Trust.

3.2 Trust Board

3.2.1 Duties delegated:

- (a) Approve procedure for declaration of hospitality and sponsorship
- (b) Ensure proper and widely publicised procedures for voicing complaints, concerns about misadministration, breaches of Code of Conduct, and other ethical concerns
- (c) Chair and non-officer members are responsible for monitoring the executive management of the organisation and are responsible to the Secretary of State for the discharge of those responsibilities
- (d) The Board has six key functions for which it is held accountable by the Department of Health on behalf of the Secretary of State:
 - (i) To ensure effective financial stewardship through value for money, financial control and financial planning and strategy
 - (ii) To ensure that high standards of corporate governance and personal behaviour are maintained in the conduct of the business of the whole organisation
 - (iii) To appoint, appraise and remunerate senior executives
 - (iv) To ratify the strategic direction of the organisation within the overall policies and priorities of the Government and the NHS, define its annual and longer term objectives and agree plans to achieve them
 - (v) To oversee the delivery of planned results by monitoring performance against objectives and ensuring corrective action is taken when necessary
 - (vi) To ensure effective dialogue between the organisation and the local community on its plans and performance and that these are responsive to the community's needs
- (e) It is the Trust Board's duty to:
 - (i) Act within statutory financial and other constraints
 - (ii) Be clear what decisions and information are appropriate to the Board and draw up, approve, implement and communicate SOs, a schedule of decisions reserved to the Board and SFIs to reflect these
 - (iii) Ensure that management arrangements are in place to enable responsibility to be clearly delegated to senior executives for

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the main programmes of action and for performance against programmes to be monitored and senior executives held to account

- (iv) Establish performance and quality measures that maintain the effective use of resources and provide value for money
 - (v) Specify its requirements in organising and presenting financial and other information succinctly and efficiently to ensure the Board can fully undertake its responsibilities
 - (vi) Establish Audit and Remuneration Committees on the basis of formally agreed Terms of Reference that set out the membership of the Sub-Committee, the limit to their powers, and the arrangements for reporting back to the main Board
- (f) NHS Trust Boards must comply with legislation and guidance issued by the Department of Health on behalf of the Secretary of State, respect agreements entered into by themselves or in on their behalf and establish terms and conditions of service that are fair to the staff and represent good value for taxpayers' money

3.3 All Trust Board Members

- 3.3.1 All Trust Board Members must subscribe to the Code of Conduct and share corporate responsibility for all decisions of the Trust Board

3.4 Chairman

- 3.4.1 It is the Chairman's duty to:

- (a) Provide leadership to the Trust Board
- (b) Enable all Trust Board members to make a full contribution to the Trust Board's affairs and ensure that the Trust Board acts as a team
- (c) Ensure that key and appropriate issues are discussed by the Trust Board in a timely manner
- (d) Ensure the Trust Board has adequate support and is provided efficiently with all the necessary data on which to base informed decisions
- (e) Lead Non-Executive Trust Board members through a formally-appointed Remuneration Committee of the main Trust Board on the appointment, appraisal and remuneration of the Chief Executive and (with the latter) other Executive Board members
- (f) Appoint Non-Executive Trust Board members to an Audit Committee of the main Board
- (g) Advise the Secretary of State on the performance of Non-Executive Trust Board members
- (h) Chair the Membership Council/Shadow Membership council when established

3.5 Chief Executive

- 3.5.1 The Chief Executive is accountable to the Chairman and Non-Executive members of the Trust Board for ensuring that its decisions are implemented, that the organisation works effectively, in accordance with Government policy and public service values and for the maintenance of proper financial stewardship
- 3.5.2 The Chief Executive should be allowed full scope, within clearly defined delegated powers, for action in fulfilling the decisions of the Board
- 3.5.3 The other duties of the Chief Executive as Accountable Officer are laid out in the Accountable Officer Memorandum

3.6 Non-Executive Directors

- 3.6.1 Non-Executive Directors are appointed by Appointments Commission to bring independent judgment to bear on issues of strategy, performance, key appointments and accountability through the Department of Health to Ministers and to the local community

3.7 Chairman and Directors

- 3.7.1 It is the duty of the Chairman and all Directors to declare any conflicts of interest.

4. Duties delegated from the Trust's Standing Orders (SOs)

4.1 Detailed below is a summary of the items held within the SFIs which are delegated and details are provided as to who these matters are delegated to. The below is not intended to replace the detail included within the SFIs and is to be read alongside the SFIs.

