

# **Torbay and South Devon NHS Foundation Trust**

## **Board of Directors Reservation of Powers and Scheme of Delegation**

**Document Information**

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<b>Links or overlaps with other policies:</b>			
Standing Orders			
Standing Finance Instructions			

**Amendment History**

<u>Issue</u>	<u>Status</u>	<u>Date</u>	<u>Reason for Change</u>	<u>Authorised</u>
final	approved	Aug 09	Finance Committee replaces Treasury, Budgetary Review and Investment Panel	Board
0.7	approved	Nov 11	Bribery Act/ Tender process Review	Board
0.8	approved	Oct 12	Revised hospitality / small gifts arrangements for TP re – trading and competitive status	PMU board
2	approved	Jan 14	Consistency of version numbering	CoSec
2.1	Draft	Oct 14	Nomenclature and updates re: Torbay Pharmaceuticals	CoSec/DDF
2.2	Draft	Oct 14	Feedback from Audit Committee (AC)	AC
3	Approved	Nov 14	Approve changes above	Board
3.3	Approved	Aug 15	Updated for ICO	Board
4.2	Draft	Nov 17	Changes to Revenue and Capital Investment Policy; to Charitable Funds processes; Court of Protection practices and TP scheme of delegation Clarification of sign off process for Adult Social Care / Placed People	AC/FPIC

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**A. Terminology**

- 1.1 “**Accounting Officer**” means the NHS Officer responsible and accountable for funds entrusted to the Trust. He shall be responsible for ensuring the proper stewardship of public funds and assets. For this Trust it shall be the Chief Executive.
- 1.2 “**Board of Directors**” means the Board of Directors comprising of the Chairman, the Chief Executive, six other Executive Directors and seven other Non-Executive Directors as defined in the Trust’s Constitution.
- 1.3 “**Budget**” means a resource, expressed in financial terms or other quantitative term, proposed by the Board of Directors for the purpose of carrying out, for a specific period, any or all of the functions of the Trust.
- 1.4 “**Budget holder**” means the Director or employee with delegated authority to manage finances (Income and Expenditure) for a specific area of the organisation.
- 1.5 “**Chairman of the Board of Directors**” is the person appointed by the Council of Governors to lead the Board of Directors and to ensure that it successfully discharges its overall responsibility for the Trust as a whole. The expression “the Chairman” shall be deemed to include the Vice-Chairman of the Trust if the Chairman is absent from the meeting or is otherwise unavailable.
- 1.6 “**Chief Executive**” means the Chief Officer of the Trust.
- 1.7 “**Committee**” means a Committee or Sub-Committee created and appointed by the Board of Directors or Council of Governors.
- 1.8 “**Committee members**” means persons formally appointed by the Board of Directors or Council of Governors to sit on or to chair specific committees.
- 1.9 “**Contracting and procuring**” means the systems for obtaining the supply of goods, materials, manufactured items, services, building and engineering services, works of construction and maintenance and for disposal of surplus and obsolete assets.
- 1.10 “**Director of Finance**” means the chief financial officer of the Trust.

- 1.11 “**Executive Director**” means a member of the Board of Directors who is an officer of the Trust.
- 1.12 “**Funds held on trust**” shall mean those funds which the Trust holds on date of incorporation, receives on distribution by statutory instrument or chooses subsequently to accept under Schedule 2 Part II para 16.1.c NHS & Community Care act 1990. Such funds may or may not be charitable.
- 1.13 “**Council of Governors**” means that body of elected and appointed Governors, authorised to be members of the Council of Governors and act in accordance with the Constitution.
- 1.14 “**Legal Adviser**” means the properly qualified person appointed by the Trust to provide legal advice.
- 1.15 “**Member**” means Executive or Non-Executive Director of the Board of Directors. (Member in relation to the Board of Directors does not include its Chairman.)
- 1.16 “**Associate Member**” means a person appointed to perform specific statutory and non-statutory duties which have been delegated by the Board of Directors for them to perform and these duties have been recorded in an appropriate Board of Directors minute or other suitable record.
- 1.17 “**Nominated officer**” means an officer charged with the responsibility for discharging specific tasks within Standing Orders and Standing Financial Instructions.
- 1.18 “**Non-Executive Director**” means a Member of the Board of Directors who does not hold an executive office of the Trust.
- 1.19 “**Officer**” means employee of the Trust or any other person holding a paid appointment or office with the Trust.
- 1.20 “**Secretary**” means a person appointed by the Trust (the Company Secretary) to act independently of the Board of Directors and Council of Governors and monitor the Trust’s compliance with the law, SoS and observance of Constitution and licence.
- 1.21 “**SFIs**” means Standing Financial Instructions.
- 1.22 “**SOs**” means Standing Orders.

- 1.23 “**Trust**” means Torbay and South Devon NHS Foundation Trust.
- 1.24 “**Vice-Chairman**” means the Non-Executive Director ratified by the Council of Governors to take on the Chairman’s duties if the Chairman is absent for any reason.
- 1.25 Wherever the title “Chief Executive”, “Director of Finance”, or other nominated officer is used in these instructions, it shall be deemed to include such other Director or employee who has been duly authorised to represent them.
- 1.26 Wherever the item “employee” is used it shall be deemed to include employees of third parties contracted to the Trust when acting on behalf of the Trust. In addition “employee” includes all nursing and medical staff and consultants practising upon Trust premises or contracted to perform services on other premises on behalf of the Trust.
- 1.27 All references in this Scheme of Delegation to the masculine gender shall be read as equally applicable to the feminine gender and vice versa.
- 1.28 ‘TP’ – Torbay Pharmaceuticals

## **B. Introduction**

- 2.1 Under the Standing Order relating to the Arrangements for the Exercise of Functions (Standing Order 5) the Trust is given powers to “make arrangements for the exercise, on behalf of the Trust of any of their functions by a committee, sub-committee or joint committee appointed by virtue of Standing Order 4 or by an officer of the Trust, in each case subject to such restrictions and conditions as the Trust thinks fit or as the Independent Regulator may direct”. Furthermore The Code of Accountability for NHS Board of Directors requires the Board of Directors to draw up a schedule of decisions reserved to it and to ensure that management arrangements are in place to enable the clear delegation of its other responsibilities. This document sets out the powers reserved to the Board of Directors and the Scheme of Delegation including financial limits and approval thresholds. However, the Board of Directors remains accountable for all of its functions, including those which have been delegated, and would therefore expect to receive information about the exercise of delegated functions to enable it to maintain a monitoring role.
- 2.2 All powers of the Trust which have not been retained as reserved by the Board of Directors or delegated to a Board of Directors Committee shall be

exercised on behalf of the Board of Directors by the Chief Executive. The Scheme of Delegation identifies any functions which the Chief Executive shall perform personally and those delegated to other directors or officers. All powers delegated by the Chief Executive can be re-assumed by him/her should the need arise.

**a) Role of the Chief Executive**

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

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 Improvement/Monitor for the funds entrusted to the Trust.

**b) 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 judgment 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 Officers to Whom Powers have been Delegated**

In the absence of a Director or Officer to whom powers have been delegated that Director or Officer's superior shall exercise those powers unless alternative arrangements have been approved by the Board of Directors. If the Chief Executive is absent, powers delegated to him / her may be exercised by the nominated Deputy Chief Executive. If the Director of Finance is absent, powers delegated to him / her may be exercised by the Deputy Director of Finance.

**SCHEME OF DECISIONS RESERVED TO THE BOARD OF DIRECTORS**

**SECTION 1**

Ref	The Board of Directors	Decisions Reserved to the Board of Directors
NA	The Board of Directors	<p><b>General Enabling Provision</b></p> <p>The Board of Directors may determine any matter, for which it has delegated or statutory authority, it wishes in full session within its statutory powers.</p>
NA	The Board of Directors	<p><b>Regulations and Control</b></p> <ol style="list-style-type: none"> <li>1. Approve Standing Orders (Sos), a schedule of matters reserved to the Board of Directors and Standing Financial Instructions (SFIs) for the regulation of its proceedings and business.</li> <li>2. Suspend Standing Orders.</li> <li>3. Vary or amend the Standing Orders.</li> <li>4. Ratify any urgent decisions taken by the Chairman and Chief Executive in accordance with Standing Order 5.2.</li> <li>5. Approve a scheme of delegation of powers from the Board of Directors to committees.</li> <li>6. Require and receive the declaration of Board of Directors 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.</li> <li>7. Require and receive the declaration of officers' interests that may conflict with those of the Trust.</li> <li>8. Approve arrangements for dealing with complaints.</li> <li>9. Adopt the organisation structures, processes and procedures to facilitate the discharge of business by the Trust and to agree modifications thereto.</li> <li>10. 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.</li> <li>11. Confirm the recommendations of the Trust's committees where the committees do not have executive powers.</li> <li>12. Approve arrangements relating to the discharge of the Trust's responsibilities as a corporate trustee for funds held on trust.</li> <li>13. Establish terms of reference and reporting arrangements of all committees and sub-committees that are established by the Board of Directors.</li> <li>14. Approve arrangements relating to the discharge of the Trust's responsibilities as a bailer for patients' property.</li> <li>15. Authorise and monitor use of the seal in line with SO/ SFI.</li> <li>16. Ratify or otherwise instances of failure to comply with Standing Orders brought to the Chief</li> </ol>

Ref	The Board of Directors	Decisions Reserved to the Board of Directors
		Executive's attention in accordance with SO 5.6. 17. Discipline members of the Board of Directors or employees who are in breach of statutory requirements or Sos.
NA	The Board of Directors	<p><b>Appointments / Dismissal</b></p> <ol style="list-style-type: none"> <li>1. Nomination of the Vice Chairman of the Board of Directors for ratification by the Council of Governors.</li> <li>2. Appoint and dismiss committees (and individual members) that are directly accountable to the Board of Directors.</li> <li>3. Appoint, appraise, discipline and dismiss Executive Directors.</li> <li>4. Confirm appointment of members of any committee of the Trust as representatives on outside bodies.</li> <li>5. Appoint appraise, discipline and dismiss the Foundation Trust Secretary (if the appointment of a Secretary is required under Standing Orders).</li> <li>6. Approve proposals of the Executive Nominations and Remuneration Committee regarding directors and senior employees and those proposals of the Chief Executive for staff not covered by the Executive Nominations and Remuneration Committee.</li> </ol>
NA	The Board of Directors	<p><b>Strategy, Business Plans and Budgets</b></p> <ol style="list-style-type: none"> <li>1. Define the strategic aims and objectives of the Trust.</li> <li>2. Approve proposals for ensuring quality and developing clinical governance in services provided by the Trust, having regard to any relevant department of Health guidance and directions from the Independent Regulator.</li> <li>3. Approve the Trust's policies and procedures for the management of risk.</li> <li>4. Approve Outline and Final Business Cases for Capital Investment in excess of £0.5m.</li> <li>5. Approve budgets.</li> <li>6. Approve annually Trust's proposed corporate plan.</li> <li>7. Ratify proposals for acquisition, disposal or major change of use of land and/or buildings.</li> <li>8. Approve PFI proposals.</li> <li>9. Approve the opening of bank accounts.( Except Court of Protection accounts)</li> <li>10. Approve proposals in individual cases for the write off of losses or making of special payments above the limits of delegation to the Chief Executive and Director of Finance (for losses and special payments) previously approved by the Board of Directors as set out in Financial Procedure 6,</li> </ol>

