



**Doncaster and Bassetlaw  
Teaching Hospitals**  
NHS Foundation Trust

# Reservation of Powers to the Board and Delegation of Powers

July 2023



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## Reservation of Powers to the Board and Delegation of Powers

### Amendment Form

Please record brief details of the changes made alongside the next version number.  
If the procedural document has been reviewed **without change**, this information will still need to be recorded although the version number will remain the same.

Version	Date	Brief Summary of Changes	Author
Version 12	July 2023	<ul style="list-style-type: none"> <li>Resetting Director of Finance and Deputy Chief Executive limits pre Interim Arrangements in 2022.</li> <li>Updated job titles</li> <li>Updated Procurement tendering limits in line with guidance from regional ICB</li> </ul>	Alex Crickmar Fiona Dunn Richard Somerset
Version 11	July 2022	<ul style="list-style-type: none"> <li>Introduction of the Deputy Chief Executive role within the delegation limits</li> <li>Updated job titles</li> <li>Removed reference to NHS Improvement</li> <li>Updated Procurement tendering limits in line with guidance from regional ICB</li> </ul>	Matthew Bancroft
Version 10	July 2021	<ul style="list-style-type: none"> <li>Replaced DoN with Chief Nurse</li> <li>Updated references to NHS Improvement/NHS England</li> <li>Reference to e-signing of contracts</li> <li>Ensure Directors sign-off levels are consistent</li> </ul>	Matthew Bancroft
Version 9	July 2020	Renaming names of structures/meetings	Matthew Bancroft
Version 8	November 2018	Renaming names of structures/meetings	Jon Sargeant
Version 7	September 2017	Various	Jon Sargeant and Matthew Kane
Version 6	September 2016	<ul style="list-style-type: none"> <li>Update to ensure consistency with the SFIs</li> <li>Update for consistency with new committee structure</li> <li>Various changes</li> </ul>	Maria Dixon / Andrew Thomas
Version 5	March 2015	<ul style="list-style-type: none"> <li>Updated to reflect changes to Standing Orders relating to e-tendering and Working Together Group thresholds</li> </ul>	Andrea Smith
Version 4	November 2013	<ul style="list-style-type: none"> <li>References throughout to Director of Finance, Information and Procurement / DoFIP amended</li> </ul>	Robert Paskell

		<p>to Director of Finance and Infrastructure / DoFI;</p> <ul style="list-style-type: none"><li>• References throughout to Director of Human Resources amended to Director of People and Organisational Development;</li><li>• Updated references and amendments for consistency to revised Standing Orders section 11 and tendering annex;</li><li>• Clarification added to the posts included in role of 'Senior Officer'.</li></ul>	
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## INTRODUCTION

SO 6.1 of the Standing Orders provides that "subject to such directions as may be given by NHS England, the Trust may make arrangements for the exercise, on behalf of the Trust, of any of its functions by a committee or sub-committee of directors or by an executive director of the Trust, in each case subject to such restrictions and conditions as the Board thinks fit." The Code of Accountability also requires that there should be a formal schedule of matters specifically reserved to the Trust.

The purpose of this document is to provide details of those powers reserved to the Board - generally matters for which it is held accountable to the NHS England, while at the same time delegating to the appropriate level the detailed application of Trust policies and procedures. However, the Board remains accountable for all of its functions; even those delegated and would therefore expect to receive information about the exercise of delegated functions to enable it to maintain a monitoring role.

### **A. Role of the Chief Executive**

All powers of the Trust which have not been retained as reserved by the Board or delegated to an executive committee or sub-committee shall be exercised on behalf of the Board by the Chief Executive. The Chief Executive shall prepare a Scheme of Delegation identifying which functions he shall perform personally and which functions have been delegated.

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

### **B. Caution over the Use of Delegated Powers**

Powers are delegated to directors 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.

### **C. Directors' Ability to Delegate their own Delegated Powers**

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

### **D. Absence of Directors or Officer to Whom Powers have been Delegated**

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

The Chief Executive, following consultation with the Chair, may authorise any person to act on his behalf and exercise such delegated powers across the full range of duties carried out by the Chief Executive.