SO Ref.	Authority delegated to	Duties delegated
4.1	Chairman	Final authority in interpretation of SOs
1.4	Trust Board	Appointment of Vice Chairman/Senior Independent Director (If either appointed)
2.1	Chairman	Call meetings
2.9	Chairman	Chair all Trust Board meetings and associated responsibilities
2.10	Chairman	Give final ruling in questions of order, relevancy and regularity of meetings
2.12	Chairman	Having a second or casting vote
2.13	Trust Board	Suspension of SOs
2.13	Audit Committee	Audit Committee to review every decision to suspend SOs (power to suspend SOs is reserved to the Trust Board)
2.14	Trust Board	Variation or amendment of SOs
3.5	Trust Board	Formal delegation of powers to Sub-Committees or joint committees and approval of their constitution and Terms of Reference. (Constitution and Terms of Reference of Sub Committees may be approved by the Chief Executive)
4.2	Chairman & Chief Executive	The powers which the Trust Board has retained to itself within these SOs may in emergency be exercised by the Chairman and Chief Executive after having consulted with at least two Non-Executive members
4.4.2	Chief Executive	The Chief Executive shall prepare a Scheme of Delegation identifying his/her proposals that shall be considered and approved by the Trust Board, subject to any amendment agreed during the discussion
4.6	All Staff	Disclosure of non-compliance with SOs to the Chief Executive as soon as possible
5.1.2	Trust Board	Declare relevant and material interests
5.2	Chief Executive	Maintain Register(s) of Interests.
5.4.1	All Staff	Comply with national guidance contained in HSG 1993/5 "Standards of Business Conduct for NHS Staff"
5.4.4	All Staff	Disclose relationship between self and candidate for staff appointment. (Chief Executive to report the disclosure to the Trust Board)
6.1/6.3	Chief Executive	Keep seal in safe place and maintain a register of sealing
6.4	Chief Executive and Executive Director	Approve and sign all documents which will be necessary in legal proceedings

5. Duties delegated from the Trust's Standing Financial Instructions (SFIs)

5.1 Detailed below is a summary of the items held within the SFIs which are delegated and details are provided as to who these matters are delegated to. The below is not intended to replace the detail included within the SFIs and is to be read alongside the SFIs.

SFI Ref.	Authority delegated to	Duties delegated
1.3	Director of Finance	Approval of all financial procedures
1.4	Director of Finance	Advice on interpretation or application of SFIs
1.7	All members of the Trust Board and employees	Have a duty to disclose any non-compliance with these Standing Financial Instructions to the Director of Finance as soon as possible
5.2.2	Chief Executive	Responsible as the Accountable Officer to ensure that the Trust Board meets its obligations to perform its functions within the available financial resources and has overall responsibility for the System of Internal Control
5.2.1 & 5.3.1	Chief Executive & Director of Finance	Accountable for financial control but will, as far as possible, delegate their detailed responsibilities
5.2.3	Chief Executive	To ensure all Board members and officers, present and future, are notified of and understand Standing Financial Instructions.
5.3.2	Director of Finance	Responsible for: <ul style="list-style-type: none"> a) Implementing the Trust's financial policies and coordinating corrective action. b) Maintaining an effective system of financial control including ensuring detailed financial procedures and systems are prepared, documented and maintained. c) Ensuring that sufficient records are maintained to explain Trust's transactions and financial position. d) Providing financial advice to members of Trust Board and staff. e) Maintaining such accounts, certificates etc. as are required for the Trust to carry out its statutory duties.
5.5.1	All Trust Board members and employees	Responsible for security of the Trust's property, avoiding loss, exercising economy and efficiency in using resources and conforming to Standing Orders, Financial Instructions and financial procedures.
5.6.1	Chief Executive	Ensure that any contractor or employees of a contractor who is empowered by the Trust to commit the Trust to expenditure or who is authorised to obtain income are made aware of the SFIs and their requirement to comply.
Appx A – 1.1	Audit Committee	Provide independent and objective view on internal control and probity.
Appx A – 1.1.6	Chairman of Audit Committee	Raise the matter at the Trust Board meeting where Audit Committee considers there is evidence of ultra vires transactions or improper acts
Appx A – 1.2.1	Director of Finance	Ensure an adequate Internal Audit service, for which he/she is accountable, is provided (and involve the Audit Committee in the selection process when/if an Internal Audit service provider is changed.)
Appx A –	Director of Finance	Decide at what stage to involve police in cases of

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SFI Ref.	Authority delegated to	Duties delegated
1.2.2 (c)		misappropriation and other irregularities not involving fraud or corruption
Appx A – 1.2.4	Head of Internal Audit	Review, appraise and report in accordance with recognised professional best practice
Appx A – 1.3.1	Audit Committee	Ensure cost-effective External Audit service
Appx A – 2.6	Chief Executive & Director of Finance	Monitor and ensure compliance with Directions issued by the Secretary of State on Fraud and Corruption
Appx A – 2.7	Trust Board	Nominate a suitable person to carry out the duties of the Local Counter Fraud Specialist
Appx A – 3.1 & 3.2	Chief Executive	Monitor and ensure compliance with Directions issued by the Secretary of State for Health on NHS security management including appointment of the Local Security Management Specialist
Appx A – 4.1.1	Chief Executive	Compile and submit to the Trust Board an Integrated Business Plan (IBP) which takes into account financial targets and forecast limits of available resources. The Business Plan will contain a statement of the significant assumptions on which the plan is based and details of major changes in workload, delivery of services or resources required to achieve the plan
Appx A – 4.1.2	Director of Finance	Submit budgets to the Trust Board for approval
Appx A – 4.1.3	Director of Finance	Monitor performance against budget
Appx A – 4.1.6	Director of Finance	Ensure adequate training is delivered on an on-going basis to budget holders
Appx A – 4.2.1	Chief Executive	Delegate budget to budget holders.
Appx A – 4.3.1	Director of Finance	Devise and maintain systems of budgetary control
Appx A – 4.4.8	Chief Executive & Budget Holders	Must not exceed the budgetary total or virement limits set by the Trust Board
Appx A – 4.3.2	Budget Holders	Ensure that: <ul style="list-style-type: none"> (a) No overspend or reduction of income that cannot be met from virement is incurred without prior consent of the Trust Board (b) Approved budget is not used for any other than specified purpose subject to rules of virement (c) No permanent employees are appointed without the approval of the Chief Executive other than those provided for within available resources and workforce establishment (d) No spend is incurred against a budget outside of the Budget Holders remit (e) Systems of budgetary control are complied with fully
Appx A – 4.3.3	Chief Executive	Identify and implement cost improvements and income generation activities in line with the IBP
Appx A – 4.7.1	Chief Executive	Submit monitoring returns
Appx A –	Director of Finance	Prepare annual accounts and reports

