



RESERVATION OF POWERS AND SCHEME OF DELEGATION			
START DATE:	March 2021	EXPIRY DATE	March 2022
COMMITTEE APPROVAL:	NAME OF COMMITTEE: Trust Board	NAME OF CHAIR OF APPROVING COMMITTEE	
	DATE APPROVED:		
	Endorsed By: Audit and Risk Committee		DATE: 25 th March 2021
DISTRIBUTION	Trust-wide		
RELATED DOCUMENTS/ OTHER INFORMATION:	<ul style="list-style-type: none"> • Standing Financial Instructions • Standing Orders – Annex 9 to Constitution of Chelsea & Westminster Hospital NHS Foundation Trust September 2017 • Trust Purchasing Guide • Counter Fraud and Corruption Policy and Response Plan • Conflicts of Interests and Anti-Bribery Policy • Treasury Management Policy • Raising Concerns (Whistleblowing) Policy • Governance Framework • Capital Governance Framework Policy • Information Governance Policy • Information Security Policy • Data Protection and Confidentiality Policy • Freedom of Information Policy • Losses and Special Payments Guidance Notes and Procedures • Purchase Order Compliance Policy • Patient Property Policy and Procedure • Other Trust-wide Policies and Procedures 		
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STAKEHOLDERS INVOLVED:	Chairs of key Trust committees Human Resources (in particular Equality and Diversity Manager) Director of Corporate Governance & Compliance All Trust staff		

IS AN EQUALITY ANALYSIS REQUIRED?			NO
IF AN EQUALITY ANALYSIS IS REQUIRED, HAS IT BEEN SENT TO THE EQUALITY AND DIVERSITY MANAGER?			NO
DOCUMENT REVIEW HISTORY:			
Date	Version	Responsibility	Comments
March 2018	14	Chief Financial Officer	Revised front sheet in line with Policy on Non-Clinical Policies. Updates to: References to legislation Job titles and committee names to reflect current structure Regulatory body from Monitor to NHS Improvement Increase to limit for lowest level of expenditure approval from £7,500 to £10,000 Updates to cross referencing to SOs and SFIs Other minor updates
January 2019	14	Chief Financial Officer	Comprehensive refresh and rewrite for ease of use and cross-check with refreshed Standing Financial Instructions.
March 2020	15	Acting Chief Financial Officer	Minor changes, including job title changes; paragraph 7.3 Commercial Opportunities; sections 11.2.2 and 7.1/7.2 to reflect actual process and staff change
March 2021	16	Chief Financial Officer	Minor changes, including additional approvers added in to electronic services payments approvers (section 8.1.1), Amendments to section 7.3 – commercial opportunities and amendments to responsible officers for other matters to be delegated (section 7.1).

**SCHEDULE OF DECISIONS RESERVED TO THE BOARD AND THE
SCHEME OF DELEGATION**

March 2021

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1. INTRODUCTION

- 1.1 The NHS Foundation Trust Code of Governance requires that there should be a formal schedule of matters specifically reserved for decision by the Board. This document sets out the powers reserved to the Board and those that the Board has delegated.
- 1.2 The Board remains accountable for all of its functions; even those delegated to Committees, individual executive directors or officers and would therefore expect to receive information about the exercise of delegated functions to enable it to maintain a monitoring role.
- 1.3 All powers of the Trust which have not been retained as reserved by the Board or delegated to a committee or sub-committee of the Board shall be exercised on behalf of the Board by the Chief Executive or another executive director.
- 1.4 The Chief Executive is ultimately accountable to the Board, and as Accountable Officer, to the Secretary of State for Health, for ensuring that the Board meets its obligations. The Chief Executive has overall executive responsibility for the Trust's activities; is responsible to the Chair and the Board for ensuring that targets are met.
- 1.5 The Scheme of Delegation identifies any functions which the Chief Executive shall perform personally and those delegated to other directors or officers. Whilst the detailed responsibility can be further delegated, the Chief Executive remains accountable for that responsibility to the Board. All powers delegated can be re-assumed by him/her should the need arise.
- 1.6 The Scheme of Delegation shows only the "top level" of delegation within the Trust. The Scheme is to be used in conjunction with the system of budgetary control and other established procedures within the Trust (see 7.2).
- 1.7 In the absence of a director or officer to whom powers have been delegated those powers shall be exercised by that director or officer's superior unless alternative arrangements have been approved by the Board. If the Chief Executive is absent powers delegated to him/her may be exercised by the Executive Director who is formally acting-up as Chief Executive. Formal acting-up status shall be confirmed in writing by either the Chief Executive or the Chair.
- 1.8 The Scheme of Delegation is reviewed annually.
- 1.9 As part of ensuring a sound system of corporate governance prevails, there is a requirement for staff with budgetary and/or senior managerial responsibility to sign a statement acknowledging awareness of this document and the Standing Financial Instructions, and agreeing to apply them to their everyday approach to carrying their work for the Trust. This approach promotes compliance and effectiveness.
- 1.10 **Caution over the Use of Delegated Powers**

Powers are delegated to directors and officers on the understanding that they would not exercise delegated powers in a matter which, in their judgement, was likely to be a cause for public concern.

2 SCHEDULE OF DECISIONS RESERVED TO THE BOARD

The Board retains the right to determine any matter it wishes in full session within its statutory powers.