Ref	The Board of Directors	Decisions Reserved to the Board of Directors
		<p>Condemnations, Losses, Special Payments and Insurance Arrangements.</p> <ol style="list-style-type: none"> <li>11. Approve individual compensation payments to directors after consideration by the remuneration committee.</li> <li>12. Approve proposals for action on litigation against or on behalf of the Trust.</li> <li>13. Review use of insurance and NHSLA risk pooling schemes (CNST/RPST).</li> </ol>
NA	The Board of Directors	<p><b>Policy Determination</b></p> <ol style="list-style-type: none"> <li>1. Approve management policies including personnel policies incorporating the arrangements for the appointment, removal and remuneration of staff. Policies so adopted shall be listed and published by the Director of Workforce and Organisational Development.</li> </ol>
NA	The Board of Directors	<p><b>Audit</b></p> <ol style="list-style-type: none"> <li>1. Receive the Annual Management Letter received from the External Auditor and agree proposed action, taking account of the advice, where appropriate, of the Audit and Assurance Committee.</li> <li>2. Receive an annual report from the Audit and Assurance Committee and agree action on recommendations of the Audit and Assurance Committee.</li> </ol>
NA	The Board of Directors	<p><b>Annual Reports and Accounts</b></p> <ol style="list-style-type: none"> <li>1. Receipt and approval of the Trust's Annual Report and Annual Accounts.</li> <li>2. Receipt and approval of the Annual Report and Accounts for funds held on trust.</li> </ol>
NA	The Board of Directors	<p><b>Monitoring</b></p> <ol style="list-style-type: none"> <li>1. Receive such reports as the Board of Directors sees fit from committees in respect of their exercise of powers delegated.</li> <li>2. Continuous appraisal of the affairs of the Trust by means of the provision to the Board of Directors as the Board of Directors may require from directors, committees, and officers of the Trust as set out in management policy statements.</li> <li>3. Receive reports from DoF on financial performance against budget and business plan.</li> <li>4. Receive reports from DoF on actual and forecast income.</li> </ol>

**SECTION 2**

**SCHEME OF DECISIONS / DUTIES DELEGATED BY THE BOARD OF DIRECTORS TO COMMITTEES WITH POWERS TO ACT  
(WITH POWERS TO ACT MARKED WITH \*)**

Ref	Committee	Decisions and Duties Delegated by the Board of Directors with Powers to Act (with Powers to Act marked with *)
SFI 2.1.1 and SO 4.8.1	Audit and Assurance Committee *	<p>The Committee will:</p> <ol style="list-style-type: none"> <li>1. Advise the Board of Directors on all internal and external audit services and matters;</li> <li>2. Discuss problems and reservations arising from any audit work and any matters arising which the Auditor's may wish to discuss (in the absence of Executive Directors and other management where necessary);</li> <li>3. Review the establishment and maintenance of an effective system of integrated governance, risk management and internal control, across the whole of the organisation's activities (both clinical and non-clinical), that supports the achievement of the organisation's objectives;</li> <li>4. Monitor compliance with Standing Orders and Standing Financial Instructions;</li> <li>5. Periodically review the assurance gained through the development of the Assurance Framework and to consider the gaps in control and gaps in assurance and to report the results to the Board of Directors;</li> <li>6. Monitor the implementation of policy on standards of business conduct for members and staff, thus offering assurance to the Board of Directors that strict ethical standards are maintained in the conduct of business;</li> <li>7. Reviewing financial and information systems and monitoring the integrity of the financial statements and reviewing significant financial reporting judgments;</li> <li>8. Review policies and procedures in respect of fraud and Bribery set out in the Secretary of State Directions and to receive the Counter Fraud Annual Report and Plan;</li> <li>9. Review schedules of losses and compensations and making recommendations to the Board of Directors;</li> <li>10. Review the annual financial statements prior to submission to the Board of Directors;</li> <li>11. Any other duties under its terms of reference.</li> </ol>
SFI 9.1.2 and SO 4.8.2	Executive Nominations and Remuneration Committee	<p>The Committee will report to the Board of Directors in writing to:</p> <ol style="list-style-type: none"> <li>1. Advise the Board of Directors about appropriate remuneration and terms of service for the Chief Executive, other Executive Directors and other senior employees including: <ol style="list-style-type: none"> <li>a. all aspects of salary (including any performance-related elements/bonuses);</li> </ol> </li> </ol>

Ref	Committee	Decisions and Duties Delegated by the Board of Directors with Powers to Act (with Powers to Act marked with *)
		<ul style="list-style-type: none"> <li>b. provisions for other benefits, including pensions and cars;</li> <li>c. arrangements for termination of employment and other contractual terms;</li> </ul> <ol style="list-style-type: none"> <li>2. Make recommendations to the Board of Directors on the remuneration and terms of service of executive directors and senior employees to ensure they are fairly rewarded for their individual contribution to the Trust – having proper regard to the Trust’s circumstances and performance and to the provisions of any national arrangements for such staff;</li> <li>3. Scrutinise the calculation and of termination payments taking account of such national guidance as is appropriate advise on and oversee appropriate contractual arrangements for such staff;</li> <li>4. Monitor and evaluate the performance of individual executive directors (and other senior employees).</li> </ol>
SO 4.8.4	Quality Assurance Committee	<p>The Quality Assurance Committee will:</p> <p>Monitor, review and report on the quality (safest care, effectiveness of care, best experience) of clinical and social care services provided by the Trust. This will include review of:</p> <ul style="list-style-type: none"> <li>i) the systems in place to ensure the delivery of safe, high quality, person-centred care;</li> <li>ii) quality indicators flagged as of concern through escalation reporting or as requested by the Trust Board;</li> <li>iii) progress in implementing action plans to address shortcomings in the quality of services, should they be identified.</li> </ul>
SO 4.8.3/ SFI17	Charitable Funds Committee *	<p>The Committee will;</p> <ol style="list-style-type: none"> <li>1. Govern, manage and regulate the finances, accounts, investments, assets, business and all affairs whatsoever of the charity.</li> <li>2. Establish and regularly review for the investment managers the following: - <ul style="list-style-type: none"> <li>a) Investment powers;</li> <li>b) Investment strategy;</li> <li>c) Policy constraints;</li> <li>d) Delegated authority and monitor compliance.</li> </ul> </li> <li>3. Ensure that systems are in place to provide appropriate and effective financial controls and procedures in order that the funds are operated correctly, that money is used for the appropriate purpose and that funds</li> </ol>

Ref	Committee	Decisions and Duties Delegated by the Board of Directors with Powers to Act (with Powers to Act marked with *)								
		<p>are not overspent.</p> <ol style="list-style-type: none"> <li>4. Regularly review the investment objectives of the fund and advise the funds' investment advisors.</li> <li>5. Receive interim reports and advice regarding market conditions and performance from the investment advisors.</li> <li>6. Review and approve annual expenditure priorities for funds, review and approve the charity's annual plan and ensure that funds comply with these priorities (or agreed alternatives).</li> <li>7. Consider and approve major expenditure proposals arising during the year i.e. proposals having a value in excess of £50,000 for any one item or scheme to be financed either from funds held within a charitable fund or as a rechargeable item.</li> <li>8. Receive reports every half year on the actual expenditure incurred compared with plans.</li> <li>9. Receive reports quarterly on the performance of the funds' investments.</li> <li>10. Encourage the use of funds for the benefit of patient welfare.</li> <li>11. Determine and approve financial strategy and to monitor performance against agreed objectives.</li> <li>12. Consider and approve the annual accounts and report.</li> <li>13. Review changes in legislation and approve plans for their implementation.</li> <li>14. Appoint investment advisors and review every three years.</li> <li>15. Oversee and monitor the performance of the advisors.</li> <li>16. Review and approve the strategy of the charity.</li> <li>17. Appoint Fund Managers</li> <li>18. Review and approve the charity's fundraising plans, monitor fundraising performance and ensure compliance with fundraising regulatory requirements.</li> </ol> <p>16. Further to sections 6 and 7 above, approval for individual purchases should be obtained from:-</p> <table data-bbox="712 1273 1303 1390"> <tr> <td>Up to £5,000</td> <td>Fund Holder</td> </tr> <tr> <td>£5,001 to £20,000</td> <td>Director of Finance</td> </tr> <tr> <td>£20,001 to £50,000</td> <td>Chief Executive</td> </tr> <tr> <td>Over £50,000</td> <td>Charitable Funds Committee</td> </tr> </table>	Up to £5,000	Fund Holder	£5,001 to £20,000	Director of Finance	£20,001 to £50,000	Chief Executive	Over £50,000	Charitable Funds Committee
Up to £5,000	Fund Holder									
£5,001 to £20,000	Director of Finance									
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Over £50,000	Charitable Funds Committee									

Ref	Committee	Decisions and Duties Delegated by the Board of Directors with Powers to Act (with Powers to Act marked with *)
		<p>The authorisers detailed above may also, in circumstances where thought necessary, authorise expenditure with a value below their specified range.</p> <p>In cases where a decision on any investment proposals is viewed as urgent, the Committee have delegated the power to authorise such changes to any two of the following three members of the Committee:-</p> <ul style="list-style-type: none"> <li>i) Committee Chair</li> <li>ii) Director of Finance</li> <li>iii) One non-executive member of the Board of Directors and Committee (other than Committee Chair)</li> </ul> <p>Any other duties set out in the terms of reference.</p>
SO 4.9.2	Torbay Pharmaceuticals Board of Directors *	<p>The Committee will;</p> <ol style="list-style-type: none"> <li>1. Review and approve TP Business Strategy and Objectives.</li> <li>2. Review and approve long-term PMU Business Plan.</li> <li>3. Review and approve TP Annual Budgets and Plans.</li> <li>4. Oversee and monitor performance of the TP Business.</li> <li>5. Receive reports and presentations, as appropriate, to the Board of Directors or Executive Team.</li> <li>6. Act as the Project steering group for major TP projects to review and approve project proposals and scope of work, oversee management of the project and monitor progress and performance to ensure the project objectives and timetable are met.</li> <li>7. Approve business cases up to £250K subject to conditions set out in its Terms of reference.</li> </ol>
SFI 11.1.4	Finance, Performance and Investment Committee *	<p>Finance, Performance and Investment Committee ( treasury functions)</p> <ol style="list-style-type: none"> <li>1. Approve the Trust's investment and borrowing strategy and policies in line with its strategy on risk.</li> <li>2. Approve the Trust's interest rate (and foreign exchange risk) management strategy and policies.</li> <li>3. Approve the relevant benchmarks for measuring performance.</li> <li>4. Review and monitor investment and borrowing policy and performance against the relevant benchmarks in respect of all funds.</li> <li>5. Ensure proper safeguards are in place for security of the Trust's funds.</li> <li>6. Monitor compliance with Treasury policies and procedures on investment/borrowing/interest</li> </ol>