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SFI Ref.	Authority delegated to	Duties delegated
5.1		
Appx A – 6.1 – 6.3	Director of Finance	Manage banking arrangements, including provision of banking services, operation of accounts, preparation of instructions and list of cheque signatories
Appx A – 7	Director of Finance	Income systems, including system design, prompt banking, review and approval of fees and charges, debt recovery arrangements, design and control of receipts, provision of adequate facilities and systems for employees whose duties include collecting or holding cash
Appx A – 7.2.4	All employees	Duty to follow Trust's financial procedures with regards to accurately and promptly recording money due from transactions which they initiate/deal with
Appx A – 8.5.4 (a)	Chief Executive	Can waive formal tendering procedures if Chief Executive decides such procedures would not be practicable or estimated expenditure/income would not warrant formal tendering procedures
Appx A – 8.5.7	Director of Finance	Authorise waivers of tendering procedures
Appx A – 8.9.2	Chief Executive and Director of Finance	Where one tender is received will assess for value for money and fair price
Appx A – 8.11.5	Chief Executive	No tender shall be accepted which will commit expenditure in excess of that which has been allocated by the Trust and which is not in accordance with these Instructions except with the authorisation of the Chief Executive
Appx A – 8.5.14	Chief Executive	Shall ensure that appropriate checks are carried out as to the technical and financial capability of those firms that are invited to tender or quote
Appx A – 8.13.4	Chief Executive or Director of Finance	No quotation shall be accepted which will commit expenditure in excess of that which has been allocated by the Trust and which is not in accordance with these Instructions except with the authorisation of the Chief Executive
Appx A – 8.16.1 (a)	Chief Executive	The Chief Executive shall demonstrate that the use of private finance represents value for money and genuinely transfers risk to the private sector
Appx A – 8.17.1 (g)	Chief Executive	The Chief Executive shall nominate an officer who shall oversee and manage all contracts on behalf of the Trust
Appx A – 8.18.1	Chief Executive	Nominate officers, with delegated authority, to enter into contracts of employment, regarding staff, agency staff, temporary staff service contracts
Appx A – 8.21.1	Chief Executive	Ensure that best value for money can be demonstrated for all services provided on an in-house basis
Appx A – 8.21.5	Chief Executive	If in-house services are outsourced, the Chief Executive shall nominate an officer to oversee and manage the contract on behalf of the Trust
Appx A – 9.1.1	Chief Executive	Responsible for negotiating contracts with commissioners for the provision of services to patients
Appx A – 9.2.1	Chief Executive	Ensure that regular reports are provided to the Trust Board detailing actual and forecast income from Service

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SFI Ref.	Authority delegated to	Duties delegated
		Level Agreements.
Appx A – 10.1.1	Trust Board	Establish a Remuneration and Nominations Committee
Appx A – 10.1.2 (a)	Remuneration and Nominations Committee	Advise the Trust Board and make recommendations on the remuneration and terms of service for the Chief Executive, other officer members and senior employees, ensure they are fairly rewarded having proper regard to the Trust's circumstances and any national agreements
Appx A – 10.1.2 (c)	Remuneration and Nominations Committee	Monitor and evaluate the performance of individual officer members (and other senior employees)
Appx A – 10.1.2 (d)	Remuneration and Nominations Committee	Advise and oversee appropriate contractual arrangements for senior employees, including proper calculation and scrutiny of termination payments.
Appx A – 10.1.4	Trust Board	Approve proposals presented by the Chief Executive for setting of remuneration and conditions of service for those employees and officers not covered by the Remuneration Committee
Appx A – 10.3.1	Chief Executive	Give authorisation to Trust Board members and employees to engage, re-engage or re-grade employees, either permanently or temporarily, and hire agency staff
Appx A – 10.4.1	Director of Finance	Responsible for processing of payroll including performance managing the outsourced provision of services to ensure it is in line with the contract, where necessary report any variations to the contract to Trust Board, specify timetables for submission of properly authorised time records and other notifications, final determination of pay and allowances, making payments on agreed dates, agreeing method of payment and issuing instructions regarding payroll
Appx A - 10.4.3	Nominated Managers	Submit time records in line with timetable, complete time records and other notifications in required form and submit termination forms in prescribed form and on time.
Appx A – 10.4.4	Director of Finance	Ensure that the chosen method for payroll processing is supported by appropriate (contracted) terms and conditions, adequate internal controls and audit review procedures and that suitable arrangements are made for the collection of payroll deductions and payment of these to appropriate bodies.
Appx A – 10.5.1	Human Resources Director	Ensure that all employees are issued with a Contract of Employment which complies with employment legislation and deal with variations to, or termination of, contracts of employment.
Appx A – 11.1.1	Chief Executive	Determine the level of delegation of non-pay expenditure to Budget Holders, including a list of employees authorised to place requisitions, the maximum level of each requisition and the system for authorisation above that level
Appx A – 11.1.3	Chief Executive	Set out procedures on the seeking of professional advice regarding the supply of goods and services
Appx A – 11.2.1	Requisitioner	In choosing the item to be supplied (or the service to be performed) shall always obtain the best value for money