Constitution Reference	Decision Reserved to the Board
4	To exercise the powers of the Trust as set out in the 2006 Act, subject to any restrictions in the Terms of Authorisation, or delegated to a Committee of the Board of Directors or to an executive director.
22	Determine the rates for travelling and other expenses payable to members of the Council of Governors.
28.2	Appoint one of the non-executive directors as a Senior Independent Director to act in accordance with NHS Improvement's NHS Foundation Trust Code of Governance, as may be amended and replaced from time to time, and the Trust's Standing Orders (SOs).
29	Appoint or remove the Chief Executive and other executive directors.
34.2	Establish a Committee of non-executive directors to decide the remuneration, allowances and other terms and conditions of the Chief Executive and other executive directors.
38	Make available for inspection by members of the public: <ul style="list-style-type: none"> • The Constitution • Latest Annual Accounts and Auditor's report • Latest Annual Report • A copy of any notice under section 65 of the 2006 Act.
40	Establish an Audit and Risk Committee.
41	Keep accounts.
42.1	Prepare an Annual Report and send it to NHS Improvement.
42.2 – 42.6	Prepare an annual forward plan and send it to NHS Improvement.
42.4	Receive the views of the Council of Governors on the annual forward plan.
43	Present the Annual Accounts, Auditor's report and Annual Report to the Council of Governors.
44	Authorise the fixing of the Trust seal.
Annex 5 Rule 4	Appoint a returning officer for elections to the Council of Governors
Annex 5 Rule 6	Determine the remuneration and expenses payable to the returning officer
Annex 4, Rule 16	Make available for inspection by members of the public the statement of nominated candidates and nomination papers.
Annex 4, Rule 22	Provide the returning officer with a list of constituency members eligible to vote.

Annex 4, Rule 57& 58	Retain documents relating to elections to the Council of Governors and make these available for public inspection, subject to the restrictions in the election rules.
Annex 4, Rule 63 & 64	Compile information about the candidates and publish information about the candidates and the election.
Annex 7 9.5	Agree procedures for resolution of Council of Governors membership queries and any voting or legislation issues.
Annex 10 1	Decide to disqualify a Member of the Trust if they are likely to cause harm or detriment to the Trust
Standing Order Reference (Annex 9 to the Constitution)	
3	Determine the timing and location of Board meetings, including whether these should be held in public, and set the agenda.
3.29 – 3.34	Suspend or amend SOs subject to contravention of any statutory provision or direction from NHS Improvement and criteria within SFIs 3.29 and 3.34
4	Determine the functions to be delegated to committee, sub-committee or an officer of the Trust.
4.5	Approve scheme of delegation
5	Appoint committees subject to such directions and guidance as may be given by NHS Improvement and appoint persons to sit on such committees formally constituted.
5.5	Authorise committees to delegate executive powers to a sub-committee.
5.8	Establish the following committees and approve the Terms of Reference of: <ul style="list-style-type: none"> • Audit and Risk Committee • Nominations and Remuneration Committee • Finance and Investment Committee • People and Organisational Development Committee • Quality Committee • Any other committee or sub-committee required to discharge the Board's responsibilities.
10.2	Enter into contracts on behalf of the Trust and within its statutory powers
11.2	Authorise use of the Trust seal
12.2	Authorise Chief Executive, Chief Financial Officer or executive director to sign documents on behalf of the Trust
13.2	Review SOs annually
13.3	Resolve disputes arising out of or in connection with the Constitution including interpretation of SOs and procedure to be followed at meetings of the Board of Directors
Standing	

Financial Instructions Reference	
1.2.1	<ul style="list-style-type: none"> • Formulate the financial strategy • Approve budgets • Defining and approving essential features in respect of important procedures and financial systems • Define delegated responsibilities
1.2.2	Approve terms of reference of all committees reporting directly to the Board.
1.2.8	Responsible for security of Trust property, avoiding loss, exercising economy and efficiency in use of resources and conforming to the Constitution, Standing Orders, SFIs and Scheme of Delegation and requirements of NHS Improvement
2.1.1	Establish an Audit and Risk Committee
2.5.3	Nominate a professionally accredited person to carry out the duties of the Counter Fraud Specialist
2.6.2	Nominate a suitable person to carry out the duties of the Local Security Management Specialist
4.4	Approve the Annual Report and Accounts, including the auditor's report, unless specifically delegated to the Audit and Risk Committee.
5.1.2-5.1.3	Review and approve banking arrangements including CFO recommendations regarding the opening or closing of Trust bank accounts.
6.3.3 – 6.3.4	Approve individual or packages of debt write offs over £100,000.
7.3.2 – 7.3.4	Approve contracts for goods and services and variations to revenue contracts with a contract value over £500,000
8.1.1	Regularly review and shall at all times maintain and ensure the capacity and capability of the Trust to provide the mandatory goods and services referred to in its Terms of Authorisation and related schedules.
8.3.2	Approval of tenders over £25m in total or £10m per annum where the Trust is a competing body
9.1.1	Establish a Nominations and Remuneration Committee
10.1.1	Approve the level of non-pay expenditure on an annual basis
11.1.3	Approve applications for loans or overdraft facilities
11.1.5	Approve long-term borrowing
11.3.3	Approve investments in forming and/or acquiring an interest in bodies corporate
12.2.2	Approve the annual capital plan
12.2.5	Approve capital or revenue schemes defined as major within the Foundation Trust Compliance arrangements