## 1. RESERVATION OF POWERS TO THE BOARD

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

### 1.2 General Enabling Provision

The Board may determine any matter 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 Board and Standing Financial Instructions for the regulation of its proceedings and business.
- 1.3.2 Approval of a scheme of delegation of powers from the Board to officers.
- 1.3.3 Suspension of Standing Orders.
- 1.3.4 Variation or amendment of Standing Orders.
- 1.3.5 Requiring and receiving the declaration of directors' interests which may conflict with those of the Trust and determining the extent to which that director may remain involved with the matter under consideration.
- 1.3.6 Requiring and receiving the declaration of interests from officers which may conflict with those of the Trust.
- 1.3.7 Disciplining directors who are in breach of statutory requirements or SOs.
- 1.3.8 Approval of the disciplinary procedure for officers of the Trust.
- 1.3.9 Approval of arrangements for dealing with complaints.
- 1.3.10 Adoption of the organisational structures, processes and procedures to facilitate the discharge of business by the Trust and to agree modifications there to.
- 1.3.11 To receive reports from committees including those which the Trust is required to establish and to take appropriate action thereon.
- 1.3.12 To confirm the recommendations of the Trust's committees where the committees do not have executive powers. To establish terms of reference and reporting arrangements of all board committees (and other committees if required).

1.3.13 Ratification of any urgent decisions taken in accordance with SO 6.2.

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

1.3.15 Approval of arrangements relating to the discharge of the Trust's responsibilities as a bailee for patients' property.

#### 1.4 **Appointments**

1.4.1 The appointment and disestablishment of committees.

1.4.2 The appointment and dismissal of executive directors (subject to SO 3.4).

1.4.3 The appointment of members of any committee of the Trust.

#### 1.5 **Policy Determination**

1.5.1 To approve management policies including personnel policies incorporating the arrangements for the appointment, removal and remuneration of staff. Policies so received shall be listed.

#### 1.6 **Strategy and Business Plans and Budgets**

1.6.1 Definition of the strategic aims and objectives of the Trust, including approval of underpinning strategies that support its delivery.

1.6.2 Approval annually of plans, including the NHS England's annual plan in respect of:-

- Service delivery strategy.
- The application of available financial resources.

1.6.3 Overall approval of programmes of investment to guide the letting of contracts for the supply of clinical services.

1.6.4 Approval and monitoring of the Trust's policies and procedures for the management of risk, through the Audit and Risk Committee.

#### 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 annual income or expenditure (that is before any set off) in excess of £250,000.

- 1.7.3 Approval of individual contracts (other than NHS contracts) of a capital or revenue nature amounting to, or likely to amount to over £500,000 over a 2 year period or the period of the contract if longer.
- 1.7.4 Approval of individual compensation payments over £100,000.
- 1.7.5 To 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, associate directors and officers of the Trust as set out in management policy statements. All monitoring returns required by NHS England and the Charity Commission shall be reported, at least in summary, to the Board of Directors.
- 1.8.2 Approval of the opening or closing of any bank or investment 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 Consideration and approval of the Trust's Annual Report including the annual accounts.
- 1.8.5 Receipt and approval of the Annual Report(s) for funds held on trust.

## **1.9 Audit Arrangements**

- 1.9.1 To approve audit arrangements (including arrangements for the separate audit of funds held on trust) and to receive reports of the Audit and Risk Committee meetings and take appropriate action.
- 1.9.2 The receipt of the annual management letter received from the external auditor and agreement of action on the recommendation where appropriate of the Audit and Risk Committee.
- 1.9.3 The receipt of the annual report received from the internal auditor and the agreement of action on the recommendation where appropriate of the Audit and Risk Committee.

## 2. DELEGATION OF POWERS

### 2.1 Delegation to Committees

The Board may determine that certain of its powers shall be exercised by committees. The composition and terms of reference of such committees shall be that determined by the Board from time to time taking into account where necessary the requirements of NHS England and or the Charity Commissioners (including the need to appoint an Audit Committee and a Remuneration and Terms of Service Committee). The Board shall determine the reporting requirements in respect of these committees. In accordance with SO 7.5 committees may not delegate executive powers to sub-committees unless expressly authorised by the Board.

## 3. SCHEME OF AUTHORISATION TO OFFICERS

- 3.1 Standing Orders and model Standing Financial Instructions set out in some detail the financial responsibilities of the Chief Executive (CE), the Director of Finance (DoF) and other directors. These responsibilities are summarised below.

**[NOTE]** It should be noted that the SFIs generally specify officers responsible for various matters whereas SOs only do this occasionally].

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
Data Protection Act Requirements	Director of Finance – with operational responsibility delegated to the Chief Information Officer
Health and Safety Arrangements	Director of Finance – with operational responsibility delegated to the Director of Estates & Facilities

This scheme of delegation covers only matters delegated by the Board to directors and certain other specific matters referred to in SFIs. Each director is responsible for the delegation within his area of responsibility. S/he should produce a scheme of authorisation for matters. In particular the scheme of authorisation should include how budget management and procedures for approval of expenditure are delegated.