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SFI Ref.	Authority delegated to	Duties delegated
		for the Trust. In so doing, the advice of the Trust's Supplies and Procurement Department shall be sought
Appx A – 11.2.4	Director of Finance	Advise the Trust Board regarding setting of thresholds above which quotations (competitive or otherwise) or formal tenders must be obtained, prepare procedural instructions on the obtaining of goods/services incorporating the thresholds, responsible for the prompt payment of all properly authorised accounts and claims, responsible for designing and maintaining a system of verification, recording and payment of all amounts payable and be responsible for ensuring that payment is only made when goods/services have been received
Appx A – 11.3.1 (a) – (c)	Director of Finance	Approve proposed prepayment arrangements for goods/services excluding training courses/subscriptions/membership fees up to £5,000
Appx A – 11.3.1 (d)	Budget Holder	Ensure that all items due under a prepayment contract are received
Appx A – 11.4.1	Chief Executive	Authorise who may use and be issued with official purchase orders
Appx A – 11.5.1	Managers and officers	Ensure that they comply fully with the guidance and limits specified by the Director of Finance in relation to non-pay expenditure
Appx A – 11.5.2	Chief Executive and Director of Finance	Ensure that the arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the guidance contained within EU regulations, PFI and P21+ (including NEC3 contracts)(to be shortly superseded by P22) and Health Building Note 00-08. The technical audit of these contracts shall be the responsibility of the relevant Director.
Appx A – 11.6.1	Director of Finance	Lay down procedures for payments to local authorities and voluntary organisations made under the powers of section 28A of the NHS Act.
Appx A – 11.7.1	Director of Finance	Ensure that any lease entered into on behalf of the Trust represents value for money
Appx A – 12.1.1	Director of Finance	Advise the Trust Board on the Trust's ability to pay dividend on Public Dividend Capital (PDC) and report, periodically, concerning the PDC debt and all loans and overdrafts.
Appx A – 12.1.2	Trust Board	Approve a list of employees authorised to make short term borrowings on behalf of the Trust (this must include the Chief Executive and Director of Finance)
Appx A – 12.1.3	Director of Finance	Prepare detailed procedural instructions concerning applications for loans and overdrafts
Appx A – 12.1.5	Chief Executive or Director of Finance	Be on an authorising panel, comprising one other member, for short term borrowing approval
Appx A – 12.2.2	Director of Finance	Advise the Trust Board on investments and report, periodically, on performance of investments
Appx A – 12.2.3	Director of Finance	Prepare detailed procedural instructions on the operation of investments held
Appx A – 13.1.1	Chief Executive	Ensure that there is adequate appraisal and approval process for determining capital expenditure priorities,

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SFI Ref.	Authority delegated to	Duties delegated
		responsible for the management of capital schemes and for ensuring that they are delivered on time and within cost, ensuring that capital investment is not undertaken without availability of resources to finance all revenue consequences and that a Capital Investment Programme is produced on an annual basis which is submitted and approved by Trust Board
Appx A – 13.1.4	Chief Executive	Issue managers responsible for any capital scheme with authority to commit expenditure, authority to proceed to tender and approval to accept a successful tender
Appx A – 13.1.5	Chief Executive	Issue a scheme of delegation for capital investment management
Appx A – 13.1.6	Director of Finance	Issue procedures governing financial management, including variation to contract, of capital investment projects and valuation for accounting purposes
Appx A – 13.2.8	Chief Executive	For capital schemes that stipulate stage payments will issue procedures for their management
Appx A – 13.2.9	Director of Finance	Assess the requirement for the operation of the construction industry taxation deduction scheme
Appx A – 13.2.10	Director of Finance	Issue procedures for the regular reporting of expenditure and commitment against authorised capital expenditure
Appx A – 13.6.1 (a)	Director of Finance	Demonstrate that the use of Private Finance Initiatives (PFI) represents value for money and genuinely transfers significant risk to the private sector
Appx A – 13.6.1 (c)	Trust Board	Proposal to use PFI must be specifically agreed by the Trust Board (except for variations to existing PFI contracts which will follow the Trust's authorisation thresholds that are in place for non-pay spend for non PFI spending)
Appx A – 13.7.1	Chief Executive	Responsible for maintenance of asset registers (on advice from Director of Finance)
Appx A – 13.7.5	Director of Finance	Approve procedures for reconciling balances on fixed assets accounts in ledgers against balances on fixed asset registers
Appx A – 13.8.1	Chief Executive	Overall control of security of fixed assets
Appx A – 13.8.2	Director of Finance	Approval of fixed asset control procedures
Appx A – 13.8.4 & 13.8.5	Trust Board members and all senior staff	Responsibility for security of Trust assets including notifying discrepancies to Director of Finance, and reporting losses in accordance with Trust procedure
Appx A – 14.2.1	Chief Executive	Delegate overall responsibility for control of stores
Appx A – 14.2.1	Director of Finance	Responsible for systems of control over stores
Appx A – 14.2.1	Designated Pharmaceutical Officer	Responsible for controls of pharmaceutical stocks
Appx A – 14.2.1	Designated Estates Officer	Responsible for control of stocks of fuel oil and coal
Appx A – 14.2.3	Director of Finance	Set out procedures and systems to regulate the stores including receipt of goods, issues and returns to stores