12.3.2	Approve proposal to use private external finance for capital procurement including PFI and leasing
12.6.2	Approve estate strategy and acquisition of property, freehold and lease, over £250,000 excluding VAT.
12.6.8	Approve disposal of property over £250,000 excl. VAT
12.6.8 -12.6.9	Seek approval from NHS Improvement for the disposal of protected/relevant assets and major disinvestments.
12.6.10	Approve the granting of property leases where the annual value is in excess of £250,000
17.1	Provide safe custody for money and other personal property of patients.
20.1.1	Monitor risk management policy and procedures.
21.1.2	Approve litigation payments against legal advice
22.3	Approve out of court settlement of Employment Tribunal applications over £100,000.
22.4	Approve out of court settlement of Employment Tribunal applications against legal advice

3 DECISIONS / DUTIES DELEGATED BY THE BOARD TO COMMITTEES

Committee	Duties delegated by the Board	
Audit and Risk Committee	See Terms of Reference (available from Director of Corporate Governance and Compliance)	
	SFI 1.1.8	Ratify or refer non-compliance with SFIs for action
	SFI 2.2.1	- Oversee external audit, internal audit and counter fraud services. - Review financial and non-financial systems and processes. - Monitor compliance with SOs and SFIs. - Review losses and compensations and make recommendations to the Board.
	SFI 2.1.3	Ensure adequate internal audit and counter fraud service is provided and participate in selection process when providers are changed.
	SFI 2.4.1	Advise on appointment of external auditor.
	SFI 2.4.2	Agree non statutory external audit

		work plans and ensure cost-effective service is provided.
	SFI 4.4	Approve Annual Report and Accounts, including auditor's report when delegated to do so by the Board.
	SFI 11.3.2	Set the investment policy and oversee all investment transactions.
	SFI 11.3.4	Approve the "Treasury Management Policy"
	SFI 11.3.7	Review and monitor all investments.
Nominations and Remuneration Committee	See Terms of Reference (available from Director of Corporate Governance and Compliance)	
	SFI 9.1.2	<ul style="list-style-type: none"> - Decide remuneration package and terms and conditions of office of Executive Directors and Director of Corporate Governance and Compliance. - Approve recommendations for remuneration package and terms and conditions of office of senior managers under their remit. - Decide rates at which Directors' travel and other expenses may be reimbursed. - Refer appointment to posts at a salary above £150,000 to NHS Improvement.
	SFI 9.2.11	Approve procedures for determination of pay rates, conditions of service etc. for employees on local contracts.
Finance and Investment Committee	See Terms of Reference (available from Trust Director of Corporate Governance and Compliance)	
	SFI 12.2.3	Approval of business cases: <ul style="list-style-type: none"> - Over £200,000 not in Trust plan (Capital only) - Over £1m Approval of variations to capital: <ul style="list-style-type: none"> - Over £1m
People and Organisational Development Committee	See Terms of Reference (available from Director of Corporate Governance and Compliance)	
Quality Committee	See Terms of Reference (available from Director of	

4 SCHEME OF DELEGATION OF POWERS FROM THE CONSTITUTION

Constitution reference	Delegated to	Authorities / duties delegated
1.4	Chair	Interpretation of the Constitution.
18.1 and Annex 7 Section 2.5	Chair	Preside at meetings of the Council of Governors.
18.3	Chair	Exclude any person from a meeting of the Council of Governors if that person is preventing the proper conduct of the meeting.
29.1	Chair and Non-Executive Directors	Appoint or remove the Chief Executive.
29.3	Chair and Non-Executive Directors and Chief Executive	Appoint or remove executive directors.
36.1	Director of Corporate Governance and Compliance	Remove from the members register the names of members no longer entitled to be a member under the Constitution.
Annex 6 Section 2	Director of Corporate Governance and Compliance	Monitor the eligibility of individuals to serve on the Council of Governors.
Annex 6 Section 2.5	Chair	Casting vote at Council of Governor meetings.
Annex 6 Section 2.6.1	Chair	Invite public and patient governors to put themselves forward for the post of Lead Governor when vacant.
Annex 6 Section 4.1	Director of Corporate	Request the appointing organisation to appoint a replacement to hold office for the remainder of the term when a vacancy arises on the Council of Governors.

	Governance and Compliance	
Annex 7 Section 3.4	Chair or Director of Corporate Governance and Compliance	Call meetings of the Council of Governors including “other” or “emergency” meetings and serve notice to the governors.
Annex 7 Section 3.12	Director of Corporate Governance and Compliance	Determine whether matters should be included on the Council of Governors’ meeting agenda if a request for inclusion is made less than 15 days before the meeting.
Annex 7 Section 3.13	Chair	Exercise Council of Governors’ powers in an emergency together with at least one-third of the Governors elected from the Patient and Public Constituency combined.
Annex 7 Section 3.20	Chair	Final decision at meetings of Council of Governors on questions of order, relevancy, regularity and any other matters.
Annex 7 Section 3.14	Director of Corporate Governance and Compliance	Determine motions to be included on the Council of Governors’ meeting agenda
Annex 7 Section 6	Director of Corporate Governance and Compliance	Maintain Governor register of interests.
Annex 7 Section 9	Director of Corporate Governance and Compliance	Ensure existing Governors, officers and new appointees are notified of and understand their responsibilities as set out in the Standing Orders of the Council of Governors (Annex 7 to the Constitution). Deal with any membership queries
Annex 7 Section 9.4	Senior Independent Director	Mediate a settlement to disputes involving the Chair arising on interpretation of the Standing Orders of the Council of Governors.