A more detailed scheme of delegation including financial limits is given in Section 5.

## SECTION 4 – SCHEME OF DELEGATION IMPLIED BY STANDING ORDERS

### SCHEME OF DELEGATION IMPLIED BY STANDING ORDERS

SO REF	DELEGATED TO	DUTIES DELEGATED
2.1	CHAIR	Final authority in interpretation of SOs.
4.1	CHAIR	Chair all board meetings and associated responsibilities.
5.6	CHAIR	Calling meetings.
8.8	CE	Register(s) of interests.
11.18	CE	Demonstrate that the use of private finance represents best value for money and transfers risk to the private sector.
11.20	CE	Best value for money is demonstrated for all services provided under contract or in-house.
11.20	CE	Nominate an officer to oversee and manage the contract on behalf of the Trust.
11.21	CE	Nominate officers to enter into contracts of employment, regrading staff, agency staff or consultancy service contracts.
11.23	CE	Nominate officers with power to negotiate commissioning contracts with providers of healthcare and other authorities.
12.1(a)	CE OR NOMINATED OFFICER	Determining any items to be sold by sale or negotiation.
14.1	CE	Keep seal in safe place and maintain a register of sealing.
14.4	CE/DoF OR NOMINATED OFFICERS	Approve and sign all building, engineering, property or capital documents.
15.1	CE	Approve and sign all documents which will be necessary in legal proceedings
15.2	CE OR NOMINATED OFFICERS	Sign on behalf of the Trust any agreement or document not requested to be executed as a deed.
16.1	CHAIR	Existing Directors, Governors and employees and all new appointees are notified of and understand their responsibilities within Standing Orders and SFIs.

### SCHEME OF DELEGATION IMPLIED BY STANDING ORDERS

SO REF	DELEGATED TO	DUTIES DELEGATED
Annex s2	CE	Designate an officer responsible for receipt and custody of tenders before opening.
Annex s3	SENIOR OFFICERS	Open tenders.
Annex s4	DoF	Decide whether any late tenders should be considered.
Annex s5	CE OR DoF	Keep lists of approved firms for tenders.

## SECTION 4 – SCHEME OF DELEGATION IMPLIED BY STANDING FINANCIAL INSTRUCTIONS

### SCHEME OF DELEGATION IMPLIED BY STANDING FINANCIAL INSTRUCTIONS

SFI REF	DELEGATED TO	DUTIES DELEGATED
1.3.6	CHIEF EXECUTIVE (CE)	To ensure all employees and directors, present and future, are notified of and understand Standing Financial Instructions.
1.3.7	DIRECTOR OF FINANCE (DOF)	Responsible for implementing the Trust's financial policies and coordinating corrective action and ensuring detailed financial procedures and systems are prepared and documented.
1.3.8	DIRECTORS	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.
1.3.10	DoF	Form and adequacy of financial records of all departments.
2.1.1	AUDIT AND RISK COMMITTEE	Provide independent and objective view on internal control and probity.
2.2	DoF	Monitor and ensure compliance with directions on fraud and corruption.
2.5	HEAD OF INTERNAL AUDIT	Review, appraise and report in accordance with NHS Internal Audit Manual and best practice.
2.6	COUNCIL OF GOVERNORS	Appoint external auditors.
3	DoF	Ensuring compliance with NHS England's requirements, ensure loans drawn are for approved expenditure only at time of need, and ensuring adequate system of monitoring.
4	DoF DoF CE	Submit budgets. Monitor performance against budget; submit to Board financial estimates and forecasts. Delegate budget to budget holders and submit monitoring returns.
4.3	DoF	Devise and maintain systems of budgetary control.
5	DoF	Annual accounts and reports.
6	DoF	Banking arrangements.

## SECTION 4 – SCHEME OF DELEGATION IMPLIED BY STANDING FINANCIAL INSTRUCTIONS

### SCHEME OF DELEGATION IMPLIED BY STANDING FINANCIAL INSTRUCTIONS

SFI REF	DELEGATED TO	DUTIES DELEGATED
7	DoF	Income systems.
8	CE	Negotiating contracts for provision of patient services.
	DoF	Regular reports of actual and forecast contract expenditure.
9.1	NOM. & REMUN. COMMITTEE	Remuneration & Terms of Service Committee
9.2	CE	Variation to funded establishment of any department.
9.3	CE	Staff, including agency staff, appointments.
9.4	CHIEF PEOPLE OFFICER	Payroll
10.1	CE / DOF	Determine, and set out, level of delegation of non-pay expenditure to budget managers.
10.2.2	DoF	Prompt payment of accounts.
10.2.5	CE	Authorise the use of official orders.
10.2.7	DoF	Ensure that arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the good practice guidance.
10.3	CE	Grants for provision of patient services.
11	DoF	Advise Board on borrowing and investment needs and prepare procedural instructions.
12	CE	Capital investment programme
12.3	CE/DoF	Maintenance of asset registers.
12.3.8	DoF	Calculate and pay capital charges in accordance with NHS England requirements.
12.4.1	CE	Overall responsibility for fixed assets.