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SFI Ref.	Authority delegated to	Duties delegated
		and losses
Appx A – 14.2.4	Director of Finance	Agree stocktaking arrangements
Appx A – 14.2.5	Director of Finance	Approve alternative arrangements where a complete system of stores control is not justified
Appx A – 14.2.6	Director of Finance	Approve system for review of slow moving and obsolete stock items and for condemnation, disposal and replacement of all unserviceable items
Appx A – 14.3.1	Chief Executive	For goods supplied via the NHS Logistics' identify persons authorised to requisition and accept goods from stores
Appx A – 15.1.1	Director of Finance	Prepare detailed procedures for disposal of assets including condemnations and ensure that these are notified to managers
Appx A – 15.2.1 & 15.2.3	Director of Finance	Prepare procedures for recording and accounting for losses and special payments and informing Police and Security Management Director in cases of suspected theft or criminal damage
Appx A – 15.2.2	All staff	Discovery or suspicion of loss of any kind must be reported immediately to either head of department or nominated officer. The head of department / nominated officer should then inform the Chief Executive and Director of Finance
Appx A – 15.2.4	Director of Finance	Immediately notify Trust Board and External Auditor for losses caused or apparently caused by theft, fraud, criminal damage, neglect of duty or gross carelessness (unless trivial/immaterial)
Appx A – 15.2.5	Director of Finance	In cases of fraud and corruption inform NHS Protect
Appx A – 15.2.6	Trust Board	Approve write off of losses and special payments (within limits delegated by Department of Health)
Appx A – 15.2.8	Director of Finance	For any loss, consider whether any insurance claim can be made against insurers
Appx A – 15.2.9	Director of Finance	Maintain losses and special payments register
Appx A – 16.1.2	Director of Finance	Satisfy themselves that new financial systems and amendments to current financial systems are developed in a controlled manner and thoroughly tested prior to implementation
Appx A – 16.3.2	Director of Finance	Where another health organisation or any other agency provides a computer service for financial applications periodically seek assurances that adequate controls are in operation
Appx A – 16.4.1	Director of IT	Ensure that risks to the Trust from use of IT are identified and considered and that disaster recovery plans are in place
Appx A – 16.5.1	Director of Finance	Where computer systems have an impact on corporate financial systems satisfy themselves that systems acquisition, development and maintenance are in line with corporate policies, data produced for use with financial systems is adequate, accurate, complete and timely, and that a management trail exists, Director of

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SFI Ref.	Authority delegated to	Duties delegated
		Finance staff have access to such data and such computer audit reviews are being carried out as are considered necessary.
Appx A – 17.1.2	Chief Executive	Responsible for ensuring patients and guardians are informed about patients' money and property procedures on admission
Appx A – 17.1.4	Director of Finance	Provide detailed written instructions on the collection, custody, investment, recording, safekeeping, and disposal of patients' property (including instructions on the disposal of the property of deceased patients and of patients transferred to other premises) for all staff whose duty is to administer, in any way, the property of patients
Appx A – 17.1.8	Departmental managers	Inform staff of their responsibilities and duties for the administration of the property of patients
Appx A – 18.1.3	Director of Finance	Shall ensure that each trust fund which the Trust is responsible for managing is managed appropriately
Appx A – 19.1.1	Director of Finance	Ensure all staff are made aware of the Trust policy on the acceptance of gifts and other benefits in kind by staff
Appx A – 20.1.3	Chief Executive	Maintaining archives for all records required to be retained in accordance with Department of Health guidance.
Appx A – 21.1.1	Chief Executive	Ensure that the Trust has a risk management programme
Appx A – 21.1.1	Trust Board	Approve and monitor risk management programme
Appx A – 21.2.1	Trust Board	Decide whether the Trust will use the risk pooling schemes administered by the NHS Litigation Authority provider or to self-insure for some or all of the risks covered by the risk pooling schemes
Appx A – 21.4.1	Director of Finance	Where the Trust Board decides to use the risk pooling schemes administered by the NHS Litigation Authority, shall ensure that the arrangements entered into are appropriate and complementary to the risk management programme and ensure that documented procedures cover these arrangements.
Appx A – 21.4.2	Director of Finance	Where the Trust Board decides not to use the risk pooling schemes administered by the NHS Litigation Authority for one or other of the risks covered by the schemes, shall ensure that the Trust Board is informed of the nature and extent of the risks that are self-insured as a result of this decision
Appx A – 21.4.2	Director of Finance	Draw up formal documented procedures for the management of any claims arising from third parties and payments in respect of losses which will not be reimbursed
Appx A – 21.4.3	Director of Finance	Ensure documented procedures cover management of claims and payments below the deductible limit.

6. Detailed scheme of delegation

6.1 Detailed below is a summary of the delegated limits as per the Standing Financial Instructions (SFIs). The below is not intended to replace the detail included within the SFIs and is to be read alongside the SFIs.