Ref	Committee	Decisions and Duties Delegated by the Board of Directors with Powers to Act (with Powers to Act marked with *)
		<p>rate/foreign exchange management in respect of limits, approved counterparties and types of investments/instruments.</p> <ol style="list-style-type: none"> <li>7. Approve external funding arrangements within delegated authority.</li> <li>8. Delegate responsibility for Treasury operations to the Trust Director of Finance. The Director of Finance will hold regular meetings with the Treasury Team to discuss issues and consider any points that should be brought to the attention of the Finance, Performance and Investment Committee.</li> <li>9. Approve business cases up to £500k for both revenue and capital projects.</li> </ol>

**SCHEME OF DELEGATION DERIVED FROM THE NHS FOUNDATION TRUST ACCOUNTING OFFICER MEMORANDUM**

Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015</p> <p>Para 7</p>	<p>Chief Executive</p>	<p>Ensure that there is a high standard of financial management in the Trust as a whole.</p> <p>Ensure that the financial systems and procedures promote the efficient and economical conduct of business and safeguard financial property and regularity throughout the Trust.</p> <p>Ensure that financial considerations are fully taken into account in decisions on Trust policy proposals.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015</p> <p>Para 8</p>	<p>Chief Executive</p>	<p>Maintain responsibility for the propriety and regularity of the public finances for which they are answerable.</p> <p>Keep proper accounts.</p> <p>Prudent and economical administration as set out in 'Managing Public Money'.</p> <p>Ensure the avoidance of waste and extravagance.</p> <p>Ensure the efficient and effective use of all resources in their charge.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015</p> <p>Para 9</p>	<p>Chief Executive</p>	<p>Responsible for personally signing the accounts and ensuring that their form and content are as prescribed by NHS Improvement/Monitor.</p> <p>Ensure compliance with the financial requirements of the NHS Provider Licence.</p> <p>Ensure that proper financial procedures are followed and that accounting records are maintained in a form suited to the requirements of management, as well as in the form prescribed for published accounts.</p> <p>Ensure that the resources are well managed and safeguarded, with independent checks of cash balances in the hands of any official.</p> <p>Ensure that all assets such as land, buildings or other property, including stores and equipment are controlled and safeguarded.</p> <p>Ensure that any protected property (or interest in) is not disposed of without consent of NHS Improvement/Monitor.</p> <p>Ensure that conflicts of interest are avoided, whether within the Board of Directors, Council of Governors or</p>

Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p>in the actions and advice of all Trust staff.</p> <p>Ensure that for all areas of expenditure applicable, policy proposals take into consideration all financial considerations are taken into account and brought to the attention of the Board of Directors.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015</p> <p>Para 11</p>	<p>Chief Executive</p>	<p>Ensure that arrangements for Internal Audit should be in accordance within the Public Sector Internal Audit Standards.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015 Para 12</p>	<p>Chief Executive</p>	<p>Ensure that the appropriate advice is tendered to the Board of Directors and Council of Governors on all matters of financial propriety and regularity.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015 Para 13</p>	<p>Board of Directors / Council of Governors</p>	<p>Ensure that they act in accordance with the requirements of propriety and regularity.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum August 2015 Para 13</p>	<p>Chief Executive</p>	<p>If the Chief Executive considers that either the Board of Directors or Governors are contemplating actions which may infringe probity or regularity, he/she should set out the concerns in writing and issue it to those concerned. If the matter is unresolved and the course of action is continued NHS Improvement should be informed, preferably before any actions have been completed so that NHS Improvement has the opportunity to intervene if appropriate.</p>
<p>NHS Foundation Trust Accounting Officer Memorandum</p>	<p>Chief Executive</p>	<p>If the Chief Executive considers that either the Board of Directors or Governors are contemplating an action which raises concern but is not tied to probity or regularity, their attention should be drawn to the relevant factors, such as economy, efficiency and effectiveness. If the matter is unresolved and the course of action</p>

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August 2015 Para 14		is continued NHS Improvement should be informed, preferably before any actions have been completed so that NHS Improvement has the opportunity to intervene if appropriate.
NHS Foundation Trust Accounting Officer Memorandum August 2015 Para 16	Chief Executive	May be called upon to appear before the Committee of Public Accounts to give evidence on the reports arising from examinations or reports following the annual certification audit. Will be expected to furnish the Committee of Public Accounts with explanations of any weakness.
NHS Foundation Trust Accounting Officer Memorandum August 2015 Para 21	Senior Officer	The Chief Executive should delegate responsibility to a senior officer in the event of temporal unavailability, due to illness or other cause.
NHS Foundation Trust Accounting Officer Memorandum August 2015 Para 22	Board of Directors	Should it become clear that the Chief Executive is so incapacitated that they are unable to discharge these responsibilities over a period of four weeks or more, the Board of Directors should appoint an acting Accountable Officer until the Chief Executive's return.

**SCHEME OF DELEGATION FROM STANDING ORDERS (SO)**

**SECTION 4**

<b>SO Ref</b>	<b>Delegated to</b>	<b>Decisions and Duties Delegated by the Board of Directors with Powers to Act</b>
1.1	Chairman	Final authority in interpretation of Standing Orders.
2.4	Board of Directors following ratification by Council of Governors	Appointment of Vice Chairman.
3.1.3	Chairman	Call meetings.
3.9	Chairman	Chair all Board of Directors meetings and associated responsibilities.
3.10	Chairman	Give final ruling in questions of order, relevancy and regularity of meetings.
3.12	Chairman	Having a second or casting vote.
3.13.1	Board of Directors	Suspension of Standing Orders.
3.13.5	Audit and Assurance Committee	Audit and Assurance Committee to review every decision to suspend Standing Orders (power to suspend Standing Orders is reserved to the Board of Directors).
3.14	Board of Directors	Variation or amendment of Standing Orders.
5.2	Chairman & Chief Executive	The powers which the Board of Directors has retained to itself within these Standing Orders (Standing Order 2.8) may in emergency be exercised by the Chair and Chief Executive after having consulted at least two Non-Executive members.
5.3	Board of Directors	The Board of Directors shall agree from time to time to the delegation of executive powers to be exercised by committees, or sub-committees, or joint-committees, which it has formally constituted in accordance with directions issued by NHS Improvement/Monitor. The constitution and terms of reference of these committees, or sub-committees, or joint committees, and their specific executive powers shall be approved by the Board of Directors.
5.4.2	Chief Executive	The Chief Executive shall prepare a Scheme of Delegation identifying his/her proposals that shall be considered and <u>approved by the Board of Directors</u> , subject to any amendment agreed during the discussion.

SO Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
5.6	All	Disclosure of non-compliance with Standing Orders to the Chief Executive as soon as possible.
7.1.1	Board of Directors	Declare relevant and material interests.
7.2.1	Chief Executive	Maintain Register of Interests.
7.4.1	All staff	Comply with national guidance contained in HSG 1993/5 "Standards of Business Conduct for NHS Staff" (refer Appendix A of Standing Orders; TP staff have an updated version approved by TP board reflecting their commercial nature). Including provisions of Bribery Act 2010
7.4.4	All	Disclose relationship between self and candidate for staff appointment. (CE to report the disclosure to the Board of Directors).
8.1	Chief Executive	Keep seal in safe place and maintain a register of sealing.
8.2	Board of Directors	Authorise use of the Seal and monitor use of Seal as set out in SO/ SFI
8.2	CE and DoF or nominated officers*	Approve and sign all building, engineering, property or capital documents.
8.3	Board of Directors	See the register of sealing quarterly.
8.4	Chief Executive or Director of Finance	Approve and sign all documents which will be necessary in legal proceedings.
8.4	CE or nominated officers*	Sign where authorised by resolution of the Board of Directors on behalf of the Trust any agreement or document not requested to be executed as a deed.

\* Nominated officers and the areas for which they are responsible should be incorporated into the Trust's Scheme of Delegation document.

**SCHEME OF DELEGATION FROM STANDING FINANCIAL INSTRUCTIONS (SFI)**

**SECTION 5**

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
1.1.4	Director of Finance (DoF)	Approval of all financial procedures. TP procedures delegated to TP Managing Director with the advice of the TP Director of Finance (who is professionally accountable to Deputy Director of Finance)
1.1.5	Director of Finance and Director of Internal Audit	Advice on interpretation or application of SFIs and all written financial procedures.
1.1.7	All Members of the Board of Directors and all Staff	Disclosure of non-compliance with SFIs as soon as possible to the DoF. DoF to report to the Audit and Assurance Committee.
1.3.3	Chief Executive (CE)	To ensure financial targets and obligations are met and has overall responsibility for the system of internal control.
1.3.3	Director of Finance & Chief Executive	Accountable for financial control but will, as far as possible, delegate their detailed responsibilities.
1.3.4	Chief Executive	To ensure all Board of Directors members, officers and employees, present and future, are notified of and understand Standing Financial Instructions.
1.3.5	Director of Finance	<p>a) implementing the Trust financial policies and for co-ordinating any corrective action necessary to further these policies;</p> <p>b) maintaining an effective system of internal financial control including ensuring that detailed financial procedures and systems incorporating the principles of separation of duties and internal checks are prepared, documented and maintained to supplement these instructions;</p> <p>c) ensuring that sufficient records are maintained to show and explain the Trust transactions, in order to disclose, with reasonable accuracy, the financial position of the Trust at any time;</p> <p>and, without prejudice to any other functions of directors and employees to the Trust, the duties of the Director of Finance include:</p> <p>d) the provision of financial advice to the Trust and its directors and employees;</p> <p>e) the design, implementation and supervision of systems of financial control; and</p> <p>f) the preparation and maintenance of such accounts, certificates, estimates, records and reports as the Trust may require for the purpose of carrying out its statutory duties.</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
1.3.6	All members of the Board of Directors and employees	Responsible for security of the Trust's property, avoiding loss, exercising economy and efficiency in using resources and conforming to Standing Orders, Standing Financial Instructions, financial procedures and the Scheme of Delegation.
1.3.7	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 these instructions and their requirement to comply.
2.1.1	Audit and Assurance Committee	Provide independent and objective view on internal control and probity.
2.1.2	Chair of Audit and Assurance Committee	Raise the matter at the Board of Directors meeting where Audit and Assurance Committee considers there is evidence of ultra vires transactions or improper acts.
2.1.3 & 2.2.1	Director of Finance	<p>Ensure an adequate internal audit service, for which he/she is accountable, is provided (and involve the Audit and Assurance Committee in the selection process when/if an internal audit service provider is changed).</p> <p>The responsibility for ensuring that recommendations made by internal and external audit are implemented is delegated to the managers named within those reports.</p> <p>The responsibility for the maintenance and update of Trust Financial Procedures is delegated to the Deputy Director of Finance and the Assistant Director of Finance (Corporate Finance) and any amendments to these will be agreed with the Trust's internal audit service.</p>
2.2.1	Director of Finance	Decide at what stage to involve police in cases of misappropriation and other irregularities not involving fraud, bribery or corruption.
2.3.4	Director of Internal Audit	Review, appraise and report in accordance with Public Sector Internal Audit Standards and best practice.
2.4.1	Audit and Assurance Committee	Ensure cost-efficient external audit service.
2.5.1	CE & Director of Finance	Monitor and ensure compliance with Secretary of State for Health Directions on fraud, bribery and corruption including the appointment of the Local Counter Fraud Specialist.
2.6.1 & 2.6.2	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.