## SECTION 4 – SCHEME OF DELEGATION IMPLIED BY STANDING FINANCIAL INSTRUCTIONS

### SCHEME OF DELEGATION IMPLIED BY STANDING FINANCIAL INSTRUCTIONS

SFI REF	DELEGATED TO	DUTIES DELEGATED
12.4.4	DIRECTORS	Responsibility for security of Trust assets including notifying discrepancies to DoF, and reporting losses in accordance with Trust procedure.
13	DoF	Responsible for systems of control over stores and receipt of goods.
13.8	CE/DoF	Identify persons authorised to requisition and accept goods from NHS Supply Chain Warehouses.
14.2	DoF	Prepare procedures for recording and accounting for losses and special payments and informing NHS Counter Fraud Authority and the External Auditor of all frauds and informing police in cases of suspected arson or theft.
15	DoF	Responsible for accuracy and security of computerised financial data.
16	CE	Responsible for ensuring patients and guardians are informed about patients' money and property procedures on admission.
17	DoF	Shall ensure each fund held on trust is managed appropriately (subject to the discretion and approval of the Charitable Funds Committee if any).
18	CE	Retention of document procedures
19.1	CE DoF	Risk management programme Insurance arrangements

## SECTION 5 - DETAILED SCHEME OF DELEGATION & AUTHORISATION

Delegated matters in respect of decisions which may have a far reaching effect must be reported to the Chief Executive. The delegation and authorisation shown below is the lowest level to which authority is given. Delegation and authorisation to lower levels is only permitted with written approval of the Chief Executive who will, before authorising, consult with other Directors as appropriate. All items concerning Finance must be carried out in accordance with Standing Financial Instructions and Standing Orders.

Key: CE - Chief Executive, MD - Medical Director, CN – Chief Nurse - Director of Finance,  
CPO – Chief People Officer, COO - Chief Operating Officer,  
HoCM Head of Communications and Engagement

Directors for the purpose of SO/SFI and Scheme of Delegation are Executive Directors.

Senior officers are staff employed in the post of Divisional Director, General Manager, Deputy Director or Head of a department.

Delegated Matter	Authority Delegated To	Reference Document
<p><b>1. Management of Budgets</b></p> <p>Responsibility of keeping expenditure within budgets</p> <p>a) At individual budget level (Pay and Non Pay)</p> <p>b) At service level</p> <p>c) For the totality of services covered by Functional Director</p> <p>d) For all other areas:</p> <p>Budgetary or virement limits - and not part of agreed plan</p> <p>a) Up to £250,000 per request</p> <p>b) Up to £500,000 per request</p> <p>c) Over £500,000 per request</p> <p>Approval for the carry forward of funds into a different budgetary period, after discussion with the DoF</p> <p>Approval of revenue business cases and not part of agreed plan</p> <p>a) Cases up to £250,000</p> <p>b) Cases over £250,000</p>	<p>Budget Holder</p> <p>Divisional Director or Executive Director</p> <p>Executive Director or CE</p> <p>DoF or Appropriate Delegated Manager</p> <p>Executive Director</p> <p>DOF</p> <p>Executive Committee</p> <p>CE</p> <p>Corporate Investment Group</p> <p>Board of Directors</p>	<p>SFIs Section 4</p>