SFI Ref./ Other Ref.	Authority delegated to	Duties delegated
4.2	<p>Chief Executive</p> <p>Budget Holder (Executive Director, Clinical Director or Head of Service)</p> <p>Budget Manager</p> <p>Budget Administrator</p>	<p>Budgetary Delegation</p> <p>Responsibility for management of:</p> <p>Total of operational and corporate budgets</p> <p>Total of budgets at other specified level (e.g. for the totality of services covered by the Division)</p> <p>At individual budget level (e.g. department/function or collective specialty group)</p> <p>At individual cost centre/s level</p>
4.4	<p>Budget Holder and Director of Finance</p> <p>Associate Directors and/or Directorate Managers</p> <p>Budget Holder and Director of Finance</p>	<p>Virements</p> <p>Types of virement:</p> <p>Budget moves between income, pay or non-pay</p> <p>Budget moves between pay to pay and non-pay to non-pay</p> <p>Re-phasing of budgets</p>
4.6	<p>Director of Finance</p> <p>Clinical Director and Associate Directors</p> <p>Executive Team</p> <p>Trust Executive Committee (TEC)</p>	<p>Revenue business cases</p> <p>If source of funds deemed readily available and investment < £25,000</p> <p>Replacement consultant posts</p> <p>Revenue business cases with investment of:</p> <p>£0 (if source of funds not deemed readily available)/£25,001 to £250,000</p> <p>£250,001 to £1,000,000</p>

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SFI Ref./ Other Ref.	Authority delegated to	Duties delegated
	Finance and Efficiency Committee (FEC) Trust Board NHS Improvement (NHSI)	£1,000,001 to £3,000,000 £3,000,001 to £5,000,000 £5,000,001 and above
7	Director of Finance Chief Executive and Director of Finance	Income, fees and charges For setting income, fees and charges relating to: Private patients, overseas visitors, income generating activities and other patient related services For prices of all NHS contracts
7.2.3	Chief Executive or Director of Finance or Medical Director Charitable Funds Committee	Authorisation of sponsorship deals: For the Trust For the Charitable fund
8	Budget Holder/Manager or Associate Director of Procurement & Commercial Services	Tendering, contracting and purchasing procedures Values stated below are inclusive of VAT and apply to both capital and revenue expenditure £0 to £1,000 -"verbal" informal quotes should be obtained wherever practicable. £1,001 - £24,999 – "formal quotes" should be obtained from a minimum of three (3) suppliers where practicable. £25,000 to £49,999 – "formal quotes" should be obtained from a minimum of three (3) suppliers and the opportunity advertised through "contracts finder" £50,000 to £106,047 – "formal tenders" should be obtained and the opportunity

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SFI Ref./ Other Ref.	Authority delegated to	Duties delegated
	<p>Associate Director of Procurement & Commercial Services</p> <p>Chief Executive or Director of Finance or Chairman</p> <p>Band 5 level or above within originating department</p>	<p>advertised through “contracts finder”</p> <p>£106,047 and above – “formal tenders” should be obtained and there is a legal requirement to advertise the contract through the Official Journal of Europe (OJEU).</p> <p>Waivering of Quotations subject to SFIs</p> <p>Waivering of Tenders subject to SFIs</p> <p>Opening tenders and opening quotations</p>
10	<p>Associate Director and Director of Human Resources</p> <p>Departmental Manager and Director of Human Resources or nominated officer</p> <p>Budget Manager or Budget Holder</p>	<p>Human Resources and pay</p> <p>Granting additional increments to staff within budgets</p> <p>All requests for upgrading or re-grading staff shall be dealt with in accordance with Trust procedure</p> <p>Regarding pay documentation, authorise standing data forms effecting pay, new starters, variations and leavers, time and attendance submissions, travel and subsistence expenses and authorise withholding of annual increments in line with appraisal policy</p>
10	<p>Budget Holder and Associate Director</p> <p>Budget Holder</p>	<p>Authorised car and mobile phone users</p> <p>Requests for new posts to be authorised as car users</p> <p>Requests for new posts to be authorised as mobile phone users</p>
10		<p>Staff Retirement Policy</p>

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SFI Ref./ Other Ref.	Authority delegated to	Duties delegated
	Departmental Manager	Authorisation for flexible retirement including retire and return
10	<p>Director of Human Resources or Chief Executive and Director of Finance</p> <p>Remuneration Committee</p>	<p>Redundancy</p> <p>Approval of redundancy payments:</p> <p>£0 to £10,000</p> <p>£10,000 and above</p>
10	Departmental Manager	<p>Ill health retirements</p> <p>Decision to pursue retirement on the grounds of ill-health</p>
10	<p>Remuneration and Nominations Committee</p> <p>Medical Director and Chief Executive</p> <p>Directorate or Departmental Manager</p>	<p>Dismissals</p> <p>Dismissal of:</p> <p>a) Executive Director</p> <p>b) Senior medical staff</p> <p>c) All other staff</p>
10.2.2	Chief Executive	<p>Engagement of staff not in the establishment</p> <p>Approval of engagement of staff that are not in the permanent establishment (regardless of value)</p>
10.3	<p>Budget Manager, Budget Holder, HR Manager and Divisional Business Advisor</p> <p>Executive Director following approval by Budget Holder</p>	<p>Engagement of permanent staff</p> <p>Approval to appoint to agreed establishment (other than senior medical staff) if the post is or will be vacant and the post is funded recurrently and budget is available</p> <p>Approval to appoint where, exceptionally, the post is not on the agreed establishment, providing that the appointment is vital for the service and a source of recurrent funding</p>