5 SCHEME OF DELEGATION OF POWERS FROM STANDING ORDERS (ANNEX 9 TO THE CONSTITUTION)

Standing Order reference (Annex 9)	Delegated to	Authorities / duties delegated
2.8	Deputy Chair	Act as Chair until a new Chair is appointed or existing Chair resumes duty where the Chair has died, ceased to hold office or is unable to perform his/her duties.
3.3	Chair or Director of Corporate Governance and Compliance	Call meetings of the Board of Directors.
3.9	Chair	Determine whether matters should be included on the Board's meeting agenda if a request for inclusion is made less than 10 days before the meeting.
3.18	Chair	Final decision at Board meetings on questions of order, relevancy, regularity and any other matters.
3.19	Chair	Second and casting vote at Board meetings if equality of votes.
4.2	Chief Executive and Chair	Exercise the powers of the Board in an emergency.
4.4	Chief Executive	Exercise on behalf of the Board of Directors those functions of the Trust that have not been retained as reserved by the Board or delegated to an executive Committee or sub-committee. Determine the functions he/she will perform personally and nominate officers to perform the remaining functions.
4.5	Chief Executive	Prepare a scheme of delegation.
4.6	Chief Financial Officer	Accountable for providing information and advising the Board in accordance with statute or NHS Improvement requirements.
6	Director of Corporate Governance and Compliance	Maintain Board register of interests.

8.4	Chief Executive	Report any director's relationship with a candidate of whose candidature the director is aware to the Board
10.3	Chief Executive	Nominate officers with delegated authority to enter into contracts of employment, regarding staff, agency staff or temporary staff service contracts.
11	Director of Corporate Governance and Compliance	Custody of common seal of the Trust and maintenance of a register of sealing.
12.1	Chief Executive or Chief Finance Officer or Executive Director	Authorised by resolution of the Board to sign any agreement or document on behalf of the Trust.
13.1	Chief Executive or Director of Corporate Governance and Compliance	Ensure Directors are notified of and understand their responsibilities as set out in the Standing Orders of the Board of Directors (Annex 9 to the Constitution) and Trust Standing Financial Instructions (SFIs).
13.2	Senior Independent Director	Mediate a settlement to disputes involving the Chair arising on interpretation of the Standing Orders of the Board of Directors (Annex 9 to the Constitution).
13.5	Director of Corporate Governance and Compliance	Deal with any membership queries.

6 SCHEME OF DELEGATION OF POWERS FROM STANDING FINANCIAL INSTRUCTIONS

Standing Financial Instructions Reference	Delegated to	Authorities / duties delegated
1.1.6	Chief Financial Officer (CFO)	Interpretation or application of Standing Financial Instructions (SFIs)
1.2.4	Chief Executive (CE) and CFO	Accountable for financial control
1.2.5	CE	Overall executive responsibility for Trust activities; ensuring financial obligations are met and responsible for Trust's system of internal control.
1.2.6	CE	Ensure members of the Board, employees and new appointees are notified of and understand their responsibilities under SFIs
1.2.7	CFO	<ul style="list-style-type: none"> • Maintenance of SFIs • Implementing Trust financial policies • Maintaining effective system of internal control • Provision of financial advice to Trust Board and employees • Preparation of accounts and such other documents required to fulfil statutory duties • Developing Trust's financial strategy
1.2.8 – 1.2.9	All directors, employees and contractors	Responsible for security of Trust property, avoiding loss, exercising economy and efficiency in use of resources and conforming to the Constitution, Standing Orders, SFIs and Scheme of Delegation and requirements of NHS Improvement
2.2.1	CFO	<ul style="list-style-type: none"> • Ensuring there are arrangements to review, evaluate and report on the effectiveness of internal financial control, including the establishment of an effective internal audit function. • Ensuring that the Internal Audit service to the Trust is adequate and meets NHS Improvement's mandatory internal audit standards. • Deciding at what stage to involve the police in cases of misappropriation of assets and any other irregularities • Ensuring that an annual internal audit report is prepared for the consideration of the Audit and

		Assurance Committee.
2.3.2	Head of Internal Audit	Reviewing, appraising and reporting upon compliance with established policies, plans and procedures.
2.3.4	Head of Internal Audit	Right of access to Audit and Risk Committee members, the Chair and Chief Executive and to attend Audit and Risk Committee meetings.
2.5.1	CE and CFO	Monitor and ensure compliance with the NHS Standard Contract Service Condition 24 to put in place and maintain appropriate anti-fraud, bribery and corruption arrangements, having regard to the NHS Counter Fraud Authority's ("NHSCFA") standards.
2.5.2 -2.5.7	CFO	Responsible for countering fraud, bribery and corruption in the Trust including monitoring of work of Counter Fraud Specialist
2.5.5	CFO	Authorise appropriate route for action when the Counter Fraud Specialist considers prosecution is desirable
2.6.1	CE	Monitor and ensure compliance with the NHS Standard Service Condition 24 to put in place and maintain appropriate security management arrangements, having regards to NHSCFA's standards.
2.6.4	Chief Operating Officer (COO) and Local Security Management Specialist	Responsibility for controlling and coordinating security.
3.1.1	CE	Submit to the Board and Council of Governors the Annual Trust Business Plan which takes into account financial targets and forecast limits of available resources.
3.1.3	CFO	Prepare and submit an annual budget for approval by the Board
3.1.5	CFO	Monitor financial performance against budget and report to Finance and Investment Committee (FIC) and Board.
3.1.6	Budget Holders	Provide information as required by the CFO to enable budgets to be compiled.