Delegated Matter	Authority Delegated To	Reference Document
<b><u>2. Maintenance / Operation of Bank Accounts</u></b> Maintenance / Operation of Bank Accounts	DoF	SFIs Section 6
<b><u>3. Quotation, Tendering &amp; Contract Procedures</u></b>  <b><u>Authority to obtain at least:</u></b> a) To obtain best value for goods/services between £10,000 and £35,000 – three informal quotes b) 3 written quotations via e-tendering portal for goods/services from £35,000 to EU threshold (currently £118k) one local quote where possible c) Competitive tenders via e-tendering portal for works goods/services for tenders above EU threshold d) Single quotation approval between £10,000 to EU threshold (single quotation above EU threshold is not permitted)	Buyers & Senior Officers (Procurement and Estates) Senior Officers (Procurement and Estates)  Senior Officers (Procurement and Estates) or Executive Director DoF	SFIs Section 10 & SOs Section 11 & Annex
<b><u>4. Non Pay Expenditure/Requisitioning/Ordering</u></b>  Authorisation of requisitions/non pay expenditure: a) Requisitions to £2,000 b) Requisitions to £25,000  c) Requisitions to £50,000  d) Requisitions to £500,000 e) Requisitions over £500,000 to £1,000,000 f) Requisitions over £1,000,000  Authorisation of contracts for goods & services and subsequent variations to contracts a) Contracts up to £500,000 c) Contracts over £500,000 to £1,000,000 d) Contracts over £1,000,000 (this includes electronic signing of contracts)	Authorised Signatory for Budget Head of Dept. General Manager or Divisional Director Executive Director (including Deputy Chief Executive) DoF CE CE and DoF   DoF CE CE and DOF after approval by the Board	SFIs Section 10 & SOs Section 11& Annex

Delegated Matter	Authority Delegated To	Reference Document
<p><b><u>5. Capital Schemes</u></b></p> <p>Business Cases - not part of agreed plan</p> <p>a) Production of case of need for every capital expenditure proposal</p> <p>b) Certification of costs and revenue consequences</p> <p>c) Approval of business cases to £1,000,000 and not linked to new service development and part of agreed capital plan</p> <p>d) Approval of business cases over £1,000,000 or linked to new service development</p> <p>Capital Programme</p> <p>a) Production of draft capital programme</p> <p>b) Confirmation of capital funds available</p> <p>c) Approval of capital programme</p> <p>Capital Expenditure</p> <p>a) Issue authority to commit expenditure and proceed to tender up to budget approved in capital programme</p> <p>b) Responsibility of keeping expenditure within scheme budget</p> <p>c) Responsibility of keeping expenditure within total capital budget</p> <p>d) Approval of variations to scheme budgets from plan:</p> <p>    i) To 10% of original scheme budget, a maximum of £50,000</p> <p>    ii) To 20% of original scheme budget, a maximum of £250,000</p> <p>    iii) Above £250,000 or 20% of original scheme budget</p> <p>e) Selection of architects, quantity surveyors, consultant engineer and other professional advisors within EU regulations</p> <p>f) Financial reporting on all capital scheme expenditure</p> <p>g) Financial monitoring of all capital scheme expenditure</p> <p>h) Granting and termination of leases with annual rent &lt;£100k</p> <p>i) Granting and termination of leases of annual rent &gt;£100k</p>	<p>DoF</p> <p>DoF</p> <p>Corporate Investment Group</p> <p>Board of Directors</p> <p>DoF</p> <p>DoF</p> <p>Board of Directors</p> <p>DoF</p> <p>Scheme Manager</p> <p>DoF</p> <p>DoF</p> <p>CE</p> <p>Board of Directors</p> <p>DoF</p> <p>DoF</p> <p>DoF</p> <p>CE</p>	<p>SFIs Section 12 &amp; SOs Section 11</p>
<p><b><u>6. Setting of Fees and Charges</u></b></p> <p>a) Private Patient, Overseas Visitors, Income Generation and other patient related services</p> <p>b) Price of all NHS Contracts</p>	<p>DoF</p> <p>DoF</p>	<p>SFIs Section 7</p> <p>SFIs Section 8</p>

Delegated Matter	Authority Delegated To	Reference Document
<b><u>7. Engagement of Staff Not On the Establishment (Within NHS England price caps)</u></b> a) Management Consultancy b) Engagement of Trust's Solicitors c) Booking of Bank or Agency Staff i) Medical Locums ii) Nursing iii) Clerical  Outside NHSI price caps	DoF CPO, MD and DoF  General Manager or Divisional Director General Manager General / Department Manager or Divisional /Executive Director  Executive Director	SFIs Section 9
<b><u>8. Expenditure on Charitable and Endowment Funds</u></b>  Up to £25,000 per request Over £25,000 per request	DoF CEO or DoF after authorisation from the Charitable Funds Committee.	SFIs Section 17
<b><u>9. Agreements/Licences</u></b> a) Preparation and signature of all tenancy agreements/licences for all staff subject to Trust Policy on accommodation for staff b) Extensions to existing leases c) Letting of premises to outside organisations d) Approval of rent based on professional assessment	DoF and CPO  DoF DoF DoF	
<b><u>10. Condemning &amp; Disposal</u></b> a) Items obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively  b) disposal of x-ray films c) disposal of controlled drugs	Divisional Director of Operations (GM)/Department Manager and Condemning Officer Superintendent Radiographer Chief Pharmacist	SFIs Section 14
<b><u>11. Losses, Write-off &amp; Compensation</u></b> a) Losses and Cash due to theft, fraud, overpayment & others Up to £50,000 b) Fruitless Payments (including abandoned Capital Schemes) Up to £100,000 c) Bad Debts and Claims Abandoned. Private Patients, Overseas Visitors & Other d) Damage to buildings, fittings, furniture and equipment and loss of equipment and property in stores and in use due to: Culpable causes (e.g. fraud, theft, arson) or other	Two Executive Directors  Two Executive Directors Cash Committee	SFIs Section 14