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
3.1.1	Chief Executive	<p>Compile and submit to the Board of Directors an annual business plan which takes into account financial targets and forecast limits of available resources. The annual business plan will contain:</p> <ul style="list-style-type: none"> <li>a) a statement of the significant assumptions on which the plan is based;</li> <li>b) details of major changes in workload, delivery of services or resources required to achieve the plan.</li> </ul>
3.1.4 & 3.1.5	Director of Finance	<p>Submit budgets to the Board of Directors for approval. Monitor performance against budget; submit to the Board of Directors financial estimates and forecasts.</p>
3.1.7	Director of Finance	<p>Ensure adequate training is delivered on an on-going basis to budget holders.</p>
3.2.1 and 3.2.2	Chief Executive	<p>i) Delegate revenue budget to budget holders</p> <p>Responsibility of keeping expenditure within budgets is delegated on the following basis:</p> <ul style="list-style-type: none"> <li>a) Trust wide reserves – Director of Finance (Deputy Director in absence of Director);</li> <li>b) At Divisional level – Divisional Managers;</li> <li>c) At Directorate level – Directorate Managers;</li> <li>d) At Specialty Level – Clinical Directors and Operational Managers;</li> <li>e) For all other areas – Budget Holders of whom a list is maintained within the Finance Department.</li> </ul> <p>Any changes to services that have a contractual or financial implication (such as the agreement of a new service with a Commissioner or variation of existing service) should be approved by the Executive Team prior to service change and prior to contract changes being formally agreed.</p> <p>Decisions regarding requests for additional revenue funding not approved as part of the annual business planning process are delegated in the following manner;</p> <p>Chief Executive or Director of Finance – up to £50k            Executive Directors Group (in exceptional circumstances) – up to £250k            Senior Business Management Group – up to £250k            Finance, Performance and Investment Committee between £250k and £500k            Board of Directors Approval – greater than £500k            TP Managing Director up to £50k            TP Board up to £250k</p> <p>ii) Delegate capital budgets to budget holders once formally approved in line with 10.1.4 b (ii).</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
3.2.2	CE & Budget Holders	Must not exceed the budgetary total set by the Board of Directors.
3.3.1	Director of Finance	Devise and maintain systems of budgetary control.
3.3.2	Budget Holders	Ensure that: a) no overspend or reduction of income is incurred without prior consent of Board of Directors; b) approved budget is not used for any other than specified purpose; c) no permanent employees are appointed without the approval of the CE other than those provided for within available resources and manpower establishment; and d) provide information as requested by the Director of Finance.
3.3.3	Chief Executive	Identify and implement cost improvements and income generation activities in line with the Business Plan.
3.5.1	Chief Executive or Director of Finance	Submit monitoring returns to NHS Improvement/Monitor.
4.1	Director of Finance	Preparation of annual accounts and financial reports.
5.1.1	Director of Finance	Managing banking arrangements, including provision of banking services, operation of accounts, preparation of instructions and list of cheque signatories.
5.1.1	Board of Directors	Approve banking arrangements.
5.3.1	Director of Finance	Prepare detailed instructions on the operation of bank and GBS accounts.
5.3.2	Director of Finance	Advise the Trust bankers and the GBS in writing of the conditions under which each account will be operated.
5.3.4	Director of Finance	Open a bank account in the name of Torbay and South Devon NHS Foundation Trust.
5.3.4	Senior Finance Manager (Independent Sector) / Senior Management Accountant (Independent Sector) / Deputy Director of Finance	Opening banks accounts for Court of Protection.
6.1, 6.2, 6.3, 6.4.	Director of Finance	Income systems, including system design, prompt banking, review and approval of fees and charges, debt recovery arrangements( also TP Managing Director ), design and control of receipts, provision of

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p>adequate facilities and systems for employees whose duties include collecting or holding cash.</p> <p>In respect of setting of Fees and Charges the Director of Finance/ Managing Director of TP has delegated responsibility for:</p> <ul style="list-style-type: none"> <li>a) Private Patients , Overseas Patients, Income Generation Schemes and other Patient related services income sources;</li> <li>b) Prices for NHS Contracts;</li> <li>c) Review and implementation as required of Independent sector fees and charges.</li> </ul>
6.2.1	<p>TP Managing Director, TP Director of Finance and TP Board</p> <p>TP Managing Director</p> <p>TP Managing Director and TP Director of Finance</p> <p>Finance, Performance and Investment Committee / Chief Executive Officer</p>	<p>Managing Director in conjunction with the TP Director of Finance will set prices in line with a pricing policy approved by the TP Board.</p> <p>The Managing Director of TP is authorised to enter into TP revenue (sales) contracts up to £250,000.</p> <p>The Managing Director of TP and the TP Director of Finance are jointly authorised to approve TP revenue contracts of between £250,000 and £1,000,000.</p> <p>Any TP revenue contract values in excess of £1,000,000 must be authorised by:</p> <ul style="list-style-type: none"> <li>• the TP Board followed by the Trust Finance, Performance and Investment Committee or</li> <li>• exceptionally by the Trust's Chief Executive.</li> </ul>
6.2.2	All employees	Duty to inform DoF of money due from transactions which they initiate/deal with.
7.1	Chief Executive	Responsible for establishing contracts for the provision of services to patients in accordance with the Annual Plan and for establishing arrangements for providing extra-contractual services.
7.3	Director of Finance	Produce regular reports detailing actual and forecast income with a detailed assessment of the impact of the variable elements of income.
7.4	<p>Chief Executive or Director of Finance</p> <p>Deputy Director of Finance/ Head of Performance, Contracting and Information</p>	<p>Only officers empowered to sign contracts and contract variations on behalf of the Trust, except:</p> <p>Empowered to sign contract variations on behalf of the Trust up to £100,000</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>Finance, Performance and Investment Committee</p> <p>Managing Director of TP</p> <p>Managing Director of TP and Finance Director of TP to jointly approve</p> <p>Person responsible for adult social care</p>	<p>TP revenue contracts in excess of £1,000,000</p> <p>TP revenue contracts below £250,000. Expenditure contracts up to £100,000</p> <p>Sales contracts between £250,000 and £1,000,000</p> <p>Individual service contracts are not included under this term. See budgetary delegation for this element of spend.</p>
8.1.1	<p>Head of Procurement and Logistics/ Budget Manager/ Estates Officer.</p> <p>Director of Estates and Commercial Development/ Head of Procurement and Logistics/ Divisional General Manager/ Health Informatics Service Director/ TP Managing Director or their procurement professional and Peninsula Procurement Alliance Director (for tenders relating to Peninsula Alliance Contracts or its successor only).</p>	<p>Quotations, Tendering &amp; Contract Procedures are delegated in the following way. Figures are exclusive of VAT.</p> <p>a) Obtaining 2 minimum verbal quotations for good/ services up to £5,000( or 1 written)</p> <p>b) Obtaining 3 written quotations for goods/ services not exceeding £50,000.</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>Director of Estates and Commercial Development / Head of Procurement and Logistics// TP Managing Director or their procurement professional and Peninsula Procurement Alliance Director (for tenders relating to Peninsula Alliance Contracts or its successor).</p> <p>Chief Executive or Director of Finance or in absence Deputy Director of Finance</p>	<p>c) Obtaining 3 written competitive tenders for goods/services exceeding £50,000. TP Managing Director up to Official Journal of European Union (OJEU) limit. TP Managing Director to run competitive tender for goods and services exceeding OJEU limit.</p> <p>d) Waiving of formal quotation and tendering procedures (subject to points a to c).</p>
8.1.2	<p>a) the Zone Management Teams</p> <p>b) Zone Manager</p> <p>c) Person responsible for adult social care</p> <p>d) Any of person responsible for adult social care, Director of Operations, Director of Finance, or Chief Executive.</p>	<p>With regard to the awarding of individual service contracts for the provision of Independent Sector, regard must be taken to the needs of the client as well as the anticipated cost of the contract. As such all contracts with a weekly charge of</p> <p>a) to £650 should be agreed by a member of the Zone Management Teams( Band 7 and above)</p> <p>b) £651 to £1,000 should be agreed Zone Manager</p> <p>c) up to £2000 deputy to person responsible for adult social care</p> <p>d) all other contracts above this figure be agreed by any of person responsible for adult social care, Director of Operations, Director of Finance, or Chief Executive.</p>

<b>SFI Ref</b>	<b>Delegated to</b>	<b>Decisions and Duties Delegated by the Board of Directors with Powers to Act</b>
8.4.5	Chief Executive	Report waivers of tendering procedures to the Board of Directors.
8.4.7	Director of Finance	Where a supplier is chosen that is not on the approved list the reason shall be recorded in writing.
8.5.2	Chief Executive	Designate an officer or officers responsible for receipt and custody of tenders before opening. Responsible for the receipt, endorsement and safe custody of tenders received.
8.5.3	All Senior Officers and the Company Secretary	Authorised to open tenders regardless of whether they are from the originating department provided that the other authorised person opening the tenders with them is not from the originating department. Two Senior officers are required to be present at the opening of tenders.
8.5.3	Chief Executive	Shall maintain a register to show each set of competitive tender invitations despatched.
8.5.4	Chief Executive or Director of Finance	Where one tender is received will assess for value for money and fair price. TP Managing Director up to £25k where the expenditure is maintaining or improving manufacturing capability.
8.5.5	Chief Executive or Director of Finance	Decide whether any late tenders should be considered.
8.5.6	Chief Executive or Director of Finance	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 or Director of Finance.
8.5.8	Chief Executive	Nominate managers to keep lists of approved firms for tenders.
8.5.8c	Chief Executive via the Director of Estates and Commercial Development/ Head of Procurement/ Managing Director of TP	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 who are not already part of the approved contractors list. The Director with lead responsibility for clinical governance will similarly make such enquiries as is felt appropriate to be satisfied as to their technical / medical competence.
8.6.2	Chief Executive/ or nominated officer	Evaluate the quotations and select the one which gives the best value for money.
8.6.4	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 or Director of Finance.