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	Chief Executive and Director of Finance following approval by appropriate Executive Director and appropriate Budget Holder	has been identified and is available Approval to satisfactorily appoint senior medical staff (Consultant Staff Grade, Associate Specialist, Hospital Practitioner and Trust Doctor) to agreed establishment providing that the post is or will be vacant and the post is funded and supporting costs are funded recurrently and budget is available
10.3.1	Budget Holder Budget Holder and relevant Executive Director Budget Holder and relevant Executive Director	Engagement of temporary staff and renewal of fixed term contracts Engagement of temporary staff (excluding senior medical staff and NHSP/nurse agency) where the cover is vital for the service, is for a vacant post (which is funded recurrently and budget is available and can accommodate these costs) Engagement of temporary staff where the cover is vital for service and the cover is for a vacant post which is funded recurrently and budget is not available or cannot accommodate these costs Where in exceptional circumstances it is necessary to engage temporary staff in an emergency situation, the above approvals must be sought retrospectively. This must include securing the alternative sources of funding where appropriate (for example on-call Managers).
11	Budget Administrators Budget Managers	Non-Pay Expenditure This includes committing the Trust to expenditure, raising purchase orders and the payment of goods or services The values detailed below are gross values (i.e. the total cost inclusive of VAT) The values detailed below are relevant to all non-pay costs (excluding pharmacy drugs) : £0 to £5,000 £0 to £25,000

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	Pharmacy Directorate Manager, Deputy Clinical Director of Pharmacy or Clinical Director of Pharmacy Director of Finance Chief Officer – Finance and Performance Chief Executive Finance and Performance Committee Trust Board	£0 - £90,000 £90,001 to £100,000 £100,001 to £500,000 £500,001 to £1,000,000 £1,000,001 to £3,000,000 £3,000,001 and above N.B. For approvals over £90,000 where Director of Finance, Chief Officer – Finance and Performance, Chief Executive, or Trust Board authorisation is required, the spend has to be previously authorised by the relevant officers detailed above. So for e.g. spend of £750,000 will have to be authorised by the Senior Procurement or Pharmacist Directorate Manager or Clinical Director, Director of Finance, Chief Officer – Finance and Performance and Chief Executive (in that order).
11.5.1	Director of Estates, Facilities & PFI, and Director of Finance Director of Estates, Facilities & PFI, Director of Finance or Chief Executive	Agreements and licenses relating to accommodation at the Trust Preparation and signature of all tenancy agreements/licenses for all staff subject to Trust Policy on accommodation for staff and extensions to lease agreements Letting of premises to outside organisations
11.5.1	Petty cash holder Director of Finance	Petty cash disbursements Expenditure up to £50 per item Expenditure over £50 per item
11.7		Leases

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	<p>Director of Finance</p> <p>Director of Finance and Chief Executive</p>	<p>Granting and terminating leases with annual rent of:</p> <p>£0 to £100,000</p> <p>£100,000 and above</p> <p>The values above are gross values (i.e. total rent inclusive of VAT)</p>
13	<p>Capital Investment Group (CIG)</p> <p>Finance and Efficiency Committee (FEC)</p> <p>Trust Board</p> <p>NHS Improvement (NHSI) and DH</p>	<p>Capital Investment</p> <p>This includes committing the Trust to capital spend, raising purchase requisitions and the payments for capital spend</p> <p>All capital spend must be approved as part of the Trust's annual capital programme</p> <p>For all capital expenditure proposals a capital bid must be prepared</p> <p>A capital business case is required for all new capital investment if it is not relating to the replacement of an existing asset</p> <p>The approval limits for capital business cases are detailed below (these values are gross values i.e. the total cost inclusive of VAT and are for all capital business cases regardless of funding source (i.e. are for both non PFI and PFI funded capital):</p> <p>£0 to £1,000,000</p> <p>£1,000,001 to £3,000,000</p> <p>£3,000,001 to £15,000,000</p> <p>£15,000,001 and above</p>
15.1	Director of Estates,	<p>Disposals and condemnations</p> <p>The person responsible for condemning items at the Trust is dependent on the item as detailed below:</p> <p>For electrical items</p>

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	<p>Facilities & PFI</p> <p>Associate Director or Head of Division</p> <p>Medical Director</p> <p>Associate Director or Head of Division and Associate Director of Procurement & Commercial Services</p> <p>Associate Director of Procurement & Commercial Services and Director of Finance</p> <p>Associate Director of Procurement & Commercial Services and Director of Finance and Trust Board</p> <p>Director of Finance and Chief Executive and Trust Board and NHS (NHSI) where appropriate</p>	<p>For furniture items</p> <p>For medical items</p> <p>Authorisation for method of disposal (excluding land and buildings):</p> <p>£0 to £10,000</p> <p>£10,001 to £500,000</p> <p>£500,000 and above</p> <p>Disposal of land or buildings</p>
15.2	Director of Finance	<p>Losses and special payments</p> <p>Limits and authorisation levels are dependent on the type of loss and special payment.</p> <p>All losses and special payments must be reported to the Audit Committee at every meeting and Audit Committee will prospectively approve all such payments valued at £25,000 and above</p> <p>Losses and special payments of:</p> <p>(a) Losses of cash:</p> <p>£0 to £50,000</p>