Delegated Matter	Authority Delegated To	Reference Document
Up to £50,000 e) Compensation payments made under legal obligation f) Extra Contractual payments to contractors Up to £50,000  <u>Ex-Gratia Payments</u> g) Patients and staff for loss of personal effects Up to £50,000 h) For clinical negligence up to £1,000,000 (negotiated settlements) i) Negotiate settlement up to £50,000 ii) £50,000 to £100,000 i) over £100,000 iv) Authorise payment (up to £1,000,000) i) For personal injury claims involving negligence where legal advice has been obtained and guidance applied i) Negotiate settlement up to £25,000 ii) £25,000 to £100,000 iii) over £100,000 iv) Authorise payment (up to £1,000,000) j) Other, except cases of maladministration where there was no financial loss by claimant £50,000  Losses, Write-Off & Compensation above delegated limits	Two Executive Directors Two Executive Directors  Two Executive Directors  Two Executive Directors  MD and DoF CE Board of Directors CE or Nominated Director and DoF  CPO and DoF CE Board of Directors CE or Nominated Director and DoF  CE or Nominated Director and DoF  Finance & Performance Committee	
<u><b>12. Reporting of Incidents to the Police</b></u> a) Where a criminal offence is suspected (other than theft or fraud)  b) Where a theft is involved c) Where a fraud is involved	Director with managerial responsibility for the area DoF or CPO DoF	SFIs Sections 2 & 14
<u><b>13. Petty Cash Disbursements (not applicable to central Cashiers Office)</b></u> a) Expenditure up to £25 per item	Petty Cash Holder	SFIs Section 10
<u><b>14. Receiving Hospitality</b></u> Applies to both individual and collective items of hospitality received <b>or offered and declined</b> , in excess of £50.	Declaration required in Trust's Hospitality Register	
<u><b>15. Implementation of Internal and External Audit Recommendations</b></u>	DoF	SFIs Section 2

Delegated Matter	Authority Delegated To	Reference Document
<b><u>16. Maintenance &amp; Update on Trust Financial Procedures</u></b>	DoF	SFIs Section 1
<b><u>17. Investment of Funds (including Charitable &amp; Endowment Funds)</u></b>	DoF	SFIs Section 17
<b><u>18. Personnel &amp; Pay</u></b> a) Authority to fill funded post on the establishment with permanent staff.  b) Authority to appoint staff to post not on the formal establishment. c) Additional Increments The granting of additional increments to staff within budget d) Upgrading & Regrading All requests for upgrading/regrading shall be dealt with in accordance with Trust procedure e) Establishments i) Additional staff to the agreed establishment with specifically allocated finance  ii) Additional staff to the agreed establishment without specifically allocated finance f) Pay i) Authority to complete standing data forms affecting pay, new starters, variations and leavers ii) Authority to authorise overtime iii) Authority to complete and authorise positive reporting forms iv) Authority to authorise travel & subsistence expenses v) Approval of Performance Related Pay Assessment g) Leave i) Approval of annual leave ii) Annual leave - approval of carry forward (up to maximum of 5 days). iii) Annual leave - approval of carry over in excess of 5 days. iv) Compassionate leave up to 3 days v) Compassionate leave over 3 days vi) Special leave arrangements paternity leave vii) Leave without pay viii) Medical Staff Leave of Absence paid and unpaid ix) Time off in lieu x) Maternity Leave - paid and unpaid h) Sick Leave	Budget holder (after vacancy control approval or Management Board approval for Consultant posts) CE and DoF  CPO  CPO  Budget holder (after vacancy control approval or Management Board approval for Consultant posts) CE and DoF  Senior Officer or Executive Director Senior Officer or Executive Director Senior Officer or Executive Director Senior Officer or Executive Director Remuneration Committee/CE  Senior Officer or Executive Director Senior Officer or Executive Director Executive Director Senior Officer or Executive Director Executive Director Executive Director Senior Officer or Executive Director Executive Director MD and CE General Manager or Divisional Director Automatic approval with guidance Automatic approval with guidance	