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
8.8	Chief Executive or Director of Finance	Demonstrate that the use of private finance represents best value for money and transfers risk to the private sector.
8.8	Board of Directors	All PFI proposals must be agreed by the Board of Directors.
8.9 h	Chief Executive	Nominate an officer to oversee and manage a contract on behalf of the Trust.
8.10	Chief Executive	Nominate officers to enter into contracts of employment, re-grading staff, agency staff or consultancy service contracts.  In respect of Capital schemes the selection of architects, quantity surveyors, consultant engineers and other professional advisors within EU regulations is delegated to the Director of Estates and Commercial Development.
8.11.4	Chief Executive or Director of Finance	Authority to sign such contracts on behalf of the Trust will be limited to the Chief Executive or Director of Finance for contracts over £100,000 Or Deputy Director of Finance for schemes under £100,000.
8.13.1	Chief Executive	Ensure best value for money is demonstrated for all services provided under contract or in-house.
8.13.5	Chief Executive	Nominate an officer to oversee and manage a contract (for in-house services) on behalf of the Trust.
9.1.1	Board of Directors	Establish a Remuneration & Terms of Service Committee.
9.1.2	Executive Nominations and Remuneration Committee	Advise the Board of Directors on and make recommendations on the remuneration and terms of service of the Chief Executive, other officer members and senior employees to ensure they are fairly rewarded having proper regard to the Trust's circumstances and any national agreements.  Monitor and evaluate the performance of individual senior employees.  Advise on and oversee appropriate contractual arrangements for such staff, including proper calculation and scrutiny of termination payments.
9.1.3	Executive Nominations and Remuneration Committee	Report in writing to the Board of Directors its basis for the recommendations.
9.1.4	Chief Executive	Advise the Board of Directors on the remuneration and terms of service for staff not covered by the Remuneration Committee.
9.1.4	Board of Directors	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.

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
9.2.2	Chief Executive or Director of Finance  TP Board	Approval of increase in the financial liability as a result of proposed changes to funded establishment of any department in line with requirements of 3.2.1 above.  For increased financial liability to TP resulting from proposed changes to the funded establishment in TP.
9.3.2	Executive Team	With the exception of the Chairman, other Non-Executive Directors, Chief Executive and other Executive Directors the Executive Team will approve procedures as presented by the Director of Workforce and Organisational Development for the determination of commencing pay rates, condition of service, overtime, the use of bank/agency staff, annual leave, relocation expenses, grievance procedures, retirement, redundancy and dismissal for employees.
9.3.3	<ul style="list-style-type: none"> <li>a) Executive Directors/Directors/ Divisional General Managers</li> <li>b) Chief Executive or Director of Finance or TP board</li> <li>c) Chief Executive or Director of Workforce and Organisational Development or Director of Finance</li> <li>d) Director of Workforce and Organisational</li> </ul>	<p>The delegation of authority for pay expenditure, remuneration and other entitlements which allows Trust officers to engage, re-engage, or re-grade employees, either on a permanent or temporary nature, or hire agency staff, or agree to changes in any respect of remuneration and other entitlements are detailed below.</p> <ul style="list-style-type: none"> <li>a) Authority to fill funded posts within the establishment with permanent staff.</li> <li>b) Authority to appoint staff to posts not on the formal establishment</li> <li>c) Additional increments – the granting of additional increments to staff within budgets (subject to the rules of Agenda for Change)</li> <li>d) Applications for re-grading (in line with the Trust policy on Agenda for Change and in accordance with Trust Procedures)</li> </ul>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>Development</p> <p>e,f,g) Authorised Budget holders on the authorised list held by the Finance Department or Payroll Department for payroll related issues</p> <p>hi) Medical Director or Deputy Medical Director or Associate Medical Director</p> <p>hii) Director of Nursing / Other Executive Director/ Associate Directors of Nursing and Midwifery/ Divisional General Manager via Employment Plus Office</p> <p>hiii) Director / Divisional General Manager</p> <p>i) Line Manager</p> <p>ia,ib,ic,id,ie,if) Head of Department</p>	<p>e) Authority to complete standing data forms affecting pay, new starters, variations and leavers.</p> <p>f) Authority to authorise overtime.</p> <p>g) Authority to authorise travel and subsistence expenses. Substance level for TP to be appropriate to the region visited.</p> <p>h) Authority to book Bank or Agency Staff for</p> <p>i) Consultants and Middle grades</p> <p>ii) Nursing Staff</p> <p>iii) All other staff</p> <p>i) Annual Leave approval</p> <p>a) Approval of annual leave b) Annual leave approval to carry forward 5 days c) Compassionate leave up to 3 days</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>if) Director / Divisional General Manager</p> <p>j) Divisional General Manager</p> <p>k) Clinical Director and Divisional General Manager jointly</p> <p>i) Medical Director/ Clinical Director/ Divisional General Manager jointly</p> <p>Clinical Director and Divisional General Manager jointly</p> <p>Medical Director/Divisional General Manager jointly</p> <p>ii) Medical Director with DGM advice</p>	<p>d) Compassionate leave up to 6 days e) Paternity leave up to 10 days</p> <p>f) Special leave arrangements</p> <p>j) Leave without pay approval</p> <p>k) To authorise Medical Staff Leave of Absence</p> <p>i). Doctors below Consultant grade</p> <p>Annual leave</p> <p>Study leave</p> <p>ii). Consultant Staff</p> <p>Annual leave</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>iii) Medical Director/Divisional General Manager with DGM advice</p> <p>iv) Chief Executive or appropriate Clinical Director</p> <p>l,m) Head of Department</p> <p>n) Director in conjunction with Director of Workforce and Organisational Development</p> <p>o)</p> <p>i) Chief Executive or Director of Workforce and Organisational Development</p>	<p>Study leave</p> <p>iii). Clinical Directors</p> <p>Annual leave</p> <p>Study leave</p> <p>iv). Medical Director</p> <p>Annual and Study leave</p> <p>l) Approval of Time off in lieu</p> <p>m) Maternity leave paid and unpaid – automatic approval within Trust Policy.</p> <p>n) Sick Leave</p> <p>i) Extension of sick leave on half pay up to 3 months.</p> <p>ii) Return to work part-time on full pay to assist recovery</p> <p>iii) Extension of sick leave on full pay</p> <p>o) Study Leave &amp; Conferences</p> <p>i) Medical Study leave outside the UK</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>ii) Chief Executive or Medical Director with DGM advice</p> <p>iii) Medical Director With DGM advice</p> <p>p,q) Head of Department</p> <p>r)</p> <p>i) Director of Workforce and Organisational Development or Director of Finance</p> <p>ii) Divisional General Manager</p> <p>s) Chief Executive and Director of Workforce and Organisational Development and Director of Finance</p> <p>t) Director of Workforce and Organisational</p>	<p>ii) Medical study leave within UK</p> <p>iii) All other study leave</p> <p>p) Removal Expenses, Excess Rent and House Purchases – Authorisation of payment of removal expenses incurred by Officers taking up new appointments (providing authorisation was given prior to interview interview)</p> <p>q) Grievance Procedure – All grievances cases must be dealt with strictly in accordance with the Grievance Procedure and the advice of a Human Resources Officer must be sought when the grievance reaches the level of General Manager.</p> <p>r) Authorised Car &amp; Mobile Phone Users</p> <p>i) Approval of requests for new posts to be authorised as lease car users (Does not apply to Salary sacrifice scheme cars)</p> <p>ii) Approval for requests for new posts to be authorised as mobile telephone users</p> <p>s) Redundancy</p> <p>t) Ill Health Retirement decision to pursue retirement on the grounds of ill-health</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	<p>Development and Clinical Director and Occupational Health</p> <p>u,v) Chief Executive or, Director of Finance or Director of Workforce and Organisational Development.</p> <p>w) Divisional General Manager with counter signature of Director</p> <p>x) Divisional General Manager or counter signature of Director</p> <p>y) Chief Executive or Medical Director and Divisional General Manager</p>	<p>u) Dismissal – Dismissing Officer in line with Disciplinary Procedure.</p> <p>v) Engagement of Trusts solicitors for matters relating to staff contracts and remuneration</p> <p>w) Annual Leave Payment in Lieu</p> <p>x) Special Responsibility Payments</p> <p>y) Clinical Activity Payments</p>
9.3.3	Board of Directors	Approve procedures for the determination of commencing pay rates, condition of services, etc., for employees.
9.4.1	Director of Finance and Director of Workforce and Organisational Development	<p>Payroll</p> <p>a) specifying timetables for submission of properly authorised time records and other notifications;</p> <p>b) making payments on agreed dates;</p> <p>c) agreeing method of payment;</p> <p>d) approving the form of all the records, pay sheets, other pay records and notification together with certification requirements.</p>
9.4.2	Director of Workforce and Organisational	Shall be responsible for the final determination of pay including the verification that rates of pay and relevant conditions of service are in accordance with current agreements and the proper compilation of

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	Development	the payroll.
9.4.3	Director of Finance and Director of Workforce and Organisational Development	Issue instructions re documentation, timetable, subsidiary records, security, authority to release payment, payment methods, payment recall, pay advances, reconciliation of pay control accounts, separation of duties, and recovery of money from leavers.
9.4.4	Nominated Managers*  Divisional General Manager or Director	Submit time records in line with timetable Complete time records and other notifications in required form. Submitting termination and change of circumstance forms in prescribed form and on time. Record of nominated managers to be maintained in Payroll department  Informing Payroll of Changes to Nominated Managers
9.4.4	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.
9.5	Nominated Manager*	Ensure that all employees are issued with a Contract of Employment and which complies with employment legislation; and Deal with variations to, or termination of, contracts of employment.
10.1.1	Board of Directors	Approve the level of non-pay expenditure on an annual basis.
10.1.3	Chief Executive	Set out procedures on the seeking of professional advice regarding the supply of goods and services.
10.1.4	Chief Executive	Determining, and setting out, the level of delegation of non-pay revenue and capital expenditure/ Requisitioning/ Ordering/ Payments of goods and Services for budget managers. a) Requisitioning of non-pay revenue governed by Agresso procurement and the authorisation of invoices within the approved budget.  For Invoices and Agresso procurement , authority is delegated at the following levels: Chief Executive – Unlimited Director of Finance (and Deputy DoF in DoF's absence) – Unlimited Other Directors and Divisional Managers - £100k Budget Holders - £10k