3.1.8	CFO	Ensure that adequate training is delivered on an on-going basis to budget holders to help them manage their budgets successfully.
3.2.1	CFO	Delegate management of a budget to permit performance of a defined range of activities.
3.2.1 – 3.2.4	Budget holders	The management of a budget to permit performance of a defined range of activities that must not exceed total or virement limits set by the Board
3.3	CFO	Devise and maintain systems of budgetary control including monthly reports to FIC and the Board containing sufficient information to ascertain financial performance.
3.3.4	CE	Identify and implement cost improvement programmes and income generation initiatives.
3.3.5	CFO	Prepare written introduction to the Trust's SFIs, SOs and Scheme of Delegation in the induction pack for all Trust induction attendees.
3.5.1	CE	Appropriate monitoring forms and returns are submitted to NHS Improvement.
4.1	CFO	Prepare annual financial accounts and returns ensuring that they comply with current guidelines.
4.2	Director of Corporate Governance and Compliance	Prepare an Annual Report in accordance with current guidance.
4.5	CFO	Submit the Annual Report and Accounts to NHS Improvement and put forward to be laid before Parliament in accordance with prescribed timetable.
4.7	Chief Nurse	Prepare the Annual Quality Report in accordance with current guidance.
4.8	CE and Chair	Sign the "Statement of Directors' Responsibilities in Respect of the Quality Report".
5.1	CFO	Manage the Trust's banking arrangements and advise the Trust on the provision of banking services and operation of accounts.
5.2.2	CFO	Managing the Trust's Government Banking Service (GBS) and non GBS bank accounts, establishing non-exchequer bank accounts, ensuring funds stay in credit unless arrangements have been made, monitoring the

		level of cleared funds and ensuring they comply with guidance, and covenants are adhered to.
5.3	CFO	Prepare detailed instructions of the operation of bank accounts and advise the Trust's bankers of the conditions under which accounts will be operated.
5.4	CFO	Review commercial banking arrangements of the Trust at regular intervals to ensure they reflect best practice and value for money.
5.5	CFO	Responsibility for Trust purchasing cards including security, approval for issue, authorised use and purchasing limits
5.5.2	Named Purchasing Card Holder	Responsible for security and use of an individual named Trust purchasing card
6.1	CFO	Design, maintain and ensure compliance with income systems including prompt banking of monies received.
6.2.2	CFO	Approve and review the level of all fees and charges other than those determined by DH or statute.
6.2.3	All Staff	Inform the CFO of income arising from transactions which they have initiated.
6.2.4	Table in SFI Annex 1	Approval limits for approval of contracts for goods and services
6.3.1 and 6.3.5	CFO	Take appropriate recovery action on all outstanding debts and report to Audit and Risk Committee.
6.3.3	Per table in SFI 6.3.3	Delegated VAT exclusive approval limits for individual debt write offs or partial write offs
6.3.4	Per table in SFI 6.3.4	Delegated VAT exclusive approval limits for packages of debt
6.4	CFO	Provide the required documents for recording cash, cheques and negotiable instruments, and ensure adequate system and procedures for handling cash etc. including security arrangements
7	CE	Arrangements for tenders where the Trust is the procuring body.
7.1.2 and 7.2.1	Procurement Department	Maintain standard tendering procedures and documents in accordance with best practice and EU procurement law and facilitate formal tendering process.
7.2.2	CE	Nominate a representative to conduct tender process if a conflict of interest exists between the Procurement

		Department and the tender.
7.3.1	Procurement Department	Contract negotiations with suppliers.
7.3.2	Per table in SFI 7.3.2	Delegated authorisation levels for agreement of contracts for goods and services
7.3.4	Per table in SFI 7.3.4	Delegated authorisation levels for variations to revenue contracts
7.3.5	CE	Nominate officers with delegated authority to enter into contracts of employment regarding staff and temporary staff and agency staff contracts.
7.6.2	CE or CFO	Decision to accept late tenders or whether re-tendering is desirable. Report to Board.
7.6.9	CE	Approve form of contract including a fluctuation clause for price variations or nominate officer to approve.
7.7.1	Director of Estates and/or Associate Director of Finance – Procurement (ADFP)	Approve contract extensions where optional extensions to contract are outlined at the time of tendering up to the value of the original contract (including formally agreed variations).
7.8.12	ADFP	Arrange for adjudication of tenders/quotations in accordance with SFI 7.7.
7.8.15	ADFP	Approve any subsequent lease contract award for the same goods or equipment where a competitive tender ratification process has already been conducted and approved within the delegated levels.
7.9	CE or CFO	Approval of single tender waivers and reporting of same to Audit and Risk Committee.
8.1	CE	Arrangements for contracts re provision of services.
8.1.7	CFO	Production of regular income reports.
8.1.8	CFO	Pricing of contracts at marginal cost and reporting of same to Board.
8.1.9	Table in SFI Annex 1	Authorisation levels for approval of income contracts.
8.3.2	Table in 8.3.2	Authorisation levels for decisions to bid or bid sign off relating to tenders where the Trust is a competing body.