Delegated Matter	Authority Delegated To	Reference Document
i) Extension of sick leave on half pay up to three months ii) Return to work part-time on full pay to assist recovery iii) Extension of sick leave on full pay i) Study Leave i) Study leave outside the UK ii) Medical staff study leave (UK) iii) All other study leave (UK) j) Removal Expenses, Excess Rent and House Purchases Authorisation of payment of removal expenses incurred by Directors taking up new appointments (providing consideration was promised at interview) k) Grievance Procedure All grievances cases must be dealt with strictly in accordance with the Grievance Procedure and the advice of a the Director of People and Organisational Development must be sought when the grievance reaches the level of Associate/Dept. Manager l) Authorised Car & Mobile Phone Users Requests for new posts to be authorised as car users Requests for new posts to be authorised as mobile telephone users m) Renewal of Fixed Term Contract n) Redundancy o) Ill Health Retirement Decision to pursue retirement on the grounds of ill-health p) Dismissal q) Development of personnel, industrial relations & training strategies and procedures r) Authorisation of expenditure on recruitment advertising s) Day to day management of Consultants' contracts t) Excellence Awards to Medical staff.	Executive Director in conjunction with CPO Executive Director in conjunction with CPO CPO or CE  CPO or MD Divisional Director Senior Officer or Executive Director  CPO  CPO  CPO CPO Senior Officer or Executive Director CPO  CPO Appointing Officers Executive Directors CPO MD Divisional Directors CE	
<b><u>19. Authorisation of New Drugs</u></b> Estimated total yearly cost up to £25,000 Estimated total yearly cost above £25,000	Medicines Management Group CE (Subject to consultation with the above)	SFIs Section 10
<b><u>20. Authorisation of Sponsorship deals</u></b>	CE	
<b><u>21. Authorisation of Research Projects</u></b>	CE or MD or Chief Nurse	
<b><u>22. Authorisation of Clinical Trials</u></b>	CE and MD	
<b><u>23. Insurance Policies and Risk Management</u></b>	DoF	SFIs Section 19

Delegated Matter	Authority Delegated To	Reference Document
<b><u>24. Patients &amp; Relatives Complaints</u></b> a) Overall responsibility for ensuring that all complaints are dealt with effectively under regulations. b) Responsibility for ensuring complaints relating to a directorate are investigated thoroughly c) Medico - Legal Complaints Co-ordination of their management.	CE Senior Officer and PALS Rep.  MD	
<b><u>25. Relationships with Press</u></b> a) Non-Urgent General Enquiries Within Hours Outside Hours b) Urgent Within Hours Outside Hours	HoCM Executive Director on call  HoCM Executive Director on call	
<b><u>26. Infectious Diseases &amp; Notifiable Outbreaks</u></b>	MD or Consultant Microbiologist or Control of Infection Nurse	
<b><u>27. Extended Role Activities</u></b> Approval of any professions to undertake duties / procedures which can properly be described as beyond the normal scope of practice.	Clinical Governance Committee	
<b><u>28. Patient Services</u></b> a) Variation of operating and clinic sessions within existing numbers  Outpatients  Theatres  Other  b) All proposed changes in bed allocation and use (excluding critical care) Temporary Change  Permanent Change Contract monitoring & reporting c) Critical Care	COO with General Manager or Divisional Director COO with General Manager or Divisional Director COO with General Manager or Divisional Director COO with General Manager or Divisional Director COO with General Manager or Divisional Director  Bed Manager with advice from COO & Chief Nurse CE with advice from COO & Chief Nurse DoF CE or Executive Director on call	

Delegated Matter	Authority Delegated To	Reference Document
<b><u>29. Facilities for staff not employed by the Trust to gain practical experience</u></b> Professional Recognition, Honorary Contracts, & Insurance of Medical Staff, Work experience students	CPO	
<b><u>30. Review of fire precautions</u></b>	CE	
<b><u>31. Review of all statutory compliance legislation and Health and Safety requirements including control of Substances Hazardous to Health Regulations</u></b>	CE	
<b><u>32. Review of Medicines Inspectorate Regulations</u></b>	Chief Pharmacist	
<b><u>33. Review of compliance with environmental regulations, for example those relating to clean air and waste disposal</u></b>	CE	
<b><u>34. Review of Trust's compliance with the Data Protection Act, including GDPR</u></b>	CE	
<b><u>35. Monitor proposals for contractual arrangements between the Trust and outside bodies</u></b> a) Monitor proposals for contractual arrangements between the Trust and other healthcare bodies b) Monitor proposals for contractual arrangements between the Trust and non-healthcare bodies	DoF DoF	
<b><u>36. Review the Trust's compliance with the Access to Records Act</u></b>	MD	
<b><u>37. Review of the Trust's compliance code of Practice for handling confidential information in the contracting environment and the compliance with "safe haven" per EL 92/60</u></b>	MD	
<b><u>38. The keeping of a Declaration of Interests Register</u></b>	Company Secretary	
<b><u>39. Attestation of sealings in accordance with Standing Orders</u></b>	CE and DoF	
<b><u>40. The keeping of a register of Sealings</u></b>	CE	
<b><u>41. The keeping of the Hospitality Register</u></b>	DoF	
<b><u>42. Retention of Records</u></b>	COO	
<b><u>43. Clinical Audit</u></b>	MD	