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p>For Adult social care authorisation of care packages within the budget: -</p> <p>With regard to the awarding of individual service contracts for the provision of Independent Sector, regard must be taken to the needs of the client as well as the anticipated cost of the contract. As such all contracts with a weekly charge of</p> <ul style="list-style-type: none"> <li>a) to £650 should be agreed by a member of the Zone Management Teams,</li> <li>b) £651 to £1,000 should be agreed by the Zone Manager</li> <li>c) up to £2,000 deputy to person responsible for adult social care</li> <li>d) all other contracts above this figure be agreed by the of person responsible for adult social care, or Director of Operations, or Director of Finance, or Chief Executive.</li> </ul> <p>*Where patients are placed in high secure establishments by order of a Court Judge, the Director of Finance will be informed of the cost implications, but this will not require further authorisation.</p> <p>For the Independent Sector the Finance Team will match approved care packages to invoices and pay on them according to the following delegation:</p> <ul style="list-style-type: none"> <li>Finance Officers up to £5K</li> <li>Finance Manager up to £25k</li> <li>Senior Finance Management / Senior Management accountant up to £100K</li> <li>Assistant Director of Finance or above in excess of £100K</li> </ul> <p>TP delegated items for bill of materials budget up to £25k. TP Managing Director up to £50k. TP Board up to £100k. TP non bill of materials budget holder up to £2,500.</p> <p>Where invoices are billed at a Trust wide level these will be authorised for payment by the Director of Finance, Deputy Director of Finance or Assistant Director of Finance. Items included in this arrangement include NHS Supply Chain, Telephone Invoices, Printing Invoices and Purchasing Cards.</p> <p>b) Approval of capital/IT schemes, projects and expenditure.</p> <p>Schemes subject to Board of Directors approval of the annual capital programme, thereafter, new schemes submitted for approval within the year subject to the following approval levels</p> <p>Chief Executive or Director of Finance– up to £50k</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p>Executive Directors Group – up to to £250k (exceptional circumstances)</p> <p>TP Managing Director to approve TP schemes up to £50k and within Board of Directors controlled limit for TP for the year.</p> <p>Senior Business Management Team up to £250k</p> <p>Finance, Performance and Investment Committee – between £250k and £500k (TP board for TP business subject to Terms of Reference)</p> <p>Board of Directors Approval – greater than £500k</p> <p>Any new or existing schemes of any value that lead to the original capital programme budget approved by the Board of Directors being exceeded will require Board of Directors approval.</p> <p>All medical capital equipment purchases should be supported by a duly authorised CA1. The CA1 should also be authorised by the Director of Finance, Deputy Director of Finance or Assistant Director of Finance. CA1 forms are not required for Health Informatics Services managed IT schemes, vehicle purchasing or where the Director of Finance, Deputy Director of Finance or Associate Director of Finance determines otherwise.</p> <p>All of the following except € are subject to the limits specified in (a) and (b) above.</p> <p>c) Requisitioning of non-pay expenditure for which no specific budget has been approved. Chief Executive or Director of Finance</p> <p>d) Orders exceeding 12 month period non-maintenance contracts Chief Executive or Director of Finance (or Deputy Director of Finance up to £100K)</p> <p>e) Orders exceeding 12 month period – maintenance contracts (single supplier) Maintenance Contracts Manager or Managing Director TP – up to £100k Chief Executive or Director of Finance – over £100k</p> <p>f) All contracts for goods and services and subsequent variations to contracts Chief Executive or Director of Finance (or Deputy Director of Finance/ Head of Contracts up to £100K), TP managing Director of TP revenue within delegated budget</p> <p>g) Approving all contracts for patient services Chief Executive or Director of Finance (or Deputy Director of Finance/ Head of Contracts up to £100K)</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act						
		<p>h) Granting and Termination of leases Chief Executive or Director of Finance (or Deputy Director of Finance)</p>						
10.1.5	<p>Director of Finance and subsequently</p> <p>a) Petty Cash Holder on production of receipt and completed petty cash voucher</p> <p>b) Petty Cash Holder on production of receipt and completed petty cash voucher and <b>PRIOR</b> approval of Assistant Director of Finance (Corporate Services)</p> <p>ci) Petty Cash Holder on production of PAT 1 form (two staff to sign)</p> <p>cii) Cheque Request to Assistant Director of Finance (Corporate Services)</p>	<p>The disbursement of Petty Cash is delegated in the following way.</p> <p>a) Expenditure up to £50 per item</p> <p>b) Expenditure up to £100 per item</p> <p>c) Reimbursement of patients monies:</p> <p>i) Up to £400. (Note deceased up to £100)</p> <p>ii) Above £400. (Note deceased over £100)</p>						
10.1.6	Director of Finance	<p>Determining, and setting out, the level of delegation relating to the financial management of Court of Protection clients.</p> <table data-bbox="757 1267 1249 1375"> <tr> <td>One-off payments</td> <td>Staff level</td> </tr> <tr> <td>&lt; £500</td> <td>Finance Assistant</td> </tr> <tr> <td>&lt; £5,000</td> <td>Finance Manager</td> </tr> </table>	One-off payments	Staff level	< £500	Finance Assistant	< £5,000	Finance Manager
One-off payments	Staff level							
< £500	Finance Assistant							
< £5,000	Finance Manager							

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p>&lt; £25,000                      Senior Finance Manager</p> <p>&lt; £100,000                    Senior Finance Manager &amp; Senior Management Accountant</p> <p>Over £100,000                Assistant Director of Finance, Deputy Director of Finance or Director of Finance</p> <p>Per year (on-going payments)    Staff level</p> <p>&lt; £5,000                        Finance Assistant</p> <p>&lt; £10,000                      Finance Manager</p> <p>&lt; £25,000                      Senior Finance Manager</p> <p>&lt; £100,000                    Senior Finance Manager &amp; Senior Management Accountant</p> <p>Over £100,000                Assistant Director of Finance, Deputy Director of Finance or Director of Finance</p> <p>House Sale                    Staff level</p> <p>&lt; £250,000                      Finance Manager and Senior Finance Manager</p> <p>&lt; £500,000                      Senior Finance Manager and Senior Management Accountant</p> <p>Over £500,000                Senior Management Accountant and Assistant Director of Finance, Deputy Director of Finance or Director of Finance</p>
10.2.1	Procurement and Logistics Department	Responsibility for effective purchasing, including obtaining tenders and quotations for goods and services.
10.2.1	Director of Estates and Commercial Development	Responsibility for effective purchasing, including obtaining tenders and Quotations for goods and services – Works.
10.2.1	Trust Pharmaceutical Officer/ Managing Director of TP in conjunction with Procurement Department	Responsibility for effective purchasing, including obtaining tenders and Quotations for goods and services – Drugs.
10.2.5	Director of Finance	<p>a) Advise the Board of Directors regarding the setting of thresholds above which quotations (competitive or otherwise) or formal tenders must be obtained; and, once approved, the thresholds should be incorporated in SFI and regularly reviewed;</p> <p>b) Prepare procedural instructions on the obtaining of goods, works and services incorporating the thresholds;</p> <p>c) Be responsible for the prompt payment of all properly authorised accounts and claims;</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<ul style="list-style-type: none"> <li>d) Be responsible for designing and maintaining a system of verification, recording and payment of all amounts payable;</li> <li>e) A timetable and system for submission to the Director of Finance of accounts for payment; provision shall be made for the early submission of accounts subject to cash discounts or otherwise requiring early payment;</li> <li>f) Instructions to employees regarding the handling and payment of accounts within the Finance Department; and</li> <li>g) Be responsible for ensuring that payment for goods and services is only made once the goods and services are received</li> </ul>
10.2.6	Director of Finance	Approve proposed prepayment arrangements.
10.2.6	Budget holder	Ensure that all items due under a prepayment contract are received (and immediately inform Director of Finance if problems are encountered). Prepayments up to £5k can be approved by the TP Managing Director.
10.2.7	Chief Executive	Authorise who may use and be issued with official orders.
10.2.8	Managers and budget holders	Ensure that they comply fully with the non-pay expenditure guidance and limits specified by the Director of Finance.
10.2.8d (iii)	Chief Executive , Director of Finance and the Director of Workforce and Organisational Development	<p>Shall ensure that the requirements of the NHS Management Executive Guidelines' "Standards of Business Conduct for NHS Staff" HSG (93)5, are fully implemented.</p> <p>Specifically with regard to receiving hospitality a Hospitality Register needs to be kept by the Trust. Employees, for both individual and collective hospitality, are required to make a declaration in the Trust's Hospitality Register for items in excess of £25 per item received.</p>
10.2.9	Chief Executive and Director of Finance	Ensure that Standing Orders are compatible with Department of Health requirements re building and engineering contracts (CONCODE) and land and property transactions (ESTATESCODE).
10.2.9	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 CONCODE and ESTATECODE. The technical audit of these contracts shall be the responsibility of the relevant Director.
10.4	Chair of TP Board and TP Managing Director	Hospitality could be provided at the discretion of the Managing Director and only with the prior approval of the Chairman of the Torbay Pharmaceuticals Board. On occasion, this type of expenditure may, for acceptable business reasons exceed that initially authorised. In such circumstances, the Managing Director must seek the retrospective approval of the Chairman of the Torbay Pharmaceuticals Board.

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		Such hospitality should be reasonable and proportionate.
11.1.3	Board of Directors	<ul style="list-style-type: none"> <li>a) Approve external funding arrangements and any new loans over £5m. Loan renewals/refinancing and new loans up to £5m need not be approved by the main Board of Directors;</li> <li>b) Approve the overall Treasury Management Policy;</li> <li>c) The Board of Directors delegates responsibility for approval of the Trust's Treasury procedures, controls and detailed policies to the Finance, Performance and Investment Committee.</li> </ul>
11.1.4	Finance Committee	<ul style="list-style-type: none"> <li>a) Approve the Trust's investment and borrowing strategy and policies in line with its strategy on risk.</li> <li>b) Approve the Trust's interest rate (and foreign exchange risk), management strategy and policies.</li> <li>c) Approve the relevant benchmarks for measuring performance.</li> <li>d) Review and monitor investment and borrowing policy and performance against the relevant benchmarks in respect of all funds.</li> <li>e) Ensure proper safeguards are in place for security of the Trust's funds.</li> <li>f) Monitor compliance with Treasury policies and procedures on investment/borrowing/interest rate/foreign exchange management in respect of limits, approved counterparties and types of investments/instruments</li> <li>g) Approve external funding arrangements within delegated authority.</li> <li>h) Delegate responsibility for Treasury operations to the Trust Director of Finance. The Director of Finance will hold regular meetings with the Treasury Team to discuss issues and consider any points that should be brought to the attention of the Finance, Performance and Investment Committee</li> </ul>
11.1.5	Director of Finance	<ul style="list-style-type: none"> <li>a) Ensure that the Trust Treasury Management activities are carried out in line with the policy.</li> </ul>
11.1.6	Assistant Director of Finance (corporate)	Oversee the operational management and performance of the Treasury Function on a day to day basis.
11.1.7	Director of Finance	The DoF will advise the Board of Directors on the Trust's ability to pay dividend on PBC and report, periodically, concerning the PDC debt and all loans and overdrafts.
11.1.8	Board of Directors	<p>Approve a list of employees authorised to make short term borrowings on behalf of the Trust, which is set out below.</p> <p>Chief Executive or Director of Finance or Deputy Director of Finance or Assistant Director of Finance and any other bank signatory up to the approved Working Capital Facility limit.</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
11.1.9	Director of Finance	Prepare detailed procedural instructions concerning applications for loans and overdrafts.
11.1.11	Chief Executive or Director of Finance	Be on an authorising panel comprising one other member for short term borrowing approval.
11.2.2	Director of Finance	Will advise the Board of Directors on investments and report, periodically, on performance of same.
11.2.3	Director of Finance	Prepare detailed procedural instructions on the operation of investments held.
12.1.1 & 12.1.2	Chief Executive via delegated officers	Capital investment programme a) ensure that there is adequate appraisal and approval process for determining capital expenditure priorities and the effect that each has on business plans; b) responsible for the management of capital schemes and for ensuring that they are delivered on time and within cost; c) ensure that capital investment is not undertaken without availability of resources to finance all revenue consequences; d) ensure that a business case is produced for each proposal.
12.1.2	Director of Finance	Certify professionally the costs and revenue consequences detailed in the business case for capital investment.
12.1.3	Chief Executive via Director of Estates and Commercial Development	Issue procedures for management of contracts involving stage payments.
12.1.4	Director of Finance	Issue procedures for the regular reporting of expenditure and commitment against authorised capital expenditure.
12.1.5	Chief Executive	Issue manager responsible for any capital scheme with authority to commit expenditure, authority to proceed to tender and approval to accept a successful tender. Issue a scheme of delegation for capital investment management (refer to 3.2.1 above).
12.1.6	Director of Finance	Issue procedures governing financial management, including variation to contract, of capital investment projects and valuation for accounting purposes.
12.2.1	Board of Directors	Proposal to use PFI must be specifically agreed by the Board of Directors.
12.3.1	Chief Executive	Maintenance of asset registers (on advice from DoF).
12.3.5	Director of Finance	Approve procedures for reconciling balances on fixed assets accounts in ledgers against balances on