9.1.3	Human Resources Department	Maintenance of list of applicable posts subject to the requirements of the Fit and Proper Persons Test. Administer the test.
9.2.1	Budget holder	Recruit to vacancies provided that this is within the establishment. Regrade employees after consultation with the Human Resources Business Partner and job evaluation has taken place.
9.2.6 – 9.2.7	Employee line manager	Notify Human Resources of any changes in employee circumstances immediately on becoming known.
9.2.8	Employee	Notify Human Resources of changes to personal details.
9.2.11	CE	Determine local contract pay rates and conditions of service and present to Nominations and Remuneration Committee for approval.
9.3.1	CFO	Final determination of pay, proper compilation of the payroll and payments made.
9.3.2	CFO	Approval for monetary payment to staff outside the payroll system.
9.3.5	CE or CFO	Approval of payment of pay in full or in part in advance of the determined pay date.
9.3.6	CFO	Agreement to and management of external provider payroll contract.
9.3.8 – 9.3.9	Managers and employees	Jointly responsible and accountable for ensuring claims for pay and expenses are timely, correct and any under or over payments are highlighted as soon as discovered.
10.1.1	CE	Determine level of delegation of non-pay expenditure to budget managers.
10.2.1	CE	Set out the list of managers and their limits for requisitioning goods and services.
10.2.1	Table in SFI Annex 1	Delegated authorisation limits for requisitioning of goods and services.
10.3.7	CFO	Prompt payment of accounts and claims.
10.3.8	CFO	Recommend the thresholds for quotations or tenders and prepare procedural instructions, ensure prompt payment and maintain a system for managing all amounts payable.
10.3.9	CFO	Approval of prepayments where financial advantages outweigh disadvantages.

10.3.10	CFO	Authorise requisitions/orders for which there is no budget provision.
10.4	CFO	Ensure procedures and systems are in place to account correctly for VAT including payment and recovery.
10.5	CFO	Determine form of petty cash records and issue instructions re petty cash purchases.
11.1.3	CFO	Approve use of loan or overdraft facilities approved by the Board.
11.1.4	CFO	Authorise short term borrowing in excess of one month.
11.1.6 – 11.1.7	CFO	Prepare instructions concerning applications for loans and borrowing and report borrowing to the Board.
11.2.2	CFO	Apply for increase in Public Dividend Capital or nominate Deputy Director of Finance or other nominated representative to make application. Report to delegated committee
11.3.5 – 11.3.6	CFO	Advise Board on investments and ensure that policies and procedures are drawn up for the operation and maintenance of investment accounts.
11.3.7	CFO	Authorise all investment transactions ensuring compliance with “Treasury Management Policy” or delegate responsibility to nominated senior finance manager
12.1	Capital Programme Board (CPB)	Oversee allocation of capital investment; approve capital and revenue business cases and report financial performance of capital programme to Board.
12.1	CFO	Chair CPB and ensure that there is an adequate appraisal and approval process in place for determining expenditure priorities. Oversee development and monitoring of annual capital plan, establish systems to ensure schemes are progressed and budgets and cash flows monitored and approve in year virements
12.2.3	Table 1 in 12.2.3	Delegated limits for approval of capital only business cases
12.2.3	Table 2 in 12.2.3	Delegated limits for approval of revenue only or combination of revenue and capital business cases
12.2.4	CE or CFO	Approve expenditure incurred on a scheme in advance of approval through the business case process.
12.4.1	CE	Maintain registers of assets.
12.4.5	CFO	Approve procedures for reconciling fixed asset accounts in the general ledger to the fixed asset register.

12.4.7	CFO	Prepare procedural instructions on the disposal of assets.
12.5.1	CE	Control and security of assets.
12.5.2	CFO	Approve asset control procedures and manage process.
12.6.3	CE	Approve property purchases, licences and leases up to £250,000 each (excluding VAT)
13.1.3	CFO	Establish systems of control for Inventory Stores and Inventory
13.1.3	ADFP	Control of Inventory Stores and Inventory subject to above. Responsibility may be delegated subject to being entered in a record available to the CFO
13.1.3	Designated Pharmaceutical Officer	Control of pharmaceutical stocks.
13.1.3	Designated Estates Manager	Control of fuel oil stocks.
14.1.1	CFO	Prepare detailed procedures for the disposal of assets including capital assets and condemnations.
14.1.5	CE	Approve disposal of assets valued at over £100,000
14.2	CFO	Prepare procedural instructions on the recording of and accounting for condemnations, losses and special payments and maintain a register. Prepare a fraud response plan, and take appropriate actions for any losses, condemnations and special payments. Report all losses and special payments to Audit and Risk Committee
15.1.1	CE and Chief Information Officer	Devise and implement procedures to safeguard the Trust's data, programs and computer hardware, having regard to the General Data Protection Regulation framework; ensure adequate controls over data entry, processing, storage etc.
15.1.4 – 15.1.5	CFO	Ensure that financial systems are appropriately procured, tested and that adequate controls are in place.
16.1.1	Responsible Director	Maintain a "Freedom of Information Publication Scheme"
16.1.2	Responsible Manager	Notify the Responsible Director of any new documents to be included in a Publication Scheme .