Delegated Matter	Authority Delegated To	Reference Document
<b><u>44. Nominated Fire Director</u></b> Within Hours Outside Hours	CE Executive Director on call	
<b><u>45. Agreement of Policies</u></b> a) To recommend the adoption of new policies to the Board of Directors b) To approve policies where authorised to do so by the Board of Directors	The appropriate sub-committee of the Board e.g. Finance and Performance for finance related policies	
<b><u>46. Working Together Partnership Committee in Common</u></b>  All functions agreed to be delegated by the Board and listed in the DBTH Committee in Common terms of reference.	Committee in common consisting of CEO and Chair or nominated deputies	DTH CiC TORs
<b><u>47. Intellectual Property</u></b>  The disposal of intellectual property rights	Executive Committee	

## 6. ROLES AND RESPONSIBILITIES OF GOVERNORS

The Constitution states that at general meetings, the Council of Governors shall discharge the following responsibilities:

- 6.1 The appointment or removal of the Chair and the other Non-Executive Directors (section 26).
- 6.2 Approve an appointment (made by the Non-Executive Directors) of the Chief Executive (section 26).
- 6.3 The appointment or removal of the Trust's auditors (section 35).
- 6.4 Decide the remuneration and allowances, and the other terms and conditions of office, of the Chair and the other Non-Executive Directors (section 31).
- 6.5 Approve any significant transaction, as defined in the constitution (section 42).
- 6.6 Approve any merger, acquisition, separation or dissolution proposed (section 42).

## APPENDIX 1 - EQUALITY IMPACT ASSESSMENT PART 1 INITIAL SCREENING

Service/Function/Policy/Project/ Strategy	CSU/Executive Directorate and Department	Assessor (s)	New or Existing Service or Policy?	Date of Assessment
Reservation of Powers to the Board and Delegation of Powers – CORP/FIN 1 (C) v.12	CE/Finance	Alex Crickmar	Existing Policy	July 2023
<b>1) Who is responsible for this policy?</b> Name of CSU/Directorate – Finance Department/Secretariat				
<b>2) Describe the purpose of the service / function / policy / project/ strategy?</b> Who is it intended to benefit? What are the intended outcomes? To provide standing orders for the Board and a framework for the delegation of powers from the Board.				
<b>3) Are there any associated objectives?</b> Legislation, targets national expectation, standards No				
<b>4) What factors contribute or detract from achieving intended outcomes?</b> – Compliance with the policy				
<b>5) Does the policy have an impact in terms of age, race, disability, gender, gender reassignment, sexual orientation, marriage/civil partnership, maternity/pregnancy and religion/belief?</b> Details: [see Equality Impact Assessment Guidance] - No				
• If yes, please describe current or planned activities to address the impact [e.g. Monitoring, consultation] – N/A				
<b>6) Is there any scope for new measures which would promote equality?</b> [any actions to be taken] N/A				
<b>7) Are any of the following groups adversely affected by the policy?</b> No				
<b>Protected Characteristics</b>	<b>Affected?</b>	<b>Impact</b>		
a) Age	No			
b) Disability	No			
c) Gender	No			
d) Gender Reassignment	No			
e) Marriage/Civil Partnership	No			
f) Maternity/Pregnancy	No			
g) Race	No			
h) Religion/Belief	No			
i) Sexual Orientation	No			
<b>8) Provide the Equality Rating of the service / function /policy / project / strategy – tick (✓) outcome box</b>				
<b>Outcome 1✓</b>	<b>Outcome 2</b>	<b>Outcome 3</b>	<b>Outcome 4</b>	
<i>*If you have rated the policy as having an outcome of 2, 3 or 4, it is necessary to carry out a detailed assessment and complete a Detailed Equality Analysis form in Appendix 4</i>				
<b>Date for next review:</b> July 2024				
<b>Checked by:</b> Alex Crickmar / Jon Sargeant <b>Date:</b> July 2023				