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		fixed asset registers.
12.3.7	Director of Finance	Calculate and pay capital charges in accordance with Department of Health requirements.
12.4.1	Chief Executive	Overall responsibility for fixed assets.
12.4.2	Director of Finance	Approval of asset control procedures.
12.4.4, 12.4.5	All senior staff	Responsibility for security of Trust assets including notifying discrepancies to DoF, and reporting losses in accordance with Trust procedure.
13.2.1	Chief Executive	Delegate overall responsibility for control of stores (subject to DoF responsibility for systems of control). Further delegation for day-to-day responsibility subject to such delegation being recorded. (Good practice to append to the scheme of delegation document).
13.2.1	Director of Finance	Responsible for systems of control over stores and receipt of goods.
13.2.1	Designated Pharmaceutical officers	Responsible for controls of pharmaceutical stocks.
13.2.1	Designated Estates Officer	Responsible for control of stocks of fuel oil and coal.
13.2.2	Director of Estates and Commercial Development/Head of Procurement/ Pharmaceutical Officer	The responsibility for security arrangements and the custody of keys for all stores and locations shall be clearly defined in writing by the designated manager/ Pharmaceutical Officer and agreed with the Director of Finance.
13.2.3	Director of Finance	Set out procedures and systems to regulate the stores.
13.2.4	Director of Finance	Agree stocktaking arrangements.
13.2.5	Director of Finance	Approve alternative arrangements where a complete system of stores control is not justified.
13.2.6	Director of Finance	Approve system for review of slow moving and obsolete items and for condemnation, disposal and replacement of all unserviceable items.
13.2.6	Procurement manager and Designated Pharmaceutical officers and Director of	Operate system for slow moving and obsolete stock, and report to DoF evidence of significant overstocking.

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	Estates and Facilities Management	
13.3.1	Chief Executive	Identify persons authorised to requisition and accept goods from NHS Supplies stores.
14.1.1	Director of Finance	<p>Prepare detailed procedures for disposal of assets including condemnations and ensure that these are notified to managers.</p> <p>The condemning and disposing of assets is delegated in the following way:</p> <p>Figures quoted are inclusive of VAT;</p> <p>Items obsolete, redundant, irreparable or cannot be repaired cost effectively;</p> <p>Replacement Values;</p> <p>Budget holder – up to £5,000;</p> <p>Executive Director or Divisional General Manager and Deputy Director of Finance - £5,000 to £20,000; and</p> <p>Chief Executive or Director of Finance – above £20,000.</p> <p>TP Board above £20,000</p> <p>TP Managing Director £0 to £20,000</p>
14.1.1/2	Director of Finance	<p>Prepare procedures for recording and accounting for losses, special payments and informing police in cases of suspected arson or theft.</p> <p>Procedures for losses, write-off and compensation are delegated in the following way. Figures quoted are inclusive of VAT.</p> <p style="padding-left: 40px;">a) Losses of cash due to theft, fraud, overpayment of salaries, wages, fees and allowances and ‘other’ causes</p> <p style="padding-left: 80px;">a. Up to £5,000</p> <p style="padding-left: 80px;">Chief Executive or Director of Finance</p> <p style="padding-left: 80px;">b. Over £5,000</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p style="text-align: center;">Board of Directors</p> <p>b) Fruitless payments (including abandoned capital schemes) up to £50,000</p> <p style="text-align: center;">Chief Executive or Director of Finance</p> <p>c) Fruitless payments (including abandoned capital schemes) over £50,000</p> <p style="text-align: center;">Board of Directors</p> <p>d) Bad debts and claims abandoned. Private patients, overseas visitors and others:</p> <p style="padding-left: 20px;">a. Up to £50,000</p> <p style="text-align: center;">Chief Executive or Director of Finance</p> <p style="padding-left: 20px;">b. Over £50,000</p> <p>Board of Directors Accountant and Senior Finance Officer (Independent Placements Finance Team)</p> <p style="padding-left: 20px;">Over £2,500 one from Director of Finance or Deputy Director of Finance and one from Senior Management Accountant or Senior Finance manager (Independent Placements Finance team)</p> <p>e) Damage to buildings, fittings, furniture and equipment and loss of equipment and property in stores and in use due to:</p> <p style="padding-left: 20px;">a. culpable causes (e.g. fraud, theft, arson) or other up to £50,000</p> <p style="text-align: center;">Chief Executive or Director of Finance</p> <p style="padding-left: 20px;">b. over £50,000</p> <p style="text-align: center;">Board of Directors</p> <p>f) After Approval from NHS Improvement/Monitor Compensation payments made under legal obligation to a value of:</p>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
		<p>a. Up to £100,000 plus costs</p> <p>Chief Executive and Director of Workforce and Organisational Development and Director of Finance (Joint Approval) plus subsequent notification to the Board of Directors.</p> <p>b. over £100,000</p> <p>Board of Directors</p>
14.2.2	All Staff	Discovery or suspicion of loss of any kind must be reported immediately to either head of department or line manager. The head of department or line manager who should then inform the CE or DoF.
14.2.2	Director of Finance	<p>Where a criminal offence is suspected, the following rules apply and the delegated person must inform the police</p> <p>a) Where a criminal offence is suspected of a violent nature or other – Director on Call</p> <p>b) Where a fraud is suspected – Director of Finance</p>
14.2.2	Director of Finance	Notify NHS Protect and External Audit of all frauds.
14.2.3	Director of Finance	Notify Board of Directors and External Auditor of losses caused theft, arson, neglect of duty or gross carelessness (unless trivial).
14.2.4	Chief Executive and Director of Finance	Approve write offs and authorisation of special payments for such categories or values of losses as the Board of Directors may determine.
14.2.5	Director of Finance	Consider whether any insurance claim can be made for any loss.
14.2.6	Director of Finance	Maintain losses and special payments register.
15.1.1	Director of Finance	Responsible for accuracy and security of computerised financial data.
15.1.2	Director of Finance	Satisfy himself that new financial systems and amendments to current financial systems are developed in a controlled manner and thoroughly tested prior to implementation. Where this is undertaken by another organisation, assurances of adequacy must be obtained from them prior to implementation.
15.2.1	Health Informatics Service	To receive from all responsible Directors details of outline design and the operational requirement of all

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
	Director	proposed computer general applications.
15.2.2	Director of Nursing and Governance	Publish and maintain a Freedom of Information (FOI) Publication Scheme, or adopt a model Publication Scheme approved by the information Commissioner.
15.3	Director of Finance	Ensure security, privacy, accuracy, completeness and timeliness of data during processing, transmission and storage, and allow for audit review.
15.4	Health Informatics service Director	Shall ensure that risks to the Trust arising from the use of IT are effectively identified and considered and appropriate action taken to mitigate or control risk. This shall include the preparation and testing of appropriate IT disaster recovery plans.
15.5	Director of Finance	Where computer systems have an impact on corporate financial systems satisfy himself that: a) systems acquisition, development and maintenance are in line with corporate policies; b) data assembled for processing by financial systems is adequate, accurate, complete and timely, and that a management trail exists; c) DoF and staff have access to such data; and d) such computer audit reviews are being carried out as are considered necessary.
16.2	Chief Executive	Responsible for ensuring patients and guardians are informed about patient's money and property procedures on admission.
16.3	Director of Finance	Provide detailed written instructions on the collection, custody, investment, recording, safekeeping, and disposal of patient's 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.
16.6	Departmental managers	Inform staff of their responsibilities and duties for the administration of the property of patients.
17.1.3	Director of Finance	Shall ensure each fund held on Trust is managed appropriately (subject to the discretion and approval of the Charitable Funds Committee). Expenditure on Charitable Funds and Endowment Funds is delegated subject to the following limits: Fund Holder – up to £5,000; Director of Finance - £5,001 to £20,000; Chief Executive - £20,001 to £50,000; Charitable Funds Committee – over £50,000.