17.1.2	CE	Inform patients or their guardians that the Trust will not accept responsibility or liability for patients' property brought into Health Service premises.
17.1.3	CFO	Arrangements for the administration of patient property.
18.1	CE	Ensure all staff, volunteers and persons associated with the Trust are aware of and comply with the Trust's "Conflicts of Interest and Anti-Bribery Policy".
18.1	Director of Corporate Governance and Compliance	Maintain register of declarations of interest and hospitality under the Trust's "Conflicts of Interest and Anti-Bribery Policy".
19.1	Chief Executive	Maintain archives for all records, information and data required to be retained in accordance with current guidance.
19.2	Table in 19.2	Delegated responsibility for holding and safekeeping of contracts, in secure storage where applicable, and maintenance of a register.
20.1.1	Chief Executive	Ensure that the Trust has a risk management policy and procedures and processes and that these are monitored.
20.2.1	CFO	Review membership of the Non-Clinical Risk Pooling Scheme and other insurance arrangements.
20.2.2 – 20.2.5	Director of Corporate Governance and Compliance	Liaise with insurance brokers; ensure timely reporting of incidents, losses and submission of claims against the third party liability scheme and insurance provision.
20.3.1	Chief Nurse	Provide a central point of contact within the Trust for NHS Resolution /CNST issues and report activity to Board.
21.1.2	CEO and Board	Approve litigation payments against legal advice.
22.1	CE	Approve all employment tribunal settlement agreements.
22.2	CFO	Approve employment tribunal settlement agreements in excess of contractual entitlement.

22.3	Table in 22.3	Approval limits for out of court settlements of employment tribunal applications.
22.4	CFO	Submit business case to Treasury for compromise agreements.
25.1	CFO	Approve submission of applications for grant funding.

7 OTHER ISSUES TO BE DELEGATED

7.1 Matters not covered by SFIs or SOs

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:

Area of Responsibility	Overall Responsibility
Information governance including: <ul style="list-style-type: none">Information Governance Statement of Compliance (IGSoC)General Data Protection Regulation framework requirement	Deputy Chief Executive & Chief Operating Officer and Head of Information Governance
Health and safety arrangements	Chief Nurse
Caldicott Guardian	Chief Medical Officer (delegated to Operational Medical lead)tbc)
Corporate governance	Director of Corporate Governance and Compliance
Clinical governance	Chief Nurse
Accountable officer for controlled drugs	Chief Medical Officer
North West London Pathology (NWL) – Joint Operation	Chief Executive and Chief Financial Officer
Systems Powering Healthcare Limited (Sphere) – Joint Venture	Chief Information Officer and Chief Financial Officer
Named responsible officer (various)	See separate register (to be prepared and maintained by Director of Corporate Governance and Compliance)
Hosted bodies (various organisations and arrangements)	See separate register (to be prepared and maintained by Director of Corporate Governance and Compliance)

7.2 Schedule of Budgetary Responsibility

This Scheme of Delegation covers only matters delegated by the Board and certain other specific matters referred to in the Constitution, SOs and SFIs. Each Divisional Medical Director, Divisional Director of Nursing and Divisional Director of Operations is responsible for delegation in their division and for maintaining a “Schedule of Budgetary Responsibility” to be approved by the Chief Financial Officer. The Schedule indicates who within each Directorate fulfils the roles identified throughout the Scheme of Delegation. The Divisional Director is also responsible for ensuring that the Finance Department is kept informed of any amendments to the Schedule within their delegated limits.

Budget Holders must confirm either in writing or via online confirmation that they have read the Trust’s Standing Orders, Standing Financial Instructions and Scheme of Delegation before they are approved as authorised signatories within the appropriate delegated limits. This confirmation must be renewed annually to take into account the annual revision to these documents.

7.3 Commercial Opportunities - Subsidiaries, Joint Ventures or Joint Operations.

The Commercial Assurance Board will oversee the initiation and monitoring of commercial partnerships. Approvals for business cases for commercial partnerships and the setting up of subsidiaries or joint ventures will be subject to the Trust's Standing Financial Instructions.

Any commercial subsidiaries, joint ventures or joint operations- involving the creation of a new corporate entity shall require authorisation by the Board.

The Executive Directors are authorised to develop commercial opportunities which may (or may not) lead to the establishment of a joint venture, either contractual or corporate; the formation of a subsidiary company or other commercial partnership. This includes authority to sign non legally binding documents that may be associated with the development of commercial opportunities prior to the Board sign off, where it is required, for example Memorandum of Understanding or Articles of Association. The Executive Directors shall keep the Commercial Assurance Board, and as appropriate the Finance Investment Committee and/ or the Board apprised of the subject matter and of any non-legally binding documents entered into via the Chief Executive (or nominated officer).

8.1 FINANCIAL CONTROL

8.1.1 Bank Accounts

Maintenance and operation of bank accounts:

- Chief Financial Officer

Approval of cheque signatories:

- Chief Executive and Chief Financial Officer

Signing cheques or approval of direct electronic payments up to £50,000:

- Two approved signatories

Signing cheques or approval of direct electronic payments over £50,000:

Two approved signatories including at least one signatory from the following:

- Chief Financial Officer
- Deputy Director of Finance
- Finance Business Partner

Electronic authoriser of direct electronic services payments approved as above by two approved signatories:

- Head of Financial Operations
- Head of Financial Management
- Deputy Head of Financial Operations
- Other delegated Finance staff (list of names kept on file).