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	<p>Chief Executive and Director of Finance</p> <p>Chief Executive and Director of Finance and Trust Board</p>	<p>£50,001 to £250,000</p> <p>£250,001 and above</p>
15.2.3 & 15.2.4	<p>Director of Finance</p> <p>Director of Finance</p>	<p>Reporting of losses and special payments</p> <p>Where the theft/fraud relating to a loss/special payment is suspected inform the police and Security Management Director</p> <p>For losses/special payments caused or apparently caused by theft, fraud, criminal damage (including arson), neglect of duty or gross carelessness (except if trivial /immaterial) immediately notify the Trust Board and the External Auditor</p>
18	<p>Fund Manager and Directorate or Departmental Manager</p> <p>Fund Manager and Directorate or Departmental Manager and Director of Finance</p> <p>Fund Manager and Directorate or Departmental Manager and Director of Finance and Chairman of Charitable Funds Committee</p>	<p>Funds held on trust (donated funds)</p> <p>This relates to any expenditure relating to Charitable Funds.</p> <p>The values detailed below are gross values (i.e. the total cost including VAT where applicable for the Charity).</p> <p>£0 to £5,000</p> <p>£5,001 to £25,000</p> <p>£25,001 and above</p>
19.4.4		<p>Receiving hospitality</p> <p>This applies to both individual and collective</p>

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	Associate Director of Corporate Affairs	hospitality receipt items Any employee of the Trust receiving hospitality of in excess of £25 per item received is to declare this in the Hospitality Register maintained by the Associate Director of Corporate Affairs
20.1.3	Chief Executive	Responsibility for retention of records
Annual leave and Public Holiday Leave Policy (Except Medical Staff) HR52	Departmental Manager	Annual, Public Holiday Leave Approval of annual leave and approval of carry forward up to a maximum of 5 days or up to statutory entitlement in the case of individuals unable to take leave due to sickness
HR15 Career Grade Doctors Annual Leave Policy	Clinical Director	Annual, Public Holiday Leave (Medical Staff) Approval of medical staff leave of absence (paid)
HR55 Junior Doctors Annual Leave Policy	Rota Co-coordinator/Directorate Manager/ Consultant (for Specialist Registrars only)	Approval of medical staff leave of absence (unpaid)
HR14 Attendance Management Policy (All Staff)	Departmental Manager	Approval of compassionate leave up to one working week or, in exceptional circumstances, up to two working weeks Approval of emergency leave arrangements (up to 3 days). Any additional leave required above the 3 working days may be taken at manager's discretion Approval of short term carer/domestic need up to 5 days (subject to payback)
HR40 Study leave/professional leave for career grade doctors	Clinical Director (or delegated individual)/Departmental Manager/ Budget Holder	Study leave Approval of study leave: N.B. Any study leave which is to take place outside the UK is to be approved by those

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	Chief Operating Officer	
	Chief Executive	<p>Patients and Relatives Complaints</p> <p>Overall responsibility for ensuring that all complaints are dealt with effectively.</p>
	<p>Director of Communications and Executive Director/Executive Director On-Call</p> <p>Director of Communications or Chief Executive or Executive Director/ Executive Director On-Call</p>	<p>Relationship with the press</p> <p>Non-emergency general enquiries within or outside hours</p> <p>Emergency within or outside hours</p>
<p>Nurse/Midwives/ Health Visitors Act Midwives Rules / Code of Practice UKCC Code of Professional Conduct</p>	Chief Executive and Chief Nurse	<p>Extended Role Activities</p> <p>Approval of Nurses to undertake duties/procedures which can properly be described as beyond the normal scope of Nursing Practice.</p>
	<p>Chief Operating Officer</p> <p>Chief Operating Officer and Chief Executive</p> <p>On Call Manager or Chief Executive</p>	<p>Patient services</p> <p>Variation of operating and clinic sessions within existing numbers:</p> <p style="padding-left: 40px;">d) Temporary variations</p> <p style="padding-left: 40px;">e) Permanent variations</p> <p>All proposed changes in bed allocation and use for both temporary and permanent changes</p>
	Director of Human Resources	Facilities for staff not employed by the Trust to gain practical experience - Professional Recognition, Honorary Contracts, and Insurance of Medical Staff
	Director of Estates, Facilities & PFI	Review of fire precautions

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	Chief Nurse	Review of all statutory compliance legislation and Health and Safety requirements including control of Substances Hazardous to Health Regulations
	Medical Director	Review of Medicines Inspectorate Regulations
	Director of Estates, Facilities & PFI	Review of compliance with environmental regulations, for example those relating to clean air and waste disposal
	Director of IT	Review of Trust's compliance with the Data Protection Act
	Director of Finance	Monitor proposals for contractual arrangements between the Trust and outside bodies
	Associate Director of Corporate Affairs	Review the Trust's compliance with the Freedom of Information Act
	Director of Finance	Review of the Trust's compliance code of Practice for handling confidential information in the contracting environment and the compliance with "safe haven" as per Caldicott, the IG Toolkit and future guidance from the General Data Protection Regulation.
SO 5.2	Associate Director of Corporate Affairs	The keeping of a Declaration of Interests Register
SO 6.2	Chairman and Chief Executive	Attestation of sealing's in accordance with Standing Orders
SO 6.3	Associate Director of Corporate Affairs	The keeping of a register of sealing