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
17.1.3	Director of Finance	Ensure that each Charitable fund is managed appropriately with regard to its purpose and to its requirements.
17.3.3	Director of Finance	Responsible to the Board of Directors for ensuring that these Standing Financial Instructions are applied and shall nominate an officer to specialise in, and advise on the management of Charitable Funds in line with the requirements of legislation and best practice.
17.4.1	Director of Finance	Shall produce detailed codes of procedure covering every aspect of the financial management of funds held on trust, for the guidance of directors and employees. Such guidelines shall identify the restricted nature of certain funds.
17.4.2 and 17.4.3	Director of Finance	Shall periodically review the funds in existence and shall make recommendations to the charitable fund committee regarding the potential for rationalisation of a Charitable Funds.
17.6.2 and 17.6.3	Director of Finance	Provide guidelines to officers of Torbay and South Devon NHS Foundation Trust as to <ul style="list-style-type: none"> <li>a) how to proceed when offered funds;</li> <li>b) receipting arrangements; and</li> <li>c) wills, receipt of funds/other assets from executors.</li> </ul>
17.6.3 (e)	Director of Finance	Deal with all correspondence concerning a legacy after the death of a testator and shall be the only officer empowered to give an executor a good discharge.
17.7.1	Director of Finance	Shall be responsible for all aspects of the management of the investment of funds held on a charitable funds basis.
17.7.1	Director of Finance	Provide advice to the Charitable Funds Committee on a range of issues as detailed in the SFI's.
17.9.1	Director of Finance	The Director of Finance shall advise the Board of Directors and, with its approval, shall ensure that appropriate banking services are available to Torbay and South Devon NHS Foundation Trust as corporate trustee.
17.10.1	Director of Finance	The DoF shall ensure that: <ul style="list-style-type: none"> <li>a) appropriate records of all assets are maintained;</li> <li>b) appropriate measures are taken to protect and/or to replace assets; and</li> <li>c) all assets acquired from charitable funds which are intended to be retained within charitable funds are appropriately accounted for.</li> </ul>

SFI Ref	Delegated to	Decisions and Duties Delegated by the Board of Directors with Powers to Act
17.11.1	Director of Finance	Ensure regular Charitable Funds reports are made to the Charitable Funds Committee.
17.11.2	Director of Finance	Prepare an annual trustees' report and the required returns to be submitted to the Charity Commission after adoption by the Charitable Funds Committee.
17.12.2	Director of Finance	Ensure that the records, accounts and returns receive adequate scrutiny by internal audit during the audit cycle.
17.12.3	Chief Executive	Submit the Charitable Funds Management Letter to the Charitable funds Committee.
18	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.
19	Chief Executive	Retention of document procedures in accordance with Records Management requirements – NHS Code of Practice (Gateway Ref: 6295).
20.1	Chief Executive	Ensure the Trust has a risk management programme.
20.1	Board of Directors	Approve and monitor risk management programme.
20.2	Board of Directors	Decide whether the Trust will use the risk pooling schemes administered by the NHS Litigation Authority or self-insure for some or all of the risks. Decisions to self-insure should be reviewed annually.
20.3.1 and 20.3.3	Chief Executive  Director of Finance	Where the Board of Directors decides to use the risk pooling schemes administered by the NHS Litigation Authority the Chief Executive shall ensure that the arrangements entered into are appropriate and complementary to the risk management programme. The Director of Finance shall ensure that documented procedures cover these arrangements.  Where the Board of Directors decides not to use the risk pooling schemes administered by the NHS Litigation Authority for any one or other of the risks covered by the schemes, the Director of Finance shall ensure that the Board of Directors is informed of the nature and extent of the risks that are self-insured as a result of this decision. The Director of Finance will draw up formal documented procedures for the management of any claims arising from third parties and payments in respect of losses that will not be reimbursed.
20.3.3	Director of Finance	Ensure documented procedures cover management of claims and payments below the deductible.

**SCHEME OF DELEGATION FROM OTHER PROCEDURES**

**Section 6**

	<b>Delegated to</b>	<b>Decisions and Duties Delegated by the Board of Directors with Powers to Act</b>
Other (1)	<p>General Services Manager</p> <p>Director of Finance</p> <p>Chief Executive or Director of Finance</p> <p>Director of Finance or Director of Estates and Commercial Development</p>	<p>Agreements/ Licences</p> <p>a) Preparation and signature of all tenancy/agreements/ licences for all staff subject to Trust policy on accommodation for staff;</p> <p>b) Extensions to existing leases;</p> <p>c) Letting of premises to outside organisations;</p> <p>d) Approval of rent based on professional assessment.</p>
Other (2)	Director of Finance	The Director of Finance has responsibility for the Investment of all Funds (including Charitable and Endowment).
Other (3)	Drugs and Therapeutic Committee	Authorisation of New Drugs is delegated to the Drugs and Therapeutic Committee who will require agreement to financial consequences from the Director of Finance /Commissioners before authorisation is committed.
Other (4)	<p>Chief Executive or Medical Director</p> <p>Ethics Committee with advice from Finance Department</p>	<p>Authorisation of Sponsorship Deals.</p> <p>Authorisation of sponsorship deals in relation to Research projects.</p>
Other (5)	Chief Executive or Medical Director and Chairman of Research Committee	Authorisation of Research projects. In addition these must be self-funding and the appropriate finance input should be obtained for that assurance before approval is given.

Other (6)	Chief Executive or Medical Director or R&D Director	Authorisation of Clinical Trials. In addition these must be self-funding and the appropriate finance input should be obtained for that assurance before approval is given. Approval must be in compliance with the Trust Ethics Policy and procedures.
Other (7)	Director of Finance	Authority for ensuring the Trust has adequate Insurance Policies in place.
Other (8)	<p>Director of Nursing / Patient Services Officer</p> <p>Director of Nursing / Patient Services Officer/ As above in conjunction with Clinical Directors/DGM's/ Operational/ Managers</p> <p>Chief Executive/ Executive Director</p> <p>Director of Nursing / Clinical Risk Lead</p>	<p>Patients and Relatives</p> <p>a) Overall responsibility for ensuring that all complaints are dealt with effectively;</p> <p>b) Responsibility for ensuring complaints relating to a Directorate are investigated thoroughly;</p> <p>c) Final response to complainant;</p> <p>d) Medico-Legal Complaints co-ordination of their management.</p>
Other (9)	Chief Executive/ Communications Manager	Responsible for relationships with press.
Other (10)	Director of Infection Prevention and Control/ Director on call	Responsible for the management of Infections, diseases & notifiable outbreaks.
Other (11)	Chief Executive or Director of Nursing	<p>Nursing Extended Role Activities.</p> <p>Approvals of nurses to undertake duties/ procedures which can properly be described as beyond the normal scope of nursing practice. As per Nurses/Midwives/ Health Visitors ACT. Midwife Rules/Code of Practice NMC Code of Professional Conduct.</p>
Other (12)	Director of Finance	Establishment of legally binding contracts and variations to contracts with commissioners and outside bodies.

Other (13)	Director of Finance	Contract Monitoring and Reporting.
Other (14)	Medical Director	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.
Other (15)	Director of Workforce and Organisational Development	Facilities for staff not employed by the Trust to gain practical experience a) Professional recognition, Honorary contracts and insurance of medical Staff; b) Work experience students.
Other (16)	Director of Estates and Commercial Development	Ensure adherence to fire precautions.
Other (17)	Director of Workforce and Organisational Development	Ensure compliance with health and safety legislation requirements including control of substances hazardous to health regulations.
Other (18)	Chief Pharmacist/ (Managing Director TP for TP)	Ensure compliance with Medicines Inspectorate Regulations.
Other (19)	Director of Estates and Commercial Development	Ensure compliance with environmental regulations, for example, those relating to clean air and waste disposal.
Other (20)	Health Informatics Service Director/Data Protection Officer	Ensure compliance with Data Protection Act.
Other (21)	Health Informatics Service Director	Ensure compliance with the Access to Records Act.
Other (22)	Health Informatics Service Director	Management and control of computer systems and facilities to ensure achievement and compliance with national standards and Trust IT strategy.  Security of networked hardware and physical security to protect VAX/PDP/ Alpha etc. Installations.
Other (23)	Health Informatics Service Director	Delivery of specific IT projects.
Other (24)	Health Informatics Service Director /	Disaster Recovery and Major Incident Procedure

	Director of Estates and Commercial Development	<ul style="list-style-type: none"> <li>a) IT;</li> <li>b) terrorism;</li> <li>c) sabotage;</li> <li>d) civil disturbance;</li> <li>e) disgruntled patients/ employees;</li> <li>f) fires;</li> <li>g) storms and floods;</li> <li>h) transporting accidents;</li> <li>i) cold weather; and</li> <li>j) theft.</li> </ul>
Other (25)	Clinical Directors and Patient Safety & Quality Committee	Provisions of Clinical Audit and action taken as a result of clinical audits.
Other (26)	Divisional General Managers/ Clinical Directors/ Health Informatics Service Director/ Director of Estates and Commercial Development	Preparation of Divisional and Support Services Business Plans.
Other (27)	Director of Finance/ Deputy Director of Finance	<p>Financial governance, probity , monitoring, planning and transactions, including:</p> <ul style="list-style-type: none"> <li>a) Production, distribution and interpretation of Budget Reports;</li> <li>b) Authorise payable instruments e.g. Cheques, BACS, CHAPS, Paymaster;</li> <li>c) Transfer of Funds between accounts;</li> <li>d) Ensure control accounts, input feeders and output reconciliations are monitored and reconciled; and</li> <li>e) Maintenance of a Chart of Accounts.</li> </ul>
Other (28)	Finance, Performance and Investment Committee	Investment of Surpluses and borrowing policies.
Other (29)	Director of Nursing / Child	Issues of responsibility relating to safeguarding and all statutory instruments relating to nursing are

	Protection	implemented and complied with.
Other (30)	Director of Nursing / Associate Directors of Nursing	Responsibility to ensure that every nurse is NMC registered.
Other (31)	Director of Nursing	Responsibility for producing and authorising all nursing related protocols and procedures.
Other (32)	Trust Records Manager/ On-call Director	Authorised access to Medical records by staff other than "Clinical Staff" ensuring patient confidentiality at all times.
Other (33)	Director of Nursing, Professional Practice and People's Experience	Responsible for clinical risk management.
Other (34)	Director of Estates and Commercial Development	<p>Management of land, buildings, included leased assets. Authorised holder of deed and controller of property.</p> <p>Emergency works to protect Trust's assets or maintain operational capability and protect the health and safety of patient/staff/visitors including verbal orders (for verbal orders all decisions should be confirmed the next day by a clearly marked "confirmation order". Normal tendering/ quote procedures do not apply).</p> <p>District Valuer issues and negotiations.</p> <p>Delivery of Capital Estates Projects.</p>
Other (35)	Divisional General Manager/ Operational Managers/ Heads of Department	Security of each operational area including compliance with statutory legislation.
Other (36)	<p>Theatre Procedures Committee</p> <p>Theatre Procedures Committee</p> <p>Clinical Audit Committee</p>	<p>Clinical Protocols;</p> <p>Theatre Protocols;</p> <p>Multiple use of single use items;</p>

		Clinical Guidelines and Protocols.
Other (37)	Managing Director of TP	<p>Torbay Pharmaceuticals (TP)</p> <ul style="list-style-type: none"> <li>a) stock control;</li> <li>b) quality standards;</li> <li>c) development of business;</li> <li>d) physical security;</li> <li>e) contracting;</li> <li>f) statutory regulations;</li> <li>g) pricing;</li> <li>h) TP accounting with advice from TP Director of Finance (professionally accountable to Deputy Director of Finance)</li> <li>i) management of approved budget.</li> </ul>
Other (38)	TP Board	<p>To be the appropriate authority in all matters relating to the acquisition and maintenance of the following licences:</p> <ul style="list-style-type: none"> <li>a) Home Office Controlled Drugs Licence</li> <li>b) MHRA Licences</li> <li>c) Other as required.</li> </ul>