The only exception to the limits for approval of direct electronic payments over £50,000 is in the case of the transmission of funds to the National Loans Fund for short term deposits. In this case only, the transmission of funds can be approved by any two approved signatories.

8.1.2 BACS payments transmission

BACS payments transmission of approved invoices is prepared by Accounts Payable and approved in line with schedule 8.1.1 above.

BACS payments transmission of salaries is prepared and authorised by the outsourced payroll provider.

8.1.3 Patients Monies and Valuables

The General Manager / Clinical Director is responsible for the control and safe-handling of patient monies and valuables up to the point of receipt by the Cashiers Officer after which the Chief Financial Officer is responsible for their safe-keeping and recording.

Withdrawal of patient monies (maximum £100 per day). Ward Manager

Reimbursement of closing balance of patient monies and valuables. Ward Manager

These transactions must also be authorised by the Patient.

In the event of a patient's death where no next of kin is known, the claimant must provide evidence that he/she is the executor of the patient's estate. If there is no such evidence available then if the claimant can show the original death certificate then the monies and valuables will be returned to the claimant.

8.1.4 Charitable Donations

The following criteria must be considered when making charitable donations from the Trust funded budgets:

- Whether the donation is an appropriate use of NHS funds
- Whether the donation directly supports the department's objectives

Any donation for an amount greater than £5,000 must be countersigned by an Executive Director and donations may only be made to arm's length charities, i.e. charities that are not controlled by the budget holder making the donation.

9.1 HUMAN RESOURCES

9.1.1 Engagement of Staff on the Establishment

Authority to fill funded post on the Establishment with permanent staff Refer to Establishment Vacancy Panel Guidance

9.1.2 Engagement of Staff not on the Establishment

This is bound by the rules governing revenue expenditure including the need for quotation and tender, and the Trust's policy on the use of contract staff as owned by Human Resources (HR).

9.1.2 Additional Staff to the agreed Establishment

With specifically allocated finance General Manager/Chief Financial Officer/

Without specifically allocated finance	Chief Executive or Chief Financial Officer
9.1.3 Fixed Term Contracts	
Authorisation or renewal of fixed term contracts	Trust Establishment Panel, including Finance Business Partner sign-off
9.1.4 Pay Increases/Decreases	
The granting of additional increments to staff within budgets	General Manager and HR Business Partner
All requests for upgrading/re-grading	Trust Establishment Panel dealt with in accordance with Trust procedure
Authority to complete standing data affecting pay, new starters, variations and leavers	Budget Holder and HR representative forms
Authority to complete and authorise timesheets	Budget Manager (subject to limits to be set by the General Manager)
Authority to authorise overtime	Budget Manager (subject to limits to be set by the General Manager)
Authority to authorise travel and subsistence expenses	Budget Manager (subject to limits to be set by the General Manager)
Approval of performance related pay	Chief Executive / Remuneration Committee
9.1.5 Annual Leave	
Approval of annual leave	Line / General Manager
Approval of carry forward of annual leave to a maximum of 5 days	Line / General Manager
Time off in lieu	Line / General Manager
9.1.6 Bereavement Leave	
Up to 6 days on full pay	*Line / General Manager
*With guidance from Human Resources	
9.1.7 Special Leave	
Dependents leave	*Line / General Manager
*With guidance from Human Resources	
9.1.8 Maternity, Paternity and Adoption Leave	

Maternity leave – Paid and unpaid *General Manager

Adoption leave – Paid and unpaid *General Manager

Paternity leave – Paid and unpaid *General Manager

*With guidance from Human Resources and outsourced payroll provider

9.1.11 Sick leave

Extension of sick leave on half pay up to three months General Manager and Chief Financial Officer and Chief Executive Officer/Deputy Director of Human Resources

Return to work part-time on full pay to assist recovery General Manager with Occupational Health and/or HR advice

Extension of sick leave on full pay General Manager and Chief Financial Officer and/or Chief Executive and HR Director/Deputy

9.1.12 Study leave

Study leave General Manager

9.1.13 Redundancy

Redundancy General Manager and Deputy Director of HR

9.1.14 Ill Health Retirement

Decision to pursue retirement on the grounds of ill health Line Manager with Occupational Health and HR Support

9.1.15 Dismissal

Dismissal Dismissing Officers

9.1.16 Removal Expenses

Authorisation of payment of removal expenses incurred by officers taking up new appointments (providing consideration was promised at interview):

Up to £3,000 Human Resources / General Manager

Over £3,000 General Manager / Chief Executive

9.1.17 Reporting of Incidents to the Police

Where a criminal offence is suspected:

- Of a violent nature Executive Director/Chief Financial Officer / on call Manager
- Other Executive Director on call

- Where a fraud is involved

Chief Financial Officer

9.1.18 Condemning and Disposal

Items obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively:

- With estimated replacement cost under £5,000
- With estimated replacement cost over £5,000

General Manager

Chief Financial Officer

Disposal of x-ray films:

- Estimated sale proceeds under £5,000
- Estimated sale proceeds over £5,000

General Manager

Chief Financial Officer

Disposal of mechanical & engineering plant:

- Estimated sale proceeds under £5,000
- Estimated sale proceeds over £5,000

Chief Operating Officer

Chief Operating Officer / Chief Financial